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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 26<sup>TH</sup> NOVEMBER, 2007. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.02PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

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**1. ATTENDANCE & APOLOGIES:**

IN ATTENDANCE:

**COUNCILLORS:** DL Needham ..... Presiding Member  
JE Price  
MJ Geurds  
M Harris  
WJ Kirkpatrick  
EE Brown  
C Randall  
S Twine  
KR Murphy  
C Buttfield

**OFFICERS:** Ms J Abbiss ..... Chief Executive Officer  
Mr A Hart ..... Director Corporate Services  
Ms S van Aswegen..... Director Strategic Community Planning  
Mr B Gleeson ..... Director Development Services  
Mrs S Langmair ..... Minute Secretary  
Mrs L Fletcher ..... Development Services Support Officer

**APOLOGIES:** Nil

**GALLERY:** 9

**2. PUBLIC QUESTION TIME:**

2.1 Response To Previous Public Questions Taken On Notice

Public Question Time commenced at 7.02pm

Athol Wigg, 36 Old Brickworks Road, Byford

Q Is it possible for those responsible for children's playgrounds in the Shire to visit the LotteryWest playground in Kings Park? The equipment at this playground would be very difficult to vandalise. With the increasing population in the Shire this is something that we should be catering for those new children to the Shire in the future.

A The Presiding Member advised that we would ask our staff to visit this playground. The Chief Executive Officer (CEO) advised that she will ask the relevant staff to visit the playground in Kings Park.

David Rayby, 169 Larsen Road, Byford

Q They are currently experiencing a lot of traffic along Larsen Road with the development in the area. What is the Council going to do regarding the people in that estate with equestrian interests? The road also needs to be swept, this has not been done in the last four weeks. With the increase of people to the area they are experiencing golf balls, drink bottles etc in their backyard. There are also people doing burn outs in the area. Is something going to be done about this? Trucks are also

causing a lot of damage to the houses with their house developing cracks. The truck drivers are not using their air breaks when travelling along the road.

- A The Presiding Member took the question on notice regarding roads being swept. The CEO advised that the Shire cannot control how the trucks are being driven. If they are 'as of right' vehicles using the road, Council does not have the power to control them. Most of the matters highlighted are Police matters. The Shire President advised that she will be at a meeting with the OIC of the Mundijong Police Station during the course of the week and will bring this to his attention.

Public Question Time concluded at 7.08pm

### **3. PUBLIC STATEMENT TIME:**

Public Statement Time commenced at 7.08pm

Terry Smith, 100 Crowden Street

Regarding the development at Lot 121 South Crescent, Byford (SD044/11/07), he advised that he is the owner of this property and is aware of Council's concerns regarding the large bin storage facility.

Clayton Oud, 301 Lightbody Road

Regarding the Lightbody Road Cul de sac, all residents that live on the road support the cul de sac for quality of lifestyle and safety. The people against the proposal don't live on the road. Only two will be inconvenienced, of those one visits once or twice a week. The road is in an appalling condition. When they purchased the property they were told that the road would be bitumised. The benefit for the wider community would be that they would use the road when it was sealed.

Gerald Bergsma, 27 Lightbody Road

Wanted to highlight the history of the problem they have. Gave background when Eric Senior was a Councillor. Petition to the Shire 12 months ago. At that time there appeared there were not enough funds. Then there was a cul de sac proposal put forward. He did not push for a cul de sac, had to accept cul de sacing as a second best option. Happy to proceed and then concerned to see the latest recommendation to not cul de sac the road. Council will have to find another solution. There are 18 vehicle movements per day on the road from his own property as five people from his family use the road. Feedback from residents, the ones who do not live there are against this proposal. The ones that use the road daily are passionate about it and are the ones that are at risk, whose cars get damaged and are affected by dust. He urged Councillors to drive down this road, not in good condition at the moment with sharp bends, corrugation and you are forced to drive in the middle of the road. Would like Council to take this matter further and to vote on the cul de sacing.

Loretta Oud, Lightbody Road

Have spoken before on numerous occasions and draws the conclusion that there is little respect for those people who are living on the road. Validity of everyday experiences and concerns are shared by all the households on the road except for one which has tenants. Opposition arguments are from landowners who do not live on the road. Their experiences show the need to go ahead with cul de sac. She asked Council to defer the matter until another meeting so that further investigations can be undertaken.

Cr Kirkpatrick left the meeting at 7.10pm and returned at 7.11pm.

The following document was hand delivered to the Administration Office on the morning of 26<sup>th</sup> November, 2007 and as it does not meet the criteria, under the Shire's Standing Orders Local Law 2002 (3.6) relating to petitions, it will be recorded as a Statement:

Byford Structure Plan

Re the deviation of Larsen Road Byford into Thatcher Road Byford.

In support of this proposal we detail the following.

This petition is supported by 100% of home occupiers within the western portion of Larsen Road and expresses the concerns of residents with regards to the safety of school children and the equine industry in general.

Larsen Road is important with regard to access for the loading and unloading of horses from articulated transport, horse floats and the movement of horses in general. The safety of horse handlers and the general public alike should be a major consideration in keeping traffic to a minimum.

With the increase of population there has been an increase of people riding horses both on Larsen Road and Larsen Road footpath, at the same time there has been an increase of unlicensed trail bikes using both the road and footpath, NB trail bikes and horses are not compatible.

Reduction in traffic would create a far safer environment for children walking or riding bikes to and from the Marri Grove Primary School.

Please note with the unanimous support and the concerns raised by residents the increase in traffic is very much an intrusion on our day-to-day activities.

It is expected that every councillor will support this petition.

We the undersigned as residents of the western portion of Larsen Road Byford ie west of Thatcher Road intersection petition the Serpentine Jarrahdale Shire to allow the proposal as shown on the plan attached to prevent through vehicular traffic access to Larsen Road East.

Signed on behalf of the residents.

Tony Thorp and Brian Duncan.

Attached to the statement was a map and a list of 42 names, addresses and signatures.

The Director Development Services commented on this statement and advised that the Western Australian Planning Commission have not put in writing to the Shire their recent decision in respect to this matter. The people of this petition will be responded to once this advice has been received.

Public Question Time concluded at 7.21pm.

#### **4. PETITIONS & DEPUTATIONS:**

Nil

## **5. PRESIDENT'S REPORT:**

The Presiding Member read the following report by Cr Kirkpatrick:

Report of 9<sup>th</sup> Anniversary of Serpentine Jarrahdale Youth Activity Group.

I recently had the pleasure of attending the 9<sup>th</sup> Anniversary of the group. The function was attended by a number of parents also Mr Gossatti of Inglewood Fine Timber Products.

The group had another successful year and were fortunate in having two former students come back as instructors. They displayed a lot of the work that they had done during the year, including some very fine woodwork. The group teaches woodwork, metalwork, sewing and cooking. Students are encouraged to think outside the box with ideas and find solutions to problems.

Certificates were given to a number of students for achievements during the year and a certificate of appreciation was presented to me, for the Council, thanking the Council for its ongoing support both in the use of the facility and the financial support.

The group is run in a very professional way in that not only does it have instructors, it also has a safety officer and a paramedic at all working days.

A substantial donation of nearly \$2000 was made by the members of the Anglican Church who had had an open garden function, which was helped by a raffle, run on the day by Mrs Eustice.

A contribution was received from the Cardup Community Church from the proceeds of the Op Shop in Mundijong.

Mr Gossatti told the group that if they needed any timber, just to go to his business premises and he would not only donate the wood, but would help to load it. He also expressed an interest in the possibility of apprenticeships in timber crafts for local youth, at his factory.

The group is building a replica of the Diamond Crossing, to be presented to Council for installation in the Linear Park, close to where the original was. They have been able to obtain donations of all the material required from a number of people from outside the Shire. It is hoped that the donation of the Crossing will be made in the first half of next year, 2008.

I would hope that the Shire will be able to put on a function to recognise this event and invite the donors and that any signage at the site would recognise their donations to the project.

A number of parents expressed satisfaction in that the Council supported the group, both financially and in-kind. Like all volunteers groups it is having trouble in attracting people to help run their group.

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

Cr Price declared a proximity interest in item OCM010/11/07 CONSIDERATION OF OPTIONS TO ADDRESS ZONING ANOMALY OF LOT 81 (14) COCKRAM STREET, MUNDIJONG (P03192 ) AND TO INITIATE AMENDMENT NO. 159 as the item relates to property that adjoins his residence.

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

**7.1 Ordinary Council Meeting – 22<sup>nd</sup> October, 2007**

**COUNCIL DECISION**

**Moved Cr Kirkpatrick seconded Cr Brown**  
**That the minutes of the Ordinary Council Meeting held on 22<sup>nd</sup> October, 2007 be confirmed.**  
**CARRIED 10/0**

**7.2 Special Council Meeting – 20<sup>th</sup> November, 2007**

**Moved Cr Buttfield seconded Cr Twine**  
**That the minutes of the Special Council Meeting held on 20<sup>th</sup> November, 2007 be confirmed.**  
**CARRIED 10/0**

**REPORTS OF COMMITTEES:**

<b>SD041/11/07 YOUTH STRATEGY (A1271)</b>		
<b>Proponent:</b>	Serpentine Jarrahdale Youth Advisory Council (SJYAC)	In Brief  Council is requested to endorse the Serpentine Jarrahdale Youth Advisory Council Strategic Plan 2007-2011.
<b>Owner:</b>	Not Applicable	
<b>Officer:</b>	Robyn Brown - Community Development Officer	
<b>Signatures Author:</b>		
<b>Senior Officer:</b>		
<b>Date of Report</b>	1 November 2007	
<b>Previously</b>	SD070/01/07	
<b>Disclosure of Interest</b>	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 if no interest	
<b>Delegation</b>	<b>Council</b>	

**Background**

With the assistance of Council funding of \$3,000 across the 2005/2006 and 2006/2007 annual budgets and a grant of \$3,000 from the Foundation of Young Australians, Serpentine Jarrahdale Youth Advisory Council (SJYAC) have worked with the community to prepare a Draft SJYAC Strategic Plan 2007-2011 (the Plan). This Plan aims to improve the lives of young people in the Shire.

At Council's January 2007 Ordinary Council Meeting it was resolved as follows:

**“SD070/01/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

*Moved Cr Wigg seconded Cr Price*



*Council endorses the advertising of the draft Serpentine Jarrahdale Youth Advisory Council Strategic Plan for public comment for a minimum period of 28 days.  
CARRIED 9/0”*

### **Sustainability Statement**

**Effect on Environment:** The final document will be made available electronically via the website to the youth network and general public, thus reducing paper wastage. A hard copy will be made available at the Shire, at the Alcoa Mundijong Library and select youth outlets.

**Resource Implications:** SJYAC will need to create a Five Year Action Plan, which will enable the outcomes of the Plan. This will need to be provided to Shire officers each year at budget planning time to allow finances to be allocated for projects/activities through the Forward Financial Plan and annual budget process.

**Use of Local, renewable or recycled Resources:** SJYAC will work with the Community Development Officer to continually identify local resources and partnerships to help finance many of the objectives of the Five Year Action Plan.

**Economic Viability:** The development of a strategic plan is a capacity building tool for the members of the SJYAC. The Plan will provide Shire officers and Council with an overview of the SJYAC proposed projects, some of which will need Council funding, others will involve community groups and businesses.

**Economic Benefits:** The Plan will identify and create partnerships with community groups and local businesses. This will allow new youth facilities and services to be provided in the Shire which would not be otherwise possible.

**Social and Environmental Responsibility:** This Plan will be based on partnerships and its implementation will broker further partnerships.

The community will continue to be involved through anticipated ongoing feedback from the focus group and through SJYAC contact with local youth and with feedback from the expected development of a youth website.

**Social Diversity:** The proposal aims to provide for the social diversity of a rapidly growing and changing population.

**Statutory Environment:** There are no statutory environment implications directly related to this Plan.

**Policy/Work Procedure Implications:** There are no work procedures or policy implications directly related to this Plan.

**Financial Implications:** Any financial implications from this Plan will not become evident until the SJYAC submit a Five Year Action Plan to Council through the Forward Financial Plan annual review and annual budget deliberations.

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

**1. People and Community**

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

Strategies:

1. Provide recreational opportunities.
4. Respect diversity within the community.
5. Value and enhance the heritage character, arts and culture of the Shire.

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

Strategy:

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

*Objective 3: High level of social commitment*

Strategies:

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

#### **4. Governance**

*Objective 1: An effective continuous improvement program*

Strategy:

5. Harness community resources to build social capital within the Shire.

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

Strategies

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

*Objective 3: Compliance to necessary legislation*

Strategy:

2. Develop a risk management plan.

#### **Community Consultation:**

The Draft SJYAC Strategic Plan 2007-2011 was advertised for public comment as per Council resolution SD070/01/07 for a minimum of 28 days, that being from 23 January 2007 to 23 February 2007.

Comments are tabled as follows:

#### **PUBLIC COMMENTS RELATING TO SERPENTINE JARRAHDAL E YOUTH ADVISORY COUNCIL DRAFT STRATEGIC PLAN 2007-2011**

<b>NAME</b>	<b>COMMUNITY COMMENTS</b>	<b>SHIRE COMMENTS</b>	<b>ACTION</b>
Colleen Rankin	Suggests the Shire consider utilising Briggs Park Pavilion/Learning Centre as a youth facility/meeting place, despite being small.	This facility is located near the skatepark and is close to an oval, allowing for natural "flow out" use of the facility for youth, although the room in question is at the opposite end of the pavilion to the skatepark. It might make more sense to use the cricket club because of location but this includes a locked bar area. Armadale Home Help is currently using Briggs Park twice per week. The Heritage Country Choir, Southside Care and Byford Learning Centre are using the facility one day per week.	These comments along with recommendations from the Shire Community Facilities and Services Plan to 2020 will be considered when a feasibility study to establish a youth facility is progressed. It is not deemed necessary to change the wording of Strategy Three contained within the Draft SJYAC Strategic Plan 2007-2011, "Establish local meeting places", as a result of this public comment.
John Dwyer	Suggests Council retain Baker Hall and turn it into a multi functional Hall that	Although leased by a church, the Baker Hall in Karbro Drive, Cardup, does have the flexibility to be utilised	As this comment refers to a suggestion of a specific meeting place it does not influence the wording of

**PUBLIC COMMENTS RELATING TO SERPENTINE JARRAHDAL E YOUTH ADVISORY  
 COUNCIL DRAFT STRATEGIC PLAN 2007-2011**

<b>NAME</b>	<b>COMMUNITY COMMENTS</b>	<b>SHIRE COMMENTS</b>	<b>ACTION</b>
	could be utilised particularly as a youth facility. This would also help compensate for a lack of community meeting places as a result of the Mundijong Hall being used by a private school.	casually for a youth facility. However this hall, although central to the Shire, is not conducive as a youth meeting place. It is widely documented that youth meeting places need to be near shops, recreation facilities and public transport to gain maximum usage and attraction. None of these criteria are met using the Baker Hall.	Strategy Three contained within the Draft SJYAC Strategic Plan 2007-2011, "Establish local meeting places"
Lorraine Scott, Principal SJ Grammar School	Suggests the communication of available events / facilities is of paramount importance.	Website communication is seen as the most effective communication for youth. A youth link has been made on the Shire homepage as an interim measure. Feedback from the Youth Survey suggested the need for an independent youth website. Funding has thus been set aside in the 2007/2008 budget to engage TAFE to provide training for SJYAC to develop an independent, but linked, website. This will provide a more effective form of communication for youth events/facilities in this Shire.	The notion of better communication to notify youth about events is currently contained within Strategy Two of the Draft SJYAC Strategic Plan 2007-2011, "Establishing networks with more young people and Strategy Three "Establish local meeting places". There is no need to alter these strategies as they cover this intent.
	Suggests that limited travel options limits access for youth activities	This suggestion is currently listed as the first Strategy of the Draft Youth Strategy Document. SJYAC have included this as one of the Five Strategies in their Five Year Action Plan. SJYAC has already asked the member for Serpentine Jarrahdale to look at changing the times of the Serpentine bus on Saturdays to allow the youth accessing this bus to be able to watch a movie and have a meal before returning.	This suggestion is currently contained within Strategy One of the Draft SJYAC Strategic Plan 2007-2011, "Improve transport and access for youth"
	Suggests schools are an excellent resource for non school hours teen activities. Suggest Shire taps into this resource	Legal implications need to be investigated with the Department of Education and Training before progressing this idea further. The subject can be included as an item on the Principals agenda in 2007. This suggestion will also need to be added to the SJYAC Five Year Action Plan within Strategy Four, "Identify and develop resources".	The suggestion does not influence the wording of Strategy Four, contained within the Draft SJYAC Strategic Plan 2007-2011, "Identify and develop resources"
	Suggests making funding available to establish	The Shire Community Funding program currently allows for such initiatives. The	The suggestion does not influence the current wording of Strategy Four "Identify and

**PUBLIC COMMENTS RELATING TO SERPENTINE JARRAHDALÉ YOUTH ADVISORY  
COUNCIL DRAFT STRATEGIC PLAN 2007-2011**

<b>NAME</b>	<b>COMMUNITY COMMENTS</b>	<b>SHIRE COMMENTS</b>	<b>ACTION</b>
	additional teenage activities such as dance classes.	Shire can promote the idea of encouraging youth organisations to offer new programs utilising seeding funding from the Community Funding Program. This suggestion could be added to the SJYAC Five Year Action Plan within Strategy Four "Identify and develop resources"	develop resources" as contained within the Draft SJYAC Strategic Plan 2007-2011

**Comment:**

SJYAC has evolved systematically since its formation in 2003. The development and presentation of the SJYAC Strategic Plan 2007-2011 displays growth in leadership and decision making by this group of young people. The endorsement of the Plan will provide recognition to the SJYAC members for their work thus far and will also encourage members to further improve the lives of local youth.

The feedback received during the community consultation period has presented potential new resources and ideas for SJYAC to pursue in the development of their annual review of their Five Year Action Plan but it has not resulted in any changes required to the Draft SJYAC Strategic Plan 2007-2011. Therefore this document has been finalised for endorsement.

***A copy of the Serpentine Jarrahdale Youth Advisory Council Strategic Plan 2007-2011 is with attachment marked SD041.1/11/07.***

**Voting Requirements:** Simple Majority

**SD041/11/07 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Harris seconded Cr Geurds

1. Council acknowledges the submissions received during the public consultation process.
2. Council endorses the Serpentine Jarrahdale Youth Advisory Council Strategic Plan 2007-2011 as attached at SD041.1/11/07 as a guide for improving the quality of life for young people in the Serpentine Jarrahdale Shire.
3. The submitters be advised of Council's decision.

**CARRIED 10/0**

SD042/11/07 MUNDIJONG CHANGEROOMS UPGRADE (RS0120)		
Proponent:	Serpentine Jarrahdale Shire	In Brief  To nominate two Councillors to sit on the Mundijong Change Rooms Upgrade Working Group which will undertake a feasibility study to consider facility funding and partnership options.
Owner:	Not Applicable	
Officer:	Elaine Edwards – Community Development Officer	
Signatures Author:		
Senior Officer:	Carole McKee - Manager Community Development	
Date of Report	6 November 2007	
Previously	SD032/10/07	
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	
<b>Delegation</b>	<b>Council</b>	

### **Background**

At the Ordinary Council Meeting of 22 October 2007 it was resolved as follows:

#### **“SD032/10/07 COUNCIL DECISION/Revised Officer Recommended Resolution**

*Moved Cr Price seconded Cr Kirkpatrick  
That Council*

1. *Not submit a CSRFF application in October 2007;*
2. *Identify \$15,000 (as per Option 2) at the half yearly budget review to fund a paint/patch/repair maintenance program, focusing particularly on the visitors facilities, prior to the 2008 football season ;*
3. *Identify \$10,000 at the half yearly budget review to make good the external toilet block;*
4. *Establish the proposed working group in order to bring officers, councillors, user group representatives and other stakeholders together to conduct a more thorough feasibility study and consider facility, funding and partnership options; and*
5. *Inform Central Football Club and Department of Sport and Recreation of this decision.*

**CARRIED 8/1 ABSOLUTE MAJORITY”**

To continue the momentum of this project a working group will now be established. Council is asked to nominate two Councillors to sit on the Mundijong Change Rooms Upgrade Working Group which will undertake a feasibility study to consider facility funding and partnership options.

### **Sustainability Statement**

***Effect on Environment:*** Whilst the proposed Working Group does not directly impact on the local environment concerned, the outcome will be environmentally sensitive in terms of the development of the change room upgrade as defined by related building codes.

***Economic Viability:*** The outcome of the working group is anticipated to address the economic viability issue through the consideration of funding and design options that will lead to an affordable facility.

***Economic Benefits:*** The outcome of the working group is anticipated to generate benefits in terms of more appropriate facilities that will result in more efficient running costs and in

potentially increasing Serpentine Jarrahdale Shire's revenue capacity through extended facility hire and attracting more visitors to the Shire.

**Social – Quality of Life:** The outcome of the working group, through the development of the change room upgrade, is to increase participation of current and future user groups that are not able to access the current facility.

**Social and Environmental Responsibility:** Though the development of the proposed working group, stakeholder groups will have the opportunity to participate and establish partnerships, which have the potential to benefit current and future user groups.

**Social Diversity:** The proposal will not disadvantage any social groups and will foster the opportunity for diverse groups within the community to participate in achieving the objectives defined for the proposed work group.

**Statutory Environment:** There are no statutory environment implications directly related to this issue.

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

**Financial Implications:** There are no financial implications for Council directly related to the establishment of a working group.

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

**1. People and Community**

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

Strategies:

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

*Objective 3: High level of social commitment*

Strategies:

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

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

2. Promote best practice through demonstration and innovation.
5. Harness community resources to build social capital within the Shire.

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

Strategies

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

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

This proposal will involve community representatives within the working group, where they will have opportunity to participate and contribute to the planning/development of the related facility. The Serpentine Jarrahdale Shire Community Facilities and Services Plan to 2020 (CFSP) will also inform this process. The CFSP planning process involved wide community consultation.

**Comment:**

The proposed terms of reference and membership of the Mundijong Change Rooms Upgrade Working Group are as follows:

**Objectives**

- Conduct feasibility study to determine options and accurate costings
- Consider facility funding and partnership options

**Membership will be invited from:**

- Councillors (2)
- Council Officers from Health Services, Building Services, Building Maintenance and Community Development (5)
- Centrals Football Club - Seniors (2)
- Centrals Football Club - Juniors (1)
- Serpentine Jarrahdale Basketball Association Inc. (1)
- Serpentine Jarrahdale Netball Association Inc. (1)
- Department of Sport & Recreation (1)

**Frequency of meetings**

- As required but no less than every six weeks

**Voting Requirements:** Simple Majority

**Officer Recommended Resolution:**

Council nominates Cr ..... and Cr .....to represent Council on the Mundijong Change Rooms Upgrade Working Group.

**SD042/11/07 COUNCIL DECISION/Committee Recommended Resolution:**

Moved Cr Kirkpatrick seconded Cr Geurds

1. That a working group be formed to bring forward a plan for the upgrading of the Mundijong Oval change rooms.
2. That it comprise of two community Development Officers, two Councillors being Councillor Kirkpatrick and Councillor Price, the President of the Football Club, one committee member of the Football Club, one major sponsor of the Football Club, a representative of the Netball Association and a representative of the Basketball Association.
3. This group is to meet monthly.
4. Other Council officers to be co-opted as required.

**CARRIED 10/0**

**Committee Note:** The Officer Recommended Resolution was changed to modify the members of the Working Group, ensure monthly meetings are held and Shire staff (other than those on the Group), attend on an as needs basis.

SD043/11/07 PROPOSED PATIO ADDITION TO EXISTING DWELLING – LOT 52 (4) BRADSHAW ROAD, BYFORD (P04359/01)		
Proponent:	Kalmar Factory Direct	In Brief  Application for a building licence submitted by a member of Shire staff is required to be referred to Council for determination. Approval is recommended subject to standard conditions.
Owner:	JG Kuhn & MK Traill-Nash	
Officer:	Greg Leuzzi - Contract Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	30 October 2007	
Previously	Not applicable	
Disclosure of Interest	Melissa Traill-Nash – Technical Officer	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 2 October 2007  
 Advertised: Not required  
 Submissions: N/A  
 Lot Area: 0.0828ha  
 L.A Zoning: Urban Development  
 MRS Zoning: Urban  
 Rural Strategy Policy Area: N/A  
 Rural Strategy Overlay: N/A  
 Municipal Inventory: N/A  
 Townscape/Heritage Precinct: N/A  
 Bush Forever: N/A  
 Date of Inspection: N/A

**Background**

The application has been submitted for a building licence for a patio extension to the existing dwelling. As the proponent is a member of staff of the Shire, the application is required to be referred to Council for determination and must be assessed by a private enterprise contractor. The building application has been assessed by the Shire’s Contract Building Surveyor.

***A copy of the building application is with the attachments marked SD043.1/11/07.***

**Sustainability Statement**

***Effect on Environment:*** The addition will create an extra 16m<sup>2</sup> of roof space on the property. Rainwater collected on the roof will need to be retained on site in accordance with Council’s standard requirements. There will be negligible affect on the environment outside of the property. A standard condition will be imposed requiring all stormwater to be contained on site.

***Social – Quality of Life:*** The addition will have no adverse impact and/or will not prejudice the amenity of the area.

**Statutory Environment:** Town Planning Scheme No. 2  
 Local Planning Policy LPP17 - *Residential and Incidental Development*

**Policy/Work Procedure Implications:** Corporate Services Policy CSP34 - *Council Control Over Employees Dealing in Land and other Business Activity Within the Serpentine Jarrahdale Shire*



Any Council approval issued under the provisions of CSP34 must be made by a majority decision of those Councillors in attendance and be subject to specific conditions including audit, review, reporting and disclosure conditions.

**Financial Implications:**

There are no Financial Implications to Council related to this application.

**Strategic Implications:**

Apart from the Policy/Work Procedure, as discussed above, there are no Strategic Implications related to this proposal.

**Community Consultation:**

Required: No

**Comment:**

General

The patio extension to the existing dwelling will have a coloured steel frame and zincalume roofing.

Corporate Services Policy No. 34

Corporate Services Policy No. 34 (CSP34) contains the following restrictions with regard to any application for development where the applicant is a staff member:

*“Delegations for approval of any developments will not apply in any cases where staff are involved as an applicant; in these instances each employee’s development application should go to Council for approval. This will apply to both the employee’s place of residence (including Chief Executive Office’s and Directors) and other developments. Applications of this kind should be dealt with by a private sector contractor or an appropriate qualified officer from another local government at Council’s cost. This will diminish the perception of the application being given favourable treatment by a fellow officer of the local government. Selection of the contractor or officer of another local government would need to be done carefully to remove the possibility of allegation.”*

Accordingly, the application for a building licence for the addition was referred to the Shire's Contract Building Surveyor for assessment.

The applicant submitted an Applicant's Assessment Form as required under CSP34 which has been signed by the Director Corporate Services and Chief Executive Officer.

LPP No. 17 Residential and Incidental Development Within Serpentine-Jarrahdale Shire

The proposed addition has been assessed in accordance with the Residential and Incidental Development Within Serpentine-Jarrahdale Shire Policy. The requirements of these Policies are summarised in the table below:

<b>Issue</b>	<b>Requirement</b>	<b>Provided</b>	<b>Complies</b>
Side Setback	1.5m	1.8m	Yes
Front setback	6m	8.7m	Yes
Building Envelope	N/A	N/A	N/A

The proposed addition meets the intent of the policy and, accordingly, approval to construct the patio is recommended.

Building Licence

The details provided with the plans submitted comply with all the required Australian Standard Requirements referenced in the Building Code of Australia. There are no impediments to the issue of a building licence.

**Voting Requirements:                      ABSOLUTE MAJORITY**

**SD043/11/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Harris seconded Cr Brown  
 Council grants approval for a Building Licence to be issued for the patio extension to the existing dwelling at Lot 52 (4) Bradshaw Road, Byford by the Shire's Contract Building Surveyor.  
 CARRIED 10/0 ABSOLUTE MAJORITY**

<b>SD044/11/07 THIRTEEN PROPOSED AGED PERSONS' DWELLINGS – LOT 121 (28) SOUTH CRESCENT, BYFORD (P05167/03)</b>		
Proponent:	Whelans Pty Ltd	In Brief  The applicant seeks approval to construct 13 aged persons' dwellings on the subject property. It is recommended the application be conditionally approved.
Owner:	Sharetime Pty Ltd	
Officer:	M Daymond – Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	7 November 2007	
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	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt:                      31 May 2007  
 Advertised:                              NA  
 Submissions:                            NA  
 Lot Area:                                0.4798 ha  
 L.A Zoning:                              Urban Development  
 MRS Zoning:                            Urban  
 Byford Structure Plan:                Residential R20  
 Rural Strategy Policy Area:           NA  
 Rural Strategy Overlay:               NA  
 Municipal Inventory:                 NA  
 Townscape/Heritage Precinct:      NA  
 Bush Forever:                         NA  
 Date of Inspection:                    July 2007

**Background**

The applicant seeks approval from Council to construct a small scale aged persons' housing development at Lot 121 South Crescent, Byford. Thirteen aged persons dwellings are proposed in total, with the purpose of the development being to retain residents within the

Shire by providing accommodation that meets the special needs of the aged or physically dependant members of the community.

***A copy of the site plan is with attachments marked SD044.1/11/07.***

### **Sustainability Statement**

***Effect on Environment:*** The site contains some significant existing vegetation in the front half of the lot that will generally be cleared. The applicant has endeavoured to retain the largest trees on site by locating these within the areas of Communal Open Space. It is acknowledged however that not all vegetation can be retained when developing a residential block to its maximum potential. It is considered that it may not be possible to keep the trees shown as being retained within the individual allotments (lots 3 and 4) once the development commences as they are located adjacent to buildings. If these trees are proposed to be removed, further approval from the Shire will need to be obtained.

### **Solar passive design**

The applicant has addressed the concept of solar passive design by locating, as best as possible, the habitable rooms within each dwelling on the northern side of the lots to obtain maximum benefit from the winter sun. Lots 8, 9 and 10 are only 10 metres wide at the northern end therefore making it difficult to design a dwelling with more than one habitable room facing north. The outdoor living areas for all lots will benefit from a northern orientation.

***Resource Implications & Use of Local, renewable or recycled Resources:*** It is considered that local materials and products may be used during the construction of the dwellings. 4

***Economic Viability & Benefits:*** The development maximises the potential of the property in accordance with the zoning of the land under Council's Town Planning Scheme No. 2 (TPS 2), by constructing 13 aged persons' dwellings on a large residential lot. This would have positive economic benefit for the local community by increasing the number of people living in the area.

***Social – Quality of Life & Social and Environmental Responsibility:*** The property is located in close proximity to the Byford town centre, shopping areas, community facilities and public transport routes.

### **Streetscape and safety**

The design of the three dwellings facing South Crescent avoids any negative aesthetic impacts on the area and maximises passive surveillance of the street. Each dwelling facing South Crescent has a single garage only which only occupies a maximum of 28% of the total lot frontage.

***Social Diversity:*** The proposal will provide self contained living accommodation for residents over 55 years of age. This development is the first of its kind in Byford.

### **Statutory Environment:**

TPS 2  
Byford Structure Plan (BSP)  
Byford Town site Detailed Area Plan (DAP)  
Residential Design Codes of WA

### **Policy/Work Procedure Implications:**

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

### **Financial Implications:**

There are no financial implications to Council related to this application.

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

3. Retain seniors and youth within the community.
4. Respect diversity within the community.
6. Ensure a safe and secure community.

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

Strategies:

2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
3. Design and develop clustered neighbourhoods in order to minimise car dependency.
4. Foster a strong sense of community, place and belonging.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

No community consultation was undertaken in respect to this application as an Aged Persons' Dwelling is an 'AA' use within the Residential zone.

**Comment:**

TPS 2 & Byford Structure Plan

The subject land is zoned 'Urban Development' under Council's Town Planning Scheme No.2 and is identified as 'Residential R20' under the Byford Structure Plan.

Under the scheme, Aged Person's Dwellings are identified as an AA use within the Residential zone.

Location & Site Description

The subject land is located in the older, established part of Byford, east of the South Western Highway. The existing lot is approximately 0.48 ha in size and has approximately 60 metres of frontage to South Crescent and a 30 metre rear boundary that abuts a recreation reserve.

Proposed Development

The proposal seeks to develop the land with 13, three bedroom brick and colorbond dwellings specifically for occupation by residents over the age of 55 years. As Aged Persons' Dwellings are generally smaller than conventional dwellings and the occupants do not usually have a high car ownership ratio, the Residential Design Codes (R-Codes) allow the reduction of the average and minimum site area by one third of that provided for by the code applying to the site. The proposal therefore seeks Council approval to the density bonus allowable under the R-Codes.

The proposed development comprises three units fronting South Crescent and ten units fronting an internal common driveway. A separate pedestrian path linking the northern most lots with the street is provided adjacent to the vehicular access way. Additionally, the

applicant advises that the design allows for two areas of communal open space which will be landscaped by the developer.

The design of the estate was primarily predicated on the preservation of six trees that were considered suitable for retention. These trees are shown on the site plan and have either been incorporated into the communal open space or located on lot boundaries to ensure their protection.

WA R-Codes

The R-Codes set out the requirements that need to be met for aged persons dwelling developments. The development requirements stipulated by the R-Codes cover the following areas:

- Streetscape
- Setbacks
- Open Space
- Access & Car Parking
- Site Works
- Building Height
- Privacy

The proposal complies with all requirements of the R-Codes, with exception to the following areas.

AREAS OF NON-COMPLIANCE WITH R-CODES

<b>R-code Requirement</b>	<b>Required</b>	<b>Proposed</b>
Plot Ratio (floor area of each dwelling)	Max. 100m <sup>2</sup> Plot ratio excludes garages, carports, verandahs and stores	105.2 - 114.68m <sup>2</sup>
Outdoor Living Area per dwelling	30m <sup>2</sup> each dwelling	All units meet the min 30m <sup>2</sup> except Lot 10 with 28m <sup>2</sup>
	Roof cover – max. 1/3	Lots 1, 2, 3, 5, 10, 12 and 13 have roof cover in excess of one third Lot 1: 37.3% covered Lot 2: 36.1% Lot 3: 35% Lot 5: 41.5% Lot 10: 33.6% Lot 12: 34.3% Lot 13: 34.3%
<b>Setbacks</b>		
To common driveway	Min 2.5m	Lot 5 - 2.47m Lot 13 - 2.41m
To South Crescent	Min 6.0m Min 4.5m for garage	3.0m 3.0m
To communal access way	Min 3.0m from any wall containing a major opening unless screened	Lots 5 and 13 have less than 3 metre setback from habitable room (bedroom) to access way. Lot 5: 2.47m Lot 13: 2.41m

Comment on Areas of Non-Compliance

### Plot Ratio

The maximum plot ratio floor area specified under the R-codes is 100m<sup>2</sup>. The application proposes plot ratios between 105.2 and 114.68m<sup>2</sup>. The applicant has provided the following information with respect to this variation:

*“The additional floor area in the proposed development could be attributed to the third bedroom, which is not standard in aged persons’ housing. The third bedroom is a deliberate inclusion to provide an attractive point of difference from other aged persons’ developments which generally have only two bedrooms.”*

Where development does not meet the Acceptable Development Criteria (ie 100m<sup>2</sup>), the variation may still be approved by Council subject to it adequately meeting the relevant Performance Criteria. The Performance Criteria in respect to Aged Persons’ Dwellings states:

*“Dwellings that accommodate the special needs of the elderly or physically dependent persons and are designed to allow for “ageing in place” taking into account:*

- *The proportion of dwellings designed to meet Australian Standards for Dependent Persons’ Dwellings;*
- *The location of the site in relation to public transport and convenience shopping;*
- *The topography of the locality in which the site is located; and*
- *The demand for aged and dependent persons’ accommodation.”*

It is considered that the additional floor area represents a marginal increase on the acceptable standard and does not alter the fact that the dwellings can only be occupied by aged persons as this will be controlled by a memorial on the title. All dwellings will meet the Australian Standards and this will be enforced at the building licence stage. The land is located within walking distance to local shops and public transport routes. The topography of the site is generally flat and does not raise concerns regarding occupant mobility in and around the site. Further, the proposed development provides an ideal housing alternative for local residents who wish to remain in the area whilst down grading from a larger property.

It is considered that the variation to the maximum plot ratio for all lots meets the relevant Performance Criteria under the R-Codes. It is therefore recommended that this variation be supported.

### Outdoor Living Area & Roof Cover

The minimum requirement for the provision of 30m<sup>2</sup> of outdoor living area is provided for all lots with the exception of Lot 10. It is calculated that Lot 10 has an outdoor living area of 28m<sup>2</sup>. This slight variation is considered to meet the relevant Performance Criteria which states:

*“An outdoor area capable of use in conjunction with a habitable room of the dwelling and if possible, open to winter sun.”*

The outdoor area for Lot 10 is accessible via the dining room and is located on the northern side of the dwelling, maximising use of the winter sun. It is therefore recommended that this minor variation to the outdoor living area be supported.

The requirement for a maximum of one third of the outdoor living area to be roofed is not met for Lots 1, 2, 3, 5, 10, 12 and 13. With each of these lots, the roofed area exceeds the one third maximum stipulation. It is recommended that a condition be included on the approval to require the alfresco areas for these lots be modified to comply with the maximum one third requirement.

## Setbacks

### *Common Driveway*

The requirement of a 2.5 metre setback from a common driveway is not met by Lots 5 and 13 where the setbacks are 2.47 metres and 2.41 metres respectively. This slight variation is still considered to meet the relevant Performance Criteria under the R-Codes which states that “*buildings are to be setback an appropriate distance to ensure they contribute to the desired streetscape and provide adequate privacy and open space for dwellings*”. Therefore, the slight setback variations are supported.

### *Communal Access way*

The R-Codes stipulate a minimum set back of 3 metres between the access way and any wall containing a major opening, unless screened. Lots 5 and 13 have setbacks of less than 3.0 metres. This setback is measured from the closest habitable room with a major opening (in each case being a bedroom) and the common driveway. It is recommended that the site plan be modified to achieve the minimum 3.0m setback from the common driveway to a major opening for Lots 5 and 13 unless the major openings are screened to the satisfaction of the Shire.

### *South Crescent*

The R-Codes state that development within the R20 Residential zone should be setback from a public street 6.0 metres. However, this setback may be reduced by up to 50% (ie 3 metres) provided that any development forward of the setback line is compensated for by at least an equal area of contiguous open space behind the setback line. The applicant advises that given the density of development on site, it has been necessary to reduce the front setback from 6 metres to 3 metres. A street setback diagram is normally required in such instances to demonstrate that there is an equal area of open space behind the setback line as there is building forward of the setback line.

The street setback diagram for Lots 1 to 3 provided by the applicant does not meet this requirement. In support of this variation, the applicant provides the following justification:

- *The area of deviation or inconsistency is only minor – 8m<sup>2</sup> at most*
- *A 6m setback is not feasible with lots of this size. The R-Codes allow a reduction of the site area for aged persons' accommodation so it would follow that a reduced setback should apply in order to provide sufficient developable area on the lots*
- *The rationale for the contingent area of open space behind the 6m line is to ensure that there is sufficient open space within each development. Both the 50% open space and the outdoor living area requirement have been met so it could be construed that there is adequate open space on Lots 1 to 3*
- *There is not a consistent or established pattern of street setbacks in this area given that the lot to the west is undeveloped*
- *There are no services or easements required in the front setback of Lots 1 to 3 that may be impacted upon by the reduced setback*

A reduction in the front setback for Lots 1 to 3 is required to ensure that there is enough usable outdoor living area at the rear of the dwelling for occupant use. An increased setback to 6 metres will result in a reduced outdoor living area or result in a reduction in floor space of the units. All lots exceed the maximum plot ratio of 100m<sup>2</sup> as stipulated by the R-Codes. Therefore, it may be possible to increase the front setback by reducing the living areas of Lot 1 to 3 to 100m<sup>2</sup>. It is considered however, that a reduction by approximately 12m<sup>2</sup> for each lot is unlikely to have a significant bearing on the setback distances. Further, even with these reduced setbacks, each lot is able to accommodate two cars on site as required by the R-Codes.

The Performance Criteria in relation to setbacks within the R-Codes state:

- *Buildings set back an appropriate distance to ensure they contribute to the desired streetscape; and*
- *Provide adequate privacy and open space for dwellings.*

It is considered that the reduced street setback for Lots 1 to 3 still achieves the above Performance Criteria as the variation to the setbacks will not detrimentally impact on the streetscape of the area. In fact, the streetscape is likely to be improved by having three new dwellings constructed that front South Crescent. Further, the reduced setback allows for adequate private space to be provided at the rear of the dwelling.

Although the setbacks of the dwellings can be considered at 3.0 metres, a 4.5 metre setback for the garage from the street needs to be met. This is to ensure that an additional car can be parked on the driveway without it over hanging the verge. Lot 1, 2 and 3 do not meet this 4.5m requirement.

It is recommended that the reduced dwelling setback of 3.0m be supported but that the site plan be amended to show a 4.5m setback between the street and garage for Lots 1, 2 and 3.

### DAP

The DAP contains a number of provisions and requirements for new developments within the Byford townsite area. A number of these provisions are covered by the R-Codes and therefore do not need to be repeated. Further, some of the requirements relate to the construction of the dwelling themselves, addressing issues such as building materials, fencing, roof pitch and stormwater disposal. These requirements are also addressed under the Building Code of Australia (BCA). It is considered that the requirements under the DAP can be imposed at the building licence stage or included as conditions of approval. It is recommended that a condition be imposed that requires all dwellings to comply with the requirements under the DAP.

Provisions not covered by the R-Codes, and the application's compliance with these provisions, are detailed below:

<b>DAP Requirement</b>	<b>Proposed</b>	<b>Complies/Comments</b>
Buildings setback to achieve consistency with existing streetscape	The reduced setbacks from South Crescent to the dwellings on Lots 1, 2 & 3 will not detrimentally impact on the streetscape of the area. In fact, the streetscape is likely to be improved by having three new dwellings fronting the street. As mentioned previously, setbacks to the garage are required to be 4.5m.	Condition will be imposed requiring a 4.5m setback from South Crescent to the garage.
Living rooms oriented to achieve winter sun access	The habitable rooms within each dwelling are located on the northern side of the lots to obtain maximum benefit from the winter sun. Lots 8, 9 & 10 are only 10 metres wide at the northern end therefore making it difficult to design a dwelling with more than one habitable room facing north. The outdoor living areas for all lots will benefit from a northern orientation.	Complies
Porch, verandah or fixed window awnings mandatory for front of dwelling	The floor plans and elevations supplied show a porch for each dwelling.	Complies
Roof pitch 25 degrees or more	The elevations for each dwelling show a 25 degree roof pitch.	Complies
Second storey not > 50% of	Not applicable. No dwelling has a second	NA



DAP Requirement	Proposed	Complies/Comments
floor area of ground floor Corner sites – dwelling to have frontage to both streets (ie use of feature windows, wrap around verandahs). No blank building walls to street frontages	storey. Not applicable. The subject site is not a corner site.	NA
Front fences – maximum height of 1.2m (ie regardless of whether it is open fencing or solid). Solid up to 1.2m with pillars and metal grille inserts above that height or open fencing higher than 1.2 metre is not permitted.	Front fencing details have not been provided.	A condition has been included requiring fencing details to be provided prior to the issue of a building licence.
Fencing materials – brick, hedges or open or closed timber pickets only	See above	See above
Garages and attached carports are not permitted to be forward of the front wall of the dwelling. Freestanding carports that are open on all sides may be permitted in front of dwelling.	As mentioned previously in the report, setbacks from South Crescent to the garages of Lots 1, 2 & 3 are required at 4.5m. This will ensure that the garage is behind the front wall on the dwelling.	The recommended condition will ensure that this provision is met.
Opening of garage or carport not to exceed 6 metres	Only single garages are proposed with maximum widths of 3.0m.	Complies
Crossovers – maximum width 4.5 metres	Crossovers to the dwelling are a maximum width of 3.0m.	Complies
Solar hot water systems only allowed to be visible from street/face street if this is north elevation.	Details of locations of hot water systems have not been provided. A condition is recommended that these structures be located to the satisfaction of the Director Development Services.	The recommended condition will ensure that this provision is met.
Bin storage, clothes drying, air conditioning, water heating and other plant to be screened from street and neighbours and noise insulation provided where close to neighbours boundaries.	Details of locations of these structures have not been provided. A condition is recommended that these structures be located to the satisfaction of the Director Development Services to prevent loss of amenity by way of noise, appearance etc. Further, a bin storage area is required for this development adjacent to the visitor parking area and constructed of materials to the satisfaction of the Shire.	The recommended conditions will ensure that this provision is met.
Zinalume, white and off white roofing not permitted if visible from South Western Highway.	No dwelling will be visible from South Western Highway	NA
Dark roofs with absorption values above 0.8 (black, dark blue, dark grey) not permitted unless addition insulation provided (greater than R2.5 efficiency)	A schedule of colours and materials for the dwellings are required as a condition of approval specifying that dark coloured roofing materials are not permitted.	The recommended condition will ensure that this provision is met.
Awnings, eaves or other permanent shade device to be provided to all north facing windows and to	Details of these have not been provided.	It is recommended that this requirement be imposed as a condition of approval.

<b>DAP Requirement</b>	<b>Proposed</b>	<b>Complies/Comments</b>
extend out from the window 0.4 to 0.7 times the height of the window. Minimum insulation values - R2.7 for roofs and ceilings - R1.4 for walls	This requirement is covered under the Building Code of Australia and will therefore be assessed as part of the building licence application.	Assessed as part of the building licence application.
Grey water re-use facilities provided for watering garden areas.	Details of watering systems have not been provided. The landscape and reticulation plan, which will include a requirement to provide details of any proposed grey water re-use facilities, that has been required as a condition of approval will cover this requirement.	The recommended condition will ensure that this provision is met.
Water Sensitive Design – reduction of paved areas to allow recharge of groundwater, rainwater tanks etc. where possible.	Details of stormwater disposal have not been provided. The Drainage Management Plan that has been required as a condition of approval will cover this requirement.	The recommended condition will ensure that this provision is met.

### **Officer Comment**

#### **Lot Size**

The R-Codes state that a minimum lot size of 440m<sup>2</sup> and an average lot size of 500m<sup>2</sup> apply to land zoned Residential R20. However, for special purpose dwellings such as the ones proposed, the R-Codes allow the reduction of the site area by one third of that usually specified. This means that for land zoned R20, a minimum lot size of 293m<sup>2</sup> and an average lot size of 333m<sup>2</sup> applies.

The application proposes a minimum lot size of 293m<sup>2</sup> and an average lot size of 369m<sup>2</sup> which comply with the requirements under the R-Codes.

#### **Access & Car Parking**

Access to the development is proposed via a single common driveway from South Crescent. The width of the driveway varies between 4.8 metres and 5.0 metres, complying with the R-Codes requirement of a minimum width of 4.0 metres. Further, the 5.0 metre width allows vehicles to pass in opposite directions at one or more points.

A separate pedestrian access way is a requirement of the R-Codes where 10 or more dwellings are proposed. The pedestrian path is 1.2 metres wide and runs along the western side of the driveway from South Crescent to the rear of the property. The path will be constructed out of a different material as the common driveway to clearly delineate them from each other. Further, the path and carriageway will be constructed at the same level, without kerb, to allow additional width for overtaking if necessary. The development has been designed to allow at least 6 metres manoeuvring depth from each carport opening to the nearest impediment in accordance with the R-Codes.

Each lot contains two car parking spaces as required under the R-Codes. However, the additional paved driveways for this second vehicle has not been shown for Lots 2, 3, 6, 7, 11, 12 or 13. It is recommended that the site plan be modified to show these additional driveway areas.

A significant area of paving is incorporated into the front of Lots 8, 9 and 10 to provide enough area and manoeuvring room for both cars to park within the confines of the lot and exit the lots in forward gear. It is recommended that a 1.0 metre wide landscaping strip be incorporated along the eastern edge of Lot 8 and the western edge of Lot 10 to help reduce the visual impact of the significant area of paving on both lots.

A concern with the original application was that there was not enough room provided to allow for the cars from Lots 8, 9 and 10 to reverse from the carport and exit the lots in forward gear. The site plan was amended and vehicle manoeuvrability diagrams provided, to show how cars would exit the garage and leave the lot in a two point turn.

It still has not been adequately demonstrated how vehicles from lots 4, 5, 6, 7, 11, 12 and 13 will be able to reverse from their driveways and leave the development in forward gear, given the current area of paved driveway for each lot. It is considered that additional paved areas will need to be provided for these lots to enable the vehicles to reverse. It is recommended that the site plan be modified to show these additional paved areas.

#### Fencing & Landscaping

Any fencing within the development will need to comply with the requirements of the R-Codes as well as the Byford DAP. It is considered that fencing will be required along all adjoining lot boundaries, between lots and areas of open space and along the side boundary of any lot that abuts common property. Fencing around open space will need to be visually permeable to enable passive surveillance from dwellings. These requirements can be covered by appropriate conditions on the approval.

Landscaping details have also not been provided within the application. The applicant has advised that it is the intention of the developer to landscape where appropriate. Generally in such developments, it is common to landscape adjacent to common access ways and in the front yard of each dwelling. Landscaping scope and detail can be covered by an appropriate condition.

***A copy of the amended site plan (Plan A) showing required changes are with attachments marked SD044.2/11/07.***

#### Bin Storage

The R-Codes are not specific about bin storage and/or collection other than to specify that it is to be both conveniently located, easily accessible, of an adequate size and that the bins are screened from view from primary or secondary streets. It is considered that a bin storage area needs to be provided adjacent to the proposed visitor bays to enable the rubbish truck to enter the development in forward gear, empty the bins and reverse back onto South Crescent. It is acknowledged that during the times of rubbish collection, the rubbish truck will block access into and out of the development for light vehicles. However, traffic movements on and off the property from the 10 dwellings served by the common driveway will be relatively minimal and if access is blocked, it will only be for a short period of time. It is not considered suitable to place the bins on the South Crescent verge for collection.

A condition of approval is recommended that requires a bin enclosure constructed of suitable materials and adequate size to be provided adjacent to the visitor parking bays.

#### Conclusion

The proposal represents an opportunity for a small scale specialised housing development to be established within the Byford town site area and an ideal housing alternative for local residents who wish to remain in the area who seek to downgrade from a larger property.

The development is deemed to comply with the Acceptable Development requirements under the R-Codes in the majority of cases and where the Acceptable Development requirements are not met, the variation is considered to be relatively marginal and still satisfies the appropriate Performance Criteria. Other issues can be addressed as conditions of planning approval.

It is considered that the land is ideally suited for the proposed use, both from a demand point of view but also by virtue of its topography and proximity to local conveniences and public

transport. The provision of Aged Persons' Dwellings will become more important for the Shire, and Byford especially, as Byford develops in accordance with the structure plan. This proposal represents the first of its kind for Byford.

**Voting Requirements:** Simple Majority

**Officer Recommended Resolution:**

The proposed thirteen (13) Aged Persons' Dwellings on Lot 121 (28) South Crescent, Byford be approved subject to the following conditions:

GENERAL

1. The following modifications being made to the site plan dated 9 November 2007 to the satisfaction of the Director Development Services, prior to the issue of a building licence:
  - a) Garages on Lots 1, 2 & 3 being setback a minimum of 4.5 metres from South Crescent;
  - b) Additional paved driveway areas for the second vehicle to be shown for Lots 2, 3, 6, 7, 11, 12 & 13;
  - c) Additional paved driveway areas to be shown for Lots 4, 5, 6, 7, 11, 12 & 13 for the purpose of vehicle maneuverability;
  - d) A minimum setback of 3.0 metres between the communal access way and any wall containing a major opening to be achieved unless the major openings are screened to the satisfaction of the Shire; and
  - e) A 1.0 metre wide landscaping strip to be provided for Lots 8 & 10 abutting the eastern and western lot boundaries respectively.
  - f) The alfresco area for Lots 1, 2, 3, 5, 10, 12 and 13 to be modified so no more than one third of the Outdoor Living Area as calculated under the Residential Design Codes is covered.

Amended plans to be submitted with the building licence application.

2. At least one permanent occupant of each dwelling is to be an aged person over 55 or dependant person, or the surviving spouse of such an aged or dependant person.
3. In relation to condition 2. above, a Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land, the subject of the proposed development, prior to issue of a Building Licence to notify owners and prospective purchasers that the use of the land is subject to the aged and dependant person restriction set out in condition 2 above. The Section 70A Notification shall be prepared by the Shire's solicitors to the satisfaction of the Shire and all costs of and incidental to the preparation of and registration of the Section 70A Notification including the Shire's solicitors' costs shall be met by the applicant or the owner of the land (refer to attached Info Note).

VISUAL AMENITY

4. No goods or materials are to be stored either temporarily or permanently in the parking, driveway, landscape areas or road reserves.
5. A schedule of colours and materials for the proposed dwellings shall be submitted and approved to the satisfaction of the Director Development Services prior to the issue of a building licence and before the commencement of any work or use authorised by this approval. The use of dark coloured roofing materials is not permitted.
6. The location of external fans, air conditioners and hot water systems, if provided, shall be to the satisfaction of the Director Development Services and installed to prevent loss of amenity to the area by its appearance, noise, emission or otherwise. Details to be submitted with the building licence application.

### CAR PARKING & ACCESS

7. A minimum of two (2) visitor car parking bays are to be provided on-site.
8. The dimensions of car parking bays shall be a minimum of 2.4 metres wide by 5.4 metres long with the width increased by 0.3 on any side that abuts an obstruction such as a wall or fence.
9. The vehicle accessways, parking areas and crossover(s) shall be designed, constructed, sealed and drained and thereafter maintained to the satisfaction of the Director Engineering prior to the occupation of the development for the use hereby permitted.
10. A 1.2 metre wide footpath being constructed as shown on the approved site plan. The footpath is to be flush with the driveway and paved of a different material to delineate the footpath and driveway from each other. Details to be submitted with the building licence application.

### FENCING & LIGHTING

11. Any outdoor display lighting or security lighting shall be located and hooded such that no additional light is cast on adjoining land or causes glare for adjacent road traffic.
12. Fencing to be provided to all side and rear boundaries of Lot 121 and each individual lot. Additional fencing to be provided as depicted on the plan marked 'Plan A' attached to and forming part of this approval.
13. No wall, fence or landscaping greater than 0.75 metres in height, measured from the natural ground level at the boundary, shall be constructed within 3.0 metres of a vehicular access way unless such wall of fence is constructed with a 3.0 metre truncation.
14. All fencing to comply with the Residential Design Codes and Byford Townsite Detailed Area Plan to the satisfaction of the Director Development Services. Details of all proposed fencing, including location, colour and materials used, to be submitted prior to the issue of a building licence.
15. Lighting to be provided to the communal open space areas and common property areas to the satisfaction of the Director Engineering.

### LANDSCAPING & VEGETATION

16. A 1.0 metre wide landscaping strip to be provided for Lots 8 and 10 as shown on the attached 'Plan A'.
17. Prior to issue of a Building Licence for the development, landscaping and reticulation plans must be submitted (in triplicate) and approved by the Director Strategic Community Planning, for all communal open space areas, common property areas, individual lots and road verges abutting the site. Details of any proposed grey water re-use facilities to be provided as part of these plans. For the purpose of this condition a detailed landscape plan shall be drawn to a scale of 1:100 and shall show the location, name and mature heights of existing and proposed trees and shrubs. Any trees and shrubs shall be local indigenous species unless otherwise approved in writing by the Director Strategic Community Planning.
18. 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.
19. All trees shown in red on the site plan are to be retained unless the prior written approval of the Director Development Services is obtained.

### DRAINAGE & EFFLUENT DISPOSAL

20. The preparation and submission of a Drainage Management Plan for the development to the specifications and satisfaction of the Shire. The Drainage Management Plan shall address the principles of Water Sensitive Urban Design. Details to be submitted with the building licence application. All earth works and associated drainage shall be in accordance with plans and specifications submitted

to and approved by the Shire. Any direct disposal of stormwater into the Shire's drainage system to be in accordance with the Byford Urban Stormwater Management Strategy and to be at the cost of the developer.

21. All stormwater from roofs and hardstand areas to be disposed of within the property. This shall be achieved by either soakwells or spoon drains and the grading of driveways and paved areas onto lawns or landscaped areas preventing direct disposal of stormwater onto the road or neighbouring properties.
22. The development is to be connected to the Water Corporation's reticulated water and sewerage system.

#### BIN STORAGE

23. The provision of a suitably screened bin storage area and refuse bins adequate to service the development shall be provided adjacent to the visitor parking area to the specification or requirements of the Director Development Services prior to occupation of the development.
24. The design of the bin enclosure for the development is to incorporate the following elements:
  - a) walls are to be masonry, finished to the same standard as the proposed dwellings and have a minimum height of 2.1 metres;
  - b) be roofed with a gable roof style of the same pitch as any gables on the proposed dwellings;
  - c) be closed in by lockable doors rather than gates;
  - d) the walls of the enclosure are not permitted to display any signage.

#### MISCELLANEOUS

25. The external face of the parapet walls is to be clean face brick to the satisfaction of the Shire.
26. The proposed dwellings are to comply in all respects with the Byford Townsite Detailed Area Plan.
27. Awnings, eaves or other permanent shade devices are to be provided to all north facing windows and are to extend out from the window 0.4 to 0.7 times the height of the window. Details to be provided to the satisfaction of the Director Development Services and submitted as part of the building licence application.
28. A suitable clothes drying area for each lot to be provided to the satisfaction of the Director Development Services. Details to be provided with the building licence application.
29. The developer shall enter into a legally binding agreement with the Serpentine Jarrahdale Shire to the satisfaction of the Western Australian Planning Commission to contribute towards the cost of providing the common service and community infrastructure in the Byford Structure Plan as established through amendment to the Shire of Serpentine- Jarrahdale Town Planning Scheme No. 2 (when gazetted).

#### Advice Notes:

1. Provision must be made for access and facilities for use by people with disabilities in accordance with provisions of the Building Code of Australia and AS 1428.1.
2. Until the Serpentine Jarrahdale Shire has issued a Certificate of Classification under Regulation 20 of the Building Regulations 1989, there shall be no approval to use the land for the purposes of the development herein conditionally approved and the land shall not be used for any such purpose.
3. The applicant/owner is advised that the proposal is to comply with all aspects of the Building Code of Australia including fire rating; fire separation; provision of fire hydrants; hose and reel provision; the provision of disabled access/ramp and facilities; emergency lighting and signage.
4. A building licence must be applied for and issued by Council before any work commences on the site.

5. A demolition Licence is to be obtained from the Shire prior to the commencement of any demolition works on site.
6. A Practical Completion Inspection being obtained prior to occupancy requiring an on site inspection and clearance of all outstanding conditions to the satisfaction of the Shire. The building not being occupied until a Certificate of Classification has been issued by the Shire.
7. A person who uses or occupies, or permits the use or occupation, of a building without a Certificate of Classification in contravention of Building Regulation 20(4) or 22 is guilty of an offence.
8. All dwellings are to incorporate the standards set out in AS4299 (Adaptable Housing) to the Adaptable House Class B Standard.

During debate Cr Murphy foreshadowed that he would move that this item be deferred if the motion under debate is defeated.

**New Motion:**

That item SD044/11/07 be deferred to allow reports to be received from:

- a) The Manager Community Development regarding the affect of Commonwealth and State Government Acts and Regulations for this type of development.
- b) The Director Development Services on the necessity or otherwise of rezoning this land as the present zoning of R20 would not allow for this many units on this property.

LOST 5/2

During debate Cr Geurds foreshadowed that he would move the Officers Recommended Resolution if the motion under debate is defeated.

**SD044/11/07 Committee Recommended Resolution:**

The proposed thirteen (13) Aged Persons' Dwellings on Lot 121 (28) South Crescent, Byford be approved subject to the following conditions:

**GENERAL**

1. The following modifications being made to the site plan dated 9 November 2007 to the satisfaction of the Director Development Services, prior to the issue of a building licence:
  - a) Garages on Lots 1, 2 & 3 being setback a minimum of 4.5 metres from South Crescent;
  - b) Additional paved driveway areas for the second vehicle to be shown for Lots 2, 3, 6, 7, 11, 12 & 13;
  - c) Additional paved driveway areas to be shown for Lots 4, 5, 6, 7, 11, 12 & 13 for the purpose of vehicle maneuverability;
  - d) A minimum setback of 3.0 metres between the communal access way and any wall containing a major opening to be achieved unless the major openings are screened to the satisfaction of the Shire; and
  - e) A 1.0 metre wide landscaping strip to be provided for Lots 8 & 10 abutting the eastern and western lot boundaries respectively.
  - f) The alfresco area for Lots 1, 2, 3, 5, 10, 12 and 13 to be modified so no more than one third of the Outdoor Living Area as calculated under the Residential Design Codes is covered.

Amended plans to be submitted with the building licence application.

2. At least one permanent occupant of each dwelling is to be an aged person over 55 or dependant person, or the surviving spouse of such an aged or dependant person.
3. In relation to condition 2. above, a Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land, the subject

of the proposed development, prior to issue of a Building Licence to notify owners and prospective purchasers that the use of the land is subject to the aged and dependant person restriction set out in condition 2 above. The Section 70A Notification shall be prepared by the Shire's solicitors to the satisfaction of the Shire and all costs of and incidental to the preparation of and registration of the Section 70A Notification including the Shire's solicitors' costs shall be met by the applicant or the owner of the land (refer to attached Info Note).

#### VISUAL AMENITY

4. No goods or materials are to be stored either temporarily or permanently in the parking, driveway, landscape areas or road reserves.
5. A schedule of colours and materials for the proposed dwellings shall be submitted and approved to the satisfaction of the Director Development Services prior to the issue of a building licence and before the commencement of any work or use authorised by this approval. The use of dark coloured roofing materials is not permitted.
6. The location of external fans, air conditioners and hot water systems, if provided, shall be to the satisfaction of the Director Development Services and installed to prevent loss of amenity to the area by its appearance, noise, emission or otherwise. Details to be submitted with the building licence application.

#### CAR PARKING & ACCESS

7. A minimum of two (2) visitor car parking bays are to be provided on-site.
8. The dimensions of car parking bays shall be a minimum of 2.4 metres wide by 5.4 metres long with the width increased by 0.3 on any side that abuts an obstruction such as a wall or fence.
9. The vehicle accessways, parking areas and crossover(s) shall be designed, constructed, sealed and drained and thereafter maintained to the satisfaction of the Director Engineering prior to the occupation of the development for the use hereby permitted.
10. A 1.2 metre wide footpath being constructed as shown on the approved site plan. The footpath is to be flush with the driveway and paved of a different material to delineate the footpath and driveway from each other. Details to be submitted with the building licence application.

#### FENCING & LIGHTING

11. Any outdoor display lighting or security lighting shall be located and hooded such that no additional light is cast on adjoining land or causes glare for adjacent road traffic.
12. Fencing to be provided to all side and rear boundaries of Lot 121 and each individual lot. Additional fencing to be provided as depicted on the plan marked 'Plan A' attached to and forming part of this approval.
13. No wall, fence or landscaping greater than 0.75 metres in height, measured from the natural ground level at the boundary, shall be constructed within 3.0 metres of a vehicular access way unless such wall of fence is constructed with a 3.0 metre truncation.
14. All fencing to comply with the Residential Design Codes and Byford Townsite Detailed Area Plan to the satisfaction of the Director Development Services. Details of all proposed fencing, including location, colour and materials used, to be submitted prior to the issue of a building licence.
15. Lighting to be provided to the communal open space areas and common property areas to the satisfaction of the Director Engineering.

#### LANDSCAPING & VEGETATION

16. A 1.0 metre wide landscaping strip to be provided for Lots 8 and 10 as shown on the attached 'Plan A'.



17. Prior to issue of a Building Licence for the development, landscaping and reticulation plans must be submitted (in triplicate) and approved by the Director Strategic Community Planning, for all communal open space areas, common property areas, individual lots and road verges abutting the site. Details of any proposed grey water re-use facilities to be provided as part of these plans. For the purpose of this condition a detailed landscape plan shall be drawn to a scale of 1:100 and shall show the location, name and mature heights of existing and proposed trees and shrubs. Any trees and shrubs shall be local indigenous species unless otherwise approved in writing by the Director Strategic Community Planning.
18. 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.
19. All trees shown in red on the site plan are to be retained unless the prior written approval of the Director Development Services is obtained.

#### DRAINAGE & EFFLUENT DISPOSAL

20. The preparation and submission of a Drainage Management Plan for the development to the specifications and satisfaction of the Shire. The Drainage Management Plan shall address the principles of Water Sensitive Urban Design. Details to be submitted with the building licence application. All earth works and associated drainage shall be in accordance with plans and specifications submitted to and approved by the Shire. Any direct disposal of stormwater into the Shire's drainage system to be in accordance with the Byford Urban Stormwater Management Strategy and to be at the cost of the developer.
21. All stormwater from roofs and hardstand areas to be disposed of within the property. This shall be achieved by either soakwells or spoon drains and the grading of driveways and paved areas onto lawns or landscaped areas preventing direct disposal of stormwater onto the road or neighbouring properties.
22. The development is to be connected to the Water Corporation's reticulated water and sewerage system.

#### BIN STORAGE

23. The provision of a suitably screened bin storage area and refuse bins adequate to service the development shall be provided adjacent to the visitor parking area to the specification or requirements of the Director Development Services prior to occupation of the development.
24. The design of the bin enclosure for the development is to incorporate the following elements:
  - a) walls are to be masonry, finished to the same standard as the proposed dwellings and have a minimum height of 2.1 metres;
  - b) be roofed with a gable roof style of the same pitch as any gables on the proposed dwellings;
  - c) be closed in by lockable doors rather than gates;
  - d) the walls of the enclosure are not permitted to display any signage.

#### MISCELLANEOUS

25. The external face of the parapet walls is to be clean face brick to the satisfaction of the Shire.
26. The proposed dwellings are to comply in all respects with the Byford Townsite Detailed Area Plan.
27. Awnings, eaves or other permanent shade devices are to be provided to all north facing windows and are to extend out from the window 0.4 to 0.7 times the height of the window. Details to be provided to the satisfaction of the Director Development Services and submitted as part of the building licence application.

28. A suitable clothes drying area for each lot to be provided to the satisfaction of the Director Development Services. Details to be provided with the building licence application.
29. The developer shall enter into a legally binding agreement with the Serpentine Jarrahdale Shire to the satisfaction of the Western Australian Planning Commission to contribute towards the cost of providing the common service and community infrastructure in the Byford Structure Plan as established through amendment to the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (when gazetted).

Advice Notes:

1. Provision must be made for access and facilities for use by people with disabilities in accordance with provisions of the Building Code of Australia and AS 1428.1.
2. Until the Serpentine Jarrahdale Shire has issued a Certificate of Classification under Regulation 20 of the Building Regulations 1989, there shall be no approval to use the land for the purposes of the development herein conditionally approved and the land shall not be used for any such purpose.
3. The applicant/owner is advised that the proposal is to comply with all aspects of the Building Code of Australia including fire rating; fire separation; provision of fire hydrants; hose and reel provision; the provision of disabled access/ramp and facilities; emergency lighting and signage.
4. A building licence must be applied for and issued by Council before any work commences on the site.
5. A demolition Licence is to be obtained from the Shire prior to the commencement of any demolition works on site.
6. A Practical Completion Inspection being obtained prior to occupancy requiring an on site inspection and clearance of all outstanding conditions to the satisfaction of the Shire. The building not being occupied until a Certificate of Classification has been issued by the Shire.
7. A person who uses or occupies, or permits the use or occupation, of a building without a Certificate of Classification in contravention of Building Regulation 20(4) or 22 is guilty of an offence.
8. All dwellings are to incorporate the standards set out in AS4299 (Adaptable Housing) to the Adaptable House Class B Standard.

**SD044/11/07 SUPPLEMENTARY REPORT**

**Bin Storage & Collection**

In relation to bin storage and collection, SITA Environmental Solutions have advised that from a safety point of view, it is not recommended that the rubbish vehicles enter the development for rubbish collection. It is preferred by SITA that rubbish collection be entirely from the South Crescent frontage.

Due to rubbish collection not being able to be undertaken from within the confines of the property, a bin storage area is therefore not considered suitable for the proposed development. Further, bin storage areas can generally be unsightly and it is considered that each resident would prefer to have their bins within the confines of their allotment for ease of use rather than having a communal area that they need to take the rubbish to.

It is therefore recommended that conditions 23 and 24 be deleted and replaced with the following condition:

- 23. The provision of a hardstand bin pick-up area of sufficient size and design to accommodate all of the bins for the individual Aged Person's Dwellings within the property boundary facing South Crescent to the satisfaction of the Director Development Services.**

## Fencing

It is considered necessary that the additional fencing as shown on 'Plan A' be visually permeable to enable passive surveillance of the communal open space and areas of common property. The fencing conditions as stipulated within the officer recommended resolution specify that the style of fencing used is to be to the satisfaction of the Director Development Services with the location, colours and materials used being submitted prior to the issue of the building licence.

It is recommended that condition 14 of the officer recommended resolution be modified to specify that fencing is to be visually permeable in nature to enable passive surveillance of these open areas. It is recommended that condition 14 be reworded as follows:

- 14. All fencing to comply with the Residential Design Codes and Byford Townsite Detailed Area Plan to the satisfaction of the Director Development Services. This includes a requirement for fencing abutting the communal access way, surrounding areas of communal open space, on either side of the access way leading to the adjoining public open space to the north and along the northern boundaries of Lots 8, 9 and 10 to be visually permeable above a height of 1.2 metres. Details of all proposed fencing, including location, colour and materials used, to be submitted prior to the issue of a building licence.**

### **SD044/11/07 Revised Officer Recommended Resolution:**

The proposed thirteen (13) Aged Persons' Dwellings on Lot 121 (28) South Crescent, Byford be approved subject to the following conditions:

#### GENERAL

1. The following modifications being made to the site plan dated 9 November 2007 to the satisfaction of the Director Development Services, prior to the issue of a building licence:
  - a) Garages on Lots 1, 2 & 3 being setback a minimum of 4.5 metres from South Crescent;
  - b) Additional paved driveway areas for the second vehicle to be shown for Lots 2, 3, 6, 7, 11, 12 & 13;
  - c) Additional paved driveway areas to be shown for Lots 4, 5, 6, 7, 11, 12 & 13 for the purpose of vehicle maneuverability;
  - d) A minimum setback of 3.0 metres between the communal access way and any wall containing a major opening to be achieved unless the major openings are screened to the satisfaction of the Shire; and
  - e) A 1.0 metre wide landscaping strip to be provided for Lots 8 & 10 abutting the eastern and western lot boundaries respectively.
  - f) The alfresco area for Lots 1, 2, 3, 5, 10, 12 and 13 to be modified so no more than one third of the Outdoor Living Area as calculated under the Residential Design Codes is covered.

Amended plans to be submitted with the building licence application.

2. At least one permanent occupant of each dwelling is to be an aged person over 55 or dependant person, or the surviving spouse of such an aged or dependant person.
3. In relation to condition 2. above, a Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land, the subject of the proposed development, prior to issue of a Building Licence to notify owners and prospective purchasers that the use of the land is subject to the aged and dependant person restriction set out in condition 2 above. The Section 70A Notification shall be prepared by the Shire's solicitors to the satisfaction of the Shire and all costs of and incidental to the preparation of and registration of the Section

70A Notification including the Shire's solicitors' costs shall be met by the applicant or the owner of the land (refer to attached Info Note).

#### VISUAL AMENITY

4. No goods or materials are to be stored either temporarily or permanently in the parking, driveway, landscape areas or road reserves.
5. A schedule of colours and materials for the proposed dwellings shall be submitted and approved to the satisfaction of the Director Development Services prior to the issue of a building licence and before the commencement of any work or use authorised by this approval. The use of dark coloured roofing materials is not permitted.
6. The location of external fans, air conditioners and hot water systems, if provided, shall be to the satisfaction of the Director Development Services and installed to prevent loss of amenity to the area by its appearance, noise, emission or otherwise. Details to be submitted with the building licence application.

#### CAR PARKING & ACCESS

7. A minimum of two (2) visitor car parking bays are to be provided on-site.
8. The dimensions of car parking bays shall be a minimum of 2.4 metres wide by 5.4 metres long with the width increased by 0.3 on any side that abuts an obstruction such as a wall or fence.
9. The vehicle accessways, parking areas and crossover(s) shall be designed, constructed, sealed and drained and thereafter maintained to the satisfaction of the Director Engineering prior to the occupation of the development for the use hereby permitted.
10. A 1.2 metre wide footpath being constructed as shown on the approved site plan. The footpath is to be flush with the driveway and paved of a different material to delineate the footpath and driveway from each other. Details to be submitted with the building licence application.

#### FENCING & LIGHTING

11. Any outdoor display lighting or security lighting shall be located and hooded such that no additional light is cast on adjoining land or causes glare for adjacent road traffic.
12. Fencing to be provided to all side and rear boundaries of Lot 121 and each individual lot. Additional fencing to be provided as depicted on the plan marked 'Plan A' attached to and forming part of this approval.
13. No wall, fence or landscaping greater than 0.75 metres in height, measured from the natural ground level at the boundary, shall be constructed within 3.0 metres of a vehicular access way unless such wall of fence is constructed with a 3.0 metre truncation.
14. All fencing to comply with the Residential Design Codes and Byford Townsite Detailed Area Plan to the satisfaction of the Director Development Services. This includes a requirement for fencing abutting the communal access way, surrounding areas of communal open space, on either side of the access way leading to the adjoining public open space to the north and along the northern boundaries of Lots 8, 9 and 10 to be visually permeable above a height of 1.2 metres. Details of all proposed fencing, including location, colour and materials used, to be submitted prior to the issue of a building licence.
15. Lighting to be provided to the communal open space areas and common property areas to the satisfaction of the Director Engineering.

#### LANDSCAPING & VEGETATION

16. A 1.0 metre wide landscaping strip to be provided for Lots 8 and 10 as shown on the attached 'Plan A'.

17. Prior to issue of a Building Licence for the development, landscaping and reticulation plans must be submitted (in triplicate) and approved by the Director Strategic Community Planning, for all communal open space areas, common property areas, individual lots and road verges abutting the site. Details of any proposed grey water re-use facilities to be provided as part of these plans. For the purpose of this condition a detailed landscape plan shall be drawn to a scale of 1:100 and shall show the location, name and mature heights of existing and proposed trees and shrubs. Any trees and shrubs shall be local indigenous species unless otherwise approved in writing by the Director Strategic Community Planning.
18. 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.
19. All trees shown in red on the site plan are to be retained unless the prior written approval of the Director Development Services is obtained.

#### DRAINAGE & EFFLUENT DISPOSAL

20. The preparation and submission of a Drainage Management Plan for the development to the specifications and satisfaction of the Shire. The Drainage Management Plan shall address the principles of Water Sensitive Urban Design. Details to be submitted with the building licence application. All earth works and associated drainage shall be in accordance with plans and specifications submitted to and approved by the Shire. Any direct disposal of stormwater into the Shire's drainage system to be in accordance with the Byford Urban Stormwater Management Strategy and to be at the cost of the developer.
21. All stormwater from roofs and hardstand areas to be disposed of within the property. This shall be achieved by either soakwells or spoon drains and the grading of driveways and paved areas onto lawns or landscaped areas preventing direct disposal of stormwater onto the road or neighbouring properties.
22. The development is to be connected to the Water Corporation's reticulated water and sewerage system.

#### BIN STORAGE

23. The provision of a hardstand bin pick-up area of sufficient size and design to accommodate all of the bins for the individual Aged Person's Dwellings within the property boundary facing South Crescent to the satisfaction of the Director Development Services.

#### MISCELLANEOUS

24. The external face of the parapet walls is to be clean face brick to the satisfaction of the Shire.
25. The proposed dwellings are to comply in all respects with the Byford Townsite Detailed Area Plan.
26. Awnings, eaves or other permanent shade devices are to be provided to all north facing windows and are to extend out from the window 0.4 to 0.7 times the height of the window. Details to be provided to the satisfaction of the Director Development Services and submitted as part of the building licence application.
27. A suitable clothes drying area for each lot to be provided to the satisfaction of the Director Development Services. Details to be provided with the building licence application.
28. The developer shall enter into a legally binding agreement with the Serpentine Jarrahdale Shire to the satisfaction of the Western Australian Planning Commission to contribute towards the cost of providing the common service and community infrastructure in the Byford Structure Plan as established through amendment to the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (when gazetted).

Advice Notes:

1. Provision must be made for access and facilities for use by people with disabilities in accordance with provisions of the Building Code of Australia and AS 1428.1.
2. Until the Serpentine Jarrahdale Shire has issued a Certificate of Classification under Regulation 20 of the Building Regulations 1989, there shall be no approval to use the land for the purposes of the development herein conditionally approved and the land shall not be used for any such purpose.
3. The applicant/owner is advised that the proposal is to comply with all aspects of the Building Code of Australia including fire rating; fire separation; provision of fire hydrants; hose and reel provision; the provision of disabled access/ramp and facilities; emergency lighting and signage.
4. A building licence must be applied for and issued by Council before any work commences on the site.
5. A demolition Licence is to be obtained from the Shire prior to the commencement of any demolition works on site.
6. A Practical Completion Inspection being obtained prior to occupancy requiring an on site inspection and clearance of all outstanding conditions to the satisfaction of the Shire. The building not being occupied until a Certificate of Classification has been issued by the Shire.
7. A person who uses or occupies, or permits the use or occupation, of a building without a Certificate of Classification in contravention of Building Regulation 20(4) or 22 is guilty of an offence.
8. All dwellings are to incorporate the standards set out in AS4299 (Adaptable Housing) to the Adaptable House Class B Standard.

**SD044/11/07 COUNCIL DECISION**

**Moved Cr Price seconded Cr Twine**

**The proposed thirteen (13) Aged Persons' Dwellings on Lot 121 (28) South Crescent, Byford be approved subject to the following conditions:**

**GENERAL**

1. **The following modifications being made to the site plan dated 9 November 2007 to the satisfaction of the Director Development Services, prior to the issue of a building licence:**
  - a) **Garages on Lots 1, 2 & 3 being setback a minimum of 4.5 metres from South Crescent;**
  - b) **Additional paved driveway areas for the second vehicle to be shown for Lots 2, 3, 6, 7, 11, 12 & 13;**
  - c) **Additional paved driveway areas to be shown for Lots 4, 5, 6, 7, 11, 12 & 13 for the purpose of vehicle maneuverability;**
  - d) **A minimum setback of 3.0 metres between the communal access way and any wall containing a major opening to be achieved unless the major openings are screened to the satisfaction of the Shire; and**
  - e) **A 1.0 metre wide landscaping strip to be provided for Lots 8 & 10 abutting the eastern and western lot boundaries respectively.**
  - f) **The alfresco area for Lots 1, 2, 3, 5, 10, 12 and 13 to be modified so no more than one third of the Outdoor Living Area as calculated under the Residential Design Codes is covered.**

**Amended plans to be submitted with the building licence application.**

2. **At least one permanent occupant of each dwelling is to be an aged person over 55 or dependant person, or the surviving spouse of such an aged or dependant person.**
3. **In relation to condition 2. above, a Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the**

land, the subject of the proposed development, prior to issue of a Building Licence to notify owners and prospective purchasers that the use of the land is subject to the aged and dependant person restriction set out in condition 2 above. The Section 70A Notification shall be prepared by the Shire's solicitors to the satisfaction of the Shire and all costs of and incidental to the preparation of and registration of the Section 70A Notification including the Shire's solicitors' costs shall be met by the applicant or the owner of the land (refer to attached Info Note).

#### **VISUAL AMENITY**

4. No goods or materials are to be stored either temporarily or permanently in the parking, driveway, landscape areas or road reserves.
5. A schedule of colours and materials for the proposed dwellings shall be submitted and approved to the satisfaction of the Director Development Services prior to the issue of a building licence and before the commencement of any work or use authorised by this approval. The use of dark coloured roofing materials is not permitted.
6. The location of external fans, air conditioners and hot water systems, if provided, shall be to the satisfaction of the Director Development Services and installed to prevent loss of amenity to the area by its appearance, noise, emission or otherwise. Details to be submitted with the building licence application.

#### **CAR PARKING & ACCESS**

7. A minimum of two (2) visitor car parking bays are to be provided on-site.
8. The dimensions of car parking bays shall be a minimum of 2.4 metres wide by 5.4 metres long with the width increased by 0.3 on any side that abuts an obstruction such as a wall or fence.
9. The vehicle accessways, parking areas and crossover(s) shall be designed, constructed, sealed and drained and thereafter maintained to the satisfaction of the Director Engineering prior to the occupation of the development for the use hereby permitted.
10. A 1.2 metre wide footpath being constructed as shown on the approved site plan. The footpath is to be flush with the driveway and paved of a different material to delineate the footpath and driveway from each other. Details to be submitted with the building licence application.

#### **FENCING & LIGHTING**

11. Any outdoor display lighting or security lighting shall be located and hooded such that no additional light is cast on adjoining land or causes glare for adjacent road traffic.
12. Fencing to be provided to all side and rear boundaries of Lot 121 and each individual lot. Additional fencing to be provided as depicted on the plan marked 'Plan A' attached to and forming part of this approval.
13. No wall, fence or landscaping greater than 0.75 metres in height, measured from the natural ground level at the boundary, shall be constructed within 3.0 metres of a vehicular access way unless such wall of fence is constructed with a 3.0 metre truncation.
14. All fencing to comply with the Residential Design Codes and Byford Townsite Detailed Area Plan to the satisfaction of the Director Development Services. This includes a requirement for fencing abutting the communal access way, surrounding areas of communal open space, on either side of the access way leading to the adjoining public open space to the north and along the northern boundaries of Lots 8, 9 and 10 to be visually permeable above a height of 1.2 metres. Details of all proposed fencing, including location, colour and materials used, to be submitted prior to the issue of a building licence.

15. Lighting to be provided to the communal open space areas and common property areas to the satisfaction of the Director Engineering.

#### **LANDSCAPING & VEGETATION**

16. A 1.0 metre wide landscaping strip to be provided for Lots 8 and 10 as shown on the attached 'Plan A'.
17. Prior to issue of a Building Licence for the development, landscaping and reticulation plans must be submitted (in triplicate) and approved by the Director Strategic Community Planning, for all communal open space areas, common property areas, individual lots and road verges abutting the site. Details of any proposed grey water re-use facilities to be provided as part of these plans. For the purpose of this condition a detailed landscape plan shall be drawn to a scale of 1:100 and shall show the location, name and mature heights of existing and proposed trees and shrubs. Any trees and shrubs shall be local indigenous species unless otherwise approved in writing by the Director Strategic Community Planning.
18. 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.
19. All trees shown in red on the site plan are to be retained unless the prior written approval of the Director Development Services is obtained.

#### **DRAINAGE & EFFLUENT DISPOSAL**

20. The preparation and submission of a Drainage Management Plan for the development to the specifications and satisfaction of the Shire. The Drainage Management Plan shall address the principles of Water Sensitive Urban Design. Details to be submitted with the building licence application. All earth works and associated drainage shall be in accordance with plans and specifications submitted to and approved by the Shire. Any direct disposal of stormwater into the Shire's drainage system to be in accordance with the Byford Urban Stormwater Management Strategy and to be at the cost of the developer.
21. All stormwater from roofs and hardstand areas to be disposed of within the property. This shall be achieved by either soakwells or spoon drains and the grading of driveways and paved areas onto lawns or landscaped areas preventing direct disposal of stormwater onto the road or neighbouring properties.
22. The development is to be connected to the Water Corporation's reticulated water and sewerage system.

#### **BIN STORAGE**

23. The provision of a hardstand bin pick-up area of sufficient size and design to accommodate all of the bins for the individual Aged Person's Dwellings on the verge of South Crescent to the satisfaction of the Director Engineering.

#### **MISCELLANEOUS**

24. The external face of the parapet walls is to be clean face brick to the satisfaction of the Shire.
25. The proposed dwellings are to comply in all respects with the Byford Townsite Detailed Area Plan.
26. Awnings, eaves or other permanent shade devices are to be provided to all north facing windows and are to extend out from the window 0.4 to 0.7 times the height of the window. Details to be provided to the satisfaction of the Director Development Services and submitted as part of the building licence application.



27. A suitable clothes drying area for each lot to be provided to the satisfaction of the Director Development Services. Details to be provided with the building licence application.
28. The developer shall enter into a legally binding agreement with the Serpentine Jarrahdale Shire to the satisfaction of the Western Australian Planning Commission to contribute towards the cost of providing the common service and community infrastructure in the Byford Structure Plan as established through amendment to the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (when gazetted).

**Advice Notes:**

1. Provision must be made for access and facilities for use by people with disabilities in accordance with provisions of the Building Code of Australia and AS 1428.1.
2. Until the Serpentine Jarrahdale Shire has issued a Certificate of Classification under Regulation 20 of the Building Regulations 1989, there shall be no approval to use the land for the purposes of the development herein conditionally approved and the land shall not be used for any such purpose.
3. The applicant/owner is advised that the proposal is to comply with all aspects of the Building Code of Australia including fire rating; fire separation; provision of fire hydrants; hose and reel provision; the provision of disabled access/ramp and facilities; emergency lighting and signage.
4. A building licence must be applied for and issued by Council before any work commences on the site.
5. A demolition Licence is to be obtained from the Shire prior to the commencement of any demolition works on site.
6. A Practical Completion Inspection being obtained prior to occupancy requiring an on site inspection and clearance of all outstanding conditions to the satisfaction of the Shire. The building not being occupied until a Certificate of Classification has been issued by the Shire.
7. A person who uses or occupies, or permits the use or occupation, of a building without a Certificate of Classification in contravention of Building Regulation 20(4) or 22 is guilty of an offence.
8. All dwellings are to incorporate the standards set out in AS4299 (Adaptable Housing) to the Adaptable House Class B Standard.

**CARRIED 9/1**

Cr Murphy voted against this motion.

**Council Note:** The Revised Officer Recommended Resolution was modified by changing the provisions of the Bin Storage (condition 23) to require a hard stand area on the verge.

SD045/11/07 EXTRACTIVE INDUSTRY LICENCE RENEWAL & PLANNING APPROVAL – LOT 202 SOUTH WESTERN HIGHWAY, WHITBY (P05992/08 & P05992/09)		
Proponent:	Hanson Construction Materials Pty Ltd	In Brief  It is recommended that planning approval be granted and an Extractive Industry Licence be granted for a period of five years expiring 31 March 2012.
Owner:	As Above	
Officer:	M Daymond – Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	4 October 2007	
Previously	SD077/12/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 18 June 2007  
 Advertised: NA  
 Submissions: NA  
 Lot Area: 150.09ha  
 L.A Zoning: Special Use  
 MRS Zoning: Rural  
 Byford Structure Plan: NA  
 Rural Strategy Policy Area: Raw Materials Extraction  
 Rural Strategy Overlay: NA  
 Municipal Inventory: NA  
 Townscape/Heritage Precinct: NA  
 Bush Forever: NA  
 Date of Inspection: 22 October 2007

**Background**

Western Australian Planning Commission approval

The Western Australian Planning Commission (WAPC) granted planning approval on 5 September 2002 for the extractive industry under the Metropolitan Region Scheme. This approval is valid until 31 March 2012.

Shire Planning approval

Planning approval was issued by the Shire under the Town Planning Scheme N<sup>o</sup> 2 (TPS 2) to the landowner on 3 September 2002. This approval was valid for a period of five years and expired on 3 September 2007.

Licence

After a resolution was reached through the State Administrative Tribunal, an Extractive Industry licence was issued to Hanson Construction Materials Pty Ltd for the extraction of hard rock and clay on the subject lot on 23 October 2006. The licence expired on 3 September 2007.

Under Council's Local Planning Policy 14 - Extractive Industry Licences (LPP14), an audit of the operation is required to be undertaken on a yearly basis. An audit of the site was undertaken on 22 October 2007.

## **Sustainability Statement**

**Effect on Environment:** The area to be extracted has previously been cleared of any native vegetation. The extractive industry has the potential to cause impacts on the environment by way of noise, visual amenity, dust and water quality. These matters are examined at the time of site visits by Shire officers and if any complaints are received from the public.

**Resource Implications and Use of Local, renewable or recycled Resources:** The proposal will extract a large volume of hard rock and clay over the life of the extractive industry.

**Economic Viability:** The extraction of hard rock and clay has the potential to significantly alter the existing landscape, reduce the visual amenity of the property and reduce biodiversity on the subject land.

**Economic Benefits:** The operation provides employment opportunities for the community.

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

**Social Diversity:** This proposal does not disadvantage any social groups.

### **Statutory Environment:**

Local Government Act 1995.  
Town Planning and Development Act.  
Extractive Industries – Local Law 1995  
Town Planning Scheme No. 2  
LPP14 – Extractive Industry Licences

#### **Extractive Industries Local Law**

Extracts from the Local Law are outlined below:

### ***Part 2 - Licensing Requirements for an Extractive Industry***

#### **EXTRACTIVE INDUSTRIES PROHIBITED WITHOUT LICENCE**

- 2.1 *A person must not carry on an extractive industry -*
- (a) *Unless the person is the holder of a valid and current licence; and*
  - (b) *Otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.*

*Penalty \$5,000 and a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which an offence has continued.*

#### **PAYMENT OF ANNUAL LICENCE FEE**

- 3.2 *On or before 31 December in each year, a licensee must pay to the local government the annual licence fee determined by the local government from time to time.*

#### **RENEWAL OF LICENCE**

- 4.3(4) *Upon receipt of an application for the renewal of a licence, the local government may-*
- a) *refuse the application; or*
  - b) *approve the application on such terms and conditions, if any, as it sees fit.*

**Policy/Work Procedure Implications:**

Landscape Protection Policy area. The objectives of this policy are:

1. To preserve the amenity deriving from the scenic value of the Darling Scarp;
2. To maintain the integrity of landscapes within the Landscape Protection Area;
3. To protect and enhance the landscape, scenic and townscape values through control over design, building materials and siting of development and land uses rather than prohibition of development and land use as such;
4. To maintain the integrity of landscapes in the line of sight view corridor along identified scenic routes in the Shire, including but not limited to South Western Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the north-south and east-west railway lines and natural water courses;
5. To provide developers and landowners with a statement describing the requirements for the subdivision and development within the Landscape Protection Area.

LPP 14 - The objectives of this policy are:

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

**Financial Implications:**

The Extractive Industry Licence annual renewal fee was paid on 2 July 2007.

The development application fee has not yet been paid.

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
5. Protect built and natural heritage for economic and cultural benefits.

**2. Environment**

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

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.

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

Strategy:

1. Implement known best practice sustainable natural resource management.

**3. Economic**

*Objective 1: A vibrant local community*

Strategy:

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

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

Strategy:

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

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

Community consultation was not required for this development application or Extractive Industry Licence renewal.

Referrals to the Western Australian Planning Commission (WAPC) and the Department of Environment and Conservation (DEC) are usually required for extractive industry development applications. However, the current WAPC approval expires on 31 March 2012 and the current DEC licence expires on 3 October 2010. Therefore, it was not considered necessary to refer the application to the WAPC or DEC when there are current approvals from these agencies in place.

**Comment:**

Previous Licence Renewal

On 25 July 2005, LPP14 - Extractive Industry Licences was formally adopted by Council. Part of the Council resolution also related to the length of licence that would be offered to

Hanson upon expiration of the then current licence on 31 December 2005. Part of this resolution was as follows:

*“Council resolves the following extractive industry licence length can be used in the mediation of the current appeals relating to the following sites:*

2. *Lot 202 South Western Highway, Whitby – Hanson Construction Materials – 5 year licence”.*

As part of the report presented to the Ordinary Council Meeting on 19 December 2005 dealing with the renewal of the extractive industry licence, it was recommended that Hanson Construction Materials be offered a five year licence expiring 31 December 2010. However, under the Shire’s Town Planning Scheme, planning approval was granted in 2002 for a period of five years expiring on 3 September 2007.

At the time, a question was raised regarding the validity of issuing a licence beyond the term of a planning approval. The term of the licence therefore needed to be aligned with the planning approval so both expired on 3 September 2007. The next planning approval and licence to be issued (which is the subject of this report) was agreed for a period of five years provided certain impact management protocols and procedures could be agreed. Hanson supported the revised licence period to match the planning approval date and is now seeking a five year term on both the licence and the planning approval.

#### Site Inspection

Under PP14, an annual inspection of the site is required to be carried out for those operations granted licences for periods longer than one year. An inspection of this site was undertaken by the Shire’s Environmental Services on 22 October 2007.

The site inspection revealed that Hanson Construction Pty Ltd is complying with all requirements and conditions as stipulated on both the extractive industry licence and development approval. As such, the Shire’s Manager Environmental Services supports the renewal of the licence and development approval for a period of five years.

A detailed audit report will be tabled at the Committee meeting by Manager Environmental Services.

#### Conclusion

Hanson Construction Pty Ltd is considered to be one of the best extractive industry operators in the Shire. Each previous inspection to the site has only revealed a couple of conditions on either the planning approval or licence that were non-compliant. These areas of non-compliance have always been rectified to the satisfaction of the Shire within a short time frame by Hanson. The operators have always been willing to work closely with Council to ensure that all conditions can be met and the required targets, in terms of vegetation management, noise, visual amenity, biodiversity etc, can be achieved. A good working relationship has therefore been established between Hanson and the Shire.

***A copy of the quarry layout is with the attachments marked SD045.1/11/07.***

***A copy of the expansion strategy and visual management report is with the attachments marked SD045.2/11/07.***

It is recommended that the extractive industry licence and planning approval be issued for a period of five years expiring 31 March 2012.

**Voting Requirements:** Simple Majority

**Officer Recommended Resolution:**

- A. Subject to payment of the Development Application fee, planning approval be granted for hard rock and clay extraction at Lot 202 South Western Highway, Whitby for a five year period expiring on 31 March 2012 subject to the following conditions:

#### PLANNING

1. The licensee shall comply with the endorsed commitments in the document dated 8 December 2005 (as amended) and the management techniques detailed in the Excavation and Rehabilitation Management Plan dated 1 June 2007 relating to dieback, revegetation, visual screening, weed control, dust, water quality, noise and surface restoration.

#### ENVIRONMENT

##### General

2. Review all current environmental protection and reporting procedures as part of developing a comprehensive environmental management system during the five year term of this approval.
3. The development, operation and rehabilitation of the quarry to be in accordance with the Excavation and Rehabilitation Management Plan dated 1 June 2007.

##### Dust

4. The licensee shall ensure, so far as practicable, to the satisfaction of the Shire that the generation of visible particulates (including dust) from roads, access ways, trafficked areas, stockpiles and machinery does not cross the boundary of the premises by using appropriate dust suppression techniques, including, but not limited to, water trucks, stabilisers, water sprays, sprinklers or canons.
5. The licensee shall ensure that all loads leaving the premises of shale, sand, soil, clay or other particulate material likely to blow around, are to be enclosed or completely covered by a secured impermeable tarpaulin or are treated in an alternative effective manner to suppress dust and prevent dust nuisance to the satisfaction of the Director Development Services.
6. The licensee shall ensure that the main access road from South Western Highway to Lot 202 South Western Highway is sealed and maintained to prevent dust emissions.

##### Noise

7. Blasting is to take place only between the hours of 7am and 6pm other than with the written approval of the Director Development Services. The licensee must notify the Shire via facsimile 24 hours prior to each blasting being carried out on the site.
8. The licensee shall measure and document for each blast the necessary parameters, and shall ensure that:
  - a) the air-blast over-pressure on the curtilage of a premises approved for the purpose of blast monitoring is in accordance with the Environmental Protection (Noise) Regulations 1997;
  - b) the peak particle velocity from any single blast does not exceed 10 millimetres per second;
  - c) no more than one blast in any ten consecutive blasts (regardless of the interval between each blast) exceeds a peak particle velocity of 5 millimetres per second;
  - d) ground vibration levels do not exceed 10 millimetres per second peak particle velocity.

The licensee shall measure for each blast the peak particle velocity on any point of a premises approved for the purpose of blast monitoring at least the longest dimension of the foundations of a building or structure away from such building or structure.

9. In the event that any of the following are recorded at a premises approved for the purpose of blast monitoring:
  - a) the peak particle velocity from any single blast exceeds 10 millimetres per second;
  - b) more than one blast in any ten consecutive blasts (regardless of the interval between each blast) exceeds a peak particle velocity of 5 millimetres per second;
  - c) ground vibration levels that exceed 10 millimetres per second peak particle velocity;
  - d) the licensee shall notify the Director Development Services by facsimile within 24 hours and provide a written report within seven days with evidence to satisfy the Director Development Services that measures have been taken to prevent a recurrence.

#### Water Quality

10. The licensee shall prepare a revised Water Management Plan by 1 March 2008 to identify water flows through and exiting the site, depicting on a plan their route and period of peak flow and a proposed water quality monitoring program to the satisfaction of the Director Strategic Community Planning and implement on site measures detailed in the commitments dated 8 December 2005 (as amended) and the management techniques detailed in the Excavation and Rehabilitation Management Plan dated 1 June 2007 to mitigate sediment export and arrest erosion.
11. A Council approved water testing laboratory be employed by the owner of Lot 202 South Western Highway so that water samples must be taken every two months. The test site is to be downstream of the extractive industry and silt traps on the lot and to be approved by Council. At least two tests per annum to be taken within five hours after a rainstorm in excess of 25 mm per hour. The tests shall record percentage of clay and silt content and salt content. The test results to be forwarded to Council within ten days of being made available.

#### Hazardous Chemicals

12. The licensee shall store environmentally hazardous chemicals including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability (10<sup>-9</sup> metres per second or less) compounds designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of vessels stored in the compound.
13. The compounds shall:
  - a) be graded or include a sump to allow recovery of liquid;
  - b) be chemically resistant to the substances stored;
  - c) include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;
  - d) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);
  - e) be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and



- f) be controlled such that the capacity of the bund is maintained at all times eg. regular inspection and pumping of trapped uncontaminated rain water.
- 14. The licensee shall implement measures to minimise the risk of spills or leaks of chemicals including fuel, oil or other hydrocarbons and shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compounds. The licensee shall keep a register of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a logbook to be kept on site and available for immediate inspection by Serpentine Jarrahdale Shire representatives.
- 15. The licensee shall not store, or permit to be stored, any explosives or explosive devices other than in accordance with Department of Industry and Resources Regulations. The proponent shall ensure that no chemicals or potential liquid contaminants are disposed of on site.

#### Biodiversity Management

- 16. Revegetation and maintenance of native forest and other bushland areas is to be in accordance with the commitments in the document dated 8 December 2005 (as amended) and the management techniques detailed in the Excavation and Rehabilitation Management Plan dated 1 June 2007 to the satisfaction of the Director Strategic Community Planning. Species types for revegetation and screening purposes to be to the satisfaction of the Director Strategic Community Planning. Revegetation with pasture grasses is not acceptable.
- 17. Revegetation of aquatic habitats is to be with locally occurring native sedges and rushes which are to be planted at a minimum density of six stems per square metre.
- 18. The licensee shall control declared and environmental weeds throughout the site to the satisfaction of the Director Strategic Community Planning.
- 19. The following buffers are to be maintained and marked with posts and brightly coloured tape or other suitable means to the satisfaction of the Director Strategic Community Planning:
  - a) A minimum of 50 metres between quarrying activities and built development, other than the construction and rehabilitation of bunds, along both the western and southern lot boundaries.
  - b) A minimum of 20 metres between lot boundaries and the construction of bunds for visual screening.
- 20. The licensee is to manage all quarrying activities within 30 metres of the vegetated buffer or rehabilitated areas to mitigate damage. Notwithstanding this, some access roads, bund construction, rehabilitation and fire break maintenance may be necessary within this zone.
- 21. The adjoining State Forest shall not be used for access purposes and no overburden shall be placed within the State Forest.
- 22. The licensee is to maintain existing tracks within the site and install gates designed for fire access to the satisfaction of the Director Engineering.
- 23. The applicant is to provide a detailed analysis of the cost of revegetation and reinstatement of the site including any works proposed within the period for which this approval is given. The applicant is required to submit a bank guarantee of such value as the analysis provides. The analysis is to be provided within 90 days of the date of this approval. The bank guarantee is to be lodged with Council within 14 days of a request by Council.
- 24. No vegetation from clearing operations is to be burnt.

#### Impact Management

25. Outside lighting shall be designed to minimise light spill onto adjoining properties and bushland areas.
26. No activity is to occur within dieback prone areas.
27. All practical measures shall be taken to effectively screen works and activities from the coastal plain in accordance, but not limited to, those measures and outcomes described in the Excavation and Rehabilitation Management Plan dated 1 June 2007.

#### Fauna

28. Applicant to provide fauna refuges through the placement of felled trees and logs in areas undergoing rehabilitation on the subject land.

#### Advice Notes:

1. The written report in relation to condition 11 is to detail the times, dates, non-compliant blast parameters, the relevant Environmental Protection (Noise) Regulations 1997 and other prescribed limits in condition 10, reasons for the non-compliance and how the licensee has adjusted operations to no reoccurrence.
  2. In relation to condition 24, the Community Emergency Services Manager can provide additional advice in relation to the maintenance of existing tracks as fire breaks and the design and locations of required fire access gates.
  3. Use of non-local species is strongly discouraged and should be restricted to those species listed in the Excavation Management and Rehabilitation Plan page 65 which are required to build height fast and are not known to become environmental weeds. Use of Eucalyptus botryoides, E. maculata and E. cladocalyx is not supported for this reason.
  4. Site compliance inspections will be carried out annually to check compliance with extractive industry licence and development approval conditions and any other approvals granted for the site.
  5. All avenues for use and reuse of cleared vegetation material are encouraged. This may include mulching, timber use and/or plant salvaging.
  6. Removal and replacement of topsoil should occur in April-May period.
  7. Utilise any suitable cleared timber for fauna refuge on site before and after rehabilitation.
  8. The proponent complying with all environmental conditions imposed by the Minister for Environment pursuant to the provisions of the Environmental Protection Act 1986 (Bulletin 602).
- B. The extractive industry licence be granted for hard rock and clay extraction at Lot 202 South Western Highway, Whitby for a five year period expiring on 31 March 2012 subject to the following conditions:
1. The licensee is to submit an annual report on environmental site management standards to the Director Development Services by 31 October each year (AD1).
  2. The licensee is to comply with all provisions of the Serpentine Jarrahdale Extractive Industry Local Law (AD3).
  3. No works are to be exposed to view from the South Western Highway and the coastal plain.
  4. Payment of the annual extractive industry licence fee.

#### Advice Notes:

1. In relation to condition 1, the annual report is to:

- a) comply with provisions in the Serpentine Jarrahdale Extractive Industry Local Law relating to requirements for documentation to accompany applications for renewal of licences;
  - b) include results of any dust, noise, water, biodiversity monitoring and report details of complaints and remedies;
  - c) provide a statement of actions taken and progress made in relation to the implementation of management plans for the preceding 12 months;
  - d) provide a statement of actions to be taken and progress proposed in relation to the implementation of management plans during the next 12 months;
  - e) identify any proposed changes to approved management plans.
2. Compliance with the conditions of the Serpentine Jarrahdale Shire Form 2 Planning Approval.
  3. Compliance with Approval to Commence Development granted by the WA Planning Commission (WAPC) expiring 31 March 2012.

**SD045/11/07 COUNCIL DECISION/Committee Recommended Resolution:**

**Moved Cr Kirkpatrick seconded Cr Brown**

**A. Subject to payment of the Development Application fee, planning approval be granted for hard rock and clay extraction at Lot 202 South Western Highway, Whitby for a five year period expiring on 31 March 2012 subject to the following conditions:**

**PLANNING**

1. The licensee shall comply with the endorsed commitments in the document dated 8 December 2005 (as amended) and the management techniques detailed in the Excavation and Rehabilitation Management Plan dated 1 June 2007 relating to dieback, revegetation, visual screening, weed control, dust, water quality, noise and surface restoration.

**ENVIRONMENT**

**General**

2. Review all current environmental protection and reporting procedures as part of developing a comprehensive environmental management system during the five year term of this approval.
3. The development, operation and rehabilitation of the quarry to be in accordance with the Excavation and Rehabilitation Management Plan dated 1 June 2007.

**Dust**

4. The licensee shall ensure, so far as practicable, to the satisfaction of the Shire that the generation of visible particulates (including dust) from roads, access ways, trafficked areas, stockpiles and machinery does not cross the boundary of the premises by using appropriate dust suppression techniques, including, but not limited to, water trucks, stabilisers, water sprays, sprinklers or canons.
5. The licensee shall ensure that all loads leaving the premises of shale, sand, soil, clay or other particulate material likely to blow around, are to be enclosed or completely covered by a secured impermeable tarpaulin or are treated in an alternative effective manner to suppress dust and

prevent dust nuisance to the satisfaction of the Director Development Services.

6. The licensee shall ensure that the main access road from South Western Highway to Lot 202 South Western Highway is sealed and maintained to prevent dust emissions.

#### **Noise**

7. Blasting is to take place only between the hours of 7am and 6pm other than with the written approval of the Director Development Services. The licensee must notify the Shire via facsimile 24 hours prior to each blasting being carried out on the site.

8. The licensee shall measure and document for each blast the necessary parameters, and shall ensure that:

- a) the air-blast over-pressure on the curtilage of a premises approved for the purpose of blast monitoring is in accordance with the Environmental Protection (Noise) Regulations 1997;
- b) the peak particle velocity from any single blast does not exceed 10 millimetres per second;
- c) no more than one blast in any ten consecutive blasts (regardless of the interval between each blast) exceeds a peak particle velocity of 5 millimetres per second;
- d) ground vibration levels do not exceed 10 millimetres per second peak particle velocity.

The licensee shall measure for each blast the peak particle velocity on any point of a premises approved for the purpose of blast monitoring at least the longest dimension of the foundations of a building or structure away from such building or structure.

- e) A monitoring station is to be located within the Mundijong townsite in a location to the satisfaction of the Director Development Services.

9. In the event that any of the following are recorded at a premises approved for the purpose of blast monitoring:

- a) the peak particle velocity from any single blast exceeds 10 millimetres per second;
- b) more than one blast in any ten consecutive blasts (regardless of the interval between each blast) exceeds a peak particle velocity of 5 millimetres per second;
- c) ground vibration levels that exceed 10 millimetres per second peak particle velocity;
- d) the licensee shall notify the Director Development Services by facsimile within 24 hours and provide a written report within seven days with evidence to satisfy the Director Development Services that measures have been taken to prevent a recurrence.

#### **Water Quality**

10. The licensee shall prepare a revised Water Management Plan by 1 March 2008 to identify water flows through and exiting the site, depicting on a plan their route and period of peak flow and a proposed water quality monitoring program to the satisfaction of the Director Strategic Community Planning and implement on site measures detailed in the commitments dated 8 December 2005 (as amended) and the management techniques detailed in the Excavation and Rehabilitation Management Plan dated 1 June 2007 to mitigate sediment export and arrest erosion.

11. A Council approved water testing laboratory be employed by the owner of Lot 202 South Western Highway so that water samples must be taken

every two months. The test site is to be downstream of the extractive industry and silt traps on the lot and to be approved by Council. At least two tests per annum to be taken within five hours after a rainstorm in excess of 25 mm per hour. The tests shall record percentage of clay and silt content and salt content. The test results to be forwarded to Council within ten days of being made available.

#### **Hazardous Chemicals**

12. The licensee shall store environmentally hazardous chemicals including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability (10<sup>-9</sup> metres per second or less) compounds designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of vessels stored in the compound.
13. The compounds shall:
  - a) be graded or include a sump to allow recovery of liquid;
  - b) be chemically resistant to the substances stored;
  - c) include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;
  - d) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);
  - e) be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and
  - f) be controlled such that the capacity of the bund is maintained at all times eg. regular inspection and pumping of trapped uncontaminated rain water.
14. The licensee shall implement measures to minimise the risk of spills or leaks of chemicals including fuel, oil or other hydrocarbons and shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compounds. The licensee shall keep a register of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a logbook to be kept on site and available for immediate inspection by Serpentine Jarrahdale Shire representatives.
15. The licensee shall not store, or permit to be stored, any explosives or explosive devices other than in accordance with Department of Industry and Resources Regulations. The proponent shall ensure that no chemicals or potential liquid contaminants are disposed of on site.

#### **Biodiversity Management**

16. Revegetation and maintenance of native forest and other bushland areas is to be in accordance with the commitments in the document dated 8 December 2005 (as amended) and the management techniques detailed in the Excavation and Rehabilitation Management Plan dated 1 June 2007 to the satisfaction of the Director Strategic Community Planning. Species types for revegetation and screening purposes to be to the satisfaction of the Director Strategic Community Planning. Revegetation with pasture grasses is not acceptable.

17. Revegetation of aquatic habitats is to be with locally occurring native sedges and rushes which are to be planted at a minimum density of six stems per square metre.
18. The licensee shall control declared and environmental weeds throughout the site to the satisfaction of the Director Strategic Community Planning.
19. The following buffers are to be maintained and marked with posts and brightly coloured tape or other suitable means to the satisfaction of the Director Strategic Community Planning:
  - a) A minimum of 50 metres between quarrying activities and built development, other than the construction and rehabilitation of bunds, along both the western and southern lot boundaries.
  - b) A minimum of 20 metres between lot boundaries and the construction of bunds for visual screening.
20. The licensee is to manage all quarrying activities within 30 metres of the vegetated buffer or rehabilitated areas to mitigate damage. Notwithstanding this, some access roads, bund construction, rehabilitation and fire break maintenance may be necessary within this zone.
21. The adjoining State Forest shall not be used for access purposes and no overburden shall be placed within the State Forest.
22. The licensee is to maintain existing tracks within the site and install gates designed for fire access to the satisfaction of the Director Engineering.
23. The applicant is to provide a detailed analysis of the cost of revegetation and reinstatement of the site including any works proposed within the period for which this approval is given. The applicant is required to submit a bank guarantee of such value as the analysis provides. The analysis is to be provided within 90 days of the date of this approval. The bank guarantee is to be lodged with Council within 14 days of a request by Council.
24. No vegetation from clearing operations is to be burnt.

#### **Impact Management**

25. Outside lighting shall be designed to minimise light spill onto adjoining properties and bushland areas.
26. No activity is to occur within dieback prone areas.
27. All practical measures shall be taken to effectively screen works and activities from the coastal plain in accordance, but not limited to, those measures and outcomes described in the Excavation and Rehabilitation Management Plan dated 1 June 2007.

#### **Fauna**

28. Applicant to provide fauna refuges through the placement of felled trees and logs in areas undergoing rehabilitation on the subject land.

#### **Advice Notes:**

1. The written report in relation to condition 11 is to detail the times, dates, non-compliant blast parameters, the relevant Environmental Protection (Noise) Regulations 1997 and other prescribed limits in condition 10, reasons for the non-compliance and how the licensee has adjusted operations to no reoccurrence.
2. In relation to condition 24, the Community Emergency Services Manager can provide additional advice in relation to the maintenance of existing tracks as fire breaks and the design and locations of required fire access gates.

3. Use of non-local species is strongly discouraged and should be restricted to those species listed in the Excavation Management and Rehabilitation Plan page 65 which are required to build height fast and are not known to become environmental weeds. Use of Eucalyptus botryoides, E. maculata and E. cladocalyx is not supported for this reason.
4. Site compliance inspections will be carried out annually to check compliance with extractive industry licence and development approval conditions and any other approvals granted for the site.
5. All avenues for use and reuse of cleared vegetation material are encouraged. This may include mulching, timber use and/or plant salvaging.
6. Removal and replacement of topsoil should occur in April-May period.
7. Utilise any suitable cleared timber for fauna refuge on site before and after rehabilitation.
8. The proponent complying with all environmental conditions imposed by the Minister for Environment pursuant to the provisions of the Environmental Protection Act 1986 (Bulletin 602).

**B. The extractive industry licence be granted for hard rock and clay extraction at Lot 202 South Western Highway, Whitby for a five year period expiring on 31 March 2012 subject to the following conditions:**

1. The licensee is to submit an annual report on environmental site management standards to the Director Development Services by 31 October each year (AD1).
2. The licensee is to comply with all provisions of the Serpentine Jarrahdale Extractive Industry Local Law (AD3).
3. No works are to be exposed to view from the South Western Highway and the coastal plain.
4. Payment of the annual extractive industry licence fee.

**Advice Notes:**

1. In relation to condition 1, the annual report is to:
  - a) comply with provisions in the Serpentine Jarrahdale Extractive Industry Local Law relating to requirements for documentation to accompany applications for renewal of licences;
  - b) include results of any dust, noise, water, biodiversity monitoring and report details of complaints and remedies;
  - c) provide a statement of actions taken and progress made in relation to the implementation of management plans for the preceding 12 months;
  - d) provide a statement of actions to be taken and progress proposed in relation to the implementation of management plans during the next 12 months;
  - e) identify any proposed changes to approved management plans.
2. Compliance with the conditions of the Serpentine Jarrahdale Shire Form 2 Planning Approval.
3. Compliance with Approval to Commence Development granted by the WA Planning Commission (WAPC) expiring 31 March 2012.

**CARRIED 10/0**

**Committee Note:** The Officer Recommended Resolution was amended in A to add part 8e) advising that a monitoring station be located within the Mundijong townsite in a location to the satisfaction of the Director Development Services.

SD046/11/07 DRAFT DETAILED AREA PLAN FOR THE GLADES RESIDENTIAL ESTATE AT BYFORD (A1305/10)		
Proponent:	Taylor Burrell Barnett	In Brief
Owner:	LWP Property Group	
Officer:	Meredith Kenny – Co-ordinator Planning Services	To consider a draft Detailed Area Plan setting out design requirements for the future development of The Glades at Byford.
Signatures Author:		
Senior Officer:		
Date of Report	6 November 2007	It is recommended that, subject to some minor modifications, the draft Detailed Area Plan be approved in accordance with clause 5.18.5.1(c)(i) of Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.
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	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 19 September 2007  
 Advertised: N/A  
 Submissions: N/A  
 Lot Area: N/A  
 L.A Zoning: Urban Development  
 MRS Zoning: Urban Deferred and Urban  
 Byford Structure Plan: Residential  
 Local Structure Plan: Not adopted yet. Subdivision of Stage 1 has been approved.  
 Municipal Inventory: N/A  
 Bush Forever: N/A  
 Date of Inspection: Various

**Background:**

A Detailed Area Plan (DAP) has been received for Stage 1 of The Glades at Byford. The conditional subdivision approval issued by the Western Australian Planning Commission for this development requires DAP's for those lots abutting public open space areas or rear laneways, having a density coding of R30 or greater and abutting Abernethy or Warrington Road.

***A copy of the draft Detailed Area Plan 1 The Glades, the Detailed Area Plan 1 R-Code Variations and a copy of Delegation PS-25 is with the attachments marked SD046.1/11/07.***

The submitted DAP is not consistent with the provisions contained in the Council's motion of 17 November 2006 (SD051/11/06) granting delegated authority to the Executive Managers of Planning and Regulatory Services and Strategic Community Planning for DAP's. In addition it is considered appropriate to have the Council approve a specific range of conditions for The Glades estate to:

1. Provide consistency throughout the estate, which will comprise approximately 3 500 lots at completion.
2. Allow all DAP's for this estate to be dealt with under delegated authority by either the Director Development Services or the Director Strategic Community Planning.

There could be a large number of DAP's for The Glades by completion. It would be easier if the provisions were consistent. Therefore, this report does not only deal specifically with the DAP for Stage 1 but instead details the standard provisions that will be required on all DAP's for The Glades.



## **Sustainability Statement**

**Effect on Environment:** Draft DAP 1 for The Glades submitted by the applicant does not adequately address issues such as passive solar orientation of indoor and outdoor living areas, stormwater attenuation and protection for the significant row of existing trees on Warrington Road. These issues are discussed in detail in the Comment section of this report and modifications and additions to the draft DAP provisions to address these issues are also detailed.

**Use of Local, renewable or recycled Resources:** The promotion of energy efficiency will result in reduced energy consumption and dependency upon resources. As stated above additional provisions are proposed to further achieve this objective.

**Economic Viability:** The modified DAP provisions for The Glades contained in the recommendation focus on environmental and resource sustainability and appropriate design.

**Social – Quality of Life:** The modified DAP provisions for The Glades contained in the recommendation focus on environmental sustainability and particularly an appropriate neighbourhood environment promoting social interaction, attractive streetscape and passive surveillance of public spaces such as parks and rear laneways will be achieved.

**Statutory Environment:** Planning and Development Act 2005  
Shire of Serpentine-Jarrahdale Town Planning Scheme  
No. 2

**Policy/Work Procedure Implications:** Statement of Planning Policy No. 3.1 (*Residential Design Codes*)  
Local Planning Policy No. 6 (*Water Sensitive Design*)  
Byford Urban Stormwater Management Strategy  
Byford Structure Plan

**Financial Implications:** There are no financial implications to Council related to this application.

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

- 1. People and Community**  
*Objective 1: Good quality of life for all residents*  
Strategies:
  6. Ensure a safe and secure community.*Objective 2: Plan and develop towns and communities based on principles of sustainability*  
Strategies:
  3. Design and develop clustered neighbourhoods in order to minimise car dependency.
  4. Foster a strong sense of community, place and belonging.
- 2. Environment**  
*Objective 1: Protect and repair natural resources and processes throughout the Shire*  
Strategies:
  1. Increase awareness of the value of environmental requirements towards sustainability.
  3. Encourage protection and rehabilitation of natural resources.
- 4. Governance**  
*Objective 3: Compliance to necessary legislation*  
Strategy:

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

**Community Consultation:**

Not required.

**Comment:**

DAP 1 for The Glades proposes some significant variations to the Residential Design Codes setbacks for the R20 lots covered by the DAP. These variations include:

**Primary Street Setback:** R-Codes = Average 6 metres and minimum 3 metres  
DAP 1 = Average 4 metres and minimum 2 metres

The justification for this variation provided by the applicant is to provide an improved streetscape and maximise the street prominence of dwellings. This is supported by Planning Services for dwellings for those reasons but also because:

1. The reduced setback will have the effect of narrowing the feel of the streetscape and providing a narrow streetscape which is considered to have a beneficial effect in reducing traffic speeds. Given the long straight street blocks this outcome is desirable. For example both South Perth and Melville Councils promote this in their denser residential areas such as Applecross, Ardross and the Mill Point peninsula.
2. There is more opportunity for passive surveillance of the street if dwellings are closer to the road.
3. Larger backyards will potentially be able to be provided if the front setback is reduced.

However, whilst this reduced setback is supported for dwellings, it is not supported for garages or carports because it is considered important to enable a car to be parked in the driveway without impeding the verge and/or public footpath.

**Open Space:**

<b>R-Code requirements</b>	<b>DAP suggested by Applicant</b>
R20 – 50%	R20 – 45%
R40 – 45%	R40 – 35%

The inclusion of this variation in the DAP's is not supported for the following reasons:

1. There is adequate scope in the Performance Criteria of the Residential Design Codes for variations to the minimum open space to be considered on a case by case basis.
2. It is not considered appropriate to allow blanket variation for open space as it may lead to poorly designed and inadequate outdoor living space.
3. The Residential Design Codes standards would allow for a 250m<sup>2</sup> single storey dwelling on an R20 lot (500m<sup>2</sup> average lot size) or a 140m<sup>2</sup> dwelling on an R40 lot (average 250m<sup>2</sup> lot size). Verandahs, alfresco areas, patios and the like are able to be provided in addition to this as they are still considered to constitute open space if they are open on at least 50% of their sides. An even larger dwelling floor area is possible if the dwelling is two storey.
4. There needs to be adequate outdoor space to accommodate on-site stormwater attenuation such as soakwells, rainwater tanks or garden beds to collect run-off from hardstand areas.

**Laneway Lots - Minimum 1.6 metre solar setback for second storey walls**

This provision is not supported as it would not achieve anything on a side that has a parapet wall to the boundary on the ground floor and would mean that the second storey would intrude into the 2 metre solar setback on the side where the ground floor is required to have a solar setback of a minimum 2 metres.

After assessment of the draft DAP for Stage 1 of the Glades it was determined that additional provisions were required relating to:

1. Methods of stormwater disposal and potential for re-use.
2. Location of outdoor living areas on the northern side of dwellings coded R40 or higher and restriction on the amount of this outdoor area that can be roofed. Many of these lots are between 250m<sup>2</sup> to 350m<sup>2</sup> in area and the provisions on the Draft DAP submitted by LWP (ie 1.5 m rear setback) could have led to outdoor living areas being located on west or south sides of the dwellings.
3. Requirement for a solar setback of a minimum of 2 metres between any house and the northern boundary of the lot.
4. Acoustic attenuation conditions for dwellings abutting busy roads (ie Abernethy Road).
5. Conditions restricting the location and colour of air conditioners, other noisy plant (ie spa and pool pumps) and solar hot water systems.
6. Fencing to laneways to allow for passive surveillance and therefore provide a better level of security to rear laneways.
7. Modification of setback for garages to rear laneways from 0.5m to 1.0m to provide adequate turning radii to garages.
8. Provision requiring crossovers for lots fronting Warrington Road to be located so that they do not impact on existing trees within adjoining verge.
9. Requirement for open feature style fencing abutting public open space to provide passive surveillance of these spaces. This relates to lots 508, 510, 527, 514, 515, 526 on DAP 1 and is of particular importance given the narrowness of these public open spaces.

**Voting Requirements:                      ABSOLUTE MAJORITY**

**SD046/11/07 Committee/Officer Recommended Resolution**

- A. Under clause 5.18.5 of Town Planning Scheme No. 2 the Council delegates authority to approve Detailed Area Plans for land within The Glades to the Director Development Services and the Director Strategic Community Planning subject to the following provisions (where appropriate) being imposed on such plans:

**PS-26 DETAILED AREA PLANS – THE GLADES AT BYFORD**

The following provisions are to be included on all Detailed Area Plans in the Glades unless special circumstances warrant a particular provision not to be included:

**R-CODING**

1. The Residential Design Code applying to these lots is (insert R Code).
2. Lots designated R10 in the Byford Structure Plan and on this Detailed Area Plan are not permitted to be further subdivided.

**SCHEME AND RESIDENTIAL DESIGN CODE VARIATIONS**

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

**DESIGN ELEMENTS**

5. The following matters apply to the development of lots affected by the Detailed Area Plan:
- a) All houses and outbuildings (including patios and gazebos) must be constructed within the nominated building envelope where applicable.
  - b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximise solar orientation.
  - c) Houses are required to suitably address all adjacent street frontages (including rear laneways).
  - d) The location of studios (ie over garages) and/or balconies abutting laneways is encouraged for increased surveillance through activity.
  - e) Dwellings on laneway lots shall be designed to address the primary street frontage with major openings and the main entry accessible by this frontage.
  - f) The postal and street address is to be the street at the front of the dwelling and not the rear laneway.
  - g) All dwellings abutting POS shall be suitably designed and oriented to ensure passive surveillance of the POS through the provision of one or more major openings and an outdoor living area facing the public open space.
  - h) On rear laneway lots a paved bin pad is to be provided inside the lot boundary of each lot abutting the rear laneway to provide a bin pick-up area that does not impede traffic flow through the laneway.
  - i) On lots designated R40 on the Detailed Area Plan, a storeroom of minimum 4m<sup>2</sup> floor area shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling. No additional sheds or outbuildings will be permitted on these lots.
  - j) On lots designated R40 or above, an outdoor living area with a minimum area of 20 metres and a minimum dimension of 4 metres and at least two thirds unroofed is to be provided on the north facing side of the lots (ie rear yard).
  - k) All stormwater is to be disposed of via silt trap connection point (if provided by the developer), or soak wells, or the use of stormwater retention/re-use methods such as rainwater tanks or the grading of hardstand areas to lawns and garden beds or a combination of the preceding. Direct disposal of stormwater onto the road or neighbouring properties is not permitted.
  - l) Crossovers for lots fronting Warrington Road are to be located so that the existing trees within the road verge are able to be retained.

#### SETBACKS

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

All Lots: A minimum 2 metres solar setback to be provided to any north facing boundary

R20 lots  
Front setback: Primary Street - Dwelling - Average 4 metres, minimum 2 metres. Garage/Carport - minimum 4.5 metres

Other setbacks: As per Residential Design Codes except to any northern boundary as detailed above.

R40 Laneway lots  
Rear setback: Minimum 2 metre setback for house subject to 4 (j) above being achieved).  
Minimum 1 metre setback for garage.

Front setback:	Primary Street - Average 4 metre setback, 2 metres minimum Secondary Street - minimum 1.5 metres
Side setback:	Nil setback where nominated on Detailed Area Plan
Other Side:	As per Residential Design Codes except to any northern boundary as detailed above.
R10 lots	
Primary Street:	Minimum 10 metres
Secondary Street:	3 metres as per Residential Design Codes
Rear:	6 metres as per Residential Design Codes
Side:	As per Residential Design Codes

#### GARAGES, VEHICULAR ACCESS & DRIVEWAYS

7. On lots abutting rear laneways garages shall be developed and accessed from the adjacent rear lanes only. No other boundary is to be used for vehicle access to the lot.
8. Garages shall be a maximum two-car width only (maximum 6 metres external width).
9. Each house shall have a driveway and crossover completed prior to occupation of the house.
10. Maximum width of crossover shall be 6 metres.
11. All driveways and crossovers shall be brick paved or asphalt sealed or other suitable materials to the satisfaction of the Shire.

#### FENCING

12. Fencing within street setback areas (including rear laneway boundaries) shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing). Solid fencing above a height of 1.2 metres is not permitted between dwelling and rear laneway.
13. Fencing of boundaries between lots is to be installed in accordance with the following standard:
  - a) All side boundary fencing back from behind the building line is to be 1.8 metres high and fully installed prior to occupation of the dwelling.
  - b) All fencing will be provided by the Developer. No additional fencing (other than side return panels) shall be erected without consultation and approval from the Developer.

#### WASHING LINES

14. Clothes lines and rubbish bin storage areas must be screened from view of the street and public open space areas.

#### AIR CONDITIONING/COOLING UNITS & SOLAR HOT WATER SYSTEMS

15. Air conditioning/cooling units must be of similar colour to the roof and must not protrude above any roof ridgelines or gables. Units are not to be visible from the adjacent front street or public open space areas and must be positioned to prevent noise impacts in accordance with the Department of Environment's 'Installers Guide to Air Conditioner Noise' Publication.
16. Solar hot water systems must be integrated with the design of the roof and where visible from the adjacent front street or public open space areas be a split system with the tank installed at ground level or out of public view.

#### NOTIFICATION TO PROSPECTIVE PURCHASERS

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

Advice Note:

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

LOTS ABUTTING PUBLIC OPEN SPACE

The following special provisions are to be included in Detailed Area Plans for lots abutting public open space:

1. Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space.
2. Fencing of lot boundaries abutting public open space shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing). Solid screen fencing higher than 1.2 metres is not permitted between dwellings and public open space.
3. A storeroom of 4m<sup>2</sup> floor area shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling.
4. No additional sheds or outbuildings are permitted on lots.

LOTS ABUTTING MAJOR ROADS

The following special provisions are to be included in Detailed Area Plans for lots adjacent to major noise producing roads:

1. Dwellings constructed on the subject lots shall be designed to comply with Australian Standard AS2107-2000 "Acoustics – Recommended Design Levels Reverberation Times for Building Interiors" and the Noise Levels of 45dB(A) Living and 40dB(A) Sleeping (where there is a variance the proponent will be required to submit adequate supportive information such as an acoustic consultants report or an alternative solution that demonstrates compliance with the relevant standards):
  - a) Design shall incorporate opening reductions limiting the size of openings/windows facades facing (*insert road name*) / railway.
  - b) Bedrooms shall be placed in the parts of the house furthestmost away from (*insert road name*).
  - c) All external walls shall be constructed of double brick.
  - d) All eaves shall be enclosed.
  - e) All roof materials shall be either clay or concrete tiles.
  - f) All glazing shall be 6mm thick laminated except on those facades facing 180 degrees away from (*insert road name*) / railway.
  - g) All external doors shall be of solid core construction with seals.
  - h) All plasterboard in ceilings shall be 10mm thick with 50mm thick 12Kg/m<sup>2</sup> glass fibre blanket between ceiling joists.
2. A notification, under Section 70A of the Transfer of Land Act 1893 is to be placed on the Certificates of Title of all lots adjacent to major roads advising that the property may be subject to high noise levels from traffic in the future.

- B. The applicant is required to modify draft Detailed Area Plan 1 for The Glades in accordance with the provisions contained in A above and submit two copies of the modified plan for approval under delegated authority by the Director Development Services.

### **SD046/11/07 COUNCIL DECISION**

**Moved Cr Murphy seconded Cr Kirkpatrick**

- A. Under clause 5.18.5 of Town Planning Scheme No. 2 the Council delegates authority to approve Detailed Area Plans for land within The Glades to the Director Development Services and the Director Strategic Community Planning subject to the following provisions (where appropriate) being imposed on such plans:**

#### **PS-26 DETAILED AREA PLANS – THE GLADES AT BYFORD**

**The following provisions are to be included on all Detailed Area Plans in the Glades unless special circumstances warrant a particular provision not to be included:**

#### **R-CODING**

- 1. The Residential Design Code applying to these lots is (insert R Code).**
- 2. Lots designated R10 in the Byford Structure Plan and on this Detailed Area Plan are not permitted to be further subdivided.**

#### **SCHEME AND RESIDENTIAL DESIGN CODE VARIATIONS**

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

#### **DESIGN ELEMENTS**

- 5. The following matters apply to the development of lots affected by the Detailed Area Plan:**
  - a) All houses and outbuildings (including patios and gazebos) must be constructed within the nominated building envelope where applicable.**
  - b) At least one major opening to an indoor living area is to be installed on the northern elevation of a dwelling in order to maximise solar orientation.**
  - c) Houses are required to suitably address all adjacent street frontages (including rear laneways).**
  - d) The location of studios (ie over garages) and/or balconies abutting laneways is encouraged for increased surveillance through activity.**
  - e) Dwellings on laneway lots shall be designed to address the primary street frontage with major openings and the main entry accessible by this frontage.**
  - f) The postal and street address is to be the street at the front of the dwelling and not the rear laneway.**
  - g) All dwellings abutting POS shall be suitably designed and oriented to ensure passive surveillance of the POS through the provision of one or more major openings and an outdoor living area facing the public open space.**
  - h) On rear laneway lots a paved bin pad is to be provided inside the lot boundary of each lot abutting the rear laneway to provide a bin pick-up area that does not impede traffic flow through the laneway.**
  - i) On lots designated R40 on the Detailed Area Plan, a storeroom of minimum 4m<sup>2</sup> floor area shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials.**

- This room shall only be accessible from outside the dwelling. No additional sheds or outbuildings will be permitted on these lots.
- j) On lots designated R40 or above, an outdoor living area with a minimum area of 20 metres and a minimum dimension of 4 metres and at least two thirds unroofed is to be provided on the north facing side of the lots (ie rear yard).
  - k) All stormwater is to be disposed of via silt trap connection point (if provided by the developer), or soak wells, or the use of stormwater retention/re-use methods such as rainwater tanks or the grading of hardstand areas to lawns and garden beds or a combination of the preceding. Direct disposal of stormwater onto the road or neighbouring properties is not permitted.
  - l) All crossovers in streets that contain trees in the street verge shall be constructed so that the trees are not damaged or removed unless approved by the Shire.

#### SETBACKS

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

**All Lots:** A minimum 2 metres solar setback to be provided to any north facing boundary

**R20 lots**  
**Front setback:** Primary Street - Dwelling - Average 4 metres, minimum 2 metres. Garage/Carport - minimum 4.5 metres

**Other setbacks:** As per Residential Design Codes except to any northern boundary as detailed above.

**R40 Laneway lots**  
**Rear setback:** Minimum 2 metre setback for house subject to 4 (j) above being achieved.

**Front setback:** Primary Street - Average 4 metre setback, 2 metres minimum

**Side setback:** Secondary Street - minimum 1.5 metres  
**Other Side:** Nil setback where nominated on Detailed Area Plan  
As per Residential Design Codes except to any northern boundary as detailed above.

**R10 lots**  
**Primary Street:** Minimum 10 metres  
**Secondary Street:** 3 metres as per Residential Design Codes  
**Rear:** 6 metres as per Residential Design Codes  
**Side:** As per Residential Design Codes

#### GARAGES, VEHICULAR ACCESS & DRIVEWAYS

- 7. On lots abutting rear laneways garages shall be developed and accessed from the adjacent rear lanes only. No other boundary is to be used for vehicle access to the lot.
- 8. Garages shall be a maximum two-car width only (maximum 6 metres external width).
- 9. Each house shall have a driveway and crossover completed prior to occupation of the house.
- 10. Maximum width of crossover shall be 6 metres.
- 11. All driveways and crossovers shall be brick paved or asphalt sealed or other suitable materials to the satisfaction of the Shire.



## **FENCING**

12. **Fencing within street setback areas (including rear laneway boundaries) shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing). Solid fencing above a height of 1.2 metres is not permitted between dwelling and rear laneway.**
13. **Fencing of boundaries between lots is to be installed in accordance with the following standard:**
  - a) **All side boundary fencing back from behind the building line is to be 1.8 metres high and fully installed prior to occupation of the dwelling.**
  - b) **All fencing will be provided by the Developer. No additional fencing (other than side return panels) shall be erected without consultation and approval from the Developer.**

## **WASHING LINES**

14. **Clothes lines and rubbish bin storage areas must be screened from view of the street and public open space areas.**

## **AIR CONDITIONING/COOLING UNITS & SOLAR HOT WATER SYSTEMS**

15. **Air conditioning/cooling units must be of similar colour to the roof and must not protrude above any roof ridgelines or gables. Units are not to be visible from the adjacent front street or public open space areas and must be positioned to prevent noise impacts in accordance with the Department of Environment's 'Installers Guide to Air Conditioner Noise' Publication.**
16. **Solar hot water systems must be integrated with the design of the roof and where visible from the adjacent front street or public open space areas be a split system with the tank installed at ground level or out of public view.**

## **NOTIFICATION TO PROSPECTIVE PURCHASERS**

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

### **Advice Note:**

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

## **LOTS ABUTTING PUBLIC OPEN SPACE**

**The following special provisions are to be included in Detailed Area Plans for lots abutting public open space:**

1. **Houses shall have one or more major openings to a habitable room and an outdoor living area facing the public open space.**
2. **Fencing of lot boundaries abutting public open space shall be designed and constructed in accordance with clause 3.2.5A5 of the Residential Design Codes (open feature fencing). Solid screen fencing higher than 1.2 metres is not permitted between dwellings and public open space.**

3. A storeroom of 4m<sup>2</sup> floor area shall be integrated into the dwelling (ie under the same roof) and constructed of the same materials. This room shall only be accessible from outside the dwelling.
4. No additional sheds or outbuildings are permitted on lots.

#### **LOTS ABUTTING MAJOR ROADS**

The following special provisions are to be included in Detailed Area Plans for lots adjacent to major noise producing roads:

1. Dwellings constructed on the subject lots shall be designed to comply with Australian Standard AS2107-2000 "Acoustics – Recommended Design Levels Reverberation Times for Building Interiors" and the Noise Levels of 45dB(A) Living and 40dB(A) Sleeping (where there is a variance the proponent will be required to submit adequate supportive information such as an acoustic consultants report or an alternative solution that demonstrates compliance with the relevant standards):
  - a) Design shall incorporate opening reductions limiting the size of openings/windows facades facing (*insert road name*)/railway.
  - b) Bedrooms shall be placed in the parts of the house furthest away from (*insert road name*).
  - c) All external walls shall be constructed of double brick or material demonstrated to be the acoustic equivalent of double brick to the satisfaction of the Director Development Services or Director Strategic Community Planning.
  - d) All eaves shall be enclosed.
  - e) All roof materials shall be either clay or concrete tiles or the acoustic equivalent to the satisfaction of the Director Development Services or Director Strategic Community Planning.
  - f) All glazing shall be 6mm thick laminated except on those facades facing 180 degrees away from (*insert road name*) / railway.
  - g) All external doors shall be of solid core construction with seals.
  - h) All plasterboard in ceilings shall be 10mm thick with 50mm thick 12Kg/m<sup>2</sup> glass fibre blanket between ceiling joists.
2. A notification, under Section 70A of the Transfer of Land Act 1893 is to be placed on the Certificates of Title of all lots adjacent to major roads advising that the property may be subject to high noise levels from traffic in the future.

- B. The applicant is required to modify draft Detailed Area Plan 1 for The Glades in accordance with the provisions contained in A above and submit two copies of the modified plan for approval under delegated authority by the Director Development Services.

**CARRIED 10/0 ABSOLUTE MAJORITY**

**Council Note:** The Committee/Officer Recommended Resolution was changed by adding a Part 5 l) in relation to crossovers and changing lots abutting major roads 1 c) and e) clarifying the materials used relating to acoustics.

CGAM029/11/07 HERITAGE COUNTRY CHOIR – REQUEST FOR SETTING OF ANNUAL RENTAL BRIGGS PARK PAVILION (RS0081/07)		
Proponent	Heritage Country Choir	In Brief  Council is requested to consider the annual rental fee for the Heritage Country Choir Inc for the use of the Lesser Room & the Main Pavilion at Briggs Park Pavilion.
Officer	Lee Cockram	
Signatures - Author:		
Senior Officer:	Casey Mihovilovich	
Date of Report	19 <sup>th</sup> October 2007	
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	
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Heritage Country Choir has been using the Lesser Room and the Main Pavilion one (1) evening per week at Briggs Park Pavilion since 1988.

The Byford Learning Centre was previously the overarching organisation that made the bookings and paid the rental charges on behalf of several sub-organisations. As the Heritage Country Choir is now an incorporated body they have decided to make a booking and pay the respective charges as a separate entity.

The Heritage Country Choir has written to Council to accept the proposed annual rental of \$550.00 for the use of the Lesser Room and the Main Pavilion at the Briggs Park Pavilion.

***A copy of the letter is with the attachments and marked [CGAM029.1/11/07 \(IN07/13605\)](#).***

### **Sustainability Statement**

#### ***Economic Viability:***

The proposed rental will provide for an equitable contribution by, and not disadvantage, the other users of the facility.

#### ***Social – Quality of Life***

The continued use of the pavilion by the Heritage Country Choir will ensure that residents have the opportunity to interact with other members of the community that have similar interests, which will enhance the social quality of life for those participants.

#### **Statutory Environment:**

Sections 6.16 and 6.19 of the Local Government Act 1995 apply to this application.

#### **Policy Implications:**

There are no policy implications related to this proposal.

#### **Financial Implications:**

If this proposal is supported, Council revenue will decrease, but it is considered appropriate that a reduced fee apply in this instance, as the contribution made by the Heritage Country Choir is significant to those members of the community involved. It is recommended that the annual rental be set at \$550.00 (Inc GST) per annum for the use of the facility.

The loss to Council if they were to support this proposal would be \$3,654.20 based on the standard hire fees detailed in our 2007/08 budget.

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

1. Provide recreational opportunities.

*Objective 3: High level of social commitment*

Strategies:

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

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

5. Harness community resources to build social capital within the Shire.

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

Strategies

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

*Objective 3: Compliance to necessary legislation*

Strategies:

3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

**Community Consultation:**

Statutory advertising is required for any new fee or charge set by Council that is not part of the annual budget. No other consultation is considered necessary.

**Comments**

The Heritage Country Choir has been an important social and community based organisation that has brought together like minded people and facilitated music based activities in the Byford community since 1988 each Wednesday evening.

The Choir is now facilitating a junior choir which is held on Wednesday afternoons; this is proving to be very popular and can only increase as the community grows.

Council wrote to both the Heritage Country Choir and the Byford Learning Centre on the 5<sup>th</sup> September 2007, suggesting an applicable rental amount would be \$550.00 (Inc GST) per annum or \$11.00 per hour for each organisation. The Heritage Country Choir has accepted the proposal of the annual charge; and a further report to Council will detail the response from the Byford Learning Centre.

The budgeted amount for the Byford Learning Centre for 2007/08 was \$933.25 (Inc GST) per annum. The two (2) entities will now be paying separately for their usage therefore the amount of \$550.00 (Inc GST) for the Heritage Country Choir is applicable to the area and time that the Heritage Country Choir use the facility.

It is recommended that Council approve the annual charge of \$550.00 (Inc GST) per annum for the Heritage Country Choir for the 2007/08 year and the amount be reviewed again for the 2008/09 budget.

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**CGAM029/11/07 Officer Recommended Resolution**

That Council:

1. Set a rental of \$550.00 (Inc GST) per annum for the use of the Lesser Room and Main Pavilion at the Briggs Park Pavilion by the Heritage Country Choir for one afternoon and evening per week;
2. Advise the Heritage Country Choir of Council's decision; and
3. Advertise this new fee in accordance with the provisions of the Local Government Act 1995.

**CGAM029/11/07 Committee Recommended Resolution:**

That this item be deferred to the Ordinary Council Meeting so that the amount of rental to be paid may be clarified.

CARRIED 7/0

**Committee Note:** The Officer recommendation was changed by the Committee to allow clarification on the amount of rental to be paid as the applicants have suggested \$220.00 per annum and the recommendation was \$550.00 per annum.

**SUPPLEMENTARY REPORT**

The officer recommended resolution required an amendment due to a typographical error in the original report.

It is recommended that the annual rental be set at \$220.00 (incl GST) per annum for the use of the facility.

The loss to Council, if they were to support this proposal, would be \$3,984.20 based on the standard hire fees detailed in the 2007/08 budget.

**CGAM029/11/07 COUNCIL DECISION/Revised Officer Recommended Resolution**

**Moved Cr Kirkpatrick seconded Cr Price**

**That Council:**

1. Set a rental of \$220.00 (incl GST) per annum for the use of the Lesser Room and Main Pavilion at the Briggs Park Pavilion by the Heritage Country Choir for one (1) afternoon and evening per week;
2. Advise the Heritage Country Choir of Council's decision; and
3. Advertise this new fee in accordance with the provisions of the Local Act 1995.

**CARRIED 10/0 ABSOLUTE MAJORITY**

CGAM030/11/07 BYFORD LEARNING CENTRE – REQUEST FOR REDUCTION IN ANNUAL RENTAL (RS0081/07)		
Proponent	Byford Learning Centre	In Brief  Council is requested to consider a review of the annual rental fee for the Byford Learning Centre for the use of the lesser room at Briggs Park Pavilion, due to a reduction in the room area and change in circumstances.
Officer	Lee Cockram	
Signatures - Author:		
Senior Officer:	Casey Mihovilovich	
Date of Report	9 <sup>th</sup> November 2007	
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	
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Byford Learning Centre has been using the two (2) Lesser Rooms at Briggs Park Pavilion since 1988. The annual rental that was originally set, and reviewed each year, was based on the use of the two (2) rooms and the bookings made for several sub-organisations.

A proposal by the Byford Cricket Club in 2006 saw one of the rooms (used by the Byford Learning Centre as a crèche room), converted into a store-room, effectively reducing the area used by the Learning Centre down to one room.

The Byford Learning Centre was previously the overarching organisation that made the bookings and paid the rental charges on behalf of several sub-organisations such as the Computer Group and Heritage Country Choir.

The Computer Group are no longer operating and the Heritage Country Choir has separated from the organisation thus reducing the number of hours required by the Byford Learning Centre to two (2) hours per month for the Book Club.

As a result of the changes in the accessible area, and the changes to the number of clubs they are making bookings for, the Byford Learning Centre has written to Council seeking a review of the current annual rental charge.

***A copy of the letter from the Byford Learning Centre is with attachments marked [CGAM030.1/11/07 \(IN07/15220\)](#)***

### **Sustainability Statement**

#### ***Economic Viability:***

The proposed reduction in rental will provide for a more equitable contribution by, and not disadvantage, the users of the facility, given that the area being utilised and the number of hours required has reduced.

#### ***Social – Quality of Life***

The continued use of the pavilion by the Byford Learning Centre proposal will ensure that residents have the opportunity to network, which will indirectly enhance the social quality of life for those participants.

#### **Statutory Environment:**

Sections 6.16 and 6.19 of the Local Government Act 1995 apply to this application.

#### **Policy Implications:**

There are no policy implications related to this proposal

**Financial Implications:**

If this proposal is supported, Council revenue will decrease, but it is considered appropriate that a reduced fee apply in this instance, as less area is being utilised by the Learning Centre and at this time only one organisation is under their umbrella. It is recommended that the annual rental fee be reduced from \$933.25 (Inc GST) to an hourly charge of \$11.00 (Inc GST).

The estimated loss based on the annual charge of \$933.25 to the hourly charge of \$11.00 per hour for two hours per month would be \$689.25 (Inc GST) per annum.

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

1. Provide recreational opportunities.

*Objective 3: High level of social commitment*

Strategies:

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

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

5. Harness community resources to build social capital within the Shire.

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

Strategies

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

*Objective 3: Compliance to necessary legislation*

Strategies:

3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

**Community Consultation:**

Statutory advertising is required for any new fee or charge set by Council that is not part of the annual budget. No other consultation is considered necessary.

**Comments**

The Byford Learning Centre has been an integral social and community based organisation that has brought together like minded people and facilitated a vast range of activities in the Byford community for nearly 20 years.

The Byford Learning Centre has indicated that they would prefer to pay an hourly charge until such time that the number of organisations under their umbrella increases enough to justify the annual rental. The organisation is hopeful that with the increase in population more people will want to use the opportunities offered under the umbrella of the Byford Learning Centre.

It is recommended that Council accept the proposal of an hourly charge of \$11.00 (Inc GST) to allow the Byford Learning Centre to continue the use of the Lesser Room at Briggs Park for the Book Club. The booking is for two (2) hours on the last Monday of each month.

**Voting Requirements: ABSOLUTE MAJORITY**

**CGAM030/11/07 COUNCIL DECISION/Committee/Officer Recommended Resolution**

**Moved Cr Price seconded Cr Harris**

**That Council:**

- 1. Set an hourly rental charge of \$11.00 (Inc GST) for the use of the Lesser Room at the Briggs Park Pavilion by the Byford Learning Centre;**
- 2. Advise the Byford Learning Centre of Council’s decision; and**
- 3. Advertise this amended fee in accordance with the provisions of the Local Government Act 1995.**

**CARRIED 10/0 ABSOLUTE MAJORITY**

CGAM033/11/07 LIGHTBODY ROAD MARDELLA – PROPOSED CONSTRUCTION OF CUL DE SAC AND GATE (R0038)		
Proponent	Residents and users of Lightbody Road Mardella	In Brief  It is recommended that Council advises the residents/ratepayers of Lightbody Road that it is not prepared at this time to construct a cul-de-sac and gate on Lightbody Road, but will improve the sightlines along the road and install additional signage.
Officer	Donna Colum Engineering Support Officer	
Signatures - Author:		
Senior Officer:	Markus Botte Director Engineering	
Date of Report	20 October 2007	
Previously	OCM 28/03/1994 OCM 24/06/1996 OCM 31/07/2000 (AS005/07/00) OCM 28/08/2000 (AS015/08/00) OCM 23/10/2000 (AS026/10/00) OCM 25/09/2006 (AS024/09/06) CGAM142/06/07	
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	
<b>Delegation</b>	<b>Council</b>	

**Background**

During 2006, residents of Lightbody Road Mardella made representations to Council about the poor condition of Lightbody Road with a request for the road to be upgraded to bitumen seal as a matter of urgency.

At its September 2006 meeting, Council requested further investigations to be carried out to enable an informed decision to be made regarding the future upgrade or otherwise of Lightbody Road. Council decided at that time not to support the partial realignment and bitumen sealing of Lightbody Road.

Having undertaken further investigation, at the June 2007 meeting Council resolved again not to support the bitumen sealing of Lightbody Road, but suggested that after consultation with the residents Council may consider the construction of a cul-de-sac and installation of appropriate warning signage at Lightbody Road. Advice was to be sought from Main Roads



Western Australia in relation to whether they will endorse the partial closure of Lightbody Road through installation of a cul-de-sac or equivalent traffic management device.

Subsequently the Council considered three (3) options for the installation of cul-de-sacs and a gate on Lightbody Road to restrict the through flow of traffic and to reduce traffic speed and decided to seek the residents' comments to identify their preferred solution.

The options including a description of the advantages and disadvantages were sent out to each resident and are outlined below. Also below is a summary of the feedback from residents/ratepayers of Lightbody Road, received in response to a mail out survey of those three options to all property owners on Lightbody Road, as per the current ratepayer database. A total of sixteen (16) letters were mailed out with this first survey in early September 2007.

### **FIRST SURVEY: OPTIONS 1-3**

#### ***OPTION 1. Construction of cul-de-sac and gate immediately south of the access to the Baldivis feedlot.***

*The advantages of this option are:*

- *There will be no disruption to heavy vehicle access to the Baldivis feedlot from Mundijong Road;*
- *All vehicles south of the access to the feedlot will not be permitted to access Mundijong Road, except for emergency vehicles.*
- *The 12 tonne load limit can be removed from Lightbody Road.*
- *Low cost construction option.*

*The disadvantages of this option are:*

- *There are thick stands of vegetation on respective sides of Lightbody Road which will need to be cleared to accommodate a cul-de-sac bulb of sufficient diameter to permit turnaround by a rigid truck (i.e. garbage service);*
- *A clearing permit will be required and it is unsure whether the Department for Environment and Conservation will approve the clearing of native vegetation at the subject location;*
- *Residents from Lightbody Road will not be permitted to access Mundijong Road but rather travel south to Lowlands Road. This is expected to cause significant inconvenience for the local residents;*
- *A long length of road is created with a cul-de-sac at one end. This is generally discouraged from an emergency management perspective;*
- *MRWA approval will be required to sever Lightbody Road and the resultant changes to the traffic conditions.*

#### ***OPTION 2. Construction of cul-de-sac and gate near the junction with Lowlands Road.***

*The advantages of this option are:*

- *There will be no disruption to heavy vehicle access to the Baldivis feedlot from Mundijong Road;*
- *All vehicles at Rapids Road and Lowland Road will not be permitted to access Lightbody Road, except for emergency vehicles.*
- *Causes the least amount of disruption to the residents of Lightbody Road as it is considered that the predominant traffic movement would be to the north;*
- *The 12 tonne load limit can be removed from Lightbody Road.*
- *Low cost construction option to implement.*

*The disadvantages of this option are:*

- *There are pockets of vegetation on respective sides of Lightbody Road which will need to be cleared to accommodate a cul-de-sac bulb of sufficient diameter to permit turnaround by a rigid truck (i.e. garbage service);*
- *A clearing permit will be required and it is unsure whether the Department for Environment and Conservation will approve the clearing of native vegetation at the subject location;*
- *Residents from Lightbody Road will not be permitted to access Lowlands Road and Rapids Road but rather travel north to Mundijong Road.*
- *A long length of road is created with a cul-de-sac at one end. This is generally discouraged from an emergency management perspective;*
- *Works undertaken in previous years (i.e. bitumen seal and Median Island) will need to be removed to accommodate the cul-de-sac bulb.*
- *MRWA approval will be required to sever Lightbody Road and the resultant changes to the traffic conditions.*

**OPTION 3. Construction of cul-de-sac and gate on respective sides of the existing road culvert, located 4.25 kilometres south of Mundijong Road and 0.85 kilometres north of Lowlands Road.**

*The advantages of this option are:*

- *Two cul-de-sac bulbs are constructed on respective sides of the culvert crossing with an emergency access track (complete with lockable gates) connecting both bulbs;*
- *Two way traffic flow on the northern and southern sides of the culvert is maintained;*
- *Heavy vehicle loads will be removed from the culvert structure, resulting in a structure that will be preserved for a longer period of time;*
- *Causes minimal disruption to the residents of Lightbody Road as it provides two sections of road with two way traffic flow;*
- *The 12 tonne load limit can be removed from Lightbody Road.*
- *Minimal vegetation to be removed to accommodate the cul-de-sac bulbs*
- *Low cost construction option to implement.*

*The disadvantages of this option are:*

- *A clearing permit will be required in the event that vegetation needs to be removed and it is unsure whether the Department for Environment and Conservation will approve the clearing of native vegetation at the subject location;*
- *Residents from Lightbody Road will not be permitted to traverse the culvert but rather travel north to Mundijong Road or south to Lowlands Road;*
- *A long length of road is created with a cul-de-sac at one end. This is generally discouraged from an emergency management perspective;*
- *MRWA approval will be required to sever Lightbody Road and the resultant changes to the traffic conditions.*

**Feedback received - first survey:**

The feedback from residents/ratepayers of Lightbody Road on this first survey is as follows (Response rate 8/16 [50%] with 3 in-principle in favour and 5 against):

A157402	<b>Agrees</b> with cul de sac and gate installation. Suggests fourth option to install cul de sac between Lots 312 & 301.
A157501	<b>Agrees</b> with cul de sac and gate installation. Suggests fourth option to install cul de sac between Lots 312 & 301.
A157402	<b>Agrees</b> with cul de sac and gate installation. Suggests fourth option to install cul de sac between

	Lots 312 & 301.
A157701 A25500	<b>Opposes</b> any cul de sac and gate installation as will cut off access to two properties.
A25304	<b>Opposes</b> cul de sac and gate. Suggests speed of 60 km/hr and signage. Access concerns to property.
A25302	<b>Opposes</b> cul de sac and gate. Suggests speed of 60 km/hr and signage. Access concerns to property.
A157600	<b>Opposes</b> cul de sac and gate. States road is in good condition since upgrading works, some bends require clearing works for visibility and extra signage may provide more improvement.
A25304	<b>Opposes</b> cul de sac and gate. Opposes clearing of vegetation, concerns with emergency vehicle access, invite hoons to congregate, will not stop speeding drivers. Suggests residents not happy with dust contribute towards sealing road

**Suggestion of a fourth option:**

As none of the responding residents had directly agreed to any of the three options and three residents had suggested a fourth option for the cul de sac and gate being located between Lots 312 and Lot 301 a site meeting was held on the 26 September 2007.

The fourth option included:

1. *No Through Road signs will be placed at the intersection of Mundijong Road and Lowlands Road to advise road users that the road has been closed to through traffic;*
2. *Two cul-de-sac bulbs are constructed on respective sides of a gate with an emergency access track connecting both bulbs; Minor works will be undertaken to provide a suitable turn around area.*
3. *The gate will be erected at the proposed location, marked in red, this will be padlocked and keys provided to some property owners to allow access to each end of Lightbody Road;*
4. *This gate will also have an emergency lock in place for the Emergency Service authorities;*
5. *Appropriate signage will be installed on the approaches to the gate to ensure road users are aware of the closure;*
6. *A small amount of clearing will need to be undertaken to improve sight distances for traffic approaching the gated area.*

A further mail out survey was then undertaken. Again a total of sixteen (16) letters were sent to the residents/ratepayers on Lightbody Road outlining this new proposal and seeking their feedback. Below is a summary of the feedback.

**Feedback received - second survey:**

The feedback from residents/ratepayers of Lightbody Road on the second survey is as follows (Response rate 9/16 [55%] 4 in favour and 5 against):

A157402	<b>Agrees</b>
A169802	<b>Agrees</b>
A157501	<b>Agrees</b>
A157401	<b>Agrees</b>
A157300	<b>Opposes</b> - Inconvenience to land owners, opening and closing of gates and keep of keys will be issues. Emergency vehicle access concerns.

A25304	<b>Opposes</b> - Not considering greater good of whole community in terms of access, inconvenience and safety issues. Delays by travelling around via Kargotich. Hoons could gather at cul de sac. Dust will still be generated. Speed will still be an issue. Flora will be damaged.
A157701 A22500	<b>Opposes</b> - Inconvenience, contractors between two properties will have greater distances to travel.
A157600	<b>Opposes</b> - Three existing landowners will still have access to either side of the cul de sac – selfish. Potential legal action suggested. Keys to landowners, who will police, road currently in best condition ever been, would rather see a few corners cleared/cleaned up to improve visibility and more signage.
A157502	<b>Opposes</b> - Only way to solve issues is to seal road but as Council do not have funds, then leave the road as is. Cul de sac will directly interfere with property – does not want it in front of his property. Legal action suggested.

**Financial Implications:**

If Council deems it necessary to limit the number of vehicles using Lightbody Road by cul-de-sacing the road, this work would cost in the vicinity of \$20,000. However, an informed estimate would need to be undertaken at the time of the detailed design to confirm the actual cost which may be higher or lower than the figure stated.

The Forward Financial Plan does not identify Lightbody Road as a priority project. Therefore, if Council determines that work needs to be undertaken in Lightbody Road, this would need to be identified as a priority project in the Forward Financial Plan and listed for consideration during formulation of the 2008/2009 annual budget.

**Statutory Environment:**

Local Government Act 1995  
Motor Vehicle Act and Regulations

**Policy Implications:**

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

**Strategic Implications:**

Key Sustainability Result Areas:-

**1. People and Community**

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

Strategies:

2. Ensure a safe and secure community.

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

Strategies:

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

*Objective 3: High level of social commitment*

Strategies:

2. Build key community partnerships.

**4. Environment**

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

Strategies:

5. *Encourage protection and rehabilitation of natural resources.*

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

Strategies:

6. Implement known best practice sustainable natural resource management.

7. Economic

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

Strategies:

8. *Improved freight, private and public transport networks.*

*Objective 3: Effective management of Shire growth*

Strategies:

1. Enhance economic futures for Shire communities.

2. Represent the interests of the Shire in State and Regional planning processes.

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

**10. Governance**

**Objective 1: An effective continuous improvement program**

Strategies:

11. *Identify and implement best practice in all areas of operation.*

*Objective 3: Compliance to necessary legislation*

Strategies:

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

3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

**Community Consultation**

All property owners on Lightbody Road were invited to participate in both surveys.

However, should Council resolve to proceed with a cul de sac and gate option, this would involve a lengthy and complex process for road closure which would require its own statutory community consultation component.

**Comments**

This report contains the feedback from residents of Lightbody Road received in response to two mail-out surveys. In considering both surveys, a total of five (5) residents are supportive of the installation of the cul-de-sac and gate as per option 4, whereas a total of seven (7) residents opposes any of the options suggested for the installation of cul-de-sac and gate. Responses have not been received from four (4) of sixteen (16) residents contacted.

It can be concluded that there exists insufficient support from the residents on Lightbody Road to warrant construction of any of the suggested options. Road works have been undertaken to date that have resulted in improvements to safety, ride quality, travel time, drainage, maintenance level and reduced maintenance costs.

Lightbody Road is a local access road that services only a small number of rural properties and residences. Council has not considered the construction of cul-de-sacs and a gate as well as installation of appropriate warning signage at Lightbody Road during formulation of the 2007/2008 annual budget.

Presented with the comments received, the negative implications/inconvenience likely to effect the residents/ratepayers and users of Lightbody Road appear to outweigh the benefits likely to be achieved in favour of some of the residents/ratepayers on Lightbody Road. Given the aforementioned, it is at this stage deemed unnecessary to seek further advice from Main Roads Western Australia in relation to whether they will endorse the partial closure of Lightbody Road through installation of a cul-de-sac or equivalent traffic management device.

However it is recommended that Council investigates installation of appropriate warning signage at the various sharp curves along the length of Lightbody Road and improvement of sight lines upon assessment of pruning requirements.

A copy of the responses received will be forwarded to Councillors under separate cover marked 'Confidential'.

**Voting Requirements:** Simple Majority

**Committee/Officer Recommended Resolution:**

- A. That Council advise the residents of Lightbody Road that at this time it does not support the installation of any of the proposed cul-de-sac and gate options described within this report on Lightbody Road for the following reasons:
- (1) The feedback from residents/ratepayers along Lightbody Road does not warrant construction of any of the suggested cul-de-sac and gate installation options;
  - (2) Lightbody Road is a local access road that services only a small number of rural properties and residents;
  - (3) From 2000/01 to 2005/06 significant amounts of funding have been expended on the progressive upgrade of Lightbody Road to improve the performance and management of this road. The works undertaken have resulted in improvements to safety, ride quality, travel time, drainage, maintenance level and reduced maintenance costs.
  - (4) The negative implications/inconvenience likely to effect the residents/ratepayers and users of Lightbody Road appear to outweigh the benefits likely to be achieved in favour of some of the residents/ratepayers on Lightbody Road.
- B. That Council investigates installation of appropriate warning signage at the various sharp curves along the length of Lightbody Road and improvement of sight lines upon assessment of pruning requirements.

**CGAM033/11/07 COUNCIL DECISION**

**Moved Cr Price seconded Cr Buttfield**

**That this matter be deferred until the March 2008 round of meetings so that all of the land owners who have property on Lightbody Road can meet in order to reach agreement to hopefully solve the problems of residents and users of Lightbody Road, CARRIED 8/2**

Cr Needham voted against this motion.

**Council Note:** The Committee/Officer Recommended Resolution was changed as the item was deferred until the March 2008 round of meetings.

<b>CGAM039/11/07 USE OF OLD BUNNING'S MILL JARRAHDAL (P00576)</b>		
Proponent:	Cr J Kirkpatrick	In Brief  To consider the use of the Old Bunning's Mill Office by the Jarrahdale Community Association.
Owner:	Cr J Kirkpatrick	
Officer:		
Signatures Author:		
Senior Officer:		
Date of Report	20 November 2007	
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	
<b>Delegation</b>	<b>Council</b>	

### **CGAM039/11/07 NEW MOTION**

1. That Council form a small working group to investigate the use of the Old Bunning's Mill office by the Jarrahdale Community Association as a youth centre, either on its current site or a relocated site,
2. That the group comprise of two (2) Councillors, two (2) members of the Jarrahdale Community Association and a Community Development Officer; and
3. That the group report back to the March 2008 meeting of this Committee.

### **AMENDMENT**

Moved Cr Price seconded Cr Needham to amend the wording so that Council "investigate the use of a facility in Jarrahdale"

After debate the Chairperson then put the amended motion which was

1. That council form a small working group to investigate the use of a facility in Jarrahdale for use by the Jarrahdale Community Association as a youth centre;
2. That the group comprise of two (2) councillors, two (2) members of the Jarrahdale Community Association and a Community Development Officer; and
3. That the group report back to the March 2008 meeting of this committee.

LOST 3/4

### **CGAM039/11/07 Committee Recommended Resolution:**

1. That Council form a small working group to investigate the use of the Old Bunning's Mill office by the Jarrahdale Community Association as a youth centre, either on its current site or a relocated site,
2. That the group comprise of two (2) Councillors, two (2) members of the Jarrahdale Community Association and a Community Development Officer; and
3. That the group report back to the March 2008 meeting of this Committee.

CARRIED 5/2

**Committee Note:** Cr Needham voted against the motion.

## **SUPPLEMENTARY REPORT**

### **Background**

#### **Council's decision SCM007/09/07**

The following letter from the Chief Executive Officer outlining Council's position with regard to the Old Bunnings Mill Office site was presented to Jarrahdale Community Association (JCA) on 1 November 2007 at a meeting with three representatives of the JCA, Jan Star, the Shires' Community Development Officer, Manager Community Development, Director Strategic Community Planning, Cr Kirkpatrick and Cr Twine.

*I would like to acknowledge the comprehensive proposal prepared by the Jarrahdale Community Association regarding the feasibility of using the old Bunnings Mill Office as a youth/community centre. The commitment that the Jarrahdale Community Association is demonstrating to youth in the area is commendable, and I congratulate you on your endeavours thus far.*

*I am now in a position to offer clarification in terms of Council's recently endorsed Jarrahdale Heritage Park Business Plan, as well as to provide you with an indication of the strategic direction that is being suggested in the Draft Community Facilities and Services Plan to 2020.*

*A Special Council meeting was held in September 2007 where Council was requested to endorse the Jarrahdale Heritage Park and Precincts Business and Marketing Plan, and the recommendations contained therein, as the basis for guiding the future development of the Jarrahdale Heritage Park. The Business Plan contained a recommendation to sell the land on which the Old Bunnings Mill Office sits, to assist the further development of the Jarrahdale Heritage Park and ensure that Council could afford in the long term to maintain the Park. A full copy of the minutes from this meeting is attached.*

*Council's resolution SCM007/09/07, includes the following extract:  
That Council*

- 6. Develop a proposal to sell the potential two (2) parcels of land east of Millars Road (most of Lot 814) singularly or jointly and investigate the development, lease or sale of remaining Council land west of Millars Road (Lot 815 and Part Lot 814).*

*Therefore, I am able to confirm that Council is unfortunately unable to support the Jarrahdale Community Association's proposal to develop the use of the Bunnings Mill Office.*

*The Draft Community Facilities and Services Plan to 2020, also acknowledges the Jarrahdale Community Association proposal for the proposed use of the Bunnings Mill Office. It then goes on to suggest that "refurbishment of this facility could restrict the future development of surrounding areas, and some alternatives should be considered. For example, community activities could also be accommodated in one of the many existing facilities in Jarrahdale. Each of these facilities requires some degree of upgrade and will need resources to activate local community and visitor access. The Bruno Gianatti Hall is the key community facility in Jarrahdale. It could also service a wider role as a community hub."*

*In order to support the endeavours of the Jarrahdale Community Association in determining the feasibility of alternative facilities, the Community Development Team will continue to work with the Jarrahdale Multi-purpose Facility Working Group.*

*I thank you and your group for their enthusiasm and efforts and I feel positive that with the Shire and community working together the vision for your facility will be realised at the best location for all in Jarrahdale.*



## **Outcomes of 1 November 2007 Meeting**

At this 1 November 2007 meeting, JCA representatives expressed a number of concerns in relation to the decision. A lengthy discussion also took place about the skate park.

The title of the Draft Community Facilities and Services Plan to 2020 (the Plan) also raised concerns as it was of concern to one (1) representative that this would mean that nothing would happen until 2020. This was then further explained as being a Plan which would guide a progressive roll out of facilities and services between 2008 and 2020. To further demonstrate this, the Manager Community Development found the relevant pages in the Draft Plan that described the recommendations for Jarrahdale. She explained that the final Plan would be used as a guide, and its implementation would be subject to Council endorsement of the individual projects through each annual budget. She highlighted that the JCA may in fact be pleased with the current prioritisation of the recommendations in the Draft Plan which saw the Jarrahdale facility projects being rolled out in the first few years of the Plan e.g. 2008, 2009, 2010.

Another concern was the list of facilities that was quoted in the Plan as this was perceived by one (1) representative to be Council's list of alternatives for a youth facility. It was then explained to the meeting that this list was only a suggestion by the consultants, ie. that all of the remaining facilities in Jarrahdale should be investigated through further community consultation. It was not a firm recommendation.

Extracts were also quoted from the Draft Plan which enabled the Manager Community Development to advise the meeting, that based on current community planning principles the recommendations suggested that facilities for youth should be located central to town in an area where there is better supervision, easy access to a number of recreational options for both casual and organised use within easy access of toilets and a place to buy drinks and snacks. This recommendation also suggested the re-location (and sinking) of the skate park to this central area. How all of this would be configured in detail was to be a matter of further community planning (eg. through the Multi Purpose Facilities Working Group).

The meeting concluded with plans for the JCA representatives to report the outcomes of the letter to their next meeting, the Multi Purpose Facilities Working Group to meet again soon, for the Old Fire Station to be re-considered as a possible temporary option, and for the officers to investigate the status of planning permission for a temporary shade shelter to be constructed in the existing skate park.

Further discussions were then had over the week that followed with other representatives of JCA as requested by the representatives that attended the 1 November 2007 meeting.

## **Community Planning Processes and Resources**

When considering this item, it is important to note what Council has supported in terms of how the community have ongoing input into planning processes, and allocation of resources.

- Locality community forums were set up with assistance from Council. Part of this shared vision was to establish a vehicle for a coordinated approach to community engagement in community planning, both between the community and Council/other agencies, and within the community.
- When a small group of Jarrahdale residents approached the Shire earlier this year, wanting to set up a working group to progress a proposal to investigate the upgrade of current facilities to accommodate seniors and other community needs, Shire officers linked these enthusiastic people with the JCA and suggested that they formed a sub group of the JCA to incorporate JCA's proposals for youth. This sub group is now called the Multi Purpose Facilities Project Group.

- Byford also has some good examples of how sub groups (eg. the Enviro Link) can be very effective as a sub group of a local forum or association.
- The beauty of a collaborative approach such as this, is that it makes better use of limited resources (people's time and facilities) and can lead to more creative and innovative ideas and solutions, and encourage better strategic partnerships and cooperation within the community. This approach also increases the chances of attracting funding partners and matches the underlying principles underpinning best practice in current community facilities planning.
- This structure also enables better allocation of Community Development Officers time, who are already struggling to keep up with the current aims to help build community capacity through the structure of one forum per locality (eg. JCA) and undertake feasibility studies in relation to the implementation of the Community Facilities and Services Plan.

### **Current Community Planning Principles**

It is also important for Council, and thereafter the Multi Purpose Facilities Project Group, to note the following underlying principles underpinning best practice in current community facilities planning and to consider them in line with local needs.

- Dedicated youth, and seniors facilities are no longer encouraged, but rather multi purpose facilities, within a precinct, that are easily accessible and designed to accommodate the needs of all ages close to amenities. The programming of when and how these facilities are used is then what activates them for each age, interest or intergenerational grouping.
- Facilities and places that youth are encouraged to access, should ideally be central to, and encouraged to be embraced by, the community. This can lead to positive experiences and greater tolerance.
- Young people need to be engaged in the debate and the solution.
- Any planning for a target group (eg. youth) needs to be worked through within the context and the needs of a whole community. It should be worked through in relation to all the facilities, and not in isolation of representatives of other target groups (eg. seniors, families).
- This principle supports the Multi Use Facilities Project Group model already active, although it is noted that this group will need to be carefully facilitated to ensure that all stakeholders are heard, all projects are thoroughly investigated and that collaborative outcomes are based on sound understanding and reasoning.

### **Comments**

It is also important to note that although current research suggests that there are other areas in the shire that require more urgent resources to address youth issues, the enthusiasm of the Jarrahdale community should be supported to enable a more proactive preventative approach to be taken for both youth and seniors, and for the current efforts of the community to be acknowledged.

A temporary solution to bridge the gap is encouraged, until a more permanent facility is developed, but the more permanent solutions should be worked out as part of this process, and in the knowledge of other community needs and plans, so that the big picture is understood before the first steps are taken.

The Multi Purpose Facility Project Group should be able to report back to Council in this regard in March 2008.

**Officer Recommended Resolution**

That Council

- 1) Participate in the Jarrahdale Multi Purpose Facilities Working Group in order to investigate temporary and permanent locations for a youth centre, including an examination of the temporary use of the Old Bunnings' Mill Office on its current site or temporary and permanent options for its use at a alternative site.
- 2) Nominate two (2) Councillors to join with representatives of the Jarrahdale Community Association and a Community Development Officer on this existing sub group of the Jarrahdale Community Association; and ask that the group report back to the March 2008 meeting of this Committee.

**CGAM039/11/07 COUNCIL DECISION**

**Moved Cr Twine seconded Cr Kirkpatrick (proforma)**

**That Council:**

- 1) **Participate in the Jarrahdale Multi Purpose Facilities Working Group in order to investigate permanent locations for a youth centre.**
- 2) **Nominate two (2) Councillors to join with representatives of the Jarrahdale Community Association and a Community Development Officer on this existing sub group of the Jarrahdale Community Association; and ask that the group report back to the March 2008 meeting of the Corporate Governance & Asset Management Committee.**
- 3) **Until the sale of the land on which it stands, permit the use of the Old Bunnings' Mill Office as a temporary youth centre subject to funds being made available either through a budget review within this financial year or an allocation is approved as part of the 2008/2009 budget, which ever is the sooner, for the reinstatement of power and water supplies and any other modifications required for the building to be used for that purpose.**
- 4) **That Councillors Kirkpatrick and Twine are the two Councillors nominated to join in with the Jarrahdale Multi Purpose Facilities Working Group.**

**CARRIED 10/0**

**Council Note:** The Officer Recommended Resolution was changed to permit the temporary use of the Old Bunning's Mill Office as a youth centre.

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

OCM009/11/07		PRELIMINARY COMMENTS ON THE SOUTH METROPOLITAN AND PEEL REGION URBAN GROWTH STRATEGY (A1457).
Proponent:	Serpentine Jarrahdale Shire	In Brief  To endorse the preliminary comments to Department for Planning and Infrastructure (DPI) on the South Metropolitan and Peel Region Urban Growth Strategy (the Study).
Owner:	Not applicable.	
Officer:	Suzette van Aswegen – Director Strategic Community Planning	
Signatures Author:		
Senior Officer:		
Date of Report	21 November 2007	
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.	
<b>Delegation</b>	<b>Council</b>	

**Background**

DPI are in the process of preparing an urban growth strategy to guide future planning and development of the South Metropolitan Area and Peel Region for the next 50 years in accordance with the principles of Network City and Liveable Neighbourhoods, i.e. to achieve sustainable development outcomes. The Study will ultimately replace the South West Corridor Structure Plan 1993, the South East Corridor Structure Plan 1996 and the inner Peel Region Structure Plan 1997. It is understood the Study will also lead to the amendment of the South Metropolitan Scheme and the Peel Region Scheme.

Over the last two years direct liaison with infrastructure providers and state government agencies occurred. A number of workshops were also held with Local Government Officers with the aim to:

1. Determine the position on land supply/land release/staging;
2. Confirm key strategic sites;
3. Define environmental management issues;
4. Establish trade-off potential; and
5. Verify population, housing and employment targets.

In addition to the above, DPI also commissioned various technical reports to inform the development of a robust spatial plan and the establishment of a policy position on the urban – rural interface, in other words to determine the urban growth boundary. The studies/technical reports viewed by the Shire officers to date include the following:

1. “Draft South West Corridor Urban Land Study” by Taylor Burrell Barnett mainly focusing on the South West Coastal Corridor.
2. “Draft Indicative Traffic Impact Overview” by Riley Consulting.
3. “Draft Masterplan for the Palusplain” by GHD (Palusplain report).

For the purpose of this report, emphasis has been placed on the Palusplain report in which a variety of complimentary and conflicting interests on the Palusplain and its potential future land use were investigated, including:

1. Agriculture
2. Infrastructure
3. Water and drainage management
4. Environmental quality, ecological values and conservation requirements
5. Urban development, rural residential and speculative proposals
6. Recreation/Tourism

7. Mining and mineral resources
8. Economic viability

As a result of the above investigation, the following key issues were identified with a view to establish the way forward:

1. Hydrology (Serpentine River, wetlands, drainage lines, flood patterns and climate change impacts, etc.) represents the most common constraints within the study area.
2. Biodiversity (declared rare flora and fauna, threatened ecological communities, green linkages, etc.) represents some of the key constraints for further investigation prior to the identification of suitable urban development and buffer requirements.
3. Successful implementation of the Peel-Harvey Water Quality Improvement Plan.
4. Management of the Metropolitan food supply through the Palusplain.
5. Economic viability of the Palusplain is not solely reliant on urban development.
6. All of the above require further investigation and clarification to ensure a sustainable urban-rural balance.
7. The way forward is via collaboration with key stakeholders.
8. The need for an agreed timetable to proof all future land use in order of priority.

In light of orderly and proper planning and for the purposes of certainty and consistency, land capability outcomes were developed and categorised as follows:

1. 1A – Urban (existing zoning)
2. 1B – Urban Deferred (existing zoning)
3. 2A – Urban Potential (Likely Earliest Development Stage)
4. 2B – Urban Potential (Likely Intermediate Development Stage)
5. 2C – Urban Potential (Likely Latest Development Stage)
6. 3A – Moderately Constrained for Urban Development
7. 3B – Significant Constraints to Urban Development
8. 3C – Constrained and Urban Development Unlikely
9. 4A – Fully Constrained/Unavailable for Urban development
10. 4B – Constrained but Potentially Important for Urban Structure (Negotiable/Offsets)

Finally the said land capability outcomes were prioritised in accordance with the following staging strategy:

*0 – 5 years*

1. Strategic plans done for the land west of the Serpentine River and rezoning undertaken.
2. Technical investigations of all land east of the Serpentine River. Public transport modes decided for the corridor.

*5 – 10 years*

1. Development commences on land west of the Serpentine River.
2. Strategic, infrastructure and staging plans for all land east of the Serpentine River suited to efficient urban development.
3. Development may start east of the Serpentine River only where required resident and worker densities will be met and where adequate and efficient infrastructure can be provided.

*10 – 50 years*

1. Development continues under a carefully staged release program, generally north to south, to progressively build up a relatively dense mixed use inland transport oriented development corridor.

As part of its final engagement round with relevant stakeholders, DPI recently released a draft table containing the land capability outcomes and proposed staging strategy. A preliminary response is now required before an officer's report is put before Western Australian Planning Commission to adopt, for advertising, the proposed South Metropolitan and Peel Region Urban Growth Strategy.

Having regard to the Serpentine Jarrahdale Shire (the Shire) Rural Strategy 1994 (as amended), Shire officers assessed the draft table and made certain changes, the result of which was work shopped with elected members on 20 November 2007.

The purpose of this report is to request Council's endorsement of the preliminary comments on the South Metropolitan and Peel Region Urban Growth Strategy.

***A copy of the table containing the land capability outcomes and staging strategy is with attachments marked OCM009.1/11/07 (E07/5272).***

### **Sustainability Statement**

#### ***Effect on Environment:***

The proposal is practically consistent with the Shire's Rural Strategy and should protect and enhance the natural environment whilst providing for urban development to occur in a sustainable and responsible manner. Significant further investigation is required prior to the identification of suitable urban development and buffer requirements.

#### ***Biodiversity:***

Biodiversity has been identified as one of the key issues to be further investigated so as to ensure protection of rare flora and fauna, threatened ecological communities and to create green linkages/corridors to allow unhindered migration of fauna.

#### ***Energy Use / Greenhouse Gas Emissions:***

The proposal seeks to give effect to the sustainability principles of Network City and Liveable Neighbourhoods where the outcome of urban development is expected to:

- minimise car dependency and maximise the use of public transport;
- incorporate good passive solar design;
- implement and support renewable energy technologies;
- encourage and provide opportunity for energy efficiency;

#### ***Water and Drainage Management***

Successful implementation of the Peel Harvey Water Quality Improvement Plan is high on the list of priorities. This includes but is not restricted to:

- urban and rural water management, including flood management, water sensitive urban design and drainage lines/channels;
- minimisation of the use of fertilisers and other contaminants;
- maximum infiltration of water on site;
- water saving devices;
- whole of water cycle. ie use, re-use and recycling of water;
- adaptation to climate change;
- protection of wetlands and waterways;

#### ***Air Quality:***

The proposal is unlikely to result in adverse emissions to the environment including solid, liquid, gas, noise, electromagnetic radiation, unless provided for by means of a conditional approval for a specific development application.

#### ***Heritage and Culture:***

All heritage and cultural issues have been addressed at a strategic level and would require further detailed investigation.

#### ***Use of Local, Renewable or Recycled Resources:***

The proposal advocates the use of locally and regionally available or produced resources and in particular the protection of the Palusplain as the future "food bowl" of the Metropolitan Region, with reduced transport costs to the market and a secure food supply.

***Economic Viability:***

The economic viability of the use of the Palusplain as the future “food bowl” of the Metropolitan Area is uncertain and needs to be further investigated. It is however considered that the economic viability of the study area is not solely reliant on urban development, but may be attractive in light of alternative land uses such as algal bio-fuels, organic farming, eco-tourism, horticulture, waste and/or water recycling, etc.

***Economic Benefits:***

The proposal will provide economic benefits to the community such as:

- increase local resource base;
- employment generation;
- tourism generation;
- diversification of the Shire economic base;

***Social – Quality of Life:***

The proposal will improve the quality of life for the community through:

- orderly and proper planning resulting in sustainable development outcomes;
- provision of adequate and effective Public Open Space (POS) and other recreation facilities to enhance the physical well-being of communities;
- retention of the rural character of the Shire whilst providing for sustainable urban growth in a controlled manner;
- equitable cost structures to all residents eg rates, council support of community projects;

***Social and Environmental Responsibility:***

The proposal will:

- create an opportunity for the Shire community to participate, thereby creating ownership and the ability to control its own destiny;
- continue to promote and enhance the Shire’s partnership with DPI, the Western Australian Planning Commission and other stakeholders.

***Social Diversity:***

No social groups will be disadvantaged by the proposal. In fact, the proposal will cater for all sectors of society eg diverse housing stock, mixed land uses, employment generation, social facilities and services, conservation and protection of natural resources, etc.

**Statutory Environment:**

Nil.

**Policy/Work Procedure Implications:**

There are no work procedures/policy implications directly related to this informal process. However, it should be noted that the Rural Strategy 1994 (as amended) is currently under review and will result in the preparation of a wider, all-encompassing Local Planning Strategy with possible changes to the suggested land capability outcomes.

**Financial Implications:**

There are no financial implications to Council related to this proposal at this stage.

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

1. Provide recreational opportunities.
2. Develop good services for health and well being.
3. Retain seniors and youth within the community.
4. Respect diversity within the community.

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

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

Strategies:

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

*Objective 3: High level of social commitment*

Strategies:

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

## **2. Environment**

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

Strategies:

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

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

Strategies:

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

## **3. Economic**

*Objective 1: A vibrant local community*

Strategies:

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

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

Strategies:

1. Improved freight, private and public transport networks.



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

Objective 3: Effective management of Shire growth

Strategies:

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

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
3. Regularly update information services and IT capacity to support programs and projects.
4. Balance resource allocation to support sustainable outcomes.
5. Harness community resources to build social capital within the Shire.

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

Strategies

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

**Community Consultation:**

Not required.

**Comment:**

Preliminary comments have been summarised in the attached table. In short, the land capability outcomes are basically consistent with the Rural Strategy, except as follows:

1. Precinct 20a – Potential Light Industry and Utilities.  
The land is currently zoned Rural and has been earmarked by Western Power as having potential to be developed to provide future electrical infrastructure in order to service the local and regional areas. The site is ideally located with easy access via Orton Road and Thomas Road. The site is constrained in terms of its isolation from servicing/transport infrastructure, however may become available for the said purposes in the medium to long term.
2. Precinct 66 – Cardup (Bishop Road on southern boundary).  
The land is currently zoned Rural and is classified as Rural in the Shire's Rural Strategy. However, it is considered that the subject land has excellent potential to be developed for light industrial purposes for the following reasons:
  - Demand for employment generating land;
  - Good accessibility as a result of its perfect location between the future Tonkin Highway extension and Soldiers Road, and flanked by Bishop Road along its southern boundary;
  - Availability of services and infrastructure such as reticulated water, sewerage and gas in the advent of urban development in Byford and Mundijong/Whitby;

- Close proximity to potential workforce with reduction in car dependency and reduction in greenhouse gas emissions;
- Ideally positioned to take advantage of future public transport services and facilities provided for the Mundijong/Whitby Urban cell and the Cardup Industrial Park;
- Location adjacent to freight railway line. It is understood that the line is currently already at capacity with a very low likelihood of it becoming available for other uses but mining in the short to medium term, however it remains an opportunity for the long term future.

**Voting Requirements:** Simple Majority

**OCM009/11/07 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Price seconded Cr Randall**

**That Council endorses the preliminary comments to the Department for Planning and Infrastructure (DPI) on the South Metropolitan and Peel Region Urban Growth Strategy (the Study), as per attachment marked OCM009.1/11/07 (E07/5272).**

**CARRIED 10/0**

**COUNCIL DECISION**

**Moved Cr Brown seconded Cr Harris**

**That the Ordinary Council Meeting to consider item OCM010/11/07 – Consideration of Options to Address Zoning Anomaly of Lot 81 (14) Cockram Street, Mundijong and to initiate Amendment No 159 report is closed to the public under the provisions of section 5.23(2) of the *Local Government Act 1995* as it relates to financial matters which are of a confidential nature.**

**CARRIED 10/0 ABSOLUTE MAJORITY**

Members of the public were asked to leave the gallery and left the meeting at 8.20pm.

Cr Price declared a proximity interest in item OCM010/11/07 CONSIDERATION OF OPTIONS TO ADDRESS ZONING ANOMALY OF LOT 81 (14) COCKRAM STREET, MUNDIJONG (P03192 ) AND TO INITIATE AMENDMENT NO. 159 as the item relates to property that adjoins his residence and left the meeting at 8,22pm.

Moved Cr Murphy seconded Cr Brown to suspend Standing Orders 9.4, 9.6, 10.7

CARRIED 9/0

OCM010/11/07 <b>CONFIDENTIAL - CONSIDERATION OF OPTIONS TO ADDRESS ZONING ANOMALY OF LOT 81 (14) COCKRAM STREET, MUNDIJONG (P03192 ) AND TO INITIATE AMENDMENT NO. 159</b>		
Proponent:	Shire of Serpentine Jarrahdale	In Brief To consider a number of options to address the zoning anomaly of Lot 81 (#14) Cockram Street and consider the zoning of Lots 210 and 228 Cockram Street, Lots 87 and 88 Mundijong Road and unnamed Road Reserve adjoining Lot 81.  It is recommended that Council rezone Lot 81 (#14) Cockram Street together with Lots 210 and 228 Cockram Street, Lots 87 and 88 Mundijong Road and unnamed Road Reserve adjoining Lot 81.
Owner:	T & K Jordan	
Officer:	Jocelyn Ullman – Senior Strategic Planner	
Signatures Author:		
Senior Officer:		
Date of Report	21 November 2007	
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	<b>Council</b>	

**OCM010/11/07 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Harris seconded Cr Randall**

- A. Council receives and notes the report on the Consideration of Options to Address Zoning Anomaly Lot 81 (14) Cockram Street, Mundijong and Initiate Amendment No. 159.**
- B. Council writes to the Minister for Lands seeking approval to commence the disposal process of Lots 210 and 228 (Reserve 33413) Cockram Street, Mundijong. Council requests that the Minister approve the consultation process for the disposal of this land be undertaken through the initiation of Amendment No. 159 to Town Planning Scheme No. 2 in accordance with the Planning and Development Act 2005. The Council provides an undertaking that 5,995m<sup>2</sup> in area will be provided as Public Open Space within the Mundijong/Whitby urban cell. The location of this Public Open Space is to be determined through the preparation of the Mundijong/Whitby District Structure Plan.**
- C. Subject to the approval of the Minister for Lands being granted under Part B of this resolution and pursuant to Section 75 of the Planning and Development Act 2005, the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 be amended by:-**

**AMENDMENT NO. 159**

- 1. Rezoning Lots 81, 210 and 228 Cockram Street and Lots 87 and 88 Mundijong Road from 'Local Reserve – Public Open Space' to 'Urban Development';**
- 2. Rezoning the section of the unnamed Road Reserve (south of Cockram Street, abutting Lot 81) from 'Urban Development' to 'Public Open Space'; and**
- 3. Amending the Scheme Map accordingly;**
- D. Should the approval of the Minister for Lands not be granted under Part B of this resolution then the Shire shall initiate Amendment 159, as described in Part C of this resolution, without reference to Lot 210 and Lot 228 Cockram Street.**

- E. The Amendment documents are to be signed and the Western Australian Planning Commission is to be advised of Council's decision;**
  - F. A copy of the signed documents are to be forwarded to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act;**
  - G. Request the Western Australian Planning Commission give consent to advertise the Amendments in accordance with the Town Planning Regulations. This request is to be undertaken concurrently with Recommendation E above. That Council forward a copy of the formal advice from the Environmental Protection Authority onto the Western Australian Planning Commission upon its receipt.**
  - H. Council advise the owners of Lot 81 (14) Cockram Street of its resolution.**
- CARRIED 7/2**

**FORESHADOWED MOTION**

Cr Randall foreshadowed a motion that Council purchase Lot 81 Cockram Street and borrow the funds for this purchase, as an asset of the Shire and make a decision in the future and purchase Lots 210 and 228 Cockram Street, if the motion under debate is defeated.

Cr Price returned to the meeting at 9.05pm.

The meeting was re-opened to members of the public at 9.06pm.

OCM011/11/07		TENDER 14-2007 SUPPLY & DELIVERY OF ONE (1) ONLY NEW 12 TONNE TIPPER TRUCK WITH TRUCK MOUNTED CRANE (A1475)	
Proponent:	Engineering Services	In Brief  Council is requested to approve the purchase of a new 12 tonne tipper truck and the reallocation of budget funds to cover the over expenditure.	
Owner:	Donna Colum Engineering Support Officer		
Officer:	Donna Colum		
Signatures Author:			
Senior Officer:			
Date of Report	24 October 2007		
Previously	SM047/05/04		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act		
<b>Delegation</b>	<b>Council</b>		

**Background**

The 2007/2008 budget lists the existing tipper truck with truck mounted crane (SJ 23 - 2003 Iveco 280 HP Euro Cargo Tector truck with Amco Veba 807T crane) to be replaced with a new 12 tonne rigid tipper truck (6 x 4-wheel drive) with crane.

Accordingly, tenders were advertised in the West Australian Newspaper on Saturday 22 September 2007. Tenders closed on Tuesday 16 October 2007.

The tender incorporated four options consisting of two supply and trade-in options as well as two outright purchase options. The two supply options were as follows:

1. The supply and delivery of one (1) new 12 tonne tipper truck, removing the existing crane from the existing truck (SJ23) and mounting it on the new truck; and trade-in of the Shire of Serpentine-Jarrahdale's current truck (SJ23) without crane;
2. The supply and delivery only of one (1) new 12 tonne tipper truck, with a new truck mounted crane as specified; and trade-in of the Shire of Serpentine-Jarrahdale's current truck (SJ23) complete with crane.

To offer the possibility for private purchase of the Shire of Serpentine-Jarrahdale's current truck (SJ23), the tender also incorporated two outright purchase options open to the public options as follows:

3. The outright purchase of the Shire of Serpentine-Jarrahdale's current truck (SJ23) complete with crane;
4. The outright purchase of the Shire of Serpentine-Jarrahdale's current truck (SJ23) without crane.

Seven (7) tenders were received and were evaluated using the compliance criteria as detailed in the tender documentation. The tender evaluation details are appended for Councillors information.

***A copy of the tender evaluation details are attached and marked OCM011.1/11/07.***

**Statutory Environment:**

Part 4 of the Local Government (Functions and General) Amendment Regulations 2007 requires that Tenders be publicly invited for the supply of goods or services if the consideration under the contract is, or is expected to be, more than \$100,000.00.

The tendering process for goods and services must be in accordance with Sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 and Local Government (Functions and General) Amendment Regulations 2007.

In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the Tenders is most advantageous and may decline to accept any or all of the Tenders received.

Regulation 19 requires Council to advise each Tenderer in writing of the results of the Council's decision.

**Policy/Work Procedure**

The Shire of Serpentine-Jarrahdale's Purchasing Policy 'Procurement of Goods and Services through Direct Purchasing and Public Tendering' as adopted by Council at its 27 May 2007 OCM (CGMA 120/05/07).

**Financial Implications:**

Funds contained within the proposed 2007-08 budget are not sufficient to purchase the new truck. All tenders received were over budget. The most competitive tender submitted is \$31,280.80 over budget. Approval of budget fund re-allocation to RPP 908 from the following areas is required to cover the shortfall: RPP909 (\$3,800.00), RPP910 (\$12,000.00), RPP925 (\$12,125.00), WOH535

(\$3,355.80). NOTE - All figures quoted are excluding GST.

**Strategic Implications:**

The proposal incorporates the following strategic implications:

**3. Economic**

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

Strategies:

1. Improved freight, private and public transport networks.

*Objective 3: Effective management of Shire growth*

Strategies:

1. Enhance economic futures for Shire communities.

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

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

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

Strategies

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

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

No community consultation is required for this item.

**Comment:**

The tenders received were assessed in line with compliance criteria detailed in the tender evaluation details by the Shire's Manager Operations & Parks and the Construction Supervisor/Leading Hand. The tender submitted by Skipper Trucks for the Fuso FV51JKD2RFAA has been identified as the preferred tender, as it offers purchase least cost of the new truck and highest trade-in value of the existing Council truck.

The current budget allocation for the changeover of the existing truck is as follows:

Supply of Rigid Tipper	\$140,000.00
Trade-in of existing vehicle	Less \$60,000.00
Balance	\$80,000.00

The actual costs for the changeover of the existing rigid tipper are as follows:

Supply of Rigid Tipper Truck incl. mounting of crane	\$170,380.80
Trade-in of existing vehicle	Less \$59,100.00
<b>Balance</b>	<b>\$111,280.80</b>

The submitted tender from Skipper Trucks is \$31,280.80 over budget. All other tenders received were also over budget. All “outright purchase only” submissions were less than the trade-in offered by Skipper Trucks.

Council is requested to approve the reallocation of funds from the following areas to cover the shortfall in the purchase of the new rigid tipper truck and mounting of the existing crane.

Account	Amount	Reason
RPP 909	\$3,800.00	The purchase of a new mower was under budget by \$3,800
RPP910	\$12,000.00	Purchase of Mower Blade Runner. The Parks & Gardens Department would like to defer the purchase of this machine until the year 2008/09.
RPP925	\$12,125.00	The purchase of a new vehicle for the Parks & Gardens Leading Hand was under budget by \$12,125.00
WOH535	\$3,355.80	Balance of funds acquired from the Equipment and Repair maintenance account
<b>TOTAL</b>	<b>\$31,280.80</b>	

NOTE - All costs quoted in this item are excluding GST.

For your consideration:

The carrying capacity of the existing truck is being severely constricted by the weight and space requirements of the truck-mounted crane. This in turn has negative impacts on operational flows. The full carrying capacity of the truck is no longer available for transport of construction materials to the site and thus multiple trip making needs do increase the construction time requirements. The purchase of a new tipper truck with additional carrying capacity to offset the limitation in carrying capacity imposed by the crane, will allow for an improved workflow and construction time savings, with the associated long term financial benefits to Council. In line with the aforementioned, the Manager Operation and Parks had discussed a higher budget allocation for the replacement of the tipper truck with the previous Director Asset Services. Unfortunately this has not materialized in the 2007/2008 Council adopted budget to a level that will cover the cost of the tipper truck required for this purpose. The relocation of the crane from the exiting tipper truck (SJ23) to the new truck has further increased the cost of the tender. Purchase of a new truck complete with new crane is not possible under current budget allocations. The crane is an essential part of the operations maintenance and construction program. The level of wear and tear on the crane does not warrant replacement of the crane with every replacement of the truck. The cost to relocate this crane should also be considered in future budgets.

**OCM011/11/07 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Kirkpatrick seconded Cr Geurds  
 That Council:**

- 1. Accepts Tender 14/2007 from Skipper Trucks for the supply and delivery of one (1) Mitsubishi Fuso FV51JKD2RDAA at a total changeover cost of \$111,280.80 (ex gst);**
- 2. Approves the reallocation of funds from:  
 (a) Account No. RPP910 - \$12,000.00**

**(b) Account No. RPP925 - \$12,125.00**  
**(c) Account No. RPP909 - \$3,800.00 and**  
**(d) Account No. WOH535 - \$3,355.80**  
**to offset the shortfall in funds for the purchase; and allocate to RPP908**  
**CARRIED 10/0**



## 9. CHIEF EXECUTIVE OFFICER'S REPORT

OCM012/11/07	INFORMATION REPORT	
Proponent	Chief Executive Officer	<b>In Brief</b>  Information Report for the month of November, 2007.
Officer	S Langmair – PA to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	22 <sup>nd</sup> November, 2007	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### OCM012.1/11/07 COMMON SEAL REGISTER REPORT – OCTOBER, 2007(A1128)

*The Common Seal Register Report for the month of October, 2007 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked OCM012.1/11/07.(E02/5614)*

### OCM012.2/11/07 POLICY FORUM – NOVEMBER, 2007 (A0429/05)

The following items were discussed at the November, 2007 Policy Forum:

ITEMS FOR PRELIMINARY DISCUSSION	
1.	Brief Updates on Strategic Projects: a) Community Facilities & Services Plan
2.	Mundijong Change Room Upgrade and Working Group
3.	Response to the Minister for Environment regarding the re-opening of Gooralong Park
4.	Regional Priorities
5.	Regional State Government Cabinet Visit – 19 <sup>th</sup> November, 2007
6.	Chief Executive Officer's Key Performance Indicators
7.	Change to Standing Orders to allow Councillors the opportunity to ask questions at Committee and Council meetings
8.	Draft Restoration and Revegetation Policy

### OCM012.3/11/07 USE OF DELEGATION REPORT (A0039-02)

The Chief Executive Officer exercised the following delegations during the month of October, 2007:

#### CS-9 Internal & External Funding Applications Seeking Council Endorsement

Letter of support grant application to fund YMCA Mobile Youth Centre in Peel and Wheatbelt area (OC07/8656)

### OCM012.4/11/07 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION SOUTH EAST METROPOLITAN ZONE MEETING AGENDA – 28 NOVEMBER, 2007 (A1164)

*In the electronic attachments marked OCM012.4/11/07 (IN07/15764) is the Agenda for the WALGA South East Metro Zone Meeting to be held on 28<sup>th</sup> November, 2007.*

OCM012.5/11/07      **WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION –  
STATE COUNCIL MEETING AGENDA – DECEMBER, 2007**

*In the electronic attachments marked OCM012.5a/11/07 (IN07/15464) is the Agenda for the WALGA State Council Meeting to be held on 5<sup>th</sup> December, 2007 together with the agenda attachments marked OCM012.5b/11/07 (IN07/15780).*

**OCM012/11/07 COUNCIL DECISION/Officers Recommended Resolution**

Moved Cr Price seconded Cr Brown  
The Information Report to 22<sup>nd</sup> November, 2007 is received.  
**CARRIED 10/0**

**10. URGENT BUSINESS:**

Nil

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

Nil

**12. CLOSURE:**

There being no further business, the Presiding Member closed the meeting at 9.07pm.

I certify that these minutes were confirmed at the  
ordinary council meeting held on 17<sup>th</sup> December, 2007

.....  
Presiding Member

.....  
Date

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

SD039/11/07 BUILDING INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Jason Robertson - Manager Building Services	Information report
Signatures Author:		
Senior Officer:		
Date of Report	6 November 2007	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM051/06/04	

**SD039/11/07 COMMITTEE DECISION/Officer Recommended Resolution**

**That Council accepts the October 2007 Building Information Report.  
 CARRIED 7/0**

SD040/11/07 HEALTH INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Tony Turner - Manager Health & Ranger Services	Information report
Signatures Author:		
Senior Officer:		
Date of Report	5 November 2007	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM051/06/04	

**SD040/11/07 COMMITTEE DECISION/Officer Recommended Resolution**

**That Council accepts the October 2007 Health Information Report.  
 CARRIED 7/0**

SD047/11/07 PLANNING INFORMATION REPORT		
Proponent	Director Development Services	<b>In Brief</b>  Information Report.
Officer	Lisa Fletcher – Development Services Support Officer	
Signatures – Author:		
Senior Officer:		
Date of Report	5 November 2007	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM051/06/04</b>	

**SD047/11/07 COMMITTEE DECISION/Officer Recommended Resolution**

**The Planning Information Report to 16 November 2007 be received.  
CARRIED 7/0**

CGAM031/11/07 OVERSIZE VEHICLE APPLICATION – PALCON GROUP – LOT 6 GOSSAGE ROAD, OLDBURY		
Proponent:	Palcon Group	<b>In Brief</b>  A re-application has been made by the Palcon Group for Council consent to use long vehicle (road trains) to cart timber product to Lot 6 Gossage Road, Oldbury and Lot 2 Kargotich Road, Mundijong.
Officer:	Donna Colum Engineering Support Officer	
Signatures Author:		
Senior Officer:	Markus Botte A/Director Engineering	
Date of Report	8 November 2007	
Previously	CGAM050/11/06	
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	
<b>Delegation</b>	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM031/11/07 COMMITTEE DECISION/Officer Recommended Resolution**

**That:**

1. Approval be conditionally granted to the use of oversize vehicles (up to 27.5 metres in length) by the Palcon Group for a period of twelve (12) months for access to the following property:  
Inglewood Products, Lot 6 Gossage Road, Oldbury
  - (i) Thomas Road (South West Highway to Kargotich Road)
  - (ii) Kargotich Road (Thomas Road to Gossage Road)
  - (iii) Gossage Road (Kargotich Road to Lot 6 Gossage Road).
2. Consent being subject to the following conditions:
  - (i) Vehicle speeds on Kargotich Road not to exceed 90km/h;
  - (ii) Vehicle speeds on Gossage Road not to exceed 60km/h;
  - (iii) Vehicles are to operate during daylight hours (6.00 am to 6.00pm) only between Monday and Saturday;
3. Vehicles are not to operate during school bus travel times;
4. Any application for further extensions to the permit(s) being referred to Council;

**5. Copies of permits, including truck and trailer registration numbers, as issued by Main Roads Western Australia are to be submitted to Council prior to the commencement of operations.**

**CARRIED 7/0**

CGAM032/11/07 CLASSIFICATION REVIEW OF THOMAS ROAD – MAIN ROADS WA (R0200-02)		
Proponent:	Main Roads WA	In Brief  Main Roads Western Australia (MRWA) is seeking formal endorsement by Council for the proclamation of the section of Thomas Road, west of Tonkin Highway, to State Road. This section of Thomas Road would then revert to the care and control of MRWA.
Owner:	Not applicable	
Officer:	Donna Colum Engineering Support Officer	
Signatures Author:		
Senior Officer:		
Date of Report	24 October 2007	
Previously	CGAM109/04/07	
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	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM032/11/07 COMMITTEE DECISION/Officer Recommended Resolution:**

**That Council formally endorse the Proclamation Drawings (9522-191-02) for the reclassification of Thomas Road to 'State Road' from the intersection of the Tonkin Highway west to the Shire boundary.**

**CARRIED 7/0**

CGAM034/11/07 MONTHLY FINANCIAL REPORT – SEPTEMBER 2007 (A0924/07)		
Proponent:	Local Government Act 1995	In Brief  To receive the Monthly Financial Report as at 30 <sup>th</sup> September 2007
Owner:		
Officer:	Casey Mihovilovich - Manager Finance Services	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM034/11/07 COMMITTEE DECISION/Officer Recommended Resolution:**

**Council receives the Monthly Financial Report, as at 30<sup>th</sup> September 2007, in accordance with Section 6.4 of the Local Government Act 1995.  
CARRIED 7/0**

CGAM035/11/07 MONTHLY FINANCIAL REPORT – OCTOBER 2007 (A0924/07)		
Proponent:	Local Government Act 1995	In Brief
Owner:		
Officer:	Casey Mihovilovich - Manager Finance Services	To receive the Monthly Financial Report as at 31 <sup>st</sup> October 2007
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM035/11/07 COMMITTEE DECISION/Officer Recommended Resolution:**

**Council receives the Monthly Financial Report, as at 31<sup>st</sup> October 2007, in accordance with Section 6.4 of the Local Government Act 1995.  
CARRIED 7/0**

CGAM036/11/07 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Acting Director Corporate Services	In Brief
Owner:	N/A	
Officer:	Tracy Mladenovic – Coordinator Financial Services	To confirm the creditor payments made during October 2007
Signatures Author:		
Senior Officer:		
Date of Report	12 <sup>th</sup> 2007	
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	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM036/11/07 COMMITTEE DECISION/Officer Recommended Resolution:**

That Council notes the payments authorised under delegated authority and detailed in the list of invoices for the month of October 2007, presented to the Corporate Governance & Asset Services Committee and to Council, per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.

**CARRIED 7/0**

CGAM037/11/07		SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)	
Proponent:	Acting Director Corporate Services	In Brief  To receive the sundry debtor balances as at 31 <sup>st</sup> October 2007	
Owner:	Not Applicable		
Officer:	Melissa Armitage– Finance Officer - Debtors		
Signatures Author:			
Senior Officer:			
Date of Report	12 <sup>th</sup> November 2007		
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	<b>Committee in accordance with resolution SM051/06/04</b>		

**CGAM037/11/07 COMMITTEE DECISION/Officer Recommended Resolution:**

That Council receive and note the report on Sundry Debtor Outstanding Accounts as at 31<sup>st</sup> October 2007.

**CARRIED 7/0**

CGAM038/11/07		RATE DEBTORS REPORT (A0917)	
Proponent:	Acting Director Corporate Services	In Brief  To receive the rates report as at 31 <sup>st</sup> October 2007.	
Owner:	Not Applicable		
Officer:	T Mladenovic – Coordinator Financial Services		
Signatures Author:			
Senior Officer:			
Date of Report	12 <sup>th</sup> November 2007		
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	<b>Committee in accordance with resolution SM051/06/04</b>		

**CGAM038/11/07 COMMITTEE DECISION/Officer Recommended Resolution:**

That Council receive and note the report on the Rate Debtors accounts as at 31<sup>st</sup> October 2007.  
**CARRIED 7/0**

CGAM039/11/07		INFORMATION REPORT	
Proponent:	Acting Director Corporate Services	In Brief  To receive the information report to 31 <sup>st</sup> October 2007.	
Owner:	Not Applicable		
Officer:	Various		
Signatures Author:			
Senior Officer:			
Date of Report	12 <sup>th</sup> November 2007		
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	<b>Committee in accordance with resolution SM051/06/04</b>		

**CGAM039/11/07 COMMITTEE DECISION/Officer Recommended Resolution:**

The information report to 31<sup>st</sup> October 2007 be received.  
**CARRIED 7/0**