



Shire of
Serpentine
Jarrahdale

Public

Ordinary Council Meeting

**Confirmed
Minutes**

7.00pm

Monday 27 August 2018

Contact Us

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In Person

Shire of Serpentine Jarrahdale
6 Paterson Street, Mundijong WA 6123
Open Monday to Friday 8.30am-5pm (closed public holidays)



www.sjshire.wa.gov.au



Councillor Attendance Listing

In accordance with Special Council Meeting, 27 November 2017, Resolution SCM162/11/17, clause 10 – “That Council requests the Chief Executive Officer to maintain an attendance register of Councillor Attendance at all Council and Committee Meetings, as well as other meetings and official functions of Council”, below is the attendance listing of Council Meetings and PCF’s.

Attendances

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Denholm	Cr Gossage	Cr McConkey	Cr Piipponen	Cr See
09/03/18	PCF	✓	✓	✓	✓	✓	✓ (by phone)	NA	NA	✓
12/03/18	PCF	✓	✓	✓	✓	✓	A	✓	NA	A
13/03/18	SCM	✓	✓	✓	✓	✓	✓	✓	NA	✓
26/03/18	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
12/04/18	PCF	✓	✓	✓	✓	✓	A	NA	A	A
23/04/18	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
30/04/18	PCF	✓	✓	✓	✓	NA	A	✓	NA	A
07/05/18	SCM	✓	✓	✓	✓	✓	A	✓	A	✓
07/05/18	PCF	✓	✓	✓	✓	✓	A	✓	A	✓
14/05/18	PCF	✓	✓	✓	✓	✓	A	✓	NA	✓
28/05/18	OCM	✓	✓	✓	LOA	✓	A	✓	✓	✓
11/06/18	SCM	✓	✓	✓	✓	✓	✓	✓	A	✓
13/06/18	SCM	✓	✓	✓	✓	✓	✓	A	NA	✓
25/06/18	OCM	✓	✓	✓	✓	✓	✓	✓	A	✓
02/07/18	PCF	✓	✓	✓	✓	✓	✓	✓	NA	✓
09/07/18	PCF	✓	✓	✓	✓	✓	✓	✓	NA	✓
23/07/18	OCM	✓	A	✓	✓	✓	✓	✓	✓	✓
30/07/18	PCF	✓	✓	✓	✓	✓	A	✓	NA	✓
06/08/18	PCF	✓	✓	✓	✓	✓	✓	✓	NA	A

A – Apology
 LOA – Leave of Absence
 NA – Non Attendance



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The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the *Local Government Act 1995* (Section 5.25(1)(e)) and *Council's Standing Orders Local Law 2002 (as amended)* – Part 14, Implementing Decisions. No person should rely on the resolution made by Council until formal advice of the Council resolution is received by that person.

The Shire of Serpentine Jarrahdale expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.



Minutes of the Ordinary Council Meeting of the Shire of Serpentine Jarrahdale held on Monday 27 August 2018 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong.

The Shire President, Cr Rich declared the meeting open at 7.00pm and welcomed Councillors and Staff, and members of the gallery, and acknowledged that the meeting was being held on the traditional land of the Noongar People and paid her respects to their Elders past and present.

The Shire President, Cr Rich acknowledged and welcomed Freeman Mr J Kirkpatrick and past Councillors Hawkins and Urban.

Minutes

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

In Attendance:

- Councillors:** M Rich Presiding Member
 D Atwell
 M Byas
 R Coales
 B Denholm
 K McConkey
 J See

- Officers:** Mr K DonohoeChief Executive Officer
 Ms H SarcichDeputy CEO / Director Community Services
 Mr F Sullivan Director Corporate Services
 Mr S HardingDirector Infrastructure Services
 Mr D van der Linde.....Acting Director Development Services
 Mr A Bowman Manager Corporate Services
 Ms A LierschAgendas and Minutes Officer (Minute Taker)

Leave of Absence:

Apologies: Councillor S Piipponen; Councillor D Gossage

Observers:

Members of the Public – 25

Members of the Press – 1

Shire Officers – Mr A Nair, Manager Planning & Compliance, (left the meeting at 8.34pm);
 Ms R Steinki, Manager Community Development, (left the meeting at 8.34pm).



2. Public question time:

2.1 Response to previous public questions taken on notice:

Ordinary Council Meeting 23 July 2018

Questions asked by **Ms Karina Baker on behalf of Mr John Kirkpatrick, 77 Mead Street, Byford 6122** at the Ordinary Council Meeting 23 July 2018. A letter (OC18/14928) was sent to Mr Kirkpatrick on 6 August 2018.

Question 1

Did Mr John Erren and Mr Garry Clark as Acting CEO, act contrary to the Local Government Act 1995 and the regulations underpinning it on Item OCM156/08/16 when they accepted the conflict declaration of interest by Mrs Sandra Hawkins following the closure of the OCM on 22nd August 2016, when the Act clearly states that the two opportunities to declare an interest are prior to the meeting in writing and the form of the interest or immediately prior to the matter coming before the Council for debate and decision?

Also, there is no mention of Mrs Hawkins declaring an interest in the Minutes of the meeting as published.

Response:

Details regarding this issue were forwarded to the Department of Local Government, Sport and Cultural Industries on 24 August 2016. The Shire is unaware of any further action taken by the Department.

2.2 Public questions:

Public question time commenced at 7.01pm.

Mr Aaron Boots, Hopeland (address supplied, but withheld by request).

All government agencies that have an interest in Motor Sport venues have a requirement of 2 metres of sand separating the venue from the high water (or winter) level. This is to allow aerobic microbial action before the surface water mixes with the ground water. In light of this, the proposed motorsport complex at Punrak Rd will require significant fill. This is the proposed block, in photos taken over the last three months, inundated and significantly underwater in large sections. In spite of this, the proponent assures us that they have undertaken "*an assessment of key environmental indicators*" on the site, and they are certain that it "*is capable of accommodating the proposed use*".

Question 1

Has the Council considered that, before considering the high water mark in winter, which can easily reach half a metre above the ground:

- a) there will need to be 1m of fill to get the sump base above the water table,
- b) there will then need to be a further 2 metres to allow for the required separation and



- c) there will need to be a further 2 metres to create water flow control and any sound mitigation attempts and that
- d) to raise the area by 5 meters, using a 45 degree embankment, would reduce the usable space by 5 metres all round which would mean the facility would not fit on the site and that
- e) every metre of fill would require 530,000 cubic metres of soil and that
- f) to build retaining walls that high and over 3 kilometres long would be an eyesore in a rural environment and, in particular, that
- g) to broadcast the track and PA system noise from an elevated position would also make all current sound modelling incorrect and that
- h) the increased height of flood and security lighting would have extreme and ongoing effects on neighbours and local fauna?

Response:

Shire officers are currently in the process of assessing the application and will do so in accordance with the statutory requirements for a facility such as this. The application will need to, for instance, adequately address all the matters as required by the Planning and Development (Local Planning Schemes) Regulations 2015 and in particular Clause 67 of these Regulations. This includes fill and drainage, noise and amenity. The applicant will therefore have to address these matters and Council will need to assess the application as per the Regulations. All formal submissions will also need to be taken into consideration in the assessment of the appropriateness of the application.

Question 2

To revisit my question of the last Council meeting, could the Council please clarify their policy with regard to public comment on as yet untabled proposals by council members?

This time, I have brought my evidence with me.

Firstly, there is the article in the Comment News, February 5th, where Cr. Rich was quoted as believing (and implying that the council, as a whole, believed) that the project would have “significant” “economic, tourism and social benefit[s]...to the Shire and the Peel Region”.

Also attached are screenshots of Cr. Piipponen making clear, positive comment in favour of the project in the public forum.

You will note that Cr. Piipponen is also responsible for misidentifying Punrak Rd, in Keysbrook as being in “Byford”.

Response:

At the 13th March 2018 Economic Development Advisory Committee meeting it was recommended to Council that “Council endorse the draft shire of Serpentine Jarrahdale Economic Development Strategy 2018 – 2023” – this was carried unanimously. At the Council meeting dated 26th March 2018 Council adopted the



minutes of the Economic Development Advisory Committee meeting held on 13 March 2018” carried unanimously.

The draft economic development strategy 2018-2023 was attached to both agendas. Within the draft economic development strategy a motor sports complex is included. As the Planning process has not completed for the proposal at Lot 78 (No732) Punrak Road, Keysbrook, nor has there been a report to Council on this matter, Cr Piiipponen has not breached Council’s Code of Conduct or Council’s Policy on Social Media.

The proposal for the motorsport complex identifies the two major personal vehicle access routes as from the Freeway, via Karnup or Lakes roads, neither of which will take patrons through any of the major townships of our Shire, nor past any significant existing retail or food businesses.

Should you include access via Tonkin Hwy to that list, the vast majority of traffic will bypass the economy of our shire altogether, while putting an incredible strain on it’s already substandard road system.

Alternatively, were patrons to be brought to the site via public transport, the nearest train and bus hub is Warnbro station, and this option would enable visitors to the track to spend a day at the races without setting foot in the Shire at all, outside of the facility.

Question 3

Could Cr. Rich please explain her understanding, at present, of the “*significant*” “*economic, tourism and social benefit[s]...to the Shire and the Peel Region*” of this proposal in light of these facts?

Response:

While recognising that the proposal is still under consideration and Council has not made a determination at this time, the proponent identifies that this is a multi-million dollar private investment that identifies the following:

Economic Benefits:

Large and significant private industry investment into the Shire of Serpentine Jarrahdale.

Estimated to employ some 79 full time staff plus additional casual staff when required

Projected Gross Regional Product of \$3.4 million per annum

This facility will create a new economic cluster that will add to the prosperity of the Shire if assessed through the planning process

Tourism Benefits:

Designed for local, national and international events, bringing significant tourism and event exposure to Serpentine Jarrahdale.

Significant flow on tourism benefits expected in local food and accommodation opportunities as the facility grows if assessed through the planning process.

Social Benefits:

This project will stimulate local employment (79 full time jobs will be required plus casual employees as required)



Gross Regional Product of \$3.4 million injected into the Serpentine Jarrahdale economy annually
Flow on benefits across new economic and tourism opportunities should translate into social growth benefits for local jobs and infrastructure developments
Driver training facility for local emergency services personnel, and local youth if assessed through the planning process

Ms Ellaine O'Reilly, PO Box 403, Byford WA 6122 regarding OCM078/08/18 – Retrospective use not Listed (Filling of Land) – Lot 27, 35 Butcher Road, Darling Downs.

Question 1

What measures will be taken to fix the damaged fence caused by the current and previous landfill along the boundary fence line and to prevent any further damage eg. stabilizing leaning fencing post?.

Response:

The application has not proposed any modifications to the dividing fence, and therefore the Shire is not able to take action to rectify a damaged fence through the planning process. The conditions of the approval will require the fill to be at least one metre away from the fence. If unauthorised fill results in a damaged fence this is a civil matter which requires solutions negotiated between the landowners.

Question 2

What measures will be taken to retain the landfill currently in place and ensuring the landfill remains at natural ground level to prevent further erosion/movement to neighbouring properties. eg retaining wall?

Response:

The application proposes to increase the boundary setback and properly batter the fill in order to ensure sand will be stabilised on the property and won't exit onto neighbouring properties. There will therefore not be a requirement for a retaining wall.

Question 3

What other measures will be taken to reduce the future inundation of water flow onto previous dry land during and after the winter rains, apart from the DN50 pipe and spoon drain which is to be installed as per application lodgement plan. eg planting water absorbent vegetation?

Response:

The applicant has not proposed any additional measures beyond those described in the attachments to the Council Report. Officers support the stormwater management proposal with the conditions imposed.



Ms Bev Brickwood, (address supplied but withheld by request) regarding the proposed auto sport facility in Punrak Road, Keysbrook.

Question 1

Has the Shire approved the use of the unconstructed Yangedi Road reserve for a drainage system for the facility, which is too small to incorporate it on its site, and also approved the removal of native vegetation to allow construction of this drainage system?

Response:

Shire Officers have not yet made a determination regarding the application or the drainage system for the facility. These matters will be assessed and a determination made as to whether it can be addressed appropriately.

Question 2

Does the Shire approve of the facility increasing the water flow by up to 200,000 cubic metres into private property with no agreement in place with the northern private landowner to re-engineer the land forms on their property?

Response:

Neither the application nor the drainage system for the facility has been determined yet. The pre- and post-flowrates for the development will however have to remain the same.

Question 3

Can the Shire explain how the facility can control the water exiting their premises when they have barely capacity to retain 10% of a 100mm rainfall event?

Response:

This application has not been determined yet. If approved the necessary retention systems will have to be installed to ensure that the development does not contribute to drainage issues to neighbouring properties.

Mr Roger Harrington, (address supplied but withheld by request) regarding the proposed Motorsport facility, Keysbrook – Noise Emissions.

The Noise Act states that the maximum noise levels that can be received at a noise sensitive premises are 65db for L_{max}, 55db for L_{a1} and 45db for L_{a10}. For the layman, L_{max} is the peak noise level, L_{a1} is the level at which 1% of the time this level is exceeded, L_{a10} is the level at which the it is exceeded 10% of the time.

It is accepted that the ambient noise level at a rural premises is < 30db and there are no other influencing factors. It can be reasonable to expect people living in such an environment will be more aware of any noise greater than this level.

The proponent's noise management plan has indicated that there are number of noise sensitive rural premises within the 65db (some at 70db and some omitted) noise contour of the venue. Their NMP also states that the anticipated L_{a10} level will be approximately 5db below L_{max} at 60db.



This corresponds to at least a 35db increase in Lamax noise level at receiving premises as a direct result of the venue. In layman's terms – that's approximately 12 times the increase in noise - like moving from inside a library to standing alongside a busy highway. And at least 20db (4 times) above the assigned level of La10 level defined in the Act.

Although a noise management plan provides for an exemption from the assigned levels, but not from the unreasonable noise provisions of the Act, it still must take into consideration the provisions of the principal Act.

Question 1

In considering the above, has the Shire consulted with, or intend to consult with, the DWER or EPA to determine the maximum acceptable increase in noise level and duration at a sensitive receive regardless if there is a noise management plan in place or not? If not why not?

Response:

No determination has been made regarding the Motorplex Facility as it is still under assessment. The Shire has consulted with and will continue to consult with the Department of Water and Environmental Regulation in relation to the noise management plan. The Department has provided the Shire with a Technical Review Report which included information and comment on the noise impact on surrounding rural land uses and cumulative noise from existing land uses which will be used in the assessment.

Ms Val Thompson, (address supplied but withheld by request).

Regarding the Shires response to my previous question on buffer zones particularly in reference to the proposed motorsport facility.

Question 1

There are a number of vacant properties that can be subdivided down to the 40Ha minimum. When the Shire assess the "rights of landowners" and the impacts of the facility on nearby sensitive rural premises, does the Shire also consider the potential of any future rural residences being built near the facility on these vacant properties? If not, why not?

There are also landowners who would be already living in the area proposed for buffers. How can the buffer zone of the facility protect the landowner from "residual emissions and risk" when the landowner is already living within the buffer zone?

Response:

The Motorplex Facility is still under assessment and no determination has been made as yet. Officers have to assess the application in terms of the Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 which does require the impact on present and future land uses to be assessed. The buffer zones would also indicate where specific actions may be required to protect the existing landowners if the application is to be considered.



The DWER "Guide to management of noise from motor sport venues" states that a noise management plan should only be applied for when noise regulations cannot be met through proper planning.

The guidelines also state that only "bona-fide" motorsport venue approved by a motor sport organisation, as listed in part 16A of the Noise Act , can apply for a noise management plan.

Question 2

Has the proponent provided evidence that they are a "bona-fide" motor sport venue?

If not why did the Shire accept or ask for a noise management plan before the completion of the planning process?

Response:

The Motorplex Facility is still under assessment and no determination has been made as yet. The assessment of the development will consider the provisions of the "Guide to management of noise from motor sport venues Environmental Protection (Noise) Regulations 1997". The guide does not prevent the Shire from doing its due diligence in terms of understanding what the noise implications are, to protect existing and future landowners.

The proponent has provided evidence they are a bon-fide motorsport venue by providing letters of recognition from both the Confederation of Australian Motor Sport and Motorcycling Australia.

Mr John Kirkpatrick, 77 Mead Street, Byford WA 6122

Question 1

When is the Council going to make the developer of Lot 837 South West Highway Byford provide a compliant Loading Bay for this development on the site (not an adjoining commercial site) to service the commercial requirements as this issue is a safety matter and has been dragging on for many months now?

Response:

Council has had a number of meetings with the developer in relation to the design and construction of a compliant loading bay that will met the requirements of the shop/business that will be using it. Current discussions are considering what size of loading vehicle should be serviced. The developer and Council are working towards the design and construction of a compliant loading bay.

Question 2

How many elected members between the 2013 and 2017 elections did training towards the WALGA diploma and who were they and how much did it cost?

Response:

Due to changes in both the units that make up a WALGA diploma and the name of the units of a WALGA diploma this question will need to be taken on notice to allow further research.



Question 3

How many current elected members have obtained the diploma in Local Government and how many are close to completing it?

Response:

No current elected members have obtained their diploma in Local Government. Due to changes in both the units that make up a WALGA diploma and the name of the units of a WALGA diploma, officers are awaiting confirmation from WALGA on which current members are close to completing it.

Ms Karina Salzmann Baker, 114 Daisy Road, Cardup WA 6122

Question 1

Has the Wormalls Group, located at the Cardup Business Park supplied the Shire with ground water testing samples? If so, as the majority of the Cardup community rely on ground water, will we be able to have a copy of the report for an independent analysis?

Response:

The condition of Planning Approval for the latest development application for the Plastic Production Warehouse by Wormalls requires ground water testing to be undertaken prior to the applicant occupying the development. Additional testing is also required to be submitted by the applicant to the Shire within 90 days of occupation. The testing must be undertaken by a suitably qualified consultant agreed to by the Shire. As such, water sampling has not yet been undertaken.

Question 2

If not, why not and has compliance given the company a time line?

As this was suggested by Council President at the April 2018 OCM that ground water tests should be done before development applications approved and future applications to set a basis for the future water testing conditions for the plastic manufacturing factory.

Response:

All testing associated with the approved Plastic Production Warehouse development is required to be received by the Shire prior to the applicant occupying the development. Additional testing is also required to be submitted to the Shire within 90 days of the applicant occupying the development.



Question 3

Is the new dust management plan which was required as a condition for the retrospective given to Wormalls for their concrete production back in September 2017 been accepted by Shire and is this available for the community to view? My phone inquiries early back in December 2017 and again late January 2018 where I was told that the Shires Health Department were working on it. Is it just wetting the area down as this does not work?

Response:

A Dust Management Plan was accepted by the Shire for the concrete production facility. It provides a variety of measures to deal with dust and is considered consistent with the Shire's Dust and Building Waste Local Law 2017. Wetting down the area is one of the measures within the DMP. Compliance action will be taken where it is found the dust management measures are not working. As the plan was submitted as a condition of the approval, this document is not available to the public without a formal Freedom of Information request being made.

Ms Lisa Brazier, PO Box 80, Mundijong WA 6123 regarding OCM092/08/18 – Community Dog Exercise Area

Question 1

In the Officers recommendation in regards to the Dog Exercise Area it recommends that the Shire will undertake an Enquiry by Design process with the community to design an appropriate site. In what format will the community consultation take - survey, workshop or a selected sub-committee?

Response:

It is envisaged in the report that the Enquiry By Design Process will be undertaken in an open workshop forum with members of the community that may choose to participate in the process.

The Enquiry by Design process will seek to achieve the following objectives;

- a) Seek input into the design of the facility in a participatory, non-binding environment where all various positions can be heard with a view to designing a facility for the community.*
- b) Bring professional staff together with community members to jointly debate and agree on designs to achieve the outcomes set by Council.*
- c) Allow participants to work with professional staff to develop the overall theme by physically contributing to the design.*
- d) Encourage participants to look at the physical characteristics of the site and reinforce local character (where applicable) and collectively design the site to meet a specified need.*
- e) Provide important feedback to the Council to assist in refining design principles and providing a costed recommendation to Council that has had important feedback from the community.*

**Question 2**

Is this intended to be the only dog exercise area of this type in the Shire?

Response:

The officers report requests Council's consideration to seek feedback from the community in relation to community concerns raised about the need for fencing, dog size separation areas, seating and other issues affecting amenity and land characteristics on the Reserve. The report seeks to address this input through the Enquiry by Design process so as to develop a specific purpose Dog Exercise Area at Larsen Road.

Should Council agree to proceed with the project after the enquiry by design process it would be open for Council to consider other typical and similar design parameters for future Dog Exercise Areas within the district.

Public question time concluded at 7.30pm.

3. Public statement time:

Public statement time commenced at 7.30pm.

Mr John Kirkpatrick, 77 Mead Street, Byford WA 6122

I have been in contact with the Shire through the CEO for about ten weeks now about the lights in D'Agostino park Gazebo not working. This means that ratepayers and residents are unable to walk through this park after dark safely.

In the same correspondence I requested that the safety signage in Mead Street referring to Percies Park that were damaged by louts and removed by Shire workers be replaced. It is bad enough that Mead street is used as a race track but it is made less safe with the signs being removed.

I would remind the Shire that these signs were placed in Mead Street after there was a serious motor accident and a young boy had to be evacuated by air to hospital in Perth.

In the same letter I requested that a number of dead trees in Percies Park be replaced and included some that were damaged by shire contractors in Rubery Street and was assured they would be replaced in the shire replanting programme in July or August. They still have not been dealt with. But I did get one replaced outside my house.

The replanting of the verge in Woolandra road which is reticulated has not been replanted perhaps it will be like last summer with the reticulation keeping the weeds growing we had the biggest weeds in Byford.

The damage to grassed areas in the Glades has to be seen to be believed there have been vehicle's bogged in Percies Park on three occasions and deep furrows ploughed in D'Agostino Park and in the verge in Mead Street opposite Kane Way. It would appear that the Shire contractors are incapable of getting out of a vehicle to inspect anything.

It may appear that there may be collusion between Shire staff and the contractors as they appear to make no effort to make the developer who is responsible for the area around the lake to the southern side of the creek replace the trees that have died. Just removing the stakes that were supporting them does nothing to maintain the standard that the ratepayers



have a right to expect. How does it hide the fact that the vegetation is much less than anticipated. They were promised a standard and as a result purchased in the Glades the fact that some of the trees died is not the responsibility of the residents but of the shire to see that the standard is maintained.

These may seem minor things to complain about but if we are to keep Byford looking tidy we need to maintain what infrastructure we have. Why spend money on new parks if we do not maintain the ones we have?

Could we have the footpath outside 16 Warrington Road fixed as it is a serious trip hazard especially with children attending the School there?

Mr John Mercer, 21 Vortilla Court, Oakford WA 6212 regarding OCM082/08/18.

I have read the application for the services station and I am not opposed in principle, but I don't believe there is enough clarity on the future development plans for the dangerous Thomas/Nicholson intersection. There is nothing on the Main Roads projects, either current or projected to indicate a timing of same. I believe that the project should not receive support until the intersection upgrade is in action or a suitable timeline is in place. They are spending \$150 million on the corner of Nicholson and Armadale Roads and it will take 2 years to complete. The service station is receiving around \$2 million in compensation. No one could have assumed the enormity of that project when it started, so, again, no one can predict what the final plan will be for Thomas/Nicholson.

Ms Lisa Brazier, PO Box 80, Mundijong WA 6123 regarding OCM083/08/18 – Road Naming Proposal – Lot 9049 Warrington Road, Byford

I make this statement with no disrespect to those members who have and are serving within our armed forces.

As a member of the Arts, Culture and Heritage Advisory Committee, I am disappointed that we are not naming roads after locals. Your current Road Naming Policy does not specifically state preference to be given to local Serpentine Jarrahdale community across all preferred themes - I think it should and is something I would like to see Council address in the future.

Within the policy under Preferred Themes for Road Names, Point D simply states "War casualty lists and thematic names (eg nautical, sporting etc)."

Within our Shire we have a rich and diverse war history, in addition to those that left to fight the Wars, Mundijong was used as a training ground for the 10th Light Horse, Byford had the RAN Armament Depot and Jarrahdale a POW Camp.

I don't agree with the proposed naming of the roads in this report to be given to outsiders of the District.

With no disrespect to the men who have been suggested:

William Povah - served in World War 1 and his enlisted address was West Armadale. On return to WA he lived and worked in Yarloop and Brunswick Junction - his last listed address was Sunset Home in Nedlands and records show him having died whilst a member of the Yarloop RSL.

Arthur Cecil Dale Cullen enlisted between September - December 1918 just after turning 18 years of age. His enlisted address was "Sherwood" Armadale, although he signed up



in Kalgoorlie as he was a contractor at the time on Clifton Downs Station in the Gascoyne and his record shows that he did not leave Australia.

Whilst your current policy fails in promoting local first - the area proposed could be themed Veterans which would expand the local selection to greater than just that of the War Casualty lists - if they have been exhausted. If however you are wanting to stay within the War Casualty list - we had a number of boys who left the District with their horses under the 10th Light Horse - these horses never came back - would they not qualify.

I would encourage Council and Councillors to try and retain our local history first and foremost.

Public statement time concluded at 7.40pm.

4. Petitions and deputations:

Nil.

5. President's report:

Hello and welcome to the August Ordinary Council Meeting.

It's been a very busy month here in Serpentine Jarrahdale, with several events happening across the region as the weather starts to warm up.

Congratulations to the SJ Community Resource Centre for yet another fabulous SJ Community Fair. Held on Saturday 11 August, 17,000 people came along to support the event which had a great mix of activities and entertainers for everyone to enjoy. Thank you to the CRC and also to the various groups and volunteers who gave up their time to man stalls and run activities – we look forward to the continuing success of the event.

The Shire's new Seniors Lifestyle Program was launched in style at the inaugural Seniors Expo on 25 July. With nearly 200 people in attendance at the SJ Community Recreation Centre, social inclusion, engagement and communication were among the key themes covered on the day. Exhibits and presentations were staged by various service providers and community groups, including Memory Nurture, Advocare, Dementia Australia, Rise Network, SJ Lions Club, Jarrahdale Heritage Society and Australian Hearing. Morning tea and lunch was provided by 20 students from Serpentine Jarrahdale Grammar School's hospitality program, with members of local church groups serving refreshments. The Seniors Lifestyle program provides health, lifestyle and entertainment activities for local seniors, and is supported by the Department of Communities. Details of the program can be found on the Shire's website.

We have an inordinate amount of creatively talented young people here in SJ! Seven local young community members, four from Byford Secondary School and three from SJ Grammar School, have their art work on display in the Outside the Frame Art Award exhibition delivered by the City of Armadale. The Shire's Banners in the Terrace entry was created by students at Woodland Grove Primary School, and was on display earlier this month in the City of Perth. Also, Keysbrook resident Izabella Barton-Butler was one of a small group of Pinjarra High School metal work students who have created an exceptionally crafted new sign for the Pinjarra RSL sub branch. The project was undertaken by the group as a community service and does not count towards their grades. Congratulations and well done to these young creatives.



I attended National Tree Day at Arnold Road in Serpentine, along with Councillors Denholm, Byas, and Coales. Hosted by Landcare SJ, the event was a fine show of community commitment to retaining the beauty of our natural environment. Thank you to all who attended, and to Landcare SJ.

The Peel Development Commission had a meeting with Tracey Hodgkins, the CEO of Southern Dirt; a grower group that aims to create and sustain vibrant, healthy, and prosperous farms and communities. Tracey will be visiting the Shire to have further discussions regarding the role of Southern DIRT and opportunities for support and partnerships with and throughout the Shire. We look forward to continuing these kinds of discussions to benefit SJ and the greater Peel Region.

Serpentine Jarrahdale Lions Club along with the Shire hosted a community safety and Neighbourhood Watch evening in Whitby. Thank you to those who attended, and to SJ Lions Club and the Shire's Community Safety Officer Janice Ferguson for helping spread important messages on how to keep our community safe. If you'd like to get involved, there will be a number of Community Barbeques across the Shire in October, November, and December. Details will be on the Shire's website shortly.

In early August I attended the 2018 WA Local Government Convention. The theme this year was Ready and Relevant and it was particularly interesting to hear from speakers from business and local government regarding their experiences leading economic development in their communities and the benefits of supporting small businesses to engage with the procurement processes of local government.

There was also a presentation on the opportunities associated with beneficial enterprises in Western Australia. This allows local governments to establish or partner in corporate entities which are governed by directors independent of the Council, to manage and develop assets using normal and commercial arrangements. Having access to beneficial enterprise opportunities in Western Australia will allow local governments to have alternative sources of income additional to rates and fees and charges and in turn reduce the reliance on these income sources.

Emergency Preparedness was also a topic of interest at the convention; the State Emergency Management Committee shared their vision for a Resilient WA and the outcomes of the Emergency Preparedness Report. The report found overall that the Emergency Management sector in WA is highly functioning, that there is a growing understanding across the sector about the risks that we face as a state and that agencies are actively preparing for the onset of major emergencies. However there is still work to be done to ensure that major and catastrophic events can be fully managed in the state.

If anyone is interested in the information from the presentations made at the convention, the power points are available via the WALGA website.

Works continue on Abernethy Road in Byford, with the services work associated with the project to be complete by the end of August. This will mean that we can progress with the next stage of the project. We are currently making arrangements to get on site as soon as practicable and hope to have the works underway in September.

And last, but certainly not least – the Shire recently welcomed 21 new Australians to our community from the UK, New Zealand, Germany, the Philippines, and India. Welcome to you all!



Continued

Ordinary Council Meeting Minutes Monday 27 August 2018

Date	Meeting Title	Location
23 July 2018	Round Table Discussion with Hon Anthony Albanese	Byford
	Ordinary Council Meeting	Shire Offices
24 July 2018	Photo Opportunity - Abernethy Road	Byford
	Community Safety and Neighbourhood Watch	Whitby
25 July 2018	Seniors Expo 2018	Byford
	Meeting with Mr Barry Court	Shire Offices
	Australian Citizenship Ceremony	Shire Offices
27 July 2018	PDC Meeting with Tracey Hodgkins, CEO Southern Dirt	Mandurah
28 July 2018	Serpentine Fire Brigade Dinner	Serpentine
29 July 2018	National tree planting day	Serpentine
30 July 2018	Meeting with CEO RE: WALGA AGM	Shire Offices
	Policy Concept Forum	Shire Offices
31 July 2018	Weekly Meeting with Shire President	Shire Offices
	Mayors and Presidents Policy Forum	Perth
	Mayor and Presidents Welcome Reception	Perth
1 August - 3 August 2018	WALGA Local Government Conference	Perth
6 August 2018	Meeting with Public Sector Commission	Shire Offices
	Meeting with Peel Development Commission	Shire Offices



Date	Meeting Title	Location
	Meeting with Cr Byas and Denholm Re Rivers Regional Council	Shire Offices
	Policy Concept Forum	Shire Offices
7 August 2018	Mayor/Presidents Lunch	Mandurah
8 August 2018	Weekly Meeting with CEO	Shire Offices
	Councillors and CEO Strategic Discussion	Shire Offices
10 August 2018	2018 Outside the Frame Art Awards	Piara Waters
11 August 2018	Mundijong Community Fair	Mundijong
13 August 2018	Policy Concept Forum	Shire Offices
15 August 2018	Weekly Meeting with CEO	Shire Offices
19 August 2018	Alyssa Hayden MLA Thank you BBQ	Byford
20 August 2018	Communications Discussion	Shire Offices
	Q&A	Shire Offices
21 August 2018	Audit Risk and Governance Committee	Shire Offices
22 August 2018	Weekly Meeting with CEO	Shire Offices
23 August 2018	Opportunities Serpentine Jarrahdale and Westport	Kwinana



Date	Meeting Title	Location
24 August 2018	Recycling Market Update and Consistent Communications	WALGA Webinar
	Turner Cottage meeting	Shire Offices
25 August 2018	CWA Destash & Restash Fundraiser Event	SJ Community Recreation Centre

6. Declaration of Councillors and Officers interest:

Councillor Atwell declared a Financial Interest in OCM082/08/18 as Cr Atwell has a long term contractual interest doing Firebreaks and slashing on this site. Councillor Atwell will leave the Chambers while this item is discussed.

Cr Denholm declared an Impartiality Interest in OCM094/08/18 as Cr Denholm participates or has participated in competitions held at the SJ Recreation Centre. Councillor Denholm will consider the matter on its merits and stay in the Chambers and vote accordingly.

Cr McConkey declared an Impartiality Interest in OCM094/08/18 as Cr McConkey is a Member of the SJ YMCA Rec Centre. Councillor McConkey will consider the matter on its merits and stay in the Chambers and vote accordingly.

7. Confirmation of minutes of previous Council meeting(s):

7.1 Ordinary Council Meeting – 23 July 2018

OCM7.1/08/18 COUNCIL RESOLUTION

Moved Cr McConkey, seconded Cr Coales

That the minutes of the Ordinary Council Meeting held on 23 July 2018 be confirmed (E18/7866).

CARRIED UNANIMOUSLY 7/0



8. Receipt of minutes or reports and consideration of adoption of recommendations from Committee meetings held since the previous Council meetings:

8.1 Access and Inclusion Advisory Committee Meeting – 13 August 2018

OCM8.1/08/18 COUNCIL RESOLUTION

Moved Cr Coales, seconded Cr Denholm

That the [minutes and resolutions](#) contained therein of the Access and Inclusion Advisory Committee Meeting held on 13 August 2018 be endorsed. (E18/8663).

CARRIED UNANIMOUSLY 7/0

9. Motions of which notice has been given:

Nil.

**10. Chief Executive Officer reports:****10.1 Development Services reports**

OCM077/08/18 – Bush Fire Advisory Committee Information Report (SJ648)	
Author:	Emergency Services Technical Officer
Senior Officer/s:	Acting Director Development Services
Date of Report:	13 April 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

The purpose of this report is to provide Council with the minutes of the Shire of Serpentine Jarrahdale Bush Fire Advisory Committee Meeting held on 26 April 2018. Officers recommend Council receive the minutes.

Relevant Previous Decisions of Council

OCM001/02/17	Minutes of Meeting 17 November 2016
OCM050/05/17	Minutes of Meeting 20 April 2017
OCM005/02/18	Minutes of Meeting 7 December 2017

Background

Minutes of the Shire of Serpentine Jarrahdale Bush Fire Advisory Committee (the Committee) meeting are tabled at an Ordinary Council Meeting. A formally constituted meeting was held on 26 April 2018 and the minutes are hereby presented to Council.

Community / Stakeholder Consultation

Nil.

Statutory Environment

Section 67 of the *Bush Fires Act 1954*

- (1) *A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.*



- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may –
- Make rules for the guidance of the committee; and
 - Accept the resignation in writing of, or remove, any member of the committee; and
 - Where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section –
- May from time to time meet and adjourn as the committee thinks fit;
 - Shall not transact business at a meeting unless the quorum fixed by the local government is present;
 - Is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Comment

At its meeting of 26 April 2018 the Shire of Serpentine Jarrahdale Bushfire Advisory Committee made one resolution that require Council's consideration.

Use of Recreational Facilities for Volunteers

At its meeting of 26 April 2018, the Bush Fire Advisory Committee carried a motion requesting Council consider providing access to recreational facilities similar to those enjoyed by surrounding local government areas.

7.2/04/18 Use of Recreational Facilities for Volunteers

MOTION: That the Shire of Serpentine Jarrahdale Bush Fire Advisory Committee request Council consider providing recreational facilities programme similar to surrounding Local Governments.

Moved: B Briscoe

Seconded: D Hollis

CARRIED: Unanimously

Officer Comment

During the fire season, volunteers generally attend a great number of fires and their overall cardiovascular fitness is maintained. Volunteers have expressed concern that during a quiet fire season and within the off-season their fitness is not regularly maintained with active involvement in high cardio situations responding to fire calls.

Officers have commenced preliminary discussions regarding potential membership options for the Serpentine Jarrahdale Recreation Centre for Volunteer Bush Fire Brigades within the Shire.

Officers will undertake a survey of volunteers to estimate how many would use the facilities and what facilities would be used (i.e. gym classes or purely gym facilities). Once the survey has been completed, a report outlining cost will be prepared and presented back to Council.



Conclusion

The Bush Fire Advisory Committee minutes are presented to Council.

Attachments

- [OCM077.1/08/18](#) – Bush Fire Advisory Committee Minutes (E18/1811)

Alignment with our Strategic Community Plan

Outcome 1.3	A Safe Place to Live
Strategy 1.3.1	Comply with relevant local and state laws, in the interests of the community
Strategy 1.3.2	Support local emergency services
Strategy 1.3.3	Enhance community safety

Financial Implications

There are no direct financial implications regarding receiving the minutes. Any financial implications will be addressed in the further report investigating the Bush Fire Advisory Committee's request.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
The Council does not receive the minutes	Unlikely (2)	Insignificant (1)	Low (1-4)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder trust or low media item	Accept Officer Recommendation

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM077/08/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Byas, seconded Cr McConkey

1. That Council receives the Bush Fire Advisory Committee minutes of 26 April 2018 as per attachment OCM077.01/08/18.
2. That Officers investigate the feasibility of providing recreational facilities similar to surrounding Local Governments in accordance with the Bush Fire Advisory Committee Motion and provide a report to Council.

CARRIED UNANIMOUSLY 7/0



OCM078/08/18 – Retrospective Use not Listed (Filling of Land) – Lot 27, 35 Butcher Road, Darling Downs (PA18/377)	
Author:	Manager Statutory Planning and Compliance
Senior Officer/s:	Acting Director Development Services
Date of Report:	31 July 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Proponent: Syed Khurram Ali Zaidi and Syeda Ammara Batool Bokhari
 Owner: As above
 Date of Receipt: 15 May 2018
 Lot Area: 4006m²
 Town Planning Scheme No 2 Rural Living A (RLA 22)
 Zoning: Metropolitan Region Scheme Rural
 Zoning:

Introduction

The purpose of this report is for Council to consider a retrospective development application for the filling of land at Lot 27, 35 Butcher Road, Darling Downs. The fill material has already been applied to the site, however, finished levels have not been set and associated works such as spoon drains and drainage pipes have not been installed.

The proposal is 'high impact' in accordance with Local Planning Policy 4.7 – Placement of Fill in Non-Urban Areas. As a result of the 'high impact' classification, the proposal is not able to be determined under delegated authority and instead, is required to be considered by Council.

Officers recommend that Council approve the application subject to conditions as detailed in this report, as the Officer concerns and concerns raised in the objection have been addressed on the amended plans.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this application. However, an initial retrospective development application for the same fill was refused under delegated authority on 19 April 2018. More information is provided in the background section of this report.

Background

This is the applicant's second planning application seeking retrospective approval. The first application received on 20 December 2017 was refused on 19 April 2018 under delegated authority for four reasons identified below:

1. The proposal does not provide sufficient information demonstrating that the imported material is clean fill and therefore inconsistent with Local Planning Policy 34 – Placement of

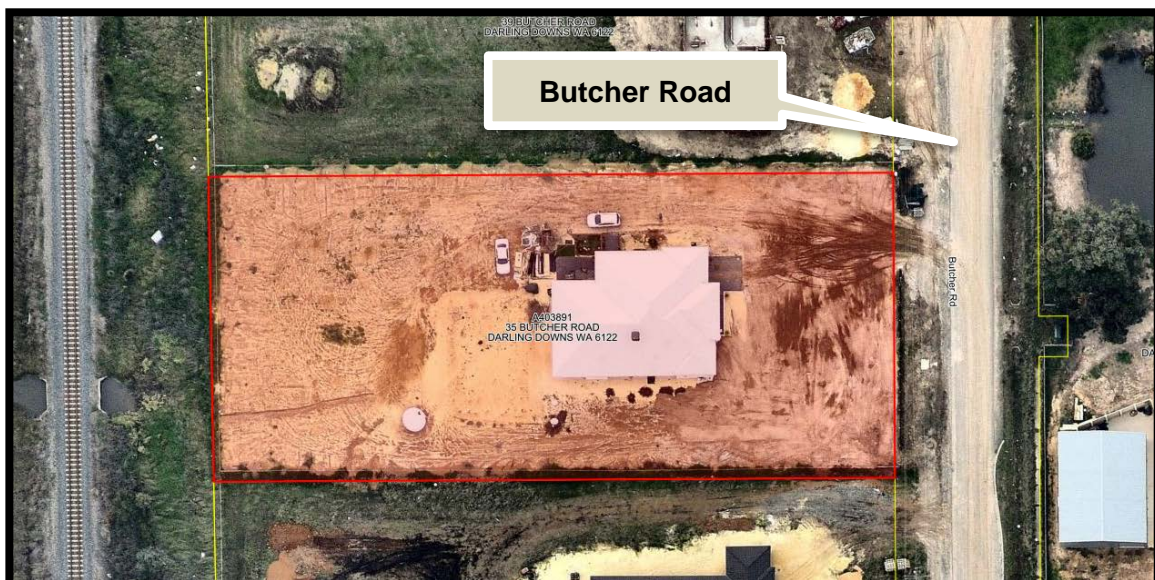


Fill in Non-Urban Areas. (This Policy has been superseded by Local Planning Policy 4.7 – Placement of Fill in Non-Urban Areas)

2. The development would adversely impact on the character and amenity of the streetscape and does not respond to the natural features of the site, contrary to Clauses 5.3.7 – Site Works P7.1 and P7.2 of State Planning Policy 3.1 – Residential Design Codes.
3. Insufficient information was provided to demonstrate that the proposal would not have an adverse impact on the amenity of adjoining landowners with regard to drainage flow and flooding in accordance with Schedule 2 (b) and (c) and Schedule 3 of Local Planning Policy 34 – Placement of Fill in Non-Urban Areas. (This Policy has been superseded by Local Planning Policy 4.7 – Placement of Fill in Non-Urban Areas)
4. The proposal is inconsistent with Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 in that it does not have due regard for:
 - A local planning policy for the Scheme area;
 - The requirements for orderly and proper planning;
 - The compatibility of the development within its setting including the relationship of the development to development on land adjoining including but not limited to the effect of the height, bulk, scale, orientation and appearance of the development;
 - The effect of development on the natural environment or water resources and means to protect or mitigate impacts, and
 - Suitability of the land of the development taking into account the possible risk of flooding and soil erosion.

Existing Development

The site features land which has been raised by the importation of fill and a single dwelling.



Proposed Development

The applicant seeks retrospective development approval to bring fill to the property to raise the ground level by between 0.2 metres and 0.5 metres across the entire property. Details of the proposal are contained within attachment OCM078.1/08/18.



Community / Stakeholder Consultation

The application was referred by mail to two directly adjoining landowners (highlighted in red) in accordance with the map below.



Consultation Plan

During the 21 day community consultation period from 7 June 2018 to 28 June 2018 one submission was received. The submission contained within attachment OCM078.4/08/18 did not make an objection to the proposal clear, however, it did make suggestions to the applicant. The suggestions were forwarded to the applicant, which amended the plans to reflect the comments raised in the submission. It is the amended plan which is presented to Council for consideration. The modifications to the plan included a one metre setback to the spoon drain and increased battering to the boundaries.

Further to this retrospective application, the applicant has requested to undertake emergency works to reduce the impacts of the unapproved works on neighbouring properties to alleviate the stormwater impacts of the proposal.

Policy Concept Forum

Not Applicable.

Statutory Environment

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No.2
- Rural Strategy Review 2013



- State Planning Policy 2.5 – Rural Planning (SPP2.5)
- Local Planning Policy 4.7 – Placement of Fill in Non-Urban Areas (LPP 4.7)

Planning Assessment

Shire Officers have undertaken a full assessment against Schedule 2 Deemed Provisions, Part 9, Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions) and relevant Local Planning Scheme provisions and consider that the application is compliant with TPS2. The assessment can be viewed as attachment OCM078.3/08/18 to this report. An assessment against Local Planning Policy 4.7 can be viewed as attachment OCM078.2/08/18.

Shire of Serpentine Jarrahdale Town Planning Scheme No.2

The filling of land is considered a 'Use Not Listed'. This describes a land use which is not specifically listed in Table 1 of TPS2, but the Council is able to use its discretion to make a determination on the application based on mandatory community consultation, and based on the planning merit of the applicants submission.

Clause 5.12.1 refers the purpose and intent of the Rural Living A zone to be taken from the Shire's Rural Strategy. The Rural Living area provides an opportunity to establish residential uses in a rural setting. The relevant objectives for Council to consider are as follows:

- Restrict rural land uses that are not generally compatible with maintaining residential amenity; and
- Provide opportunities for development that maintains rural character and promotes appropriate land management.

Officers consider the fill to be incidental to the established residential use on the site, and therefore the development can be considered to be consistent with the general purpose of the Rural Living zone.

With regards to the two objectives for the Rural Living zone, Officers believe that the proposal does have the potential to detract from residential amenity and may interrupt the rural character of the area.

It is important to acknowledge that the area is low-lying and it is common for fill to be brought to properties to facilitate development and decrease the area which is not useable due to inundation. For this reason, Officers consider the 'Use Not Listed' to fill the site is consistent with the purpose of the Rural Living Zone and is capable of being considered for approval. Given Officers consider that the land use raises no concerns, it is a matter of the scale and design of the fill which requires consideration. This assessment has been guided by Local Planning Policy 4.7 which is discussed later in this report.

Rural Strategy (Strategy)

The subject site is designated as 'Rural Living' under the Shire's Strategy. The purpose of the 'Rural Living' policy area under the Strategy is mentioned in the TPS2 section of this report above.

As stated in the TPS2 section of this report, Officers consider the proposal to fill the site is consistent with the purpose of the Rural Living zone and therefore is capable of being considered for approval.



State Planning Policy 2.5 - Rural Planning (SPP2.5)

The purpose of this policy is:

“to protect and preserve Western Australia’s rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome.”

The proposal will not adversely impact the preservation of food production, and the Stormwater Management Plan submitted by the applicant demonstrates that there are no environmental impacts. The proposal does have a visual impact, however the scale of that impact is low. It only affects the immediate locality. An example of high impact would be the same development, but instead located high on the Darling Escarpment, which would be highly visible to land lower on the scarp, as well as traffic passing through the immediate area.

Local Planning Policy 4.7 – Placement of Fill in Non-Urban Areas.

The proposal falls into the ‘high impact’ category of this policy due to the amount of fill and its location. This is a trigger for rigorous assessment and detailed information to be provided to the satisfaction of the Shire, before a proposal can be considered for approval. To address this requirement, the applicant has submitted a Stormwater Management Plan.

The amount of fill, ranging from 0.2 metres at the eastern end of the site, graduating to 0.5 metres at the western end of the site, is considered by Officers to be an appropriate amount of fill. The applicant has demonstrated that this is the minimum level of fill required to make the greater area of the site usable for activities associated with the residential use of the site, as it is otherwise subject to regular inundation and therefore is not usable.

The applicant has provided a Stormwater Management Plan (attachment OCM078.5/08/18 to this report) to demonstrate that the impacts of the proposal on groundwater and stormwater are appropriate and are able to be managed for the life of the development. Officers have reviewed the Stormwater Management Plan and subject to minor design amendments, consider the water management techniques and procedures to be appropriate and are likely to be effective.

Options and Implications

Option 1: Council may resolve to approve the application subject to conditions.

Approval of the application subject to appropriate conditions would be consistent with the planning policy framework and mitigate against the potential impacts of the proposed development.

Option 2: Council may resolve to refuse the application and give reasons for its decision.

Refusal of the application may result in an appeal to the State Administrative Tribunal (SAT).

Conclusion

The application seeks retrospective development approval for filling of land, and associated drainage management works. While the amount of fill is larger than typically required to facilitate the development of a Rural Living lot, the applicant has demonstrated that the impacts of the



proposal can be appropriately managed on-site and overall, that the proposal is consistent with development expectations in this localised Rural Living area. The applicant has sufficiently demonstrated to Officers that the proposal is appropriate and as a result, Officers have no concerns with the proposal and recommend that it be approved.

Attachments

- [OCM078.1/08/18](#) - Development Plans (IN18/17396)
- [OCM078.2/08/18](#) - Local Planning 4.7 – Fill in Non-Urban Areas Policy Assessment (E18/8205)
- [OCM078.3/08/18](#) - Clause 67 Checklist (E18/8196)
- [OCM078.4/08/18](#) - Neighbour Submission (IN18/17523)
- [OCM078.5/08/18](#) - Stormwater Drainage Report (Original Submission – Plans updated in Attachment 1 to this Report) (IN18/17522)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

Financial Implications

There are no financial implications resulting from this report.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Approval	Likely (4)	Insignificant (1)	Low (1-4)	Financial Impact - 1 Insignificant - Less than \$50,000	Accept Officer Recommendation

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 4 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Voting Requirements: Simple Majority

OCM078/08/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Coales, seconded Cr Byas

1. That Council approves the retrospective development application submitted by Syed Khurram Ali Zaidi and Syeda Ammara Batool Bokari on Lot 27 (No.35) Butcher Road, Darling Downs as contained in attachment OCM078.1/08/18 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the following conditions:

a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specifications	Amended Plans P1 – P3 received at the Shire’s Offices on 28 July 2018.
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b. All storm water must be disposed of within the property. Direct disposal of storm water onto the road or neighbouring properties is not permitted.

CARRIED 4/3

Councillor Byas, in accordance with Section 5.21(4)(b), *Local Government Act 1995* requested the votes be recorded.

Councillors Byas, Coales, McConkey and See voted FOR the motion.

Councillors Atwell, Denholm and Rich voted AGAINST the motion



OCM079/08/18 – Proposed Retrospective Oversize Ancillary Dwelling at Lot 53, 6 Barge Road, Byford (PA18/342)	
Author:	Manager Statutory Planning and Compliance
Senior Officer/s:	Acting Director Development Services
Date of Report:	30 July 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Proponent: Geoffrey May
Owner: As Above
Date of Receipt: 1 May 2018
Lot Area: 121,442.00m²
Town Planning Scheme No 2 Rural
Zoning: Rural
Metropolitan Region Scheme Rural
Zoning: Rural

Introduction

The purpose of this report is for Council to consider a retrospective development application received on 1 May 2018 for oversize Ancillary Dwelling at Lot 53, 6 Barge Drive, Byford. The Ancillary Dwelling, which has a plot ratio area of 108m², proposes a variation to the maximum plot ratio area of 100m² prescribed under the Shire's Local Planning Policy 4.1 - Ancillary Dwelling (LPP4.1). The proposal is also inconsistent with the siting requirements under LPP 4.1 due to the topographical characteristics of the site, location of effluent disposal system, the preservation of native vegetation and compliance with the submitted Bushfire Attack Level assessment.

Officers do not have delegation to determine applications that vary a Local Planning Policy. As such, the proposal is presented to Council for determination. Officers are recommending that Council approve the application subject to conditions. The proposal satisfies the design principles of the R-Codes and is considered consistent with the objectives of LPP4.1.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this application.

Development approval for an Ancillary Dwelling was granted on 12 December 2017 under delegated authority. The Ancillary Dwelling subject of the approval was compliant with the maximum plot ratio area prescribed under Local Planning Policy 39 – Ancillary dwellings (LPP39), which has since been reviewed to become LPP4.1.



Aerial Photograph

Background

Existing Development

The subject land is developed with an existing single storey dwelling, swimming pool, outbuildings and water tanks that are located on the north-easter corner of the block. The site also contains two dams, a workshop, sea containers and a dome shelter used to store farm implements.

The locality is generally characterised by large rural blocks with predominantly residential development. Properties in this locality contain significant amount of remnant native vegetation, which preserves and retains the rural landscape characteristics of this locality.

The subject site is located on the corner of Nettleton Road and Barge Road. Access to the site is via a private driveway from Barge Road. The Ancillary dwelling is located towards the front of the site.

Proposed Development

The proposed Ancillary Dwelling is retrospective and has already been placed on the site. It is a transportable building constructed prefabricated thermal panels with a zinclume roof. The building will be clad in a cream colour that matches the existing primary dwelling.

The building has a plot ratio of 108m² comprising of an open-plan kitchen/dining/lounge, one bedroom, two bathrooms and a study. The building has been located on the north-eastern corner of the block towards the front of the block. It is setback 25 metres from Barge Road and approximately 10 metres from the primary dwelling. The development plans and aerial photograph are attachments OCM079.1/08/18 and OCM079.2/08/18



Community / Stakeholder Consultation

Policy Concept Forum

Not Applicable.

The application was advertised for a period of 21 days, from 10 July to 31 July 2018. Letters were sent out to two adjoining residential properties abutting the northern and eastern boundaries. As a result of the advertising no submissions were received

Statutory Environment

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

State Government Policies

- Directions 2031 and Beyond
- Draft Perth and Peel Green Growth Plan for 3.5 Million
- Draft South Metropolitan Peel Sub-regional Framework Towards Perth and Peel 3.5 Million
- State Planning Policy 3.1 – Residential Design Codes
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No.2 (TPS2)
- Rural Strategy Review 2013
- Local Planning Policy 4.1 – Ancillary Dwelling

Planning Assessment

Land Use

The Ancillary Dwelling is a residential land use, defined under the R-Codes as:

'A self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.'

The proposed development meets this definition, being a self-contained dwelling, which is detached from an existing single house. An 'Ancillary Dwelling land use is an 'AA' use in the Rural zone in accordance with the zoning Table 1 of TPS2. 'AA' means that Council may at its discretion permit the use.

Orderly and Proper Planning

In the assessment of development applications Clause 67 of the Deemed Provisions, and specifically matters A – J, require consideration of the State and Local Planning Policy framework including Schemes, Strategies, State Planning Policies and Local Planning Policies. This framework provides guidance to establish if a development is consistent with orderly and proper



planning (assessment is with attachment OCM079.3/08/18). When considering the State and Local Planning Policy Framework the following documents are relevant:

Perth and Peel @ 3.5 Million South Metropolitan Peel Sub-regional Framework towards Perth and Peel 3.5 Million.

This framework seeks to establish a long-term and integrated framework for infrastructure and land use provision to which the application seeks to provide. The subject site is designated as 'Rural' under the framework. The subject site is currently developed with a residential land use to which the proposal would complement and not impact upon.

Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS2)

The site is zoned 'Rural' the Metropolitan Region Scheme (MRS) and TPS2. Clause 5.10.1 of TPS2 states the objectives of the 'Rural' zone, as follows:

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

The intended land use is for residential purposes. It is considered the proposal is compatible with the primary use and would not adversely impact on the intent of the rural zone. The Ancillary dwelling would not prohibit the carrying out of any rural pursuits or associated activities that can be undertaken on the subject land and any future use of the land.

Rural Strategy 2013 Review (Strategy)

The subject site is identified within the 'Agricultural Protection Area' of the Shire's Rural Strategy Review 2017. Policy objectives for the Agricultural Protection Policy Area place priority on the retention and maintenance of the capacity of land for agricultural production. Officers have considered that the ancillary dwelling by way of its size and integration with the main dwelling will not impede any potential for agricultural pursuits associated with the subject land and any future use of land.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The development is located within a designated bushfire prone area under the *Fire and Emergency Services Act 1998 (as amended)*. State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7) requires that applications for habitable development on lots greater than 1,100m² to be accompanied with a Bushfire Attack Level (BAL) assessment. A BAL assessment has been provided with the application identifying a BAL19 rating. The proposed development is considered consistent with the policy.

State Planning Policy 3.1 – Residential Design Codes (R Codes)

In accordance with Clause 5.5.1 of the R Codes, the deemed-to-comply maximum plot ratio area for Ancillary Dwelling is 70m². The proposed Ancillary Dwelling, which has a plot ratio of 108m², does not meet the deemed to comply maximum plot ratio area of the R Codes. As such, the development is required to demonstrate its compliance with the design principles of the R Codes as stated which are stated below:



*“Ancillary dwelling for people who live either independently or semi-dependently to the residents of the **single house**, sharing some **site** facilities and services and without compromising the amenity of surrounding properties”.*

The applicant has provided information that his elderly parent who is semi-dependant to the residents of the primary dwelling will occupy the dwelling.

The proposal is appropriately set back from adjoining neighbours and will not adversely impact the visual amenity of the locality. Existing mature native vegetation along Nettleton Road on the northern boundary provide adequate screening of the proposal from the nearest adjoining neighbouring property. Existing services like water, electricity and gas infrastructure including the driveway will be shared with the primary dwelling.

Officers consider that the development will not compromise the amenity of the adjoining and surrounding properties and therefore satisfies the design principles of the R-Codes. The dwelling has a zinc/ume roof, similar to the primary dwelling and in keeping with the primary dwelling. In addition, the applicant has provided information that the transportable building, which is constructed of prefabricated thermal panels, will be clad in a cream colour to match the exterior finish of the primary dwelling. As such, Officers are satisfied that the proposal will not have an adverse impact on the amenity of the locality and surrounding areas.

Local Planning Policy 4.1 - Ancillary Dwellings (LPP 4.1)

Local Planning Policy 4.1 enables a variation to Clause 5.5.1 of the R-Codes by increasing the size of ancillary dwelling in non-urban areas from 70m² set out in the deemed to comply provisions, to 100m².

The objectives of the policy are listed as below:

- *Ensure that Ancillary Dwellings are designed and located to appear visually related with the primary dwelling and minimise impact on the amenity of the locality.*
- *Ensure that Ancillary Dwellings are subservient to the primary dwelling.*
- *Protect against increase in residential density and ad hoc fragmentation of land by ensuring that development does not encourage future subdivision.*

The proposed Ancillary Dwelling is considered to be consistent with the objectives of the policy. Notwithstanding that, the plot ratio area of 108m² exceeds the maximum plot ratio area stipulated under the policy. Officers are of the opinion that, the proposal represents a dwelling that is secondary in all regards to the primary dwelling by way of size, design, appearance and integration with the primary dwelling.

Schedule 1: Design requirements:

Provision Requirement	Planning Assessment
<p>Siting</p> <p>Ancillary Dwelling is to be located behind the building line of the primary dwelling.</p>	<p>The rationale of the design element is to ensure that ancillary dwellings are secondary in all regards to the primary dwelling.</p> <p>The dwelling is not located behind the building line of the primary dwelling and this is a variation to the design element. However, the proposal is located is located</p>



Provision Requirement	Planning Assessment
	<p>approximately 25 metres from the primary street and 10 metres south of the primary dwelling.</p> <p>The siting of the dwelling has been largely influenced by the topography of the subject site, the impetus to preserve native vegetation, location of the leach drains and compliance with the Bushfire Attack Level assessment. Shire technical Officers have been on site and determined that the location was best suited with regards to sharing the driveway, utilisation of the existing effluent disposal system and compliance with Bushfire Attack level assessment.</p> <p>The site generally slopes towards the north and is steep towards the south. Officers have considered that the variation to siting in this case is acceptable given that the dwelling is not directly forward of the primary dwelling.</p> <p>The dwelling is appropriately integrated with the primary dwelling and its location in relation to existing buildings on the lot will result in a cluster of buildings forming together.</p> <p>The size of the dwelling in relation to the primary dwelling will not impact on the amenity of the locality.</p>
<p>Scale</p> <p>Ancillary Dwelling shall have no more than two (2) bedrooms</p> <p>An Ancillary Dwelling shall appear subservient in scale to the primary dwelling.</p>	<p>The proposed floor plans identify one bedroom and therefore complies with the policy.</p> <p>The scale and appearance of the transportable building represents a dwelling that is secondary in all regards to the primary dwelling. The dwelling will share a common driveway and site services like gas, electricity and water and as such do not represent an increase in residential density.</p>
<p>Access/Parking</p> <p>A maximum of one (1) covered car parking space shall be provided in addition to those required for the primary dwelling.</p>	<p>The rationale of the element is to ensure that car parking is provided particularly in high-density areas.</p> <p>The transportable building does not include space for car parking. Given the size of the rural residential block, it is considered that car parking requirements can be achieved. Officers report will include a condition of approval recommending that a covered car parking space be demonstrated to the satisfaction of the Shire prior to occupation of the building. The applicant will</p>



Provision Requirement	Planning Assessment
<p>No additional crossovers will be permitted. Vehicle access shall be shared with that of the primary dwelling.</p>	<p>also be required to submit a building application for any structure proposed to satisfy this condition.</p> <p>The proposal seeks to share vehicle access via a common crossover with the primary dwelling and therefore complies with the policy.</p>
<p>External Appearance</p> <p>Incorporates habitable design elements such as awnings, verandahs, patios.</p> <p>An Ancillary Dwelling is to be finished with a material of similar colour to the primary dwelling.</p>	<p>The rationale of the element is to ensure that transportable buildings, which are, converted to Ancillary Dwellings do not impact on the amenity by way of appearance.</p> <p>Notwithstanding that the dwelling does not incorporate awnings or verandahs, Officers are satisfied that the transportable will not adversely impact on the amenity.</p> <p>The zincume roof of the dwelling is similar to the primary dwelling and the exterior finish of a transportable building clad in a cream colour will match the primary dwelling.</p> <p>The dwelling is appropriately integrated with the primary dwelling being located approximately 10 metres from the primary dwelling.</p> <p>Officers are satisfied that at completion, the external appearance of the dwelling will match the primary dwelling and will represent a dwelling that is secondary to the primary dwelling.</p>

Based on the above assessment, the proposal complies with the design principles of LPP 4.1 with regards to access, scale and external appearance. Officers are satisfied that the proposal complies with the objectives and intent of the policy.

The proposal however does not comply with the maximum plot ratio area, siting of the dwelling and car-parking requirements as discussed in the table above. The policy allows discretion to be applied by Council, where the plot ratio is in excess of 100m² where design requirements are met.

Officers have considered that the proposed prefabricated transportable building, which has a plot ratio area of 108m², can be supported. It is considered that the proposed variation would not result in any adverse impact on the locality by way of bulk and appearance. As discussed above, the proposal complies with design requirements of the policy and R Codes by way of scale and appearance. In regards to the potential visual impact of the development on the amenity of the locality, Officers are satisfied that visual amenity impacts will be ameliorated by existing mature vegetation on the subject site and along Barge Drive to the east and Nettleton Road to the north.



Options and Implications

With regards to the determination of the application for planning approval under TPS2, Council has the following options:

- Option 1: Council may resolve to approve the retrospective application subject to appropriate conditions.
- Option 2: Council may resolve to refuse the retrospective application providing appropriate reasons.

Option 1 is recommended.

Conclusion

The proposed Ancillary Dwelling presents a plot ratio area that is greater than the maximum allowable area under the R-Codes and LPP4.1. Officers recommend that the requirements of LPP 4.1 with regards to the maximum plot ratio area and siting requirements be varied. The proposal meets the definition of Ancillary Dwelling and is consistent with the intent and objectives of the policy. The proposal provides a dwelling that is secondary in all regards to the primary dwelling. It is considered the proposal will not have unacceptable adverse impact on amenity having regard to size, design and siting of proposal and therefore is recommended for approval.

Attachments

- [OCM079.1/08/18](#) – Developments Plans (E18/8209)
- [OCM079.2/08/18](#) – Aerial Photograph (E18/8210)
- [OCM079.3/08/18](#) – Clause 67 Checklist (E18/8111)

Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

Financial Implications

Nil



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council approving the development application	Unlikely (2)	Minor (2)	Low (1-4)	Reputation - 1 Insignificant - Unsubstantiated, localised low impact on key stakeholder trust, low profile or no media item	Accept Officer Recommendation
Council refusing the development application	Possible (3)	Moderate (3)	Moderate (5-9)	Financial Impact - 2 Minor - \$50,000 - \$250,000	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 4 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Voting Requirements: Simple Majority

OCM079/08/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Coales, seconded Cr Denholm

1. That Council approves the retrospective development application for an oversize Ancillary Dwelling on Lot 53, 6 Barge Drive, Byford as contained in attachment OCM079.1/08/18 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the following conditions:-

a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1-P3 received at the Shire's Offices on 1 May 2018 Bushfire Attack Level Assessment prepared by BASICS Approval Services 25 August 2017.
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b. Prior to occupation of the dwelling a covered car parking bay shall be constructed in accordance with the Australian Standards AS2890 to the satisfaction of the Shire.

CARRIED UNANIMOUSLY 7/0

**OCM080/08/18 – Proposed ‘Rural Worker’s Dwelling’ at L470, 2858 South Western Highway, Serpentine (PA18/482)**

Author:	Manager Statutory Planning and Compliance
Senior Officers:	Acting Director Development Services
Date of Report:	26 July 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Owner: Bert and Agatha Veenendaal
Date of Receipt: 6 July 2018
Lot Area: 40.1ha
Town Planning Scheme No 2 Zoning: ‘Rural’
Metropolitan Region Scheme Zoning: ‘Rural’

Introduction

The purpose of this report is for Council to consider a development application for a ‘Rural Worker’s Dwelling’ at L470, 2858 South Western highway, Serpentine. The proposed ‘Rural Workers Dwelling’ seeks to vary the maximum floor area from 200m² to 323.6m² under Local Planning Policy 4.14 – Rural Workers Dwellings (LPP4.14).

The application forms part of a conditional offer and acceptance agreement between the land owner and prospective purchaser (the applicant) where the applicant is seeking to secure planning approval for the proposed Rural Workers Dwelling development prior to finalising ownership of the property. As such, the applicant is additionally seeking approval for the Rural Workers Dwelling without yet operating a ‘Rural Use’ over the site.

The report is presented to Council as Officers do not have delegation to approve development applications that vary Local Planning Policies under Delegation 11.1.1 - Determination of Development Applications. Officers recommend that the application be approved as it is considered that the variations have been addressed adequately and the approval can be conditioned to ensure that the proposal aligns with a Rural Use.

Relevant Previous Decisions of Council

Nil.

BackgroundExisting Development

The subject site lies within the rural area of Serpentine. It is currently developed with a single house, outbuilding and a partially enclosed hay shed.



Location Plan

Proposed Development

The application seeks approval for a 323.6m² 'Rural Workers Dwelling' which exceeds the 200m² requirements under Local Planning Policy 4.14. Detail of the proposal is contained within attachment OCM080.1/08/18.

The application also includes an Outbuilding, Water Tanks and Ancillary Accommodation; however, the Water Tanks and Outbuilding are exempt from planning approval in accordance with Local Planning Policy 1.5 – Exempted Development Policy (LPP1.5) and the Ancillary Accommodation has since been withdrawn from the application. The technical assessment confirming compliance of the Outbuilding and Water Tank has been included in attachment OCM080.4/08/18.

Community / Stakeholder Consultation

The development application was advertised to the adjoining landowner to the north for a period of 21 days during which time no objections were received.

Statutory Environment

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions)*

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS2)
- Rural Strategy Review 2013
- State Planning Policy 2.5 – Rural Planning (SPP2.5)
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)
- Local Planning Policy 4.14 – Rural Workers Dwelling (LPP4.14)



Planning Assessment

A comprehensive assessment in accordance with section 67 of the *Planning and Development Regulations 2015* has been carried out (OCM080.5/08/18). For the purpose of this report, areas of concern or where variations are sought will be discussed.

Land Use

The proposal falls within the land use of 'Rural Workers Dwelling', defined under TPS2 as dwelling:

- “(a) which is on land upon which there is already erected a dwelling and which is occupied by persons engaged in any of the following uses on that same land; Cottage Industry; Feedlot; Fish Farming; Horticultural Pursuit; Pig Farming; Poultry Farming; Rural Industry or Rural Use; and*
- (b) which can also accommodate family members involved in the operation of an agricultural enterprise on that land”.*

The site is currently being used and intended to be used for the rearing of cattle and hay storage which would be a 'Rural Use' defined under TPS2 as:

“the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:

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

It is noted that the applicant does not operate a Rural Use over the site; however, subject to the sale of property will be the occupier of the land and intends to establish a Rural Use similar to what is currently occurring. The applicant has provided financial statements, cattle inventory records and a Property Identification Code (PIC) which is a mandatory requirement of the Department of Primary Industries and Regional Development for all stock owners as evidence of their existing rural operations outside of the shire. The documents can be viewed within attachment OCM080.1/08/18. The applicant also owns five cattle which will be transferred to the property and is seeking to increase the size to 40 once land ownership has been finalised. The documentation submitted and ownership of the existing cattle provides Shire Officers a firm indication that the applicant has previously operated and seeks to establish and Rural Use over the subject site. As such, Officers consider that the proposal can satisfy (ii) above and the definition of a 'Rural Workers Dwelling'.



Orderly and Proper Planning

Clause 67 of the regulations, specifically A – J, considers State and Local Planning Policy frameworks including Draft Schemes, Strategies, State Planning Polices, Local Planning Policies and the like. These frameworks provide guidance in order to establish if a development is consistent with orderly and proper planning. When considering the State and Local Planning Policy Framework the following documents are relevant:

Shire of Serpentine Jarrahdale Town Planning Scheme No. 2:

Clause 5.10.1 of TPS2 states *“the purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area”*. In this case, the proposal is related to a ‘Rural Use’ carried out on the site and the dwelling would allow for the rural worker to reside at the subject site with his family. This is considered to be consistent with the TPS2 objective for the ‘Rural’ zone.

Clause 5.10.3 of TPS2 sets out requirements for additional dwellings in the ‘Rural’ zone and states:

“The Council may permit the construction of an additional dwelling on a lot within the rural Zone provided that:

- (i) The lot has a land area of not less than 4 hectares; and*
- (ii) The total number of dwelling on the lot will not exceed two; and*
- (iii) The additional dwelling is to be used for the purposes of a rural worker’s dwelling as defined in Appendix 1 of the Scheme; and*
- (iv) The additional is located within close proximity of the existing dwelling on the lot as determined by the Council and shares all services where practical”*.

In this case, the subject site measures 40.1ha in area and there is only one dwelling currently on the lot. As discussed in the Land Use section of the report, it has been demonstrated that the proposed ‘Rural Worker’s Dwelling’ is consistent with the TPS2 definition and the rural workers dwelling would be located 72m from the existing house, which is considered to be within close proximity. The proposal seeks to share all services with the exception of effluent disposal. The intent of the requirement is considered to be met.

Rural Strategy (Strategy)

The subject site is designated as ‘Rural’ under the Shire’s Strategy. The purpose of the ‘Rural’ policy area under the Strategy is to *“maintain the integrity of the Shire’s rural and agricultural character”* and to *“retain and maintain traditional agricultural uses”*.

The proposal would allow the rural worker to reside at the subject site with his family. This would improve the quality of lifestyle for the occupant in not having to travel to and from the site daily and outside of standard working times. It is considered that the proposal would allow the rural worker to be onsite 24 hours a day. The development is considered consistent with the objectives under the Strategy by way of retaining rural uses and rural character

State Planning Policy 2.5 - Rural Planning (SPP2.5)

The purpose of this policy is *“to protect and preserve Western Australia’s rural land assets due to the importance of their economic, natural resource, food production, environmental and*



landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome."

The proposal will contribute towards preserving food production by allowing for the employee of the business to reside at the property. The proposal will provide ease of access to the business for the rural worker and his family, consistent with the objectives of the State Planning Policy.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)

The subject lot is identified as a bushfire prone area and is therefore subject to the requirements of SPP3.7. A Bushfire Attack Level (BAL) assessment was submitted with the application and indicates a BAL rating of BAL – Low, this assessment is included as attachment OCM080.3/08/18 to this report. SPP3.7 requires evidence of a BAL rating of BAL-29 or lower for habitable development within a bushfire prone area that is subject to the policy. The BAL provided satisfies the requirements of SPP3.7.

Local Planning Policy 4.14 – Rural Workers Dwellings (LPP4.14)

LPP4.14 sets out requirements for 'Rural Worker's Dwellings' and lists whether development is acceptable, performance based or unacceptable. The proposal has been assessed against the requirements in the table below. Where variations to the acceptable or performance based criteria are sought, these are discussed individually later in the report.

Requirement	Acceptable Development	Performance Based	Unacceptable Development	Proposal
Rural Use	Uses requiring a Farmland Concession	Absence of a Farmland Concession	Hobby, lifestyle or domestic use	Compliant with performance criteria.
Size of lot	>20ha	4ha – 20ha	<4ha	Compliant - 40.1ha
Separation Distance	Within 50m of primary dwelling	Between 50m and 100m from primary dwelling where constraints have been demonstrated having regard to the following:- <ul style="list-style-type: none"> • Topography • Watercourses • Vegetation • Flooding • Amenity • Services 	Greater than 100m separation distance	Compliant with performance criteria – 72m from primary dwelling.
Services	Sharing of access, power and communication infrastructure	Shares majority of services	New access and effluent disposal impacts on waterways and vegetation due to nutrient loads	Compliant with performance criteria – Separate effluent disposal only.



Requirement	Acceptable Development	Performance Based	Unacceptable Development	Proposal
Siting and Design	Sited to minimise impact on the surrounding landscape and environment. Sited to minimise the impact on the suitability of the land to be used for rural purposes	-	Isolated or visually prominent locations. Conflicts with other land uses on either subject land or adjacent land	Compliant

In addition to these requirements, LPP4.14 states that 'Rural Worker's Dwellings' are to be constructed to a maximum floor area of 200m². The proposed development would have an overall floor area of 323.6m², the internal living area being 196.2m². The restriction to the size of rural workers dwellings addresses two of the objectives of LPP4.14:

- Ensure that rural workers' dwellings are provided, constructed and located in such a way so as to minimise their impact on the surrounding amenity and landscape; and
- Limit the opportunity for a rural workers' dwelling to establish and facilitate land subdivision.

Shire Officers consider that the scale and location of the proposed rural workers dwelling meets the above objectives. The Rural Workers Dwelling would be setback 50m from the lot boundary to the north and 145m from the street. The proposed location is screened to the south by the existing dwelling and from all other sides by established vegetation. Therefore supports the proposed variation.

Furthermore, the additional floor area is accounted for by way of number of occupants as the applicant's wife and two children will be residing in the property. It is also not considered unreasonable for a dwelling of this size to be located in a rural area.

In relation to the Rural Use, as previously mentioned the site is currently being used for the rearing of cattle and hay storage. The applicant is not the owner of the land or the operator of the existing Rural Use occurring over the site; however, as the application forms part of a conditional offer to purchase the property (sale of contract can be viewed within OCM080.5/08/18), the applicant intends on establishing a Rural Use once ownership has been finalised. To ensure this occurs, the applicant will be required to apply to the Shire for a Farmland Concession prior to lodgement of a building permit. In addition, to ensure that the development is used for the purposes of a Rural Workers Dwelling, a condition of approval will be recommended limiting the occupancy of the dwelling to the rural worker/s working at the approved 'Rural Use'. A Section 70a notification being placed on the certificate of title advising as such also forms part of the recommendation.



Options and Implications

With regards to the determination of the application for planning approval under TPS2, Council has the following options:

Option 1

Council may resolve to approve the application subject to appropriate conditions.

Option 2

Council may resolve to refuse the application providing appropriate reasons.

Option 1 is recommended.

Conclusion

The application forms part of a conditional offer and acceptance agreement between the land owner and prospective purchaser (the applicant) where the applicant is seeking approval for a Rural Workers Dwelling prior to holding tenure of the property. The application proposes a 'Rural Worker's Dwelling' without an established Rural Use and varies the maximum floor area permitted under LPP4.14. Officers consider the variation does not contradict the objectives of LPP4.14 and the applicant has provided adequate information to confirm that a Rural Use will be established once the property ownership has been finalised. Therefore, Shire Officers support the proposal subject to appropriate conditions.

Attachments

- [OCM080.1/08/18](#) – Development Application (E18/7934)
- [OCM080.2/08/18](#) – Development Plans (E18/7933)
- [OCM080.3/08/18](#) – Bushfire Attack Level Assessment (E18/7935)
- [OCM080.4/08/18](#) – Assessment (E18/7945)
- [OCM080.5/08/18](#) – Clause 67 Checklist (E18/7936)
- **CONFIDENTIAL OCM080.6/08/18** – Contract for Sale of Land (IN18/18596)

Alignment with our Strategic Community Plan

Outcome 2.3	A productive rural environment
Outcome 2.3.1	Identify and promote rural and agricultural industry opportunities
Outcome 3.1	A commercially diverse and prosperous economy
Outcome 3.1.1	Actively support new and existing local businesses within the district

The proposal would allow for the efficient running of a rural business within the Shire allowing for the rural worker and his family to reside at the place of work. The proposal would support a future local business within the district.

Financial Implications

Nil



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council approving the development application	Likely (4)	Insignificant (1)	Low (1-4)	Reputation - 1 Insignificant - Unsubstantiated, localised low impact on key stakeholder trust, low profile or no media item	Accept Officer Recommendation
Council refusing the development application	Possible (3)	Insignificant (1)	Low (1-4)	Financial Impact - 1 Insignificant - Less than \$50,000	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 4 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM080/08/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Coales, seconded Cr McConkey



1. That Council approves the development application on Lot 470, 2858 South Western Highway as contained in attachment OCM080.2/08/18 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to the following conditions:

- a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specifications	and	Plans P1 – P4 received at the Shire’s Offices on 6 July 2018. Bushfire Attack Level Assessment prepared by Bushfire Planning and Design submitted on 6 July 2018
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- b. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.
- c. The occupancy of the dwelling is restricted to the rural worker/s working at the approved ‘Rural Use’ on the subject site and their immediate family.
- d. Prior to the occupancy of the dwelling, a Section 70A Notification shall be placed on the Certificate of Title for the subject property, at the cost of the applicant. The Section 70A Notification shall state as follows:

“The ‘Rural Worker’s Dwelling’ shall be occupied only by person/s working at the approved ‘Rural Use’ on the subject site and their immediate family.”

- e. A Landscape Plan shall be prepared and approved by the Shire of Serpentine Jarrahdale and include the following detail to the satisfaction of the Shire, prior to commencement of site works:
- i. The location, number and type of proposed trees and shrubs, including calculations for the landscaping area;
 - ii. Any natural landscape areas to be retained;
 - iii. Those areas to be reticulated or irrigated; and
 - iv. The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the Shire of Serpentine Jarrahdale.

2. Ancillary Accommodation does not form part of this approval.

3. Prior to the lodgement of a Building Permit, a Farmland Concession Application must be submitted and approved to the satisfaction of the Shire of Serpentine Jarrahdale.

CARRIED UNANIMOUSLY 7/0



OCM081/08/18 – Proposed Service Station and Fast Food/Take Away – Lot 30, 801 and 31, 803 South Western Highway, Byford – PA17/1072	
Author:	Statutory Planning Officer
Senior Officer/s:	Manager Statutory Planning and Compliance Acting Director Development Services
Date of Report:	1 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Proponent:	Metrowest c/- Urbis
Owner:	Premier Holdings Pty Ltd and Pamela Coughlin
Date of Receipt:	11 December 2017
Lot Area:	3,436m ²
Town Planning Scheme No 2 Zoning:	'Urban Development'
Metropolitan Region Scheme Zoning:	'Urban'

Introduction

Council previously endorsed a Responsible Authority Report (RAR) for the subject application at its Special Council Meeting held on 13 March 2018, which recommended approval for the application. The application was then refused by the Metro East Joint Development Assessment Panel (JDAP) at its meeting held on 17 April 2018 and the matter was subsequently appealed to the State Administrative Tribunal (SAT). The applicant has provided additional information to satisfy the reasons for refusal laid down by the JDAP and a Section 31 reconsideration order has been made to allow the JDAP to reconsider its decision.

This report is presented to Council to consider the amended plans and endorse a new RAR to inform the JDAP in its decision making. Shire Officers do not have delegation to issue the RAR to JDAP, therefore Council must endorse an RAR before it can be presented to the JDAP.

Officers recommend Council endorse the RAR which recommends the amended application be approved subject to conditions.

Background

The subject site is bound by South Western Highway to the east, Evans way (unconstructed) to the north, George Street (unconstructed) and a rail reserve to the west and a medical centre and pharmacy to the south. The area to the east is primarily residential, the area to the north and south are primarily commercial and the area to the west is residential. The overall site area is 3,436m² and comprises of an existing dwelling and outbuilding and some remnant vegetation.



Location Plan

Proposal

The application features a Service Station, Canopy, Fast Food/Take Away drive through and associated car parking. The Service Station consists of eight fueling points, under the cover of a canopy and an ancillary shop and café. The Fast Food/Take Away is under the same roofline as the Service Station and features a small counter and waiting area for pedestrian customers as well as the drive through.

The amended application removes access from South Western Highway, proposed an additional crossover to Evans way, rotates the development to orientate towards Evans way, increase the parking provided by two bays and an increase of the Food and Beverage Tenancy from 147m² to 159m².

The amended Development Plans have been included as attachment OCM081.1/08/18 to this report.

Community / Stakeholder Consultation

Community consultation was has been detailed in the RAR included as an attachment to this report. The schedule of submissions with the applicant's comment is included as attachment OCM081.3/08/18.



The amended plans have not been advertised as the proposal is ultimately the same with the exception of the orientation of the proposed layout. As such it is considered that the amendments would not impact on any of the submissions made or result in further submissions being made.

As the subject lot is adjacent to a Primary Regional Road the application was been referred to Main Roads WA in accordance with part IV of the Metropolitan Region Scheme (MRS). The initial application was refused on the grounds of access raised by Main Roads WA at the JDAP meeting held on 17 April 2018. During the SAT proceedings the application liaised with Main Roads WA to design a satisfactory design, which resulted in the amended plans included in attachment OCM081.1/08/18.

Statutory Environment

Legislation

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Planning and Development (Development Assessment Panels) Regulations 2011*
- Metropolitan Region Scheme (MRS)
- Shire of Serpentine Jarrahdale Town Planning Scheme 2 (TPS2)

State Government Policies

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- State Planning Policy 4.2 – Activity Centres for Perth and Peel

Local Planning Framework

- Local Planning Policy 1.4 – Public Consultation for Planning Matters Policy (LPP1.4)
- Local Planning Policy 1.6 – Public Art for Major Developments (LPP1.6)
- Local Planning Policy 2.4 – Water Sensitive Design (LPP2.4)
- Local Planning Policy 3.7 – George Street Design Guidelines (LPP3.7)
- Local Planning Policy 3.8 – Byford Town Centre Built Form Guidelines (LPP3.8)
- Local Planning Policy 4.9 – Fast Food Premises (LPP4.9)
- Local Planning Policy 4.13 – Revegetation Policy (LPP4.13)
- Local Planning Policy 4.15 – Bicycle Facilities (LPP4.15)
- Local Planning Policy 4.16 - Landscape and Vegetation (LPP4.16)

Planning Assessment

The subject sites are zoned 'Urban Development' and identified as 'Highway Commercial' under the Byford Town Centre Local Structure Plan. The proposed land uses are 'Service Station' and 'Fast Food/Take Away', which would be 'SA' and 'AA' uses respectively under the 'Highway Commercial' zone. Both land uses as discretionary; however, the proposed 'Service Station' requires advertising in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions) and LPP27.

The proposed development seeks variations to both the TPS2 and Local Planning Policies in terms of car parking, bicycle facilities, landscaping, signage, built form and access; however, Officers consider that these variations could be supported. The full Planning Assessment is



detailed within the RAR included as attachment OCM081.2/08/18 to this report, a summary of the variations is provided in the table below:

Car Parking and Movement

Planning Instrument	Requirement	Proposal	Compliance
Town Planning Scheme No. 2	<p>Fast Food/Take Away: 2 spaces per 10m² Gross Leasable Area (30 spaces)</p> <p>Service Station: 1.5 spaces per service bay plus 1 space per employee (18 spaces)</p> <p>Overall spaces required: 48 spaces</p>	34 spaces	The proposal does not comply with the parking requirements under TPS2 and would result in a shortfall of 14 parking spaces.
Local Planning Policy 3.8 – Byford Town Centre Guidelines	1 space for every 20m ² of Gross Leasable Area: 45.5 spaces	34 Spaces	The proposal does not comply with parking requirements under the BYTLSP and would result in a shortfall of 11.5 parking spaces.
Local Planning Policy 3.8 – Byford Town Centre Guidelines - Location of parking	<p>Located to the side and rear of the development. Dedicated pedestrian paths are to be provided within car parking areas to avoid conflict with vehicle movements</p> <p>Designated handicapped parking bays and ramps are to be provided in accordance with the Building Code of Australia (BCA)</p>	<p>6 bays would be located to the front of the development, adjacent to South Western Highway.</p> <p>The proposal does not incorporate any internal pedestrian paths, connecting the car parking to the building.</p> <p>No handicapped parking bays have been proposed.</p>	<p>The location of 6 bays do not comply with the location requirements and do not have pedestrian paths connecting to the building.</p> <p>A condition has been recommended in the RAR requiring a handicapped parking bay be provided.</p>



Planning Instrument	Requirement	Proposal	Compliance
Local Planning Policy 4.15 – Bicycle Facilities - Provision of bicycle parking spaces	1 long term space per 100m ² Net Leasable Area (2 spaces) 1 short term space per 50m ² Net Leasable Area (3 spaces)	No bicycle parking proposed	The proposal does not comply with the requirement to provide bicycle parking. A condition has been recommended in the RAR to provide bicycle parking facilities on site.
Local Planning Policy 4.9 – Fast Food Premises – Pedestrian Movement	Safe pedestrian routes are to be defined in car parking areas.	No pedestrian routes have been identified.	As the proposal is predominantly a petrol station the car parking area will be a low speed vehicle movement environment and pedestrian movements will be largely uncoordinated. Officers consider there is no need for defined pedestrian routes.

Car parking requirements under the current planning framework are conflicting and, whilst the proposal does not comply with the provisions of the Scheme or the relevant local planning policies, given the drive-through nature of the proposed development, variation of these standards could be supported in this instance. Therefore, due to the nature of the land use and the limited time that car parking bays would be in use, the variation to the car parking requirements is supported.



Built Form

Planning Instrument	Requirement	Proposal	Compliance
Local Planning Policy 3.8 – Byford Town Centre Guidelines - Building Orientation	Transparent elements for commercial premises should comprise of at least 60% of the ground level façade, the use of highly tinted glass is not permitted.	It is unclear based on the provided elevation plans if the windows will be transparent or covered.	A condition has been recommended that requires a minimum of 60% transparency at the ground level façade.
Local Planning Policy 3.8 – Byford Town Centre Guidelines - Signage	<p>Pylon signs are permitted where they are:</p> <ul style="list-style-type: none"> • Located at least 10m from another pylon sign; • Provide a minimum height of 2.75m and maximum height of 5m above finished pavement level; and • The signage surface is a maximum of 4m². 	<p>There are no pylon signs within 10m.</p> <p>The maximum height proposed is 8m</p> <p>The overall signage area would be 27.6m²</p>	The proposed signage does not comply with the size and surface area for signage. The variation is considered excessive and likely to impact on the amenity of the surrounding area and streetscape. As such Officers recommend that a condition be included on the approval to reduce the height of the sign to match the Canopy height.
Town Planning Scheme No. 2 - Landscaping	A minimum 1.5m wide landscape area for car parking areas or 2m wide where the car parking area adjoins a street boundary.	Minimum 0.3m wide landscaping area for all car parking areas.	The proposal does not comply with the requirements for landscaping areas under TPS2. A Landscape Plan has been recommended as a condition of approval to ensure landscaped areas are of high quality.



Drainage

Planning Instrument	Requirement	Proposal	Compliance
Local Planning Policy 3.8 – Byford Town Centre Guidelines - Stormwater Management	<p>Design and implementation of stormwater management practices shall be as per the requirements of the Byford Townsite Drainage and Water Management Plan and Byford Town Centre Local Water Management Strategy.</p> <p>All water draining from roofs and other impermeable surfaces shall be directed to soakwells, bio-retention basins or rainwater tanks where climatic and soil conditions allow for the effective retention of stormwater on-site.</p> <p>Stormwater management measures must be detailed in an Urban Water Management Plan submitted with Development Applications.</p>	A drainage plan has been submitted indicating stormwater can be retained on site.	A condition of approval recommends requiring a Stormwater Management Plan to be prepared and implemented to the satisfaction of the Shire.

The applicant has submitted a drainage plan with the application which indicates stormwater is capable of being retained and managed on site, this has been included as attachment OCM081.5/08/18 to this report. A Stormwater Management Plan will still be required providing more detail of stormwater treatment and management on site.

Access and Road Upgrades

The subject site currently enjoys access from South Western Highway; however, as the proposal seeks to intensify the development on the land Main Roads WA will not permit the existing access from South Western Highway to remain. The site is adjacent to the Evans Way road reserve to the north and George Street road reserve to the west. In order for traffic flow to work on the site, access is required from both Evans Way and George Street, which are currently unconstructed.



LPP3.7 requires a contribution to be made by developers for the construction of George Street for adjoining lots. The contribution required is based on the length of frontage of the development site and the overall estimated cost to construct. The frontage to George Street is converted to a percentage of the overall length of George Street, which then forms the percentage of the estimated cost to construct George Street that the developer is liable for. The subject lots form 9.23% of the overall length of George Street and are therefore liable for 9.23% of the estimate cost to construct George Street. The current estimate cost to construct George Street is \$2.1 million, which means the developer is liable for a contribution of \$193,830.

The Shire does not currently have an allocated budget for the construction of George Street, if the development is to commence in the short term the developer will have to construct part of George Street to enable access to the lot. LPP3.7 allows for construction by the developer as an alternative to making a contribution subject to the works not preventing the construction of the remainder of George Street in a coordinated manner, the entirety of works being undertaken i.e. intersections as well as frontage, and the materials and landscaping being consistent with Council requirements and proposed works for George Street.

The Shire does not currently have an ultimate design for George Street, in order to prevent the ultimate design from being prejudiced Officers are of the opinion that works should be limited to those required to facilitate the development, being: sealing, draining and kerbing of road surfaces, provision of street lights, and footpaths. This will reduce the upfront cost to the developer and may result in a provided value of works being less than the contribution required under LPP3.7. as such, Officers have recommended a condition ensuring any residual value can be captured either through a monetary contribution.

Options and Implications

Council may resolve to:

1. Endorse the RAR; or
2. Endorse an alternative recommendation to the JDAP to be contained in the RAR; or
3. Not to endorse the RAR.

Should Council resolve not to endorse the RAR then no report will be presented to the JDAP. In accordance with the relevant Regulations, the JDAP could still inform themselves about relevant information pertaining to the application, including this report, or decide to ignore it and make a decision on the information available to them at the time. This option is not recommended as it would limit Council's input into the decision making process.

Should Council wish to endorse an alternative recommendation to the JDAP, the recommendation and Council's reasons for such an alternative will be included in the final RAR to be presented to the JDAP.

Officers recommend Council endorse the RAR report as attached.



Conclusion

The initial application was refused by the JDAP at its meeting on 17 April 2018 and subsequently appealed to the SAT. The amended application still does not comply with some aspects of the Shire's Local Planning Framework; however, the proposed variations are considered to be acceptable and the revised plans have addressed some of the variations from the initial application. The remaining variations are either considered to be acceptable in the context of the land use or can be addressed through conditions of approval. Officers recommend Council endorse the RAR, which recommends approval subject to conditions and forward the RAR to the JDAP for consideration.

Attachments

- [OCM081.1/08/18](#) – Development Plans (IN18/15580)
- [OCM081.2/08/18](#) – Responsible Authority Report (E18/8693)
- [OCM081.3/08/18](#) – Summary of Submissions (IN18/5506)
- [OCM081.4/08/18](#) – Clause 67 assessment (IN18/2139)
- [OCM081.5/08/18](#) – Drainage Plan (IN18/18606)

Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local business within the district.
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

Financial Implications

Nil

Risk Implications

The Shire is not the determining authority for this application. Should Council reject the RAR, the JDAP will consider the application and make a determination without a recommendation from Council. There is a risk that the JDAP will make an unfavorable decision if a determination is made without an assessment presented.



Voting Requirements: Simple Majority

OCM081/08/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Coales, seconded Cr McConkey

- 1. That Council endorses the Responsible Authority Report contained in attachment OCM081.2/08/18, subject to the following conditions:**
 - a. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.**
 - b. A monetary contribution being paid to Council, prior to occupation, for the establishment of public art or, alternatively, the provision of public art being provided on-site in accordance with Council's Local Planning Policy 1.6 – Public Art for Major Developments to the satisfaction of the Shire.**
 - c. Detailed engineering drawings are to be submitted and approved by the Shire of Serpentine Jarrahdale for the construction of Evans Way and George Street, prior to commencement of works.**
 - d. Prior to the operation of development, the proponent shall construct George Street from the access way of the development to the intersection with Evans Way and construct Evans Way from the intersection with George Street to the intersection with South Western Highway to the satisfaction of the Shire of Serpentine Jarrahdale.**
 - e. Should the value of the works required for the construction of George Street be less than the contribution required under Local Planning Policy 3.7 – George Street Design Guidelines, the proponent must provide a monetary contribution to the Shire of Serpentine Jarrahdale for the remaining value of the contribution required.**
 - f. A Dust Management Plan must be prepared in accordance with the Department of Environment and Conservation's DRAFT - A guideline for the development and implementation of a dust management program to the satisfaction of the Shire, prior to commencement of works. All works must be carried out in accordance with the Dust Management Plan, for the duration of the construction period.**
 - g. A Stormwater Management Plan being prepared in accordance with the Byford Town Centre Local Water Management Strategy and Local Planning Policy 2.4 – Water Sensitive Design and approved prior to commencement of site works to the satisfaction of the Shire of Serpentine Jarrahdale. Once approved, the Stormwater Management Plan is to be implemented in its entirety.**
 - h. A Landscape Plan must be prepared and include the following detail to the satisfaction of the Shire, prior to commencement of site works:**



- i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;**
- ii) Any lawns to be established;**
- iii) Any natural landscape areas to be retained;**
- iv) Those areas to be reticulated or irrigated; and**
- v) Verge treatments.**

The landscaping must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the Shire.

i. The carpark must:-

- i) be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking unless otherwise specified by this approval;**
- ii) include 34 car parking bays;**
- iii) include one (1) car parking space dedicated to people with disability designed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities, linked to the main entrance of the development by a continuous accessible path of travel designed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;**
- iv) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter;**
- v) have lighting installed, prior to the occupation of the development.**

The car park must comply with the above requirements for the duration of the development.

- j. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.**
- k. A minimum of four (4) short-term bicycle parking facilities must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities, prior to commencement of works. The bicycle parking spaces must be constructed prior to the occupation of the development, and must be retained and maintained in good condition at all times.**
- l. The pylon sign must have a maximum height of 6.05m.**



- m. Prior to commencement of works a Noise Management Plan shall be prepared and submitted by the proponent for approval by the Shire of Serpentine Jarrahdale. The Noise Management Plan should detail noise management measures during both the construction phase and operations and shall be implemented at full at all times.**
- n. Lots 30 and 31 South Western Highway, Byford are to be amalgamated into a single lot prior to the submission of a building permit application. Alternatively the owner may enter into a legal agreement with the Shire of Serpentine Jarrahdale, prepared by the Shire's solicitors at the expense of the owner. The legal agreement may allow the owner up to a maximum of 12 months to amalgamate the lots. The agreement is required to be executed by all parties concerned prior to the lodgement of a building permit.**
- o. Elevations addressing South Western Highway at ground level shall have a minimum 60% transparency. Windows shall not be obscured by tinting, decals or any other obstruction.**

CARRIED UNANIMOUSLY 7/0



Councillor Atwell declared a Financial Interest in OCM082/08/18 and left the Chambers at 8.03pm prior to this item being discussed.

OCM082/08/18 – Proposed Service Station at Lot 12, 1537 Thomas Road and Lot 50 Nicholson Road, Oakford (PA18/193)	
Author:	Manager Statutory Planning and Compliance
Senior Officer/s:	Acting Director Development Services
Date of Report:	20 July 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Proponent: Planning Solutions
 Owner: S L McMullen and D A Riley (Lot 12)
 S and J Piipponen (Lot 50)
 Date of Receipt: 28 March 2018
 Lot Area: Lot 12 – 1.36ha, Lot 50 – 1.4ha
 Town Planning Scheme No 2 ‘Rural’
 Zoning:
 Metropolitan Region Scheme ‘Rural’
 Zoning:

Introduction

The purpose of the report is for Council to consider a Responsible Authority Report (RAR) prepared for a development application for a proposed ‘Service Station’ at Lot 12, 1537 Thomas Road and Lot 50 Nicholson Road, Oakford.

The application was submitted to the Shire on 28 March 2018 as a Development Assessment Panel (DAP) application. The DAP will replace Council as the decision making authority for the application in accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*. The proposal is presented to Council as Officers do not have delegated authority to provide a recommendation to the DAP.

The attached RAR (OCM082.1/08/18) prepared by Officers recommends that the application be approved subject to conditions recommended by both Officers and Main Roads Western Australia (MRWA).

Relevant Previous Decisions of Council

There is no previous Council decision relating to this application.

Background

Existing Development

The subject site is located within a rural area of Oakford and comprises of two lots. Lot 12 Thomas Road is currently developed with a dog training facility, approved under delegation on 12 November 2013. Lot 50 Nicholson Road comprises of an easement and contains power lines. Approval has recently been granted on this lot for a ‘Restaurant’/‘Stall Wayside’.



Thomas Road runs along the southern boundary of the site and Nicholson Road to the west. The surrounding area consists of rural and rural residential lots with Oakford Traders Liquor Store located opposite, on the southern side of Thomas Road.



Proposed Development

The application seeks approval for a 'Service Station' that would operate 24 hours a day, 7 days a week. Full details of the initial proposal are contained within attachment OCM082.2/08/18.

The proposal comprises of the following:-

- Retail building 220m²;
- Four light vehicle fuel bowsers with eight refuelling bays;
- Three heavy vehicle fuel bowsers with two refuelling bays;
- An enclosed plant yard;
- One left in/left out crossover to Thomas Road;
- One left in/left out crossover to Nicholson Road;
- Eleven standard car parking bays;
- Three caravan parking bays;
- Three truck parking bays;
- Landscaping; and
- Signage.



Community / Stakeholder Consultation

Advertising was undertaken to adjoining landowners for a period of 21 days between 5 April 2018 and 26 April 2018. During this period a total of nine submissions were received from nearby landowners. Seven submissions raised concerns in relation to the proposal and two provided in principle support.

The concerns raised are outlined and addressed in the table below. A full summary of the submissions can be viewed as attachment OCM082.3/08/18.

Issue Raised	Officer's comments
Increase in Traffic	Noted – Refer to Traffic section of report
Safety of intersection	Noted – Refer to Traffic section of report
Noise From Traffic	Noted. It is considered that the majority of customers to the proposal would be generated from existing passing by traffic. It is acknowledged that the proposal would result in some additional traffic however Thomas Road is a primary regional road. The applicant has commented that Main Roads are to upgrade the road from a RAV4 to a RAV6. However, Shire Officers have not yet been made aware of this by MRWA. This upgrade would result in additional heavy vehicles. It is considered that due to the nature of the road network in this area, the proposal would not result in an undue level of traffic noise. With regard to other noise types from the proposal refer to Amenity section of report.
Light Spill	A lighting plan has not been submitted as part of the application. This will be recommended as a condition to ensure compliance with the Australian Standard.
Impact on access for Oakford Liquor Store	The Shire's Infrastructure Services do not consider there to be a conflict between the approved crossover for the lot opposite and the proposal. It will be for Main Roads to determine if they are satisfied with the access and egress on Thomas Road. MRWA have provided support for the proposal subject to conditions.

Consultation with other Agencies

Main Roads WA (MRWA)

The application was referred to MRWA. Initially, objections were raised in relation to the ultimate access arrangements as the crossover on Nicolson Road would have been located within the pre-deflection area of the future roundabout.



Following this submission, negotiations have taken place between the applicant and MRWA to try to amend to the proposal taking into account these comments. The applicant has submitted amended plans (attachment OCM082.4/08/18) incorporating diagonal pavement markings to the road shoulders of Nicholson Road to give the impression of a narrowing carriageway, encouraging drivers to slow down. This mechanism would replace the requirement for a pre-defection area.

MRWA have advised that the amendments are to their satisfaction and have provided support for the proposal subject to conditions (OCM082.5/08/18).

Department of Planning Lands and Heritage

The Department of Planning, Lands and Heritage advised they have no objections to the proposed access arrangements, subject to adequate separation being achieved between the Thomas Road access point and the service road. However, they have also advised that final endorsement regarding access should be sought from MRWA.

Western Power

Western Power have advised that as the proposal is located near to energised electrical installations and powerlines, the person in control of the work site must ensure that no person, plant or material enters the "Danger Zone" of an overhead powerline or other electrical network assets. These comments have been referred to the applicant for information purposes.

Statutory Environment

Legislation

- *Planning and Development Act 2005;*
- *Planning and Development (Development Assessment Panels) Regulations 2011*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Metropolitan Region Scheme*
- *Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2*
- *Environmental Protection (Noise) Regulations 1997.*

State Government Policies

- State Planning Policy 2.5 Rural Planning (SPP2.5)
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7)
- Environmental Protection Authority Guidance for the Assessment of Environmental Factors Separation Distances between Industrial and Sensitive Land Uses (2005) (page 45)

Local Policies

- Shire of Serpentine Jarrahdale Rural Strategy Review 2013
- Local Planning Policy 4.11 - Advertising (LPP4.11)
- Local Planning Policy 1.6 - Public Art (LPP1.6)
- Local Planning Policy - Landscape and Vegetation (LPP67)



Planning Assessment

A full assessment has been carried out against the current planning framework as part of the RAR which can be viewed in attachment OCM082.1/08/18 and the Clause 67 Checklist (attachment OCM082.6/08/18). For the purposes of this report, matters of concern or where variations are sought will be discussed.

Land Use:

In considering the land use of the proposal, Officers have considered the land uses of 'Service Station' and 'Convenience Store' defined under TPS2 as follows"-

'Service Station' "means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use; but does not include transport depot, panel beating, spray painting, major repairs or wrecking".

The proposal seeks approval for the sale of petroleum products and includes a shop. The proposal could therefore reasonably be considered to fall within the land use of 'Service Station' although it does not include the carrying out of greasing, tyre repairs or minor mechanical repairs.

'Convenience Store' "means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 300 square metres gross leasable area".

The proposal could also reasonably fall within the definition of 'Convenience Store' as it includes the retail sale of convenience goods and petrol. This definition also includes operating hours outside of normal trading hours.

'Building' is defined under TPS2 as having *"the same meaning as is given to it in and for the purposes of the Residential Planning Codes"* which includes any structure. Therefore, as the buildings associated with the use, including the areas under the canopies, exceed 300 square metres gross leasable area, it is considered that the proposal is excluded from this definition and therefore best fits within the land use of 'Service Station'.

Form of Development

The proposed retail building is located centrally to the site and orientated with the entrance and primary frontage to Thomas Road. The materials are of earthy tones with the use of cladding and face brick panelling. It is considered that the use of colours and materials reflect the rural character of the area.

The light vehicle bays are located to the south of the retail building fronting Thomas Road with the heavy vehicle bays towards the rear of the lot. The plant and service yards are located behind the buildings, which does not adversely impact on the rural character of the streetscape.

The proposal includes landscaping along the boundaries of the subject site and building. The landscaping is focussed within Lot 12 where the buildings and structures are proposed. Comments were received from the Shire's Environmental Officers who raised concerns in relation to the adequacy of the landscaping and that it does not fully replace the trees that would be lost as part of the development. Officers consider that a condition requiring an amended landscaping plan would allow further landscaping measures to address these concerns.

**Signage:**

The proposal also includes the following signage as follows:-

- One 5.5m x 1.25m “*The Foodary*” fascia sign to the southern elevation of the convenience store;
- One 4.3m x 2.9m on building sign to the eastern elevation of the convenience store;
- One 2.39 x 0.9m and one 2.3m x 0.9m ‘*Caltex*’ fascia canopy signs located on the south and west facades of the light vehicle fuel canopy;
- One 2.9m x 0.9m and one 2.93m x 0.9m ‘*Caltex*’ canopy fascia signs located on the heavy vehicle canopy;
- One 20m high internally illuminated pylon sign fronting Thomas Road. This sign would incorporate panels for ‘*Caltex*’ and ‘*The Foodary*’ as well as advertising panels and digital displays detailed the fuel offerings;
- One 2.3m high internally illuminated promotion sign fronting Thomas Road adjacent to the crossover point.

Local Planning Policy LPP 4.11 – Advertising sets out development standards and requirements for advertisements. The objectives of this policy are to ensure that signage does not detract from the character of the area and makes a positive contribution to the streetscape. It also aims to ensure that the scale of signage is appropriate to the size of the façade of buildings on which it is displayed.

The table below shows the proposed signage addressed against the policy requirements. Any variations are discussed further in the report and assessed against the objectives of the policy.

Signage	Signage type	Requirement	Compliant	Variation
Service Station Canopy Signs	Canopy Signs	• Is a single faced sign.	Yes	N/A
		• Must be compatible with the canopy and building on which it is displayed.	Yes	N/A
		• Must not be illuminated unless the nature of the illumination and/or materials is such as to prevent combustion.	Yes	N/A
		• Must have a minimum clearance of 2.75m to any rigid part of the canopy, and 2.4m to any flexible part of the canopy, and a footpath pavement, where pedestrian access is to be maintained.	Yes	N/A
‘The Foodary’ Sign	Roof Sign	• A maximum area of 20% of the area of the roof panel on which it is located or 4m ² whichever is the lesser.	No	6.9m ²
		• A maximum width of 2/3 of the width of the roof.	Yes	N/A
		• Does not protrude above the roof ridge line.	Yes	N/A



Signage	Signage type	Requirement	Compliant	Variation
		<ul style="list-style-type: none"> Does not project more than 300mm from the portion of the building to which it is attached. 		
On Building Sign	Wall Sign	<ul style="list-style-type: none"> A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied. The maximum single face area is 10m², and must not extend beyond 12.0m above the ground even if the wall is higher than this. Must not project more than 300mm from the wall and/or fascia to which it is affixed. Must not project beyond the edges of a wall and/or fascia. A wall sign, which extends above a wall, may be considered as a roof sign. 	Yes	N/A
			No	12.5m ²
			Yes	N/A
			Yes	N/A
			Yes	N/A
Pylon Sign	Pylon	<ul style="list-style-type: none"> The maximum sign face area is 10m² per face, for a maximum of two faces. The maximum height above the ground is to be 6.5m or the height of a building in close proximity, whichever is the greater, but is not to exceed 10m. The height of a building is defined as the height of the uppermost part of the building above ground level. Must be mounted as a free-standing structure. Must not be located less than 1.5m from the front property boundary (including the primary and secondary street frontages of a corner lot), and must not project beyond the alignment of any property boundary. Must not face adjoining premises unless the sign is a minimum of 3.0m from the property boundary of that premises, or unless the landowner of the adjoining premises consents to the sign being a lesser distance from the boundary. Must not expose an unsightly back view of the sign to a road or other public place. Must not be located on a street frontage of a premises along which is located another pylon sign, billboard sign or pole sign. 	No	Exceeds 10m ²
			No	20m high
			Yes	N/A
			Yes	N/A
			Yes	N/A

*Variations:***The Foodary Sign**

This sign is proposed to have an area of 6.9m² in lieu of the policy requirement of 4m². The applicant has provided a justification to the variation and stated that this sign functions as a point of identification for the entrance. It is the only sign on the front of the building and proportionally reflects the scale of the building and the architectural design.

Officers consider that as the signage comprises of white coloured individual letters, it would not appear intrusive or excessive. It is considered that in this instance the sign would not dominate the elevation of the building due to its scale or have an adverse impact on the character of the area. As such, the proposed sign is considered consistent with the objectives of the policy and the variation is supported by Officers.

On Building Sign

The on building sign is proposed to be 12.5m² in lieu of 10m² as per the policy requirement. As with the 'Foodary' sign, Officers consider that the scale of the sign is consistent with the scale of the building and as such would not appear intrusive or excessive. Officers consider this signage is consistent with objectives of the policy and would not adversely impact on the character of the area.

Pylon Sign

The application seeks approval for a 20m high pylon sign, each face of the sign exceeding 10m² in area. This is significantly higher than what is acceptable under LPP 4.11. The applicant has provided justification that the sign is required to provide early identification of the site and that existing vegetation would impact its visibility if it were smaller. The applicant also notes that the proposal does not impact on sightlines from the intersection or the crossovers.

Additional information has been provided to further justify their position in the form of photomontages, contained within attachment OCM082.7/08/18. Officers acknowledge that Thomas Road is a Primary Regional road, however the streetscape maintains the areas rural character. The addition of signage of such a significant scale is considered to be an incongruous addition to the rural streetscape.

Officers consider that the scale of the pylon sign would adversely impact on the rural character and amenity of the area. It is acknowledged that early identification is considered important however, 20m is a significant variation that is not supported by Officers. LPP4.11 allows for 6.5m high pylon signs or the same height as a building in close proximity. It is considered that the justification requiring early identification does not outweigh the need to maintain the rural character of the area.

A 20m high pylon sign would be 13.5m higher than the canopy for the truck fuelling. It is considered that the height of this sign would appear inconsistent with the scale of the development on the site and the surrounding area. Due to the location of the sign, it would appear visually intrusive within the streetscape and adversely impact on the rural character of the area. Officers propose a condition to ensure that the pylon sign is reduced significantly in height.



Traffic, Access and Safety

Thomas Road is identified as a Primary Regional Road and designated freight route. Nicholson Road is identified as an Other Regional Road. Both of these classes of roads are designed to carry larger volumes of traffic.

Access and egress to the site is proposed to be taken from both Thomas Road and Nicholson Road. Access from Thomas Road is to be left in for both light and heavy vehicles and left out for light vehicles only. All heavy vehicles would be required to ingress via Thomas Road. The access from Nicholson Road will be left-in for light vehicles only and left-out for light and heavy vehicles. The applicant states that the site has been designed to accommodate access and parking for heavy vehicles up to 36.5m B-double standard.

Concerns were raised during the advertising period relating to the potential safety and access issues resulting from the potential increased traffic on Thomas Road and the capability of the existing network infrastructure to accommodate increased traffic volumes.

A Transport Impact Assessment has been submitted as part of the application. This shows that the majority of trade would be from existing passing traffic through Thomas and Nicholson Road. The assessment findings conclude that the proposal is estimated to result in an additional 16 and 22 trips during the AM and PM peak periods respectively. It is noted that currently the intersection suffers from capacity shortages during peak periods, however once upgraded as proposed, there will be adequate capacity.

The applicant has acknowledged that the Thomas Road and Nicholson Road intersection is subject to a future upgrade. Consultation has been undertaken with MRWA to ensure the upgrades would not prevent or prejudice the access arrangements for the proposal. The proposal has been designed to accommodate the future upgrades to the Thomas Road and Nicholson Road intersection and a concept plan has been provided for what potentially will be the ultimate access arrangements and for the interim arrangements. Although the future plans are not yet in place it is envisaged that a two lane roundabout will be constructed at the intersection.

Initially, concerns were raised by MRWA in relation to the ultimate access arrangements due to the crossover on Nicholson Road located within the pre-deflection area of the future roundabout. Subsequently, further discussions have been undertaken with MRWA and the access arrangements have been amended accordingly, to the satisfaction of MRWA. The access arrangements are proposed to be over three phases (attachment OCM082.4/08/18).

Phase 1 is based on the current configuration prior to any road upgrades. It involves provision of a left-in slip lane for the Nicholson Road access and a left-in slip lane for the access on Thomas Road to ensure all vehicles are able to safely manoeuvre into the subject site without impacting the movements of traffic along Thomas and Nicholson Road. Median islands are also included opposite both crossovers to prevent right-turn traffic movements. There would be small paved islands in the centre of both crossovers to delineate the flow of traffic. In addition, a signage strategy and road markings are proposed to ensure safe and correct movement of all vehicles.

Phase 2 consists of an interim roundabout estimated to be completed by MRWA within 12-18 months. To maintain a safe approach to the intersection following construction of the roundabout, Nicholson Road would incorporate diagonal pavement markings to the road shoulders to give the impression of a narrowing carriageway, encouraging drivers to slow down. This is the proposed alternative to a pre-deflection area satisfying the initial concerns of MRWA.

Phase 2 is provided as a concept only to demonstrate that safe access to the subject site can be maintained following road upgrades. The detailed design and construction of the roundabouts will



be the responsibility of MRWA. Modifications to the access and egress of the proposal are not required to facilitate the Phase 2 interim roundabout upgrades.

Phase 3 provides an ultimate arrangement for the long term plans for the road network. This is anticipated to be carried out during the next 15 to 20 years. This ultimate scenario is therefore a long term consideration which is understood to still be undergoing design and funding arrangements.

It is considered that the applicant has demonstrated the proposal would not adversely impact on traffic safety and MRWA have confirmed that their initial concerns have been addressed.

Amenity

The proposal would operate 24 hours per day, seven days a week. Due to the existing traffic volumes on both Nicolson and Thomas Road, it is considered that the proposal would not adversely impact on adjoining landowners by way of traffic noise due to the additional traffic numbers provided within the Transport Assessment.

It is acknowledged that additional noise would be resultant from the operations of the facility. The EPA Guidelines require a separation distance of 100m between service stations and sensitive receptors. In this case, the proposal is compliant with this requirement. Furthermore, the EPA Guidelines set this standard for service stations that include vehicle cleaning/detailing which are not proposed as part of this application and are considered to result in more noise than what is being applied for in this case. This 100m separation distance is also required for freeway service centres which also operate 24hrs.

To satisfy any noise sources from the running of the business and to mitigate the impact on adjoining residents, Officers recommended a condition requiring a Noise Assessment/Management Plan to identify any additional sources of noise and provide details of how these would be managed. This goes further to ensure that an acceptable level of residential amenity is maintained.

One of the concerns raised during the advertising period related to light spill. A lighting plan would also be required as a condition to ensure any lighting would not adversely impact on the amenity of neighbouring properties.

Landscaping is a significant contribution towards the amenity of rural areas. LPP67 sets out requirements for landscaping and vegetation and its objective is to *“Contribute towards achievement of vegetation and landscape outcomes that meet the expectations of stakeholders and contribute towards the achievement of biodiversity and water use targets and the creation of vibrant places for our communities”*.

The applicant has provided information that landscaping will be undertaken to offset the loss of trees from the site. A condition is recommended to require an amended detailed landscaping plan to be prepared and approved by the Shire prior to commencement of works. The landscaping plan will be required to be in accordance with LPP67 and further compensate for the vegetation that would be lost as part of the development.



Options and Implications

Option 1:

That Council endorse the Responsible Authority Report contained within the attachments, which recommends that the Metropolitan East Joint Assessment Panel approve the application for proposed 'Service Station' at Lot 12, 1537 Thomas Road and Lot 50 Nicholson Road, Oakford.

Option 2:

That Council does not endorse the Responsible Authority Report contained within the attachments, which recommends that the Metropolitan East Joint Assessment Panel approve the application for 'Service Station' at Lot 12, 1537 Thomas Road and Lot 50 Nicholson Road, Oakford.

Option 1 is recommended.

Conclusion

The application seeks approval for a 'Service Station'. The proposal would be located on the corner of a Primary Regional Road and an Other Regional Road providing goods and petroleum for passing traffic. The proposal would also provide for a retail service for residents of the local area.

The application is considered consistent with the planning framework and the principles of orderly and proper planning. The applicant has demonstrated that the future access arrangements will not prejudice the future planned road upgrades. The proposal is therefore recommended for approval by Officers.

Attachments

- [OCM082.1/08/18](#) – Responsible Authority Report (E18/8772)
- [OCM082.2/08/18](#) – Initial Application Details (E18/8084)
- [OCM082.3/08/18](#) – Summary of Submissions (E18/3713)
- [OCM082.4/08/18](#) – Amended Access Arrangements (E18/8099)
- [OCM082.5/08/18](#) – MRWA Letter of Support (E18/8805)
- [OCM082.6/08/18](#) – Clause 67 Checklist (E18/7964)
- [OCM082.7/08/18](#) - Photomontages (E18/8083)
- [OCM082.8/08/18](#) – Application Details for Approval (E18/8146)

Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local business within the district.

Financial Implications

Nil



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council not endorsing the RAR	Possible (3)	Moderate (3)	Moderate (5-9)	Financial Impact - 1 Insignificant - Less than \$50,000	Accept Officer Recommendation

Risk Matrix

Consequence \ Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 9 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Voting Requirements: Simple Majority

OCM082/08/18 Officer Recommendation:

1. That Council endorses the Responsible Authority Report contained within attachment OCM082.1/08/18 which recommends that the Metropolitan East Joint Development Assessment Panel approve the 'Service Station' Lot 12, 1537 Thomas Road and Lot 50 Nicholson Road, Oakford as contained within attachment OCM082.8/08/18 subject to the following conditions:-

a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

<ul style="list-style-type: none"> Plans and Specifications 	<ul style="list-style-type: none"> P1 – P22 received at the Shire Offices on 28 March 2018 and 24 July 2018 and Bushfire Management Plan and Risk Management Plans dated 19 March 2018
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b. Prior to commencement of works, a landscaping/revegetation plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Within 60 days of commencement, the approved landscaping/revegetation plan shall be implemented and maintained thereafter.

c. Prior to commencement of works, a detailed Stormwater Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The approved Stormwater Plan shall be implemented and maintained thereafter.

d. Prior to the commencement of works, a Construction Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Construction Management Plan shall include but not be limited to the following information:-

- i) Dust management
- ii) Traffic management

These approved plans shall be implemented and maintained throughout the construction of the development.

e. Prior to occupation, a lighting plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The approved lighting plan shall be implemented and maintained thereafter.

f. Prior to occupation, an agreed monetary contribution shall be paid to the Shire of Serpentine Jarrahdale for the establishment of public art in accordance with Council's Local Planning Policy 1.6 - Public Art to the satisfaction of the Shire of Serpentine Jarrahdale.

g. The pylon sign shall be no higher than 7m unless otherwise approved by the Shire of Serpentine Jarrahdale.

h. Prior to Commencement of works, a Noise Assessment and Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the plans shall be implemented and maintained thereafter.



- i. One 11 metre wide crossover located within Lot 50, Nicholson Road, Oakford and positioned where possible near the northern most cadastral boundary of Lot 50. This requirement is to protect the functional area of this intersection in accordance with Austroads 2017 Guide to Road Design Part 4 Intersections and Crossings General, section 7.2 Property Access.

This access shall operate as left in/left out turning movements for light vehicles and left out only turning movements for heavy vehicles and shall have suitable signage advising motorists of these restricted movements.

The developer shall be responsible for all costs involved in the land acquisition, design and construction of the left turning pocket and solid median to prevent right out turning movements onto Nicholson Road. This includes signing, road markings, relocation of services, street lighting and Main Roads costs involved in the checking of the design and construction drawings and any site inspections Thomas Road

- j. One 11 metre wide crossover located within Lot 12 Thomas Road, Oakford and positioned where possible near the easternmost cadastral boundary of Lot 12. This requirement is to protect the functional area of this intersection in accordance with Austroads 2017 Guide to Road Design Part 4 Intersections and Crossings General, section 7.2 Property Access.

This access shall operate as left in/left out turning movements for light vehicles and left in only turning movements for heavy vehicles and shall have suitable signage advising motorists of these restricted movements.

The developer shall be responsible for all costs involved in the land acquisition, design and construction of the left turning pocket and solid median to prevent right out movements onto Thomas Road. This includes signing, road markings, relocation of services, street lighting and Main Roads costs involved in the checking of the design and construction drawings and any site inspections

- k. Any services, infrastructure or roadside furniture that requires relocation as a result of the applicant's works will be at the applicant's cost.
- l. Lot 50 is affected by land reserved in the Metropolitan Region Scheme for "Other Regional Road" and no development will be permitted within this land required for road purposes at some time in the future.

The applicant is advised to contact the Department Planning, Lands & Heritage - Infrastructure Land Use Co-Ordinating Branch (ILUC) for further details in this regard.

- m. No earthworks shall encroach onto the Nicholson and Thomas Road road reserve.
- n. No stormwater drainage shall be discharged onto the Nicholson and Thomas Road road reserve.
- o. The applicant shall make good any damage to the existing verge vegetation within the Nicholson and Thomas Road road reserve.
- p. The applicant must obtain approval from Main Roads before all works are undertaken within the Thomas Road reserve. The applicant seeking access to the Main Roads network will be required to submit an Application as outlined in the "Application Kit and Guidelines" for State Roads.



Application Kits can be found on the Main Roads website >"Our Roads" >"Conducting Works on Roads" >"Applications to Undertake Works on State Roads" >Application Kit and Guidelines for Complex Works OR Application Form for Low Complexity Works.

- q. The type of sign, size, content and location must comply with all relevant by-laws and planning schemes made by Council.
- r. The sign and sign structure is to be placed on private property and shall not over hang or encroach upon the road reserve.
- s. As the signage is illuminated, it must be of a low-level not exceeding 300cd/m², not flash, pulsate or chase
- t. The device shall not contain fluorescent, reflective or retro reflective colours or materials.
- u. No other unauthorized signing is to be displayed
- v. Main Roads agreement is to be obtained prior to any future modifications.
- w. Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising sign.

Advice Notes

1. As you are aware, this intersection is recognised as a dangerous black spot and has received funding from the Road Trauma Fund account to undertake preliminary planning design concepts. At this point in time, the traffic modelling depicts that the preferred intersection treatment at this location is a roundabout treatment, for both interim and ultimate stage.

The applicant is reminded that upon the roundabout being constructed to its ultimate configuration, the existing access on Nicholson Road will be removed and all access into the petrol station development will be achieved via a dedicated service road accessed from the north of Lot 50.

Please be aware that the timing of the construction of the roundabout (both interim and ultimate stages) including the preferred type of intersection treatment for this intersection is subject to change and that Main Roads assumes no liability whatsoever for the information provided.

2. An internal 15% design review has been undertaken for the submitted drawings for this development proposal. The attached design review comments are not to be considered a comprehensive design verification and may not pick-up all the issues. Therefore it is not an approval of the presented design.



OCM082/08/18 COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr Denholm

1. That Council endorses the Responsible Authority Report contained within attachment OCM082.1/08/18 which recommends that the Metropolitan East Joint Development Assessment Panel approve the 'Service Station' Lot 12, 1537 Thomas Road and Lot 50 Nicholson Road, Oakford as contained within attachment OCM082.8/08/18 subject to the following conditions:-

a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

<ul style="list-style-type: none"> • Plans and Specifications 	<ul style="list-style-type: none"> • P1 – P22 received at the Shire Offices on 28 March 2018 and 24 July 2018 and Bushfire Management Plan and Risk Management Plans dated 19 March 2018
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b. Prior to commencement of works, a landscaping/revegetation plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Within 60 days of commencement, the approved landscaping/revegetation plan shall be implemented and maintained thereafter.

c. Prior to commencement of works, a detailed Stormwater Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The approved Stormwater Plan shall be implemented and maintained thereafter.

d. Prior to the commencement of works, a Construction Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Construction Management Plan shall include but not be limited to the following information:-

- i) Dust management**
- ii) Traffic management**

These approved plans shall be implemented and maintained throughout the construction of the development.

e. Prior to occupation, a lighting plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The approved lighting plan shall be implemented and maintained thereafter.

f. Prior to occupation, an agreed monetary contribution shall be paid to the Shire of Serpentine Jarrahdale for the establishment of public art in accordance with Council's Local Planning Policy 1.6 - Public Art to the satisfaction of the Shire of Serpentine Jarrahdale.

g. The pylon sign shall be no higher than 7m unless otherwise approved by the Shire of Serpentine Jarrahdale.



- h. Prior to Commencement of works, a Noise Assessment and Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the plans shall be implemented and maintained thereafter.**
- i. One 11 metre wide crossover located within Lot 50, Nicholson Road, Oakford and positioned where possible near the northern most cadastral boundary of Lot 50. This requirement is to protect the functional area of this intersection in accordance with Austroads 2017 Guide to Road Design Part 4 Intersections and Crossings General, section 7.2 Property Access.**

This access shall operate as left in/left out turning movements for light vehicles and left out only turning movements for heavy vehicles and shall have suitable signage advising motorists of these restricted movements.

The developer shall be responsible for all costs involved in the land acquisition, design and construction of the left turning pocket and solid median to prevent right out turning movements onto Nicholson Road. This includes signing, road markings, relocation of services, street lighting and Main Roads costs involved in the checking of the design and construction drawings and any site inspections Thomas Road

- j. One 11 metre wide crossover located within Lot 12 Thomas Road, Oakford and positioned where possible near the easternmost cadastral boundary of Lot 12. This requirement is to protect the functional area of this intersection in accordance with Austroads 2017 Guide to Road Design Part 4 Intersections and Crossings General, section 7.2 Property Access.**

This access shall operate as left in/left out turning movements for light vehicles and left in only turning movements for heavy vehicles and shall have suitable signage advising motorists of these restricted movements.

The developer shall be responsible for all costs involved in the land acquisition, design and construction of the left turning pocket and solid median to prevent right out movements onto Thomas Road. This includes signing, road markings, relocation of services, street lighting and Main Roads costs involved in the checking of the design and construction drawings and any site inspections

- k. Any services, infrastructure or roadside furniture that requires relocation as a result of the applicant's works will be at the applicant's cost.**
- l. Lot 50 is affected by land reserved in the Metropolitan Region Scheme for "Other Regional Road" and no development will be permitted within this land required for road purposes at some time in the future.**

The applicant is advised to contact the Department Planning, Lands & Heritage - Infrastructure Land Use Co-Ordinating Branch (ILUC) for further details in this regard.



- m. No earthworks shall encroach onto the Nicholson and Thomas Road road reserve.
- n. No stormwater drainage shall be discharged onto the Nicholson and Thomas Road road reserve.
- o. The applicant shall make good any damage to the existing verge vegetation within the Nicholson and Thomas Road road reserve.
- p. The applicant must obtain approval from Main Roads before all works are undertaken within the Thomas Road reserve. The applicant seeking access to the Main Roads network will be required to submit an Application as outlined in the "Application Kit and Guidelines" for State Roads.

Application Kits can be found on the Main Roads website >"Our Roads" >"Conducting Works on Roads >"Applications to Undertake Works on State Roads" >Application Kit and Guidelines for Complex Works OR Application Form for Low Complexity Works.

- q. The type of sign, size, content and location must comply with all relevant by-laws and planning schemes made by Council.
- r. The sign and sign structure is to be placed on private property and shall not overhang or encroach upon the road reserve.
- s. As the signage is illuminated, it must be of a low-level not exceeding 300cd/m², not flash, pulsate or chase
- t. The device shall not contain fluorescent, reflective or retro reflective colours or materials.
- u. No other unauthorized signing is to be displayed
- v. Main Roads agreement is to be obtained prior to any future modifications.
- w. Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising sign.
- x. The service station is not to be operational before the Main Roads Roundabout is constructed.

Advice Notes

1. As you are aware, this intersection is recognised as a dangerous black spot and has received funding from the Road Trauma Fund account to undertake preliminary planning design concepts. At this point in time, the traffic modelling depicts that the preferred intersection treatment at this location is a roundabout treatment, for both interim and ultimate stage.



The applicant is reminded that upon the roundabout being constructed to its ultimate configuration, the existing access on Nicholson Road will be removed and all access into the petrol station development will be achieved via a dedicated service road accessed from the north of Lot 50.

Please be aware that the timing of the construction of the roundabout {both interim and ultimate stages) including the preferred type of intersection treatment for this intersection is subject to change and that Main Roads assumes no liability whatsoever for the information provided.

2. An internal 15% design review has been undertaken for the submitted drawings for this development proposal. The attached design review comments are not to be considered a comprehensive design verification and may not pick-up all the issues. Therefore it is not an approval of the presented design.

CARRIED 5/1

Councillor Byas, in accordance with Section 5.21(4)(b), *Local Government Act 1995* requested the votes be recorded.

Councillors Byas, Denholm, McConkey, Rich and See voted FOR the motion.

Councillor Coales voted AGAINST the motion.

Reason for difference to Officers Recommendation

Condition x. was added to ensure JDAP considers the safety of the intersection.



Councillor Atwell returned to the Chambers at 8.10pm.

OCM083/08/18 – Road Naming Proposal – Lot 9049 Warrington Road, Byford (SJ500-03)	
Author:	Manager Statutory Planning and Compliance
Senior Officers:	Acting Director Development Services
Date of Report:	16 July 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Proponent:	MNG
Owner:	LWP
Date of Receipt:	13 July 2018
Lot Area:	20,324m ² (2.3ha)
Town Planning Scheme No 2	‘Urban Development’
Zoning:	
Metropolitan Region Scheme	‘Urban’
Zoning:	

Introduction

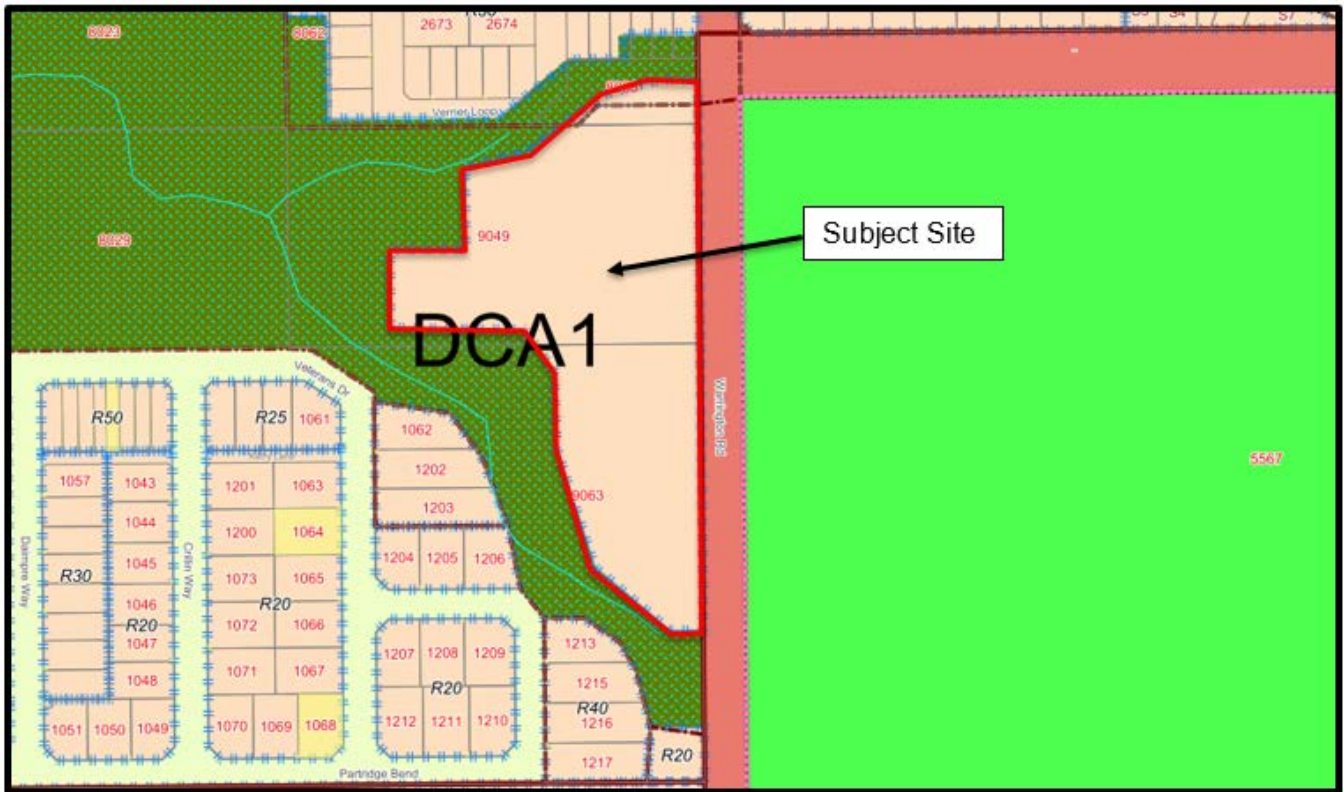
The purpose of this report is for Council to consider a proposal for the naming of two new roads within stage 9B of The Glades at Byford Estate. Section 26A of the *Land Administration Act 1997* requires the relevant Local Government to approve names for roads created as part of an approved subdivision. Those names approved by the Local Government must then be forwarded to the Minister for Planning, Lands and Heritage for final approval. The Geographic Names Committee (GNC) has delegated authority from the Minister for Planning, Lands and Heritage to grant final approval for road names.

The proposal includes two preferred names and two alternative names:

Preferred names: Povah Crescent
Dalecullen Drive

Alternative names: McDonough Crescent
Livermore Drive

The proposal is presented to Council as Officers do not have delegation to approve road names.



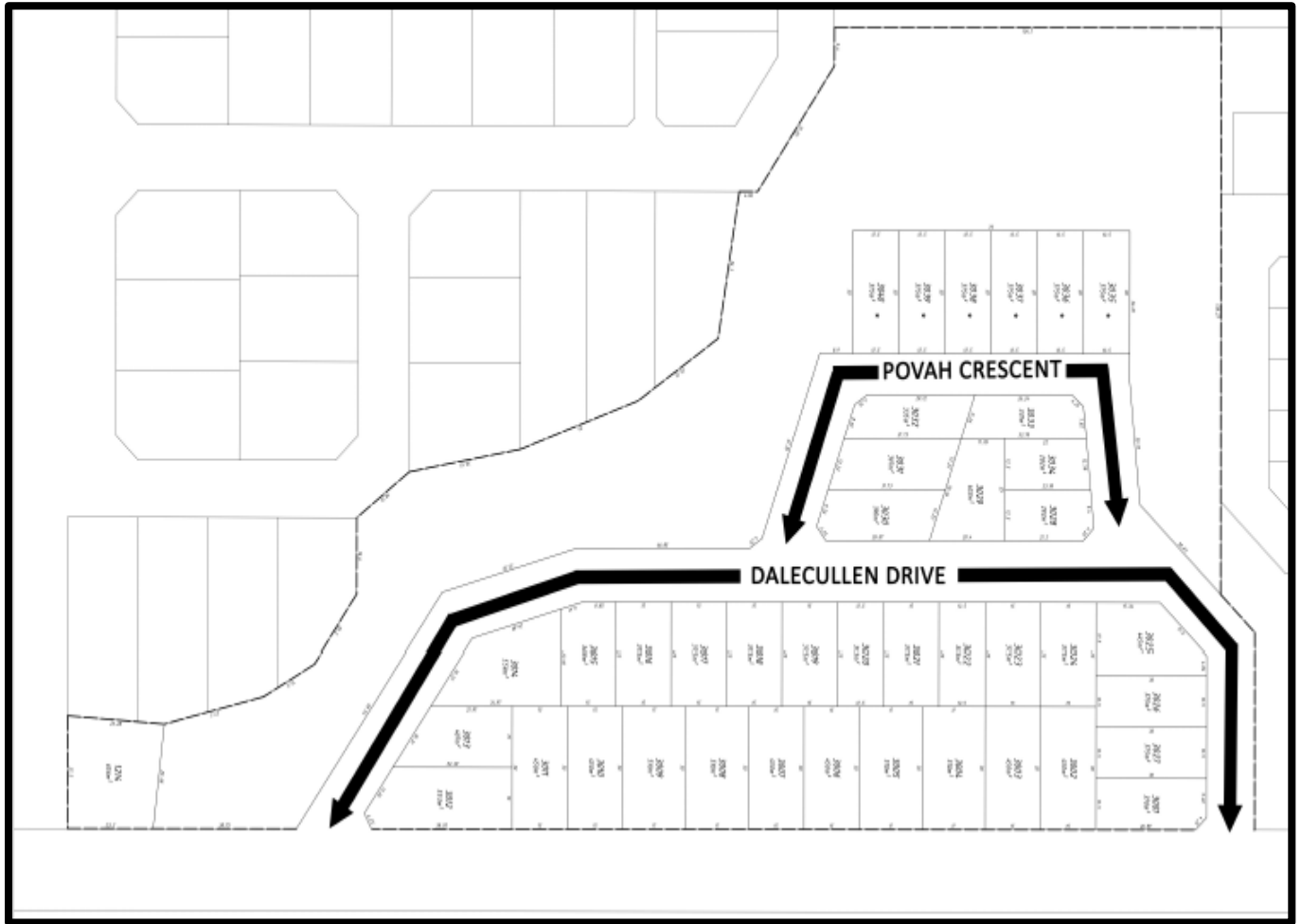
Location Plan

Relevant Previous Decisions of Council

Nil.

Background

The road naming proposal relates to the approved subdivision of Lot 9049 Warrington Road, Byford. This subdivision will result in the creation of two new roads, which are required to be named in accordance with Clause 26A of the *Land Administration Act 1997*. A copy of the road layout plan is included in attachment OCM083.1/08/18 and shown below.



Road Layout Plan

Community / Stakeholder Consultation

No consultation is required in accordance with the Shire's and GNC policy.

Statutory Environment

Legislation

- *Section 26A(3) Land Administration Act 1997*

State Government Policies

- Policies and Standards for Geographical Naming in Western Australia

Local Planning Framework

- Local Planning Policy 1.7 – Road Naming (LPP1.7)

**Planning Assessment**

The proposal has been assessed against the GNC Policy and the Shire's LPP1.7. Section 6.6 of LPP1.7 provides guidance on preparation of road names consistent with the requirements of the GNC. The guidelines are listed below as:

Policy Requirement	Officer Comment
Consideration of current and future street names	The proposed road names are not currently in use within the Shire area and have not been supported by Council to be used in the future for any other estates within the Shire.
Consideration shall be given to current and future street numbering to ensure numbering is sequential, easy to follow and considers future density increases	The roads subject to naming are new roads created as part of a subdivision. The naming of the roads will not impact on an existing or future street numbering.
The origin of each name shall be clearly stated and subsequently recorded	The origin and background of the proposed road names have been documented in attachment OCM083.2/08/18.
Names shall not be offensive or likely to give offence, incongruous or commercial in nature	The proposed preferred and alternative names are not considered to be offensive, incongruous or commercial in nature.
Names shall be easy to read, spell and pronounce in order to assist emergency services, service providers and the travelling public	The proposed preferred and alternative names are considered easy to read, spell and pronounce.
Unduly long names and names that comprise of two or more words should generally be avoided	The proposed preferred and alternative names are not considered to be unduly long and do not comprise of more than one word.
Proposals for road names shall include an appropriate road type suffix	Proposed suffixes are considered to be appropriate and are consistent with suffix definitions under the GNC policy. Crescent (CRSNT) – Crescent-shaped thoroughfare, especially where both ends join the same thoroughfare. Drive (DR) – Wide thoroughfare allowing a steady flow of traffic without many cross-streets.
Practical application of road names to maps and plans shall be considered such as the long street names should not be allocated to short roads	The length of the proposed preferred and alternative names are considered to be suitable in relation to the length of the road they're proposed to be allocated to, as shown in the road layout plan included in attachment OCM083.1/08/18.



Options and Implications

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

Option 1: Council may resolve to approve the proposed road names with or without amendment and forward the approval to the Geographic Naming Committee.

Should Council approve the application, the approval will be forwarded to the Geographic Naming Committee for final approval.

Option 2: Council may resolve to refuse the proposed road names.

Should Council resolve to refuse the proposed names alternative names will need to be provided.

Option 1 is recommended.

Conclusion

Council approval is sought for two preferred names and three alternative names for two new roads within Stage 9B of the Glades at Byford Estate. The proposed names are consistent with the requirements of LPP1.7 and the GNC's road naming policy. Officers support the proposed names and recommend that Council approve the proposal.

Attachments

- [OCM083.1/08/18](#) – Road Layout Plan (E18/7859)
- [OCM083.2/08/18](#) – Road Name Background (E18/7894)

Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local business within the district.
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

Financial Implications

There are no financial implications associated with this proposal.

**Risk Implications**

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Should Council reject the proposal the applicant will need to submit a new name or Council will need to propose alternatives, which may not be accepted by the GNC. This will cause a delay in the creation of new lots which have subdivision approval.	Rare (1)	Minor (2)	Moderate (5-9)	Service Interruption - 2 Minor - Temporary interruption to an activity – backlog cleared with existing resources	Accept Risk

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 8 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM083/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Coales, seconded Cr See

That Council approves the road names of Povah Crescent and Dalecullen Drive as shown in attachment OCM083.1/08/18, in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the preferred names to the Geographic Names Committee for final approval.

CARRIED 6/1



OCM084/08/18 – Trading in Public Places Application for Mobile Food Van - Mr Softy's Soft Serve	
Author:	Acting Manager Health and Building Services
Senior Officer/s:	Acting Director Development Services
Date of Report:	31 July 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

This report is presented to Council to consider an application from Michelle Gianatti for a Trading in Public Places Licence to operate an itinerant food van "Mr Softy's Soft Serve" (the mobile food van). This is an annual license and the operator is required to make application for renewal of the license each year. In considering the application Council may refuse or grant an approval with conditions under the Shire of Serpentine Jarrahdale Trading in Public Places Local Law, (the Local Laws).

Council may also delegate its powers relating to Local Law to the Chief Executive Officer who then may on-delegate all or part of these powers to relevant Officers at the Shire of Serpentine Jarrahdale.

It is recommended to improve the efficiency and effectiveness of the organisation and to avoid any prolonged delays in approving requests for trading in public places that Council undertakes this delegation and delegates to the Chief Executive Officer the powers of the Local Law pertaining to Trading in Public Places, refer attachment OCM084.1/08/18.

Relevant Previous Decisions of Council

Nil.

Background

The mobile food van has been operating since 2016 and Shire Environmental Health Officers have undertaken regular routine food safety assessments and confirmed the food business registration is current.

Statutory Environment

- The Shire of Serpentine Jarrahdale Local Laws Relating to Trading in Public Places;
- Council Policy 4.4.2. – Mobile Food Vendors;
- The Food Safety Standards;
- *Food Act 2008*; and
- *The Food Regulations 2009*.



Comment

When Council and/or Shire Officers are considering the application for a license under the Local Law to operate a mobile food van, regard for relevant provisions of Council Policy 4.4.2. – Mobile Food Vendors, must also be considered.

In particular provisions relating to:

- The mobile food van is to be kept fully self-contained and mobile at all times;
- Maximum stopping time in any one location – two hours if trading, 30 minutes if not;
- No trading permitted on any land under the control of Main Roads WA; and
- Trading must not occur within 500m of any existing shops or licence holders which offer for sale the same commodities.

In this case the business has been operating and complying with key provisions since 2016 and Officers recommend Council approve the application to renew the license

Options and Implications

Option 1: Grant a Trading in Public Places Licence to the applicant for the mobile food van, “Mr Softy’s Soft Serve”.

Implications – This option would enable the operator of the mobile food van to continue trading in the Shire of Serpentine Jarrahdale for another 12 months.

Option 2: Grant a Trading in Public Places Licence to the applicant for the mobile food van, “Mr Softy’s Soft Serve”, and request Council to delegate to the Chief Executive Officer the powers of the Shire of Serpentine Jarrahdale Trading in Public Places Local Law.

Implications – This option would enable the operator of the mobile food van to continue trading in the Shire of Serpentine Jarrahdale for another 12 months, and reduce future processing times and improve our service to customers.

Option 2 is recommended.

Conclusion

The Shire receives this and other applications for a Trading in Public Places and mobile food vans. In this case the application is for an itinerant or mobile food van “Mr Softy’s Soft Serve” which has been operating and compliant with the Local law and food safety provisions since 2016.

The Officers recommend Council approve the application for an annual license under the Local Law and to improve customer service request Council to delegate powers from the Local law to the Chief Executive Officer.

Attachments

- [OCM084.1/08/18](#) – Shire of Serpentine Jarrahdale – Local Laws relating to Trading in Places 1999 (IN03/13202)



Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local business within the district.

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Injury/illness to members of the public	Rare (1)	Minor (2)	Low (1-4)	Health - 3 Moderate - Medical type injuries or Lost time injury < 5 days	Control through ... routine food safety assessments and proponents Public Liability Insurance

Risk Matrix

Consequence \ Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Voting Requirements: Absolute Majority

OCM084/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Coales, seconded Cr See

- 1. That Council grants a Trading in Public Places Licence to Michelle Gianatti to operate the itinerant food vehicle, Mr Softy's Soft Serve in the Shire of Serpentine Jarrahdale subject to the following conditions:**
 - a Hours of operation are Sunday to Saturday, 9:00am – 7:00pm.**
 - b. Compliance with the provisions of Council's Local Laws relating to Trading in Public Places 1999 and the Parking and Parking Facilities Local Law 2014.**
 - c. Activities to comply with the Food Act 2008, Food Standards Code at all times.**
 - d. Food business to be registered with a Local Government at all times. Changes in activities or variation in the approval, the applicant must notify Shire of Serpentine Jarrahdale Health Officers.**
 - e Vehicle(s) to be kept fully self-contained and mobile at all times.**
 - f. All stock to be kept within the confines of the vehicle.**
 - g. Erection of structures or umbrellas not permitted.**
 - h. No signs allowed on road reserves except on vehicle.**
 - i. Maximum stopping time in any one location – two hours if trading, 30 minutes if not.**
 - j. No trading permitted on South Western Highway.**
 - k. The Licence will expire on 30 June 2019.**
- 2. That Council delegates to the Chief Executive Officer its powers under the Trading in Public Places Local Law.**

CARRIED BY ABSOLUTE MAJORITY 7/0



OCM085/08/18 – Application for Street Trading - Food Van “Connoisseur Café” (TP17/01)	
Author:	Acting Manager Health and Building Services
Senior Officer/s:	Acting Director Development Services
Date of Report:	31 July 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

This report is presented to Council to consider an application for a renewal of a street Trading Licence for a food van “Connoisseur Café” to trade at a set location. The application is made under provisions of the *Shire of Serpentine Jarrahdale Local Laws Relating to Trading in Public Places*, March 1999, (the Local Law).

Relevant Previous Decisions of Council

Nil

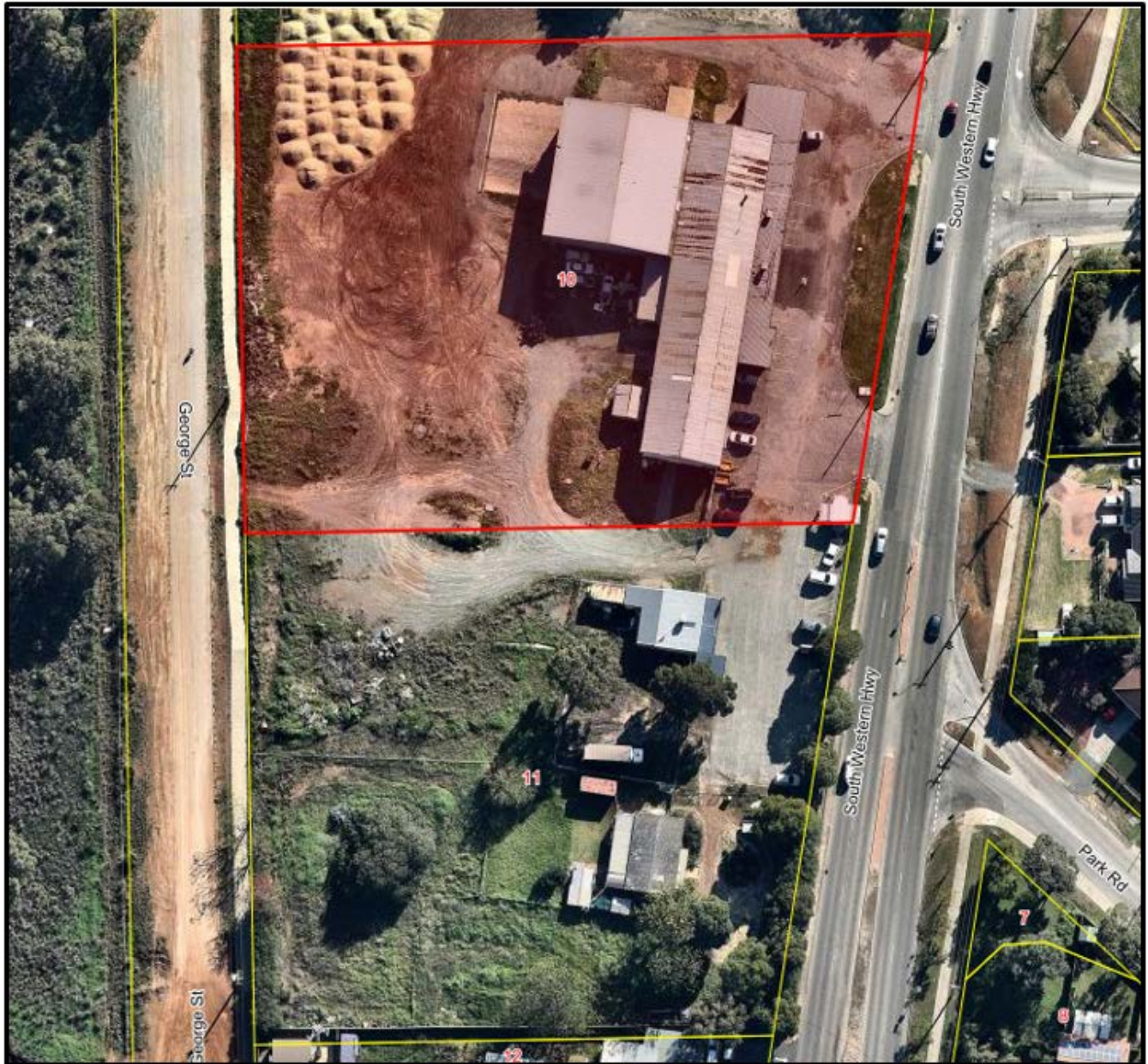
Background

The application to renew the license (the application) made by, Jhayesh Gurroby is for a food van to operate at L10, 777 South Western Highway, Byford, refer map below. Important to the assessment of the application is the current planning approval and conditions issued on 9 February 2017 by Manager Planning. The planning approval was issued with key conditions including a limited period of two years ending 9 February 2019, limiting operating hours from 5.00am to 11.00am, Monday to Friday and not at all on Saturdays, Sundays and Public Holidays, and to Carlos Alberto Pramowski only.

In this case the assessment of the application found important amendments required to fulfill key conditions set in the planning approval. Firstly, the application required amendment with the business partners name, Carlos Alberto Pramowski as the applicant. This was because the planning approval was issued to Carlos Alberto Pramowski only, and therefore the license needed to conform with the planning approval conditions.

Secondly, the application requested the same operating hours from 5.00am to 11.00am as per the planning approval, but requested seven days per week trading. This extension to the days could not be considered because it would contravene the planning approval.

On the other hand, the food van has been operating in that location and has been routinely inspected by Shire Environmental Health Officers. The food business is also registered under the Food Act 2008.



Location Plan

Statutory Environment

- The Shire of Serpentine Jarrahdale Local Laws Relating to Trading in Public Places;
- The Food Safety Standards;
- Food Act 2008; and
- The Food Regulations 2009.



Comment

When Council and/or Shire Officers are considering the application for the food van, regard for key provisions of the Local Law should be considered, such as:

- *The desirability of the proposed trading activity?*
- *The location of the proposed trading activity?*
- *The circumstances of the case?*
- *Whether the applicant has committed a breach's?*

In this case, the food van has been operating in this location, the applicant has abided by the requirements of their planning approval, and Shire Environmental Health Officers have undertaken regular routine food safety assessments. Therefore, Officers recommend Council approve the application to renew the license with conditions that reflect key planning approval conditions.

Options and Implications

Option 1: Issue a Trading in Public Licence to Carlos Alberto Pramowski to operate the food vehicle, Connoisseur Café at L10, 777 South Western Highway Byford, subject to conditions.

Implications – This option would enable the operator of the food van to continue trading at the location for a period compliant with the current planning approval.

Option 2: Refuse the Trading in Public Places Licence Application.

Option 1 is preferred because the Development Approval expires on 9 February 2019 and the operating hours align with the Development Approval.

Conclusion

The proponent has been trading in this location since the Shire granted planning approval and, Shire Environmental Health Officers have been routinely assessing the food van without any significant non-compliances.

Officers recommended that the application for renewal of the license be approved by Council and issued to Carlos Alberto Pramowski with the following conditions:

- The licence to expire on 9 February 2019; and
- The food van is to operate only between the hours of 5:00am to 11:00am Monday to Friday and is not permitted to operate on Saturdays, Sundays and Public Holidays.

Attachments

Nil.



Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local business within the district.

Financial Implications

Nil

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Injury/illness to members of the public	Unlikely (2)	Minor (2)	Low (1-4)	Health - 3 Moderate - Medical type injuries or Lost time injury < 5 days	Control through ... routine food safety assessments and proponents Public Liability Insurance

Risk Matrix

Consequence / Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 4 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Voting Requirements: Simple Majority

OCM085/08/18 Officer Recommendation:

1. That Council renew the Trading in Public Licence to Carlos Alberto Pramowski to operate the food van, Connoisseur Café at L10, 777 South Western Highway Byford subject to the following conditions:
 - a. The food van is permitted to operate between the hours of 5:00am to 11:00am Monday to Friday but is not permitted to operate on Saturdays, Sundays and Public Holidays.
 - b. Compliance with the provisions of Council's Local Laws relating to Trading in Public Places 1999 and the Parking and Parking Facilities Local Law 2014.
 - c. Activities to comply with the Food Act 2008, Food Standards Code at all times.
 - d. Food business to be registered with a Local Government at all times. Changes in activities or variation in the approval, the applicant must notify Shire of Serpentine Jarrahdale Health Officers.
 - e. Vehicle(s) to be kept fully self-contained and mobile at all times.
 - f. All stock to be kept within the confines of the vehicle.
 - g. Erection of structures or umbrellas not permitted.
 - h. No signs allowed on road reserves except on vehicle.
 - i. The Licence will expire on 30 June 2019.

OCM085/08/18 COUNCIL RESOLUTION / Amended Officer Recommendation:

Moved Cr Coales, seconded Cr Denholm

1. That Council renew the Trading in Public Licence to Carlos Alberto Pramowski to operate the food van, Connoisseur Café at L10, 777 South Western Highway Byford subject to the following conditions:
 - a. The food van is permitted to operate between the hours of 5:00am to 11:00am Monday to Friday but is not permitted to operate on Saturdays, Sundays and Public Holidays.
 - b. Compliance with the provisions of Council's Local Laws relating to Trading in Public Places 1999 and the Parking and Parking Facilities Local Law 2014.
 - c. Activities to comply with the Food Act 2008, Food Standards Code at all times.
 - d. Food business to be registered with a Local Government at all times. Changes in activities or variation in the approval, the applicant must notify Shire of Serpentine Jarrahdale Health Officers.
 - e. Vehicle(s) to be kept fully self-contained and mobile at all times.
 - f. All stock to be kept within the confines of the vehicle.



- g. Erection of structures or umbrellas not permitted.**
- h. No signs allowed on road reserves except on vehicle.**
- i. The Licence will expire on 9 February 2019.**

CARRIED UNANIMOUSLY 7/0

Reason for amended Officer Recommendation:

The amended date for condition 1i. is to align with the expiry date of the Licence for the Development Application for this property.



10.2 Infrastructure Services reports

OCM086/08/18 - Road Reserve – Lot 1724 Mundijong Road, Mundijong	
Author:	Manager Infrastructure & Assets
Senior Officer/s:	Director Infrastructure Services
Date of Report:	10 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

The purpose of this report is for Council to request the Minister for Planning, Land and Heritage for boundary adjustment of Lot 1724 Mundijong Road (Reserve R23793) via excision of portions of Reserve R23793 land and amalgamation into Mundijong Road's reservation.

Requests to dedicate Crown Land as public roads requires Council approval. The additional land being sought will give sufficient area to construct a roundabout.

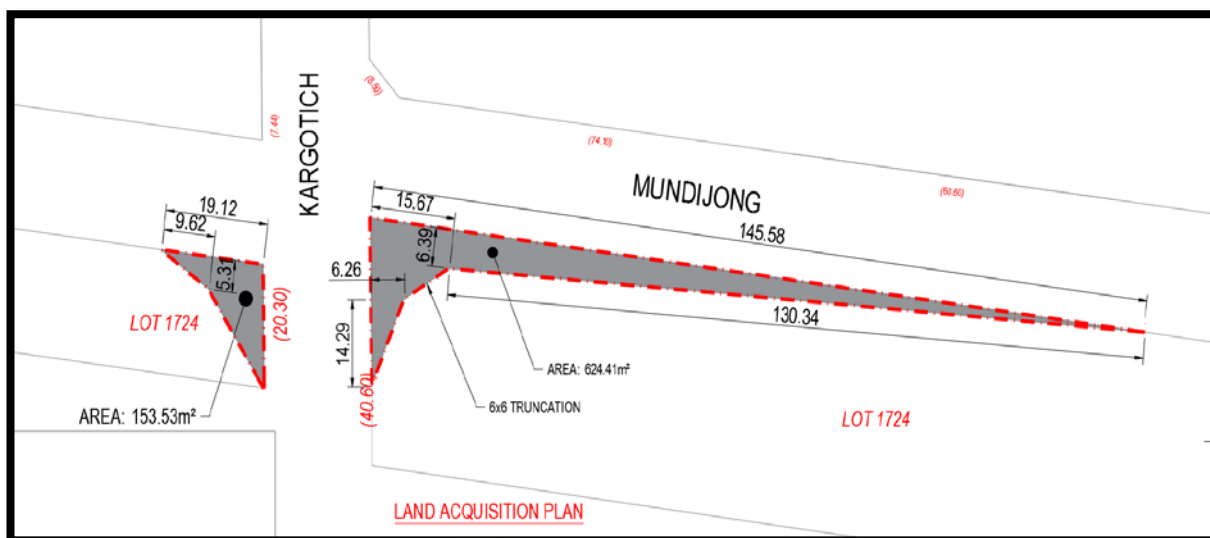


Figure 1: Layout plan of portion of land required for the construction of a roundabout at the intersection of Mundijong and Kargotich Roads

Relevant Previous Decisions of Council

Council– OCM161/03/13 to endorse the West Mundijong Industrial Area District Structure Plan and a decision to apply for Black Spot funding at OCM089/07/17.



Background

The Shire of Serpentine Jarrahdale has been successful in gaining \$45,000 in State Black Spot funding to undertake a detailed design of a roundabout at the intersection of Mundijong and Kargotich Roads to improve traffic safety at the intersection. The Shire have applied for \$975,000 in Black Spot Funding for construction of a roundabout approved at OCM089/07/17.

There have been 16 crashes in the last five years, including two requiring hospitalisation and four requiring medical attention. The reported crashes include eight right angle accidents, three right turn through accidents and four rear end crashes. Those crashes are characteristic of a four-way intersection, and an effective treatment to attenuate such crashes is to install a roundabout. An application for grant funding was lodged via the State Black Spot Program and was successful.

Detailed design of the roundabout identified that the road reserve needs to be widened to cater for larger and longer vehicles than the road currently services and will in the future service, as part of the West Mundijong Industrial precinct. The widening will be achieved via excision of portions of land from Reserve R23793 and amalgamation into the Mundijong Road reserve. Widening of road reserve is also required to relocate Western Power's power line and pole to accommodate the new improvement to the intersection.

The Department of Planning, Land and Heritage advises that the Shire of Serpentine Jarrahdale does not possess a Management Order over Reserve 23793 – Lot 1724 Mundijong Road. Reserve 23793 - Lot 1724 Mundijong Road, was created and ceded to the state of Western Australia, pursuant to Section 152 of the *Town Planning and Development Act 2005* for the purpose of "Conservation". While the portions of land requiring dedication as a public road is Crown Land, the relevant local government (the Shire of Serpentine Jarrahdale) must request the dedication, in accordance with the *Land Administration Act 1997*. Consequently, the Shire will need approval from the State for the excision of portions of Reserve R23793 and dedication of the excised portions of land as a road under Section 56 – *Land Administration Act 1997*.

Reserve R23793 – Lot 1724 Mundijong Road, is Crown Land zoned Public Open Space under the Shire's Town Planning Scheme No.2. There is a 'Bush Forever' designation over the Reserve with a 'Conservation' evaluation under the Geomorphic Wetland Evaluation. In addition, there are also Threatened and Priority Ecological Colonies (TEC and PEC) with the Reserve. The Reserve is not an affected Aboriginal Site.

Community / Stakeholder Consultation

Discussion with the Shire's Environmental Services Officers reveal that the portion of land required for the road widening will not damage any of the identified locations of protected vegetation.

Following the initial resolution by Council to support the request for dedication of a portion of Crown land as road reserve, and prior to completing a plan of survey, further site assessment would be completed, to ensure less, if not nil impact on any threatened or priority ecological colony.

Statutory Environment

Land Administration Act 1997

Section 56 of the *Land Administration Act 1997* governs the situation and process for land to be dedicated as a public road. Section 56 (1) (a) provides that the local government may request the Minister to dedicate land as a road.



Section 56 (2) requires the local government to prepare a request to the Minister in accordance with the regulations, should the local government resolve to make such a request. If Council resolves to support the dedication, a request will be prepared to the Minister in accordance with the regulations.

Where the Minister grants a request by the local government prepared under section 56 (2), section 56(4) requires the local government to indemnify the Minister against any claims for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request. If the Council resolves to support the dedication, the Shire will indemnify the Minister against any claims for compensation as part of the request for dedication.

Comment

The proposal seeks Council's support to request the Minister for Planning, Land and Heritage to dedicate parts of the Reserve R23793 as a public road. The Reserve is currently not constructed, functioning as Crown Land - Reserve for Conservation but not under the care and management of Shire of Serpentine Jarrahdale. The current dedication of the Reserve as Reserve for Conservation is an issue for the upgrading of the intersection of Mundijong and Kargotich Road for the purpose of road traffic safety improvement. By excising portions of the Reserve and dedicating the excised portions of land as a public road, the Shire will formally manage the excised portion as road reserve and construct a roundabout at the intersection which will improve road safety

The boundary adjustment will improve traffic safety and address the high number of road accidents and severe road trauma including fatalities experienced at the Mundijong and Kargotich Roads intersection.

On receiving a request delivered to him or her under subsection 56(2) of the *Land Administration Act 1997*, the Minister must consider the request and may then grant the request; or direct the local government to reconsider the request having regard to such matters as he or she thinks fit to mention in that direction; or refuse the request.

Options and Implications

Council has the following options when considering this application:

Option 1: Council resolve to support the proposal and request the Minister of Lands to dedicate the portion of land excised from Reserve R23793 as a public road reserve.

Should Council resolve to support the proposal, the portion of land excised from Reserve 23793 - Lot 1724 Mundijong Road, will be dedicated, as a road reserve and the traffic safety at the intersection of Mundijong Road and Kargotich Road will be improved. This option will allow the Shire to convert the existing four-way intersection into a roundabout with better sight distance. It will improve road safety to all road users at the intersection.

Option 2: Council resolve to refuse the application.

Should Council resolve to refuse the proposal to excise the portion of land from Reserve 23793 - Lot 1724 Mundijong Road, and dedicate it as a road reserve, the intersection of Mundijong Road and Kargotich Road will remain a four-way intersection. This has the potential of increasing the number of traffic accidents in the future due to population and business growth in the area, resulting in an unsafe and unchanged existing road safety concern, which is a serious reputational



risk. In addition, the approved State Black Spot funding of \$45,000 if not used to construct the roundabout, will have to be returned. Also, if successful, Black Spot Program funding for construction of the roundabout, will also be at risk.

Conclusion

Council is requested to consider the proposal to excise portions of Reserve R23793 – lot 1724 Mundijong Road, Mundijong and request the Minister for Lands to dedicate the excision portions as a road reserve to be amalgamated into the Mundijong Road Reserve. The purpose is to ensure a new roundabout can be accommodated within the Mundijong Road/Kargotich Road's road reserve. The purpose is also to ensure improvement of traffic safety at the intersection and to save lives.

Officers recommend that Council support Option 1 requesting the Minister for Lands to dedicate Reserve R23793 – Lot 1724 Mundijong Road, as a public road reserve.

Attachments

Nil.

Alignment with our Strategic Community Plan

Outcome 3.3	An innovative, connected transport network
Strategy 3.3.1	Maintain, enhance and rationalise the Shire's transport network in accordance with affordable sound Asset Management Plans.

Financial Implications

Dedicating Reserve R23793 – Lot 1724 Mundijong Road, as a public road will require surveying of both portions and lodgement of the relevant paperwork with Landgate. The Shire is already maintaining the full length of Mundijong and Kargotich Roads. Survey expenses and lodgement with Landgate will cost approx. \$7,000. This amount will be covered by the current budget of the Mundijong and Kargotich Road design budget funded in part under the 2018/19 State Black Spot Program.

The Shire is already maintaining the full length of Mundijong and Kargotich Roads so ongoing maintenance costs will not change.



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Not obtaining the additional land to enable construction of the roundabout	Possible (3)	Major (4)	High (10-16)	Reputation - 4 Major - Substantiated, public embarrassment, widespread high impact on key stakeholder trust, high media profile, third party actions	Accept Officer Recommendation

Risk Matrix

Consequence / Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 12 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Voting Requirements: Simple Majority

OCM086/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr McConkey, seconded Cr Byas

That Council requests the Minister for Lands to initiate excision of portions of Reserve R23793 – Lot 1724, Mundijong Road, Mundijong Figure 1 and amalgamation with the Mundijong Road's Road Reserve in accordance with section 56(1) of the *Land Administration Act 1997*, as detailed in this report and; indemnify the Minister for Lands against any claims for compensation as required under *section 54 (4) of the Land Administration Act 1997*.

CARRIED UNANIMOUSLY 7/0

**10.3 Corporate Services reports**

OCM087/08/18 - Confirmation of Payment of Creditors (SJ801)	
Author:	Manager Finance
Senior Officer:	Director Corporate Services
Date of Report:	1 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

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

Relevant Previous Decisions of Council

Nil.

Community / Stakeholder Consultation

Nil.

Statutory Environment

Section 5.42 of the *Local Government Act 1995* states that the local government may delegate some of its powers to the Chief Executive Officer. Council have granted the Chief Executive Officer Delegated Authority 1.1.18 - Payments from Municipal and Trust Fund.

Section 6.10 of the *Local Government Act 1995* states the Financial management regulations may provide for the general management of, and the authorisation of payments out of the municipal fund and the trust fund of a local government.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

Comment

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

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



A detailed list of invoices for the period 1 July 2018 to 31 July 2018 is provided in attachment OCM087.1/08/18. Transactions made by purchasing cards are detailed in the Purchasing Card Report 6 June 2018 to 5 July 2018 as per attachment OCM087.1/08/18.

Attachments

- [OCM087.1/08/18](#) - Creditors List of Accounts 1 July 2018 to 31 July 2018. (E18/8077)
- [OCM087.2/08/18](#) – Purchasing Card Report 6 June 2018 to 5 July 2018. (E18/8079)

Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources

Financial Implications

Expenditures were provided for in the adopted Budget as amended, or by any subsequent budget reviews and amendments.

The accounts paid under delegated authority for July 2018 totalled \$2,185,628.57.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not accept the payments.	Unlikely (2)	Insignificant (1)	Low (1-4)	Compliance - 3 Moderate - Non-compliance with significant regulatory requirements imposed	Accept Officer Recommendation

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item.

Voting Requirements: Simple Majority

OCM087/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr McConkey, seconded Cr Byas

That Council receives the Schedule of Accounts as paid under delegated authority for July 2018, totalling \$2,185,628.57 as attached, covering:

- 1. EFT Vouchers EFT42075 to EFT52637 including Purchasing Card Payment totalling \$2,050,862.36.**
- 2. Municipal Cheque Vouchers CHQ45928 to CHQ45928 totalling \$20,516.00.**
- 3. Municipal Direct Debits DD46410.1 to DD46470.30 totalling \$114,250.21.**

CARRIED UNANIMOUSLY 7/0



OCM088/08/18 – Monthly Financial Report – July 2018 (SJ801)	
Author:	Manager Finance
Senior Officer:	Director Corporate Services
Date of Report:	8 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i>

Introduction

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

This report is about the financial position of the Shire as at 31 July 2018.

Relevant Previous Decisions of Council

The original budget for 2018/19 was adopted on 25 June 2018 at an Ordinary Council Meeting (OCM059/06/18). As a part of this decision, and in accordance with regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996*, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2018/19 for reporting material variances, as resolved by Council, shall be:

- a) 10% of the amended budget; or
- b) \$10,000 of the amended budget, whichever is greater.

In addition, that the material variance limit be applied to total revenue and expenditure for each Nature and Type classification and capital income and expenditure in the Statement of Financial Activity.

Background

The *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* require that the Shire prepare a Statement of Financial Activity each month. The *Local Government Act 1995* further states that this statement can be reported by either by Nature and Type, Statutory Program or by Business Unit. The Council has resolved to report Nature and Type and to assess the performance of each category, by comparing the year-to-date budget and actual results. This gives an indication that the Shire is performing against expectations at this point in time.

Community / Stakeholder Consultation

Nil.



Statutory Environment

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

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

Comment

Monthly Financial Report

The attached report shows the month end position as at the end of July 2018. Please note that this is a preliminary result as the Financial Statements for 2017/18 are still to be finalised including completion of end of financial year journals, allocations, asset revaluation, rollover of the asset module and audit sign off. The opening surplus and opening balances are subject to change and no depreciation can be processed until the asset revaluation is finalised and the module rolled over.

The municipal surplus for the month ending 31 July 2018 is \$30,538,814, which is favourable, compared to a budgeted surplus for the same period of \$25,193,174. This variance is attributable primarily to the factors identified below relating to the carry forward surplus and inability to process depreciation, along with timing differences.

Description	YTD Budget	30 July 2018 Actual	Variance (unfavourable)
Opening Surplus at 1 July 2017	441,441	4,684,688	4,243,247
Proceeds from sale of assets	29,445	-	(29,445)
Changes to net transfers to and from Reserves	(25,588)	(25,588)	-
Changes to net transfers to and from Restricted Cash	-	-	-
Loan principal Drawdown (New loans)	-	-	-
Loan principal repayments	-	-	-
Capital expenditure	(55,140)	(47,154)	7,986
Capital revenue (cash items)	107,500	132,887	25,387
Operating revenue (cash items)	27,597,543	27,532,915	(64,628)
Operating expenditure (cash items)	(2,902,027)	(1,738,935)	1,163,092
	25,193,174	30,538,814	5,345,640

A more detailed explanation of these variances can be found in attachment OCM088.1/08/18.



Attachments

- [OCM088.1/08/18](#) – Monthly Financial Report July 2018 (E18/8375)

Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources.

Financial Implications

Material variances that may have an impact on the outcome of the budgeted closing surplus position are detailed in this report and listed below.

	YTD Budget as at 31/07/2018	YTD Actual as at 31/07/2018	Variance to YTD Budget	Variance to YTD Budget	Favourable / Unfavourable	Comment
	\$	\$	\$	%		
OPERATING REVENUE						
Rates	22,658,480	22,602,835	(55,645)	-0.25%	Unfavourable	No variance analysis required.
Operating grants, subsidies and contributions	63,035	89,738	26,703	42.36%	Favourable	Timing differences - refer to grants schedule
Fees and charges	4,734,904	4,763,986	29,082	0.61%	Favourable	No variance analysis required.
Interest earnings	64,915	48,860	(16,055)	-24.73%	Unfavourable	Timing differences.
Other revenue	76,209	27,496	(48,713)	-63.92%	Unfavourable	Timing differences related to reimbursements from SJ Rec (Gym Equipment Lease & Electricity) and Dept of Corrective Services (Health Inspections).
	27,597,543	27,532,915	(64,628)	-0.23%	Unfavourable	
OPERATING EXPENSES						
Employee costs	(1,379,108)	(1,083,948)	295,160	-21.40%	Favourable	Timing differences related to new positions not recruited yet.
Materials and contracts	(1,120,511)	(342,152)	778,359	-69.46%	Favourable	Timing differences in relation to services across all programs and business units, and consulting fees.
Utility charges	(78,010)	(9,030)	68,980	-88.42%	Favourable	Timing differences.
Depreciation on non-current assets	(528,282)	0	528,282	-100.00%	Favourable	No depreciation processed until year end completed, revaluation processed and asset module rolled over.
Interest expenses	(13,332)	(7,034)	6,298	-47.24%	Favourable	Timing differences.
Insurance expenses	(215,532)	(255,495)	(39,963)	18.54%	Unfavourable	Timing differences.
Other expenditure	(95,534)	(41,276)	54,258	-56.79%	Favourable	Timing differences in relation to Landcare in Kind costs, and Community funding programs.
	(3,430,309)	(1,738,935)	1,691,374	-49.31%	Favourable	
OTHER						
Profit on asset disposals	0	0	0	0.00%	Unfavourable	No variance analysis required.
Loss on asset disposals	(14,595)	0	14,595	-100.00%	Favourable	Timing differences - no light fleet vehicles have been disposed to date
Non-operating grants, subsidies and contributions	107,500	132,887	25,387	23.62%	Favourable	Timing differences - refer to grants schedule
Proceeds from disposal of assets	29,445	0	(29,445)	-100.00%	Unfavourable	Timing differences - no light fleet vehicles have been disposed to date
Repayment of debentures	0	0	0	0.00%	Unfavourable	No variance analysis required.
Proceeds from new debentures	0	0	0	0.00%	Unfavourable	No variance analysis required.
Transfers (to)/from cash backed reserves (Restricted Assets)	(25,588)	(25,588)	0	0.00%	Unfavourable	No variance analysis required.
Transfers (to)/from restricted cash (Municipal)	0	0	0	0.00%	Unfavourable	No variance analysis required.
	96,762	107,299	10,537	10.89%	Favourable	



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not accept the Officer's recommendation.	Unlikely (2)	Insignificant (1)	Low (1-4)	Compliance - 3 Moderate - Non-compliance with significant regulatory requirements imposed	Accept Officer Recommendation

Risk Matrix

Consequence / Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Continued

Ordinary Council Meeting Minutes
Monday 27 August 2018

Voting Requirements: Simple Majority

OCM088/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Byas, seconded Cr Denholm

That Council receives the Monthly Financial Report for July 2018, in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* as contained in attachment OCM088.1/08/18.

CARRIED UNANIMOUSLY 7/0



OCM089/08/18 – Budget Adjustment for Administration Building Air Conditioning and Generator	
Author:	Manager Finance
Senior Officer:	Director Corporate Services
Date of Report:	14 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

Council is requested to approve reallocations to the 2018/19 budget as per the recommendations contained in this report.

Relevant Previous Decisions of Council

Nil.

Background

The original 2018/19 budget was adopted by Council in June 2018. Organisational needs sometimes require adjustments to be made to this budget.

Community / Stakeholder Consultation

There has been no community / stakeholder consultation regarding this recommendation.

Statutory Environment

Section 6.8 of the *Local Government Act 1995* requires a local government is not to incur expenditure from municipal funds for an additional purpose except where the expenditure:

- Is incurred in a financial year before the adoption of the annual budget by the local government;
- Is authorised in advance by Council resolution;
- Is authorised in advance by the President in an emergency.

Comment

Approval is sought for the following budget reallocation for the reasons specified:



Account Number	Type	Description	Debit \$	Credit \$
ADM910	Increase Expenditure	Administration Building Air Conditioning	15,000	
ADM626	Decrease Expenditure	Administration Building Maintenance		15,000

Reason:

The air conditioner in the main administration building requires urgent replacement, so that suitable heating and cooling can be provided to staff. The existing air conditioning system was installed in 1993 and is now 25 years old. The system has been found to have a significant refrigerant leak, and is no longer operational. It operates on R22 refrigerant, which is nearly totally phased out due to its impact on the environment, and is very expensive to replace. It has been recommended that the best way forward is to replace the whole system.

Account Number	Type	Description	Debit \$	Credit \$
ADM911	Increase Expenditure	Plant and Equipment – Generator	10,000	
ADM626	Decrease Expenditure	Administration Building Maintenance		10,000

Reason:

A new generator is required to automate power in the event of power failures to ensure continuity of business operations. There have been several power outages of late where the majority of staff were sent home at a significant cost to the organisation. Currently when the power goes down out of business hours, there is no way of ensuring business continuity for longer than 2 hours. Quotations have been sought from the market to automate the system so that it would turn back on after a two minute power loss, and shut down again after two minutes of steady power supply.

Conclusion

It is recommended that Council approve the requested adjustments to the 2018/19 budget.

Attachments

Nil.

Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources.

Financial Implications

The financial implications are detailed in this report.



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not accept the Officer's recommendation	Unlikely (2)	Moderate (3)	Moderate (5-9)	Compliance - 3 Moderate - Non-compliance with significant regulatory requirements imposed	Accept Officer Recommendation

Risk Matrix

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 6 has been determined for this item.

**Voting Requirements Absolute Majority****OCM089/08/18 COUNCIL RESOLUTION / Officer Recommendation:****Moved Cr Byas, seconded Cr McConkey**

That Council pursuant to section 6.8 of the *Local Government Act 1995*, approves the schedule of variations to the 2018/19 Budget as presented below, resulting in no change to the closing budget municipal surplus of \$0 as at 30 June 2019:

Account Number	Description	Debit \$	Credit \$
ADM910	Administration Building – Air conditioning	15,000	
ADM911	Plant and Equipment - Generator	10,000	
ADM626	Administration Building Maintenance		25,000

CARRIED BY ABSOLUTE MAJORITY 7/0



10.4 Community Services reports

OCM090/08/18 – BMX Relocation Feasibility Study (SJ2081)	
Author:	Manager Community Development
Senior Officer/s:	Deputy CEO/Director Community Services
Date of Report:	10 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

The purpose of this report is for Council to consider the BMX Relocation – Feasibility Study, which outlines various site options across the shire as potentially suitable for a BMX facility. It further outlines considerations relevant to the varying levels of competition, for design and cost purposes.

Council is requested to receive the Feasibility Study as a guiding document and agree to relocate the BMX Facility to the Kiernan Park Recreation Precinct.

Relevant Previous Decisions of Council

OCM217/12/16 – Council adopts the Community Infrastructure and Public Open Space Strategy, requesting a review of the priorities and funding. Specifically, “*modify the plan to reflect a preference for the concept design as envisaged in the original Tredwell Sport & Recreation Precinct Draft Feasibility Study endorsed by Council through OCM032/09/13*”. This concept design was prepared for a site along Keirnan Street in Mundijong.

OCM106/08/17 – Council adopts the Community Infrastructure Implementation Plan for the purposes of community infrastructure and sport space provision. The BMX Relocation was identified as a high priority, acknowledging that the relocation is required to trigger a new pavilion and youth centre at Briggs Park, Byford. The indicative timing for the BMX relocation is 2019/20 and the estimated cost is \$1 million.

OCM157/11/17 – Council adopts several delivery plans for community infrastructure projects, including BMX lighting.

Background

In 2014, Council adopted the Briggs Park Master Plan as a vision to redevelop the Briggs Park Recreation Precinct. It identified the BMX Track be relocated further south of the site; however the membership growth and the club’s future vision continues to test the capacity of the current site. The need for offsite relocation has been identified in the Community Infrastructure Implementation Plan as adopted by Council in 2017 referenced below:

BMX Facility (Relocation) - There is demand for one competition standard BMX track to service the Shire. The current BMX track is located at Briggs Park Recreation Precinct, and is preventing the site from further development. The BMX track will require relocation. Keirnan Park Recreation Precinct is centrally located for the construction of a new track to attract members from all across



the Shire. Adequate lighting provision, parking and a clubhouse administration centre with storage will need consideration as part of concept plans and designs. Further studies can determine the implementation of the BMX track.

The Relocation of the BMX Track is recognised as a high priority to enable further redevelopment of the broader Briggs Park area, as envisaged within the Master Plan. This includes construction of a new pavilion central to the two ovals, and renovation of the old pavilion to become a dedicated youth centre.

For these reasons, the BMX Relocation – Feasibility Study was undertaken by Council in the 2017/18 financial year with the final document now presented for Council consideration.

Identified Trends

Increased participation in cycling disciplines across Western Australia presents a key opportunity for the Shire of Serpentine Jarrahdale. Membership numbers are growing for Bicycle Motocross (BMX), Mountain Biking (MTB) and Cycling (C). Consistent with these trends, the Byford BMX Club has outgrown the current site at Briggs Park Recreation Precinct in Byford (further detailed below).

As an Olympic sport, BMX offers many opportunities for athlete development at a local level through to international level. WA has to date produced a number of Olympic BMX athletes. In order to support these development opportunities it is important that athletes can access appropriate training facilities.

Currently there are no international or national standard BMX tracks in Western Australia. The State association BMX WA, have indicated they are likely to undertake strategic planning for future facilities to accommodate national and international events within Western Australia.

Byford BMX Club

The Byford BMX Club has grown significantly over the past ten years. The group has doubled the membership in the last five years, and have over two hundred members as shown in Figure 1 (data provided by the Byford BMX Club). The membership base has approximately 50% of members located in Byford and surrounds, and 50% in Armadale. The existing facility is of reasonable standard, and a lighting upgrade was recently completed. The Byford BMX Club is very active, with coaching four days a week and events operating on Friday nights. Outside these times, it is open to the public for recreational riding. The Club has secured the Super Series (State Round), however must be able to provide a minimum level of parking. The upgrade of the Briggs Park Lower Oval will create limitations for event parking in the future.

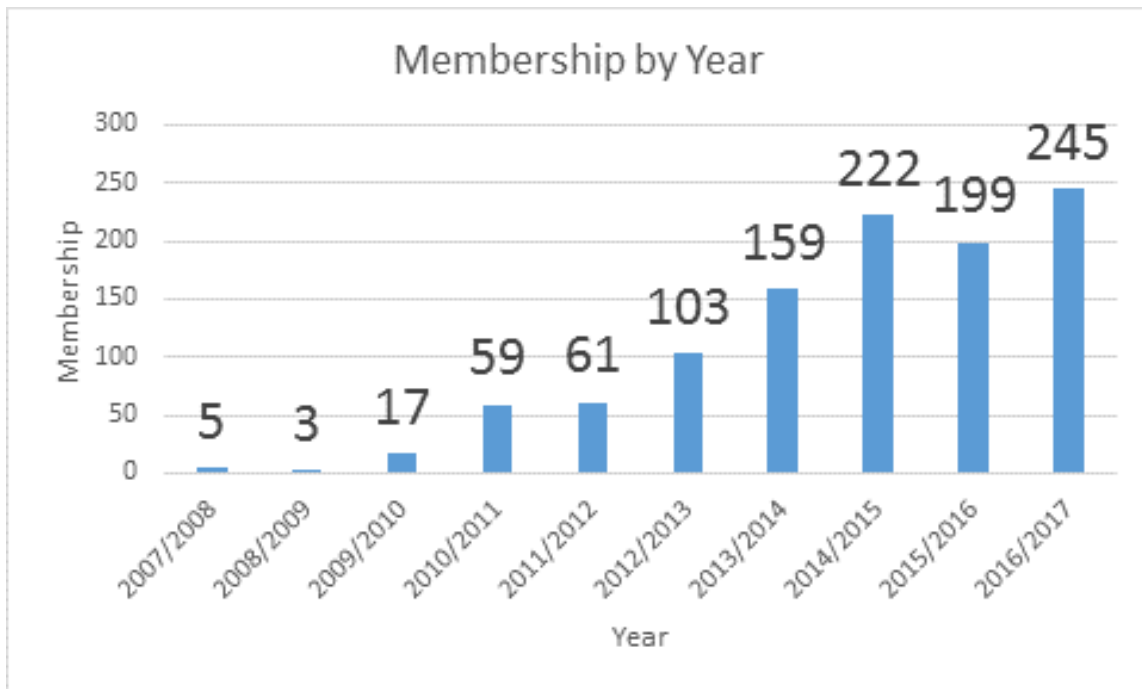


Figure 1 – Byford BMX Club Memberships

The membership growth of the BMX Clubs in Western Australia is also evident. As obtained from Westcycle (peak body for cycling in WA), Figure 2 shows growth in BMX has more than doubled over the last five years, demonstrating strong participation in the BMX discipline across the state not just at the local level.

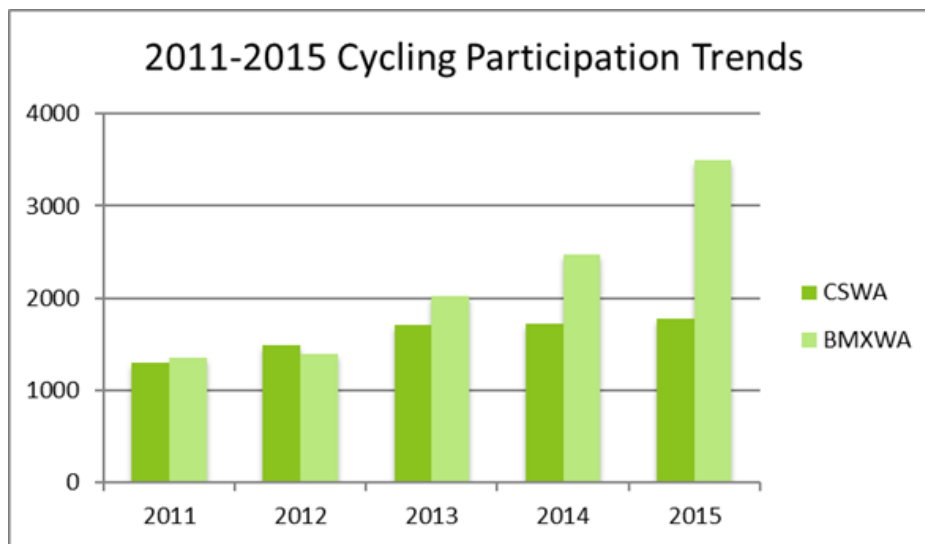


Figure 2 – BMX and CycleSport Registration in Western Australia



BMX Requirements

BMX Australia Track Guidelines identifies the following requirements depending on the level of infrastructure (Figure 3):

TRACK REQUIREMENTS	2: National Championships	3: National Series	4: State Championships / Series	5: Regional	6: Club
Class Race	CN	CN	Class S	Class R	Class C
Starting Hill	Height: 5m Width: 8m		Height: 2.5m Width: 8m		
Total Length of Track	300M – 400M		280M – 450M		
Width of Track	First Straight 8m All other straights: 5m First Turn: 5m Turns: 5m (for competitions, maximum riders 8, minimum 5)		First Straight 8m All other straights: 5m First Turn: 4m Turns: 4m (for competitions, maximum riders 8, minimum 5)		
Number of Straights	Minimum 4				
Minimum Number of Turns	3				
Starting Gate -Width -Height	7.3m wide 50cm high Slip resistant				
Length First Straight (minimum)	Men / Women: 70m Challenge: 50m		Men / Women: 50m Challenge: 50m		
Markings	White lines clearly marked on the track				
Transponder Cable	Start Hill and Finish Line		NO		
Fencing	On straights minimum 2m from track				
TRACK AMENITIES					
Class of Race	CN	CN	CN	CN	CN
Staging	10x8 Covered		10x8 Preferred		
Grandstands – Available Space for Seating	3000	1000	500	250	250
Lighting	Yes	Preferred	No		



Available Parking Bays	1000	500	250	100	50
Drug Testing Area	Yes		If Required	No	

Figure 3 – BMX Australia Track Guidelines.

There are a range of track requirements for a state level track, which include a higher ramp height, minimum number of parking bays, fencing along the track and appropriate seating. A number of these requirements are beyond the capacity of the current site, particularly the constraints on parking which already exist. For the Byford BMX Club to facilitate further growth (anticipated based on current trends and interest), relocating to a site that can accommodate a higher-level track is preferable.

Budget

In 2015/16 the Shire created the Byford BMX Track Reserve to provide for future facility requirements. Money has been drawn from the reserve for various projects related to the facility since this time, such as the recent lighting upgrade project. The current 2018/19 opening amount for the reserve is \$268,000.

BMX WA

BMX WA's strategic plan was for a period of three years, between 2015 and 2018. There is an intent to undertake further strategic planning for 2018 onwards, however BMX WA do not have definitive timeframes for this. There are eight clubs in the metropolitan area with varying levels of infrastructure. The Byford BMX track is considered a country level facility with the potential to hold State Championships. Given the various track requirements highlighted above in Figure 3, there are no tracks in Western Australia at this time deemed to be of international or national standard.

Kiernan Park Preliminary Concept and Anticipated Cost

To ascertain indicative development costs for the overall Keirnan Park site, consultants previously prepared concept designs for potential community infrastructure. At that time, architects prepared a concept design that demonstrated the ability to accommodate a national level BMX track, depicted as Stage 2 in Figure 4 below. To progress concept designs within the feasibility study, the indicative Keirnan Park concept plans were used as the template against which a potential relocation/BMX development could be assessed.

The minimum space required for a higher level BMX track facility is achievable (100x100m as indicated by BMX WA and further supported within the feasibility study). Specific detail relevant to proposed BMX infrastructure will be further refined throughout the technical and detail design stages, but utilising the concept as a template confirms the facility can fit in with a range of other community infrastructure that may be proposed for the site.



STAGING:

STAGE 1: Includes Well-being Trail, Skate Park, BMX pump track, Reference Building, Picnic Area, Play Area.

STAGE 2: Includes National BMX Track Facility (Provided externally based on future negotiations) and parking.

STAGE 3: 2 Includes AFL/Cricket ovals, parking and Play Area.

STAGE 4: 2 Includes Soccer Fields, 2 Soccer Fields, Hockey Field, Lawn Bowls, 2 Pavilions, Play Area and parking.

STAGE 5: Includes Baseball Pitch, Athletics Track, Netball Courts, Tennis Courts, 3 Pavilions, Play Area and parking.

STAGE 6: Includes allocated land for future Aquatics and Recreation centres, Picnic Area and parking.

Note: The numbering of stages is indicative to outline the programme in each area. Staging numbers do not represent a time line at which each stage would occur.

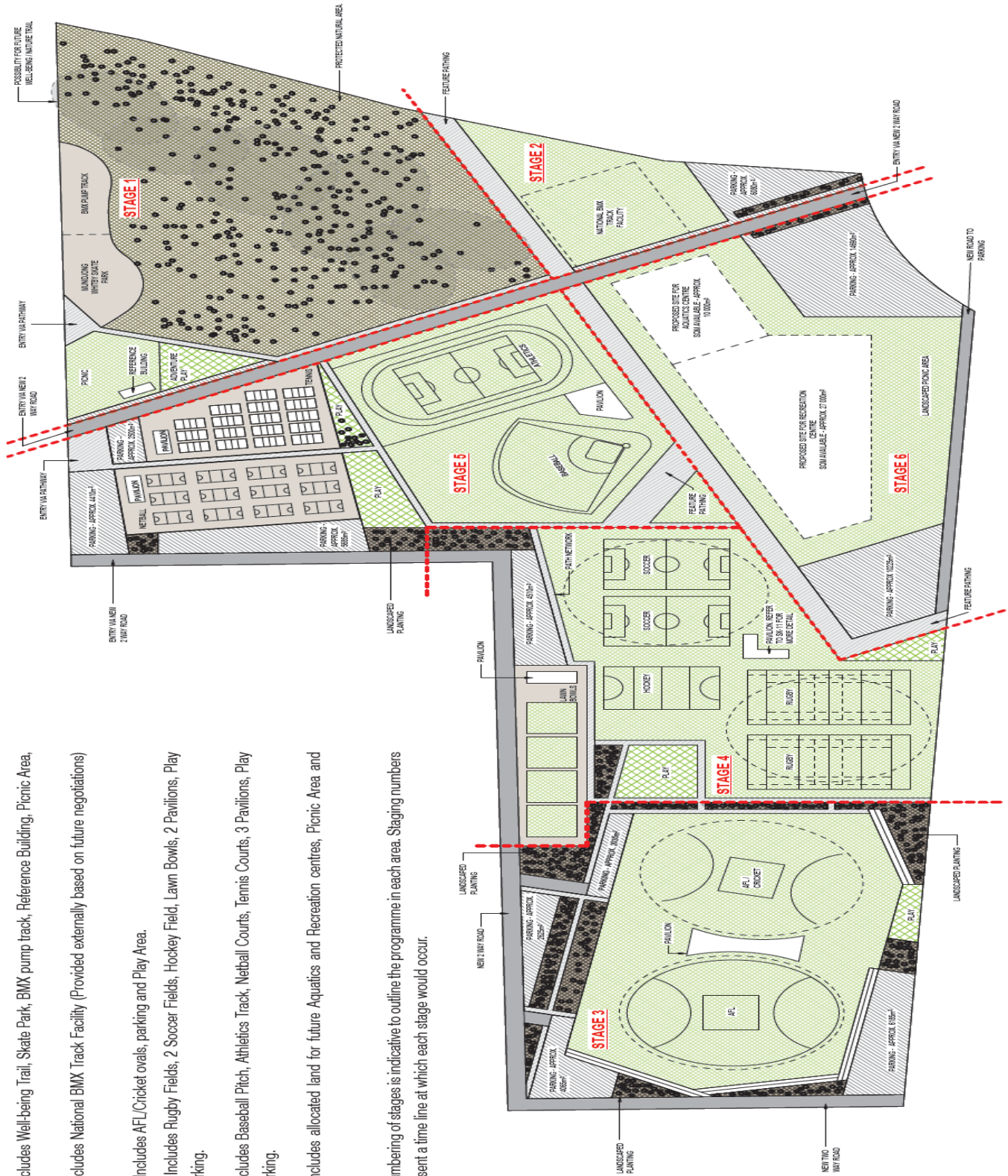


Figure 4 – Indicative Concept: Keirnan Park Recreation Precinct



Community / Stakeholder Consultation**Policy Concept Forum**

The matters within were discussed at a Policy Concept Forum meeting with details found below:

Meeting Date	30 July 2017
Councillors in Attendance	Cr Atwell, Cr Byas, Cr Coales, Cr Denholm, Cr McConkey, Cr Rich, Cr See

Byford BMX Club Inc.

Consultation was held with the Byford BMX Club at the initiation of the feasibility study in mid-January 2018 and near the completion in mid-June 2018 (following the announcement of Kiernan Park transitioning to the Shire). As indicated throughout the report, the Byford BMX Club is an active club that recognises the current Briggs Park site is not practical for larger events or significant growth into the future. The Club's own Strategic Plan outlines a desire to relocate to a new facility by 2022.

The Club has expressed a desire to review the content of the feasibility study before providing any official response pertaining to a relocation. Officers have indicated they will be available to present findings to the BMX committee (or representatives) following Council's consideration of the feasibility study.

BMX WA

Shire representatives met with BMX WA in March and early June 2018. A letter was sent to the sporting association outlining the BMX Relocation Feasibility Study was underway, pertinent to the existing BMX facility in Byford.

The Shire was aware that BMX WA intended to commence strategic studies and as such, was seeking to confirm BMX WA would give consideration towards the Shire of Serpentine Jarrahdale throughout this process. No response has been received to date, however an update will be provided to BMX WA following the outcome of this report.

Statutory Environment

Nil.

Comment

For the Byford BMX Club to function effectively in the future, a relocation is required. The current site at Briggs Park constrains growth of the sport locally, as parking requirements and the ability to hold larger events is limited. A higher-level facility would provide additional benefits to the community through an improved ability to hold large-scale events (local business opportunities and visitor spending), and characterise the area with a trending sport.

Keirnan Park Recreation Precinct is recommended as the most preferred site for the relocation. This location received the highest overall score across the 17 assessment criteria. As the population grows in Mundijong-Whitby, the assessment score would be subject to increase. The key advantages of the Keirnan Park site are:

- Availability of space and potential co-location opportunities with other sporting infrastructure required to service the community's sporting needs.



- It will be located centrally within a future urban development area with strong access links.
- It has the potential to align closely with service infrastructure to minimise set-up and ongoing operational costs.
- No significant constraints to development including environmental and heritage concerns.

Council previously adopted a preference for Keirnan Park Recreation Precinct as a Community Sport and Recreation Precinct, which is now further supported by the feasibility study. A higher level facility is suggested given the rapid growth of the sport, with the nature and size of a higher level BMX facility still aligning with the intent and capacity of the site.

A preliminary concept within the feasibility study shows that it can be situated on the site without compromising other sport and recreation activities, however this is subject to further technical design and consideration. The location of the site gives the ability to service the existing membership base, as well as future memberships from the rapidly growing population in Mundijong-Whitby. There are effective connections to Armadale via South Western Highway, and to areas such as Rockingham and Kwinana via Mundijong Road.

Webb Road Reserve was determined to be the second ranked site across the five considered. Concepts were developed for both the first and second ranked sites, as at that time Kiernan Park had not yet been handed to the Shire. This has been beneficial for cost comparison purposes, with the Webb Road site costings proving higher than Kiernan Park across all 3 development scenarios (Figure 5). This lends further weight towards Kiernan Park as the preferred location.

Options	Kiernan Park		Webb Road Reserve	
	6m Ramp	3m Ramp	6m Ramp	3m Ramp
Scenario 1: BMX Track alone (including 6m and 3m Ramp).	\$3,975,028	\$3,934,815	\$4,219,578	\$4,179,365
Scenario 2: BMX Track & Pump Track (including 6m and 3m Ramp).	\$4,317,250	\$4,277,037	\$4,561,799	\$4,521,587
Scenario 3: Complete Development (including 6m and 3m Ramp).	\$5,073,624	\$5,033,411	\$5,300,316	\$5,260,103

Figure 5 – Costs of BMX infrastructure development at Keirnan Park and Webb Road Reserve



Options and Implications

Option 1 – (Officers Preferred Option)

Council to receive the BMX Relocation - Feasibility Study as contained in attachment OCM090.1/08/18 for use as a guiding document, and acknowledge the Byford BMX Club requires relocation from Briggs Park in Byford.

In supporting the detail contained within the feasibility study and the site prioritisation, Council further endorse the relocation of the BMX Facility to the Keirnan Park Recreation Precinct in Mundijong with a preference for a State level facility.

Further detail design and technical analysis of the site is required, relevant to the proposed BMX infrastructure. As demonstrated within the feasibility study at this time however, development of a state level track is estimated to range between \$3,975,028 and \$5,073,624 as provided in Figure 5 above.

Cost is ultimately dependent on the implementation approach taken and level of infrastructure provision. Options include 6 metre or 3 metre ramps; BMX track only; BMX track and Pump Track; or complete development. Inclusions are detailed within Appendix G of the feasibility study.

Officers can progress further discussions with stakeholders (including potential funding partners) and progress technical design considerations based on Council's endorsement. Achievement of a state level track would be dependent on securing significant levels of external funding. Any budget requirements would be presented to Council in due course.

Option 2

Council may choose to re order the site prioritisation for reasons relevant to the assessment criteria, or request further detail to be incorporated.

This will delay feedback to stakeholders such as Byford BMX and BMX WA which is unlikely to be of significant concern in the short term.

Any delay will postpone the ability to undertake talks with the Western Australian State Government, BMX WA and the Byford BMX club in regards to the potential of developing a state level track and will limit opportunities to apply for funding to achieve this.

This delay will also result in a delay to the relocation of the BMX track and this will ultimately impact on Council's ability to also progress the Briggs Park Masterplan.

Conclusion

The membership growth the Byford BMX Club continues to test the capacity of the current Briggs Park site, further supported by current trends in the BMX discipline and local population growth. The need to relocate offsite was identified in the Community Infrastructure Implementation Plan as adopted by Council in 2017, with the relocation being recognised as a high priority to enable further redevelopment of the broader Briggs Park area.

For this reason, the BMX Relocation – Feasibility Study was undertaken by Council in the 2017/18 financial year with the final document now presented for Council consideration.

Keirnan Park Recreation Precinct is recommended as the most preferred site for the relocation. This location received the highest overall score across the 5 identified sites and 17 site assessment criterion.



Council is requested to receive the BMX Relocation – Feasibility Study for use as a guiding document, acknowledging the Byford BMX Club requires relocation from the Briggs Park Recreation Precinct. Further consultation is to occur with the Club and key stakeholders following the outcome of this report.

In endorsing the relocation of the facility to Kiernan Park Recreation Precinct, Officers would be able to progress technical design considerations and identify potential funding partners for future construction.

Attachments

The attachment below provides the full report of the BMX Relocation - Feasibility Study:

- [OCM090.1/08/18](#) – BMX Relocation - Feasibility Study (E18/8350)

Alignment with our Strategic Community Plan

This proposal aligns conflict with the following specific objectives outlined in the Strategic Community Plan:

Objective 1.1	A healthy, active, connected and inclusive community
Outcome 1.1.1	Provide well planned an maintained public open space and community infrastructure

Financial Implications

There are no financial implications relevant to Officer's recommendation within this report.

Future budgetary allocations would be required for detailed design and eventual relocation/construction. At this time, the total cost is estimated to range between \$3,975,028 and \$5,073,624 as outlined in Figure 5.

Council's endorsement will give Officers the required direction to seek grant and sponsorship opportunities that can assist in the progression of specific design and cost requirements.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Do not gain approval of suggested site prioritisation	Possible (3)	Insignificant (1)	Low (1-4)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder	The detail within the study aims to clarify with the community



				trust or low media item	reasons for the prioritisation of site. Whilst this may not be supported by everyone, this is not expected to present a significant risk. The relocation of the BMX track would allow the sport to grow and create opportunities for recreation and business.
Alternative site prioritisation	Possible (3)	Minor (2)	Moderate (5-9)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder trust or low media item	Council may propose alternative site options and priorities following the assessment criteria structure. Preference should be given to freehold sites within Shire control.
Decision not to relocate the BMX Track or no decision	Rare (1)	Moderate (3)	Low (1-4)	Reputation - 3 Moderate - Substantiated, public embarrassment, moderate impact on key stakeholder trust or moderate media profile	This would be inconsistent with previous Council decisions and may impact trust within the community. This would delay further



					progression of a range of identified Community Infrastructure projects into the future
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A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 6 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Voting Requirements: Simple Majority

OCM090/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Coales, seconded Cr Byas

That Council

- 1. Receives the BMX Relocation – Feasibility Study, as contained in attachment OCM090.1/08/18 for use as a guiding document, acknowledging the Byford BMX Club requires relocation from Briggs Park Recreation Precinct.**
- 2. Agrees to the relocation of the BMX Facility to the Keirnan Park Recreation Precinct, with a preference for a State level facility.**

CARRIED UNANIMOUSLY 7/0



OCM091/08/18 – Adopt Serpentine Jarrahdale Equine Strategy 2018 (SJ2081)	
Author:	Manager Community Development
Senior Officers:	Deputy CEO/ Director Community Services
Date of Report:	10 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

The purpose of this report is for Council to consider the adoption of the draft Shire of Serpentine Jarrahdale Equine Strategy 2018.

Relevant Previous Decisions of Council

Council was presented with the Peel Equine Strategy on 24 July 2017 at the Ordinary Council Meeting. At that time, Council resolved (OCM099/07/17):

That, with respect to the draft Peel Equine Strategy 2017, Council:

1. *Notes that the 2017/18 draft Budget provides an allocation of \$55,000 to conduct a Serpentine Jarrahdale Equine Strategy.*
2. *Receives the draft Peel Equine Strategy 2017 and acknowledges its intent to provide broad guidance to the development of the equine industry in the Peel Region.*
3. *Notes that the Shire has provided feedback in both the Peel Equine Strategy (AEC, November 2016) and the Peel Equine Strategy 2017 (PDC) as per attachments OCM099.2/07/17 and OCM099.3/07/17.*
4. *Requests the Chief Executive Officer writes to the Peel Development Commission, confirming;*
 - a) *That the Shire of Serpentine Jarrahdale has a significant equine industry in its District and is wanting to engage further with the State Government to enhance and develop equine facilities and services with the Shire.*
 - b) *The Shire's participation in future Peel equine strategies and representation on Peel equine stakeholder groups.*

Background

In 2013 the Shire of Murray received \$30,000 from the Peel Development Commission (PDC) through Royalties for Regions funding for the development of a Peel Equine Strategy to incorporate the needs and strategic goals of all sections of the industry including recreation, racing and support services. The Shire of Murray engaged the AEC Group to prepare the strategy and established a committee – the Peel Region Equine Industry Steering Committee (PREISC) - to oversee its development. The PREISC included representatives from the Shire of Murray, Regional Development Australia, Peel Development Commission, Pinjarra Harness Club,



Pinjarra Racing Club, Equestrian WA, Racing and Wagering WA, and Department of Sport and Recreation, with the Shire of Serpentine Jarrahdale joining the group at a later date.

The draft report was circulated to stakeholders in September 2016 and the final report was completed in November 2016. In February 2017, the Shire of Murray approached the Peel Development Commission (PDC) to seek a transfer of “ownership” to finalise and release the Strategy. Given the regional scope of the consultancy, the PDC concluded that it was best placed to progress the project.

PDC identified a need to undertake broader consultation with industry stakeholders to ensure the document was a true representation of a Peel-wide equine strategy. The Peel Equine Strategy 2017 provides high-level guidance to inform investment, policy and planning decisions, as well as a directional foundation for the support of grant applications. The Shire was requested to provide comment in July 2017, with the document subsequently adopted and launched by the PDC.

In considering the Peel Equine Strategy, the Shire held concerns regarding equitable representation of the Shire’s equine industry in the document. The Shire has a long established and reputable equine culture that has emerged naturally over many years through availability of suitable land, local facilities, private ownership of horses and community activities. Given this, it was surprising that the Peel Strategy focussed on the further development of the Murray Regional Equestrian Centre as opposed to the further enhancement of existing facilities in the Shire of Serpentine Jarrahdale. Officers considered that research presented through the Peel strategy was not clear in providing a true representation of equine presence in the local government areas of the Peel and therefore was misrepresentative in its support for a focus on investment in regional infrastructure in the Shire of Murray.

The Shire sought to better understand the local equine industry and its place in comparison with the equine industry within the Peel and the state, and in late 2017 began work on the creation of an Equine Strategy.

Community / Stakeholder Consultation

The Shire conducted extensive external community consultation in three stages, in addition to internal consultation processes:

Equine Community Survey

The survey was promoted well through Facebook and community consultations, and was open for community responses from December 2017 to March 2018. This facilitated 175 responses from people from a range of localities, equine disciplines and using a range of Shire facilities. Responses were received from Shire residents and those who live outside of the Shire.

Equine Stakeholder Consultation

The Shire appointed consultants to run the equine stakeholder consultation. In collaboration with the consultants, Officers have met with the equine groups based in Shire facilities. The Shire requested the clubs and associations to complete a sport and active recreation form to indicate their clubs membership numbers and aspirations. The Shire and consultants also met, or conversed with various state representatives for the equine sports and a handful of key local equine businesses.



Equine Business Survey

After the stakeholder consultation, the consultants and Officers developed a specific equine business survey. The consultants have developed an equine business registry, with all known equine businesses in the Shire. These known equine businesses all received the equine business survey. There were 81 equine businesses identified, whereby 52 equine businesses responded to the business survey. This is deemed to be a good result with a 64% response rate. To avoid releasing sensitive information, such as an individual's business economic turnover, the results of the equine business survey are clustered and aggregated. Certain equine businesses expressed that they would not like their business name disclosed. This confidentiality has been honoured.

Statistics and Memberships

The Equine Strategy also analyses statistics, registration and membership numbers from Racing and Wagering Western Australia and the various bodies representing the Equestrian Disciplines to identify the actual number of horses within each local government area in the Peel and also in comparison with the state.

Economic Development Advisory Committee

A presentation was delivered to the Economic Development Advisory Committee on 12 June 2018.

Meeting Date	12 June 2018
Attendances	Cr Michelle Rich; Cr Jacqui See; Davina Eden-Austen; Andrew Paton; Merri Harris; Sandra Harvey; Nancy Scade.

Council Policy Concept Forum

A presentation was delivered to Elected Members on 2 July 2018 as part of the Policy Concept Forum.

Meeting Date	2 July 2018
Councillors in Attendance	Cr Michelle Rich, Cr Dave Atwell, Cr Rob Coales, Cr Bill Denholm, Cr Dave Gossage, Cr Keira McConkey, Cr Morgan Byas, Cr Jacqui See.

Statutory Environment

Nil.

Comment

The findings of the research as detailed in the Strategy indicate that the combined numbers of horses in the racing and equestrian disciplines within the Shire of Serpentine Jarrahdale, is greater than the numbers in the Peel and other Western Australian local government localities. The research demonstrates that the Shire of Serpentine Jarrahdale is in fact the equine hub of Western Australia.



The Shire's commitment to the equine community and industry is strong and continues to support future development. The draft Local Planning Strategy has set out high-density areas in the urban cells of Byford and Mundijong-Whitby to facilitate the required population growth, while protecting the rural lifestyle in surrounding areas. The draft Local Planning Strategy furthermore identifies key 'Residential and Stables' areas under the Rural Living category. It identifies the need to maintain a strong equestrian identity and the continued development of the equine industry as a significant contributor to the local economy. The draft Local Planning Scheme No. 3 protects the Byford Trotting Complex precinct through a Special Control Area with the objective to retain the rural character and low-density residential development surrounding the Byford Trotting Complex.

Through the process of developing the Strategy, it has been found that equine activities in the Shire fall into four primary categories:

- Racing (training and competitions);
- Equestrian disciplines (training and competition);
- Leisure and Trail Riding; and
- Keeping of retired and companion horses.

It is this diversity that provides strength to the equine culture in the Shire, and contributes to the development of the Shire of Serpentine Jarrahdale as the equine hub of the Peel.

The key findings as contained in the Strategy are outlined below.

Horses in Registered Disciplines:

Guided by data provided by Racing and Wagering Western Australia and the incorporated representative bodies of the equestrian disciplines, the Strategy estimates the Shire of Serpentine Jarrahdale to be home to 3,876 registered horses. The data, which as summarised in Table 1, is more than any other local government area in the State.

The Shire of Serpentine Jarrahdale also accommodates 30% of the state's active Standardbred (harness) horses. Easy access to the Byford Trotting Complex is a clear benefit with 443 active Standardbred horses registered with their trainers in Byford alone. Furthermore, the Shire accommodates the fourth highest number of active thoroughbred horses within the State. The Lark Hill Thoroughbred Training Complex, located in the City of Rockingham is easily accessible from the Shire of Serpentine Jarrahdale, making the Shire an attractive place for thoroughbred owners to reside or for agistment.

**Table 1 Registered Horses**

Local Government Area	Racing		Equestrian Disciplines			Total
	Standardbred Horses	Thoroughbred Horses	Equestrian Horses	Pony Club Horses	Polocrosse Horses Polo Horses	
Shire of Serpentine Jarrahdale	1085	445	792	963	333 258	3876
City of Swan	250	514	1251	1200	342 174	3731
City of Greater Geraldton	0	442	99	510	843 36	1930
Shire of Murray	496	225	258	387	183 0	1549
City of Rockingham	22	739	138	342	0 0	1241
Shire of Mundaring	26	15	477	585	0 0	1103
Shire of Capel	202	299	132	318	162 0	1113
City of Armadale	153	13	198	726	0 0	1090

The Shire of Serpentine Jarrahdale has twice the number of registered racing horses than any other local government, making it the largest racing hub overall.

Following the City of Swan, the Shire of Serpentine Jarrahdale accommodates the second highest number of registered members and estimated horses, associated with Equestrian WA and Pony Club WA. This is a significant result given that the City of Swan is anchored by the State Equestrian Centre worth \$43 million. The Shire's equine activity, on the other hand, has its foundation on a long standing equine culture and a set of Shire and privately provided facilities spread across the local government area.

Following the Cities of Greater Geraldton and Swan, the Shire of Serpentine Jarrahdale has the third highest number of Polocrosse members. The privately run Polo ground in Serpentine accommodates three of the six clubs in the State with a total of 43 members, resulting in the largest Polo hub in the state.

Horses in Unregistered Disciplines:

Based on the local equine community survey, it is estimated that a further 4,499 or more horses reside with people that do not associate any of the racing or equestrian disciplines. These horses may be involved in other equine pursuits such as trail or leisure riding, or simply kept as companion or retired horses. The easy access to extensive trail networks in the Shire was a clear benefit to survey respondents with 52% of respondents indicating they sought access to trails and casual riding opportunities.

Economic Value of the Equine Industry:

The annual equine expenditure by horse owners on horses kept in the Shire is conservatively estimated to be valued at \$168 million per year. Respondents to the survey indicated they spend 80% of their annual horse ownership cost (estimated to be \$10,000 per year per horse) on local supplies and services.

The 52 equine businesses that participated in the survey indicated that 40% of their total sales was to Shire residents, 40% was sales outside the Peel region and 20% was sales to the Peel region. The combined valued of their reported business turnover was \$21 million, and 80.2% of respondents were optimistic about their future business opportunities. These figures are just a snapshot of the strength of the industry, as many other Shire of Serpentine Jarrahdale based equine businesses did not participate in the survey.



Equine Events in the Shire:

Annually the Shire plays host to over 400 equine events, with over 43,000 riders, 54,000 horses and 75,000 spectators using facilities within the Shire for events.

Using the event impact model calculator by Economy ID the estimated value of these events has been calculated at \$12 million, with visitors and competitors contributing to the local economy.

Future Opportunities and Strategic Actions:

The Strategy also recommends five broad opportunities that could be further developed to celebrate and enhance the equine culture within the Shire of Serpentine Jarrahdale;

1. Equine Business Network- a network designed to encourage local equine businesses to collaborate in growing and strengthening the local equine economic activity.
2. Equine Festival - an annual equine event to showcase and celebrate all things equine.
3. Equine Tourism - development of Equine Tourism opportunities in the Shire.
4. Equine Education/Skills Training - establishment of a Centre of Excellence (C4X) to offer training and further development in skills associated with the equine industry.
5. Equine Branding and Positioning - development and active promotion of an equine brand for the Shire.

These opportunities involve multiple stakeholders, requiring their support and buy-in to achieve the desired outcome. Throughout the development of each opportunity, it may be determined that the Shire is not best placed to be the delivery agent. Where this is the case, the appropriate level of involvement and investment will be determined.

In addition, the Strategy also identifies key strategic goals and associated actions for the Shire to undertake to further develop the equine industry, culture and opportunities. The goals are;

1. Develop and strengthen the Shire's identity and reputation as the leading Equine Region Western Australia.
2. Support and enhance the diversity of equine activities in the Shire.
3. Continued planning and protection of key equine assets and improving the built environment.
4. Creating partnerships and advancing economic development.

Given the significant findings of the Strategy, positioning the Shire of Serpentine Jarrahdale as the leading equine hub in the Peel, it is important the content is referred to the Peel Development Commission and State Government. The purpose of this is to advocate for a review of the Peel Equine Strategy and to ensure that future equine related funding is considered within the Shire of Serpentine Jarrahdale to further

enhance and support the development of the equine facilities, industry and opportunities in the leading equine hub on a case by case basis.



Options and Implications

Option One (Preferred Option)

To adopt the Shire of Serpentine Jarrahdale Equine Strategy including the five opportunities and four strategic goals and associated actions contained within. This will enable the information and statistics to be used publically and integrated with a variety of documents. It would also allow ongoing budget considerations for the actions identified.

To write to the Peel Development Commission and relevant State Government Ministers to highlight that Serpentine Jarrahdale is the equestrian hub of the State, request a review of the Peel Strategy in light of the information contained within the Shire of Serpentine Jarrahdale Equine Strategy and to ensure future funds are considered within the Shire of Serpentine Jarrahdale to further enhance and support the development of the equine facilities, industry and opportunities in the leading equine hub on a case by case basis.

Option Two

To not adopt the Shire of Serpentine Jarrahdale Equine Strategy and continue to refer to the Peel Equine Strategy to guide equine development in the Shire and the Peel.

Conclusion

The draft Shire of Serpentine Jarrahdale Equine Strategy has gathered significant evidence on the equine activity across the State. The outcomes of this study have been very favourable for the Shire of Serpentine Jarrahdale, providing sufficient justification to position the area as the leading equine hub in the Peel and the State. It is therefore recommended that the Shire of Serpentine Jarrahdale position itself as such, by celebrating and enhancing the culture through adoption of the strategy.

Attachments

- [OCM091.1/08/18](#) – Draft Shire of Serpentine Jarrahdale Equine Strategy (E18/5615)

Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local business within the district.
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

Financial Implications

The investment of a district equine facility for 2026/27 is identified in the Community Infrastructure Implementation Plan and therefore a financial allowance will be made through long term financial planning.

All other suggested actions are in line with current operational practice. Should budget implications arise from these, they will be considered through the normal annual budget development processes and presented to Council for consideration.



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Limited resources (staff, budget) to implement actions identified within draft SJ Equine Strategy	Possible (3)	Minor (2)	Moderate (5-9)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder trust or low media item	Officers do not foresee any concern with the draft actions. An alternate resolution to further refine strategic goals and actions could be considered by Council.
Peel Development Commission and the State Government deny request to update the Peel Equine Strategy and assign funding in light of the Shire of Serpentine Jarrahdale Equine Strategy	Likely (4)	Minor (2)	Moderate (5-9)	Financial Impact - 3 Moderate - \$250,000 - 500,000	Accept Risk



Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 9 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM091/08/18 Officer Recommendation:

That Council:

1. Adopts the proposed Shire of Serpentine Jarrahdale Equine Strategy 2018 in attachment OCM091.1/08/18, including:
 - a) The five opportunities identified for development being;
 - i) Equine Business Network - a network designed to encourage local equine businesses to collaborate in growing the local equine economic activity.
 - ii) Equine Festival - an annual equine event to showcase and celebrate all things equine.
 - iii) Equine Tourism- further development of Equine Tourism opportunities in the Shire.
 - iv) Equine Education/Skills Training - establishment of a Centre of Excellence (C4X) to offer training and further development in skills associated with the equine industry.
 - v) Equine Branding and Positioning - development and active promotion of an equine brand for the Shire.
 - b) The strategic goals and actions as contained within the Shire of Serpentine Jarrahdale Equine Strategy 2018 being;
 - i) Develop and strengthen the Shire's identity and reputation as the leading Equine Region Western Australia.
 - ii) Support and enhance the diversity of equine activities in the Shire.



- iii) Continued planning and protection of key equine assets and improving the built environment.
 - iv) Creating partnerships and advancing economic development.
2. Requests the Shire President writes to the Chair of the Peel Development Commission, the Minister for Regional Development, the Minister for Ageing; Volunteering; Sport and Recreation and the Minister for Tourism; Racing and Gaming; Small Business, Defence Issues; Citizenship and Multicultural Issues to:
- a) Highlight the findings of the Strategy showing the Shire of Serpentine Jarrahdale as the leading equine hub for the Peel region and State.
 - b) Request the Peel Development Commission undertake a review of the Peel Equine Strategy in light of this information and includes the Shire of Serpentine Jarrahdale findings within the reviewed Strategy.
 - c) Ensure future funds are considered within the Shire of Serpentine Jarrahdale to further enhance and support the development of the equine facilities, industry and opportunities in the leading equine hub on a case by case basis.

Voting Requirements: Simple Majority

OCM091/08/18 COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr Denholm

That Council:

- 1. **Adopts the proposed Shire of Serpentine Jarrahdale Equine Strategy 2018 in attachment OCM091.1/08/18, including:**
 - a) **The five opportunities identified for development being;**
 - i) **Equine Business Network - a network designed to encourage local equine businesses to collaborate in growing the local equine economic activity.**
 - ii) **Equine Festival - an annual equine event to showcase and celebrate all things equine.**
 - iii) **Equine Tourism- further development of Equine Tourism opportunities in the Shire.**
 - iv) **Equine Education/Skills Training - establishment of a Centre of Excellence (C4X) to offer training and further development in skills associated with the equine industry.**
 - v) **Equine Branding and Positioning - development and active promotion of an equine brand for the Shire.**
 - b) **The strategic goals and actions as contained within the Shire of Serpentine Jarrahdale Equine Strategy 2018 being;**



- i) **Develop and strengthen the Shire's identity and reputation as the leading Equine Region Western Australia.**
 - ii) **Support and enhance the diversity of equine activities in the Shire.**
 - iii) **Continued planning and protection of key equine assets and improving the built environment.**
 - iv) **Creating partnerships and advancing economic development.**
- 2. Requests the Shire President writes to the Chair of the Peel Development Commission, the Minister for Regional Development, the Minister for Ageing; Volunteering; Sport and Recreation and the Minister for Tourism; Racing and Gaming; Small Business, Defence Issues; Citizenship and Multicultural Issues to:**
- a) **Highlight the findings of the Strategy showing the Shire of Serpentine Jarrahdale as the leading equine hub for the Peel region and State.**
 - b) **Request the Peel Development Commission be required to recognise that the Shire of Serpentine Jarrahdale is the leading Equestrian Local Government in the Peel and be provided with funding to review the Peel Equine Strategy to reflect this.**
 - c) **Ensure future funds are considered within the Shire of Serpentine Jarrahdale to further enhance and support the development of the equine facilities, industry and opportunities in the leading equine hub on a case by case basis.**

CARRIED UNANIMOUSLY 7/0

Reason for difference to Officer Recommendation:

Motion 2.b) was amended to force the Peel Development Commission to recognise the Shire of Serpentine Jarrahdale is the leading Equestrian Local Government in the Peel area and to change their Peel Equine Strategy to reflect this.

**10.5 Office of the CEO reports**

OCM092/08/18 – Community Dog Exercise Area (SJ2081)	
Author:	Chief Executive Officer
Senior Officer/s:	Chief Executive Officer
Date of Report:	3 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Introduction

During the review of Council's strategic planning process in 2017/2018 the community expressions received indicated a need for a dedicated Dog Exercise Area to be developed in the district.

In reviewing available land parcels to investigate the opportunity to develop and meet the community's expectations a parcel of land has been identified in Byford that may meet the identified need.

This report seeks to ask Council to consider this site as a location and to consider funds quarantined for development of the site to be released to develop the site through an enquiry by design process where the community and Shire staff work collectively on designing the facility in a workshop environment.

Relevant Previous Decisions of Council

- OCM079/05/16 - Resolved that areas suitable for the establishment of a Dog Exercise Area/s within Byford be identified and that community consultation be undertaken;
- SCM011/07/16 - Adoption of 2016/2017 Statutory budget with Budget item BDP900 Byford Dog Park;
- OCM152/08/16 - Noted the progress to date in regards to the community consultation undertaken and supported the preparation of a detailed project plan for the establishment of dog exercise area(s) that considers the outcomes of the consultation process;
- OCM218/12/16 – Report on the identification of potential areas suitable for the establishment of a dog exercise area(s) within the Byford area (SJ1418).
- OCM164/12/17 – Dog Exercise Area(s) (SJ2081)

Background

Reserve R50333 at the corner of Larsen and Sansimeon Boulevard, Byford was identified in August 2016 as one of five (5) prospective sites as a potential area for a Dog Exercise Area within the District.

In 2017 Shire staff responding to the community expressions investigated and subsequently mapped dog ownership locales areas in the Shire and prepared through the development of a



heat mapping system where dog ownership existed so as to determine the best opportunity for investment of a location.

An opportunity exists to develop the currently undeveloped land on Larsen Road for a Dog Exercise Area. This land is undeveloped and has remained as open, mainly cleared land with portions of deposited sand with a generally untidy disposition. Council will note photographs of the site attached to the agenda.

The area of land in question is opposite developed public open space with footpath access on the opposite side of Larsen Road.

While Council has trialed developments elsewhere in the Shire there exists an opportunity to develop the Larsen Road open space into a high value high quality Dog Exercise Area for the use of the community and something reflective of best practice examples elsewhere in the metropolitan region.

An allocation of funds could be assigned to the project should Council agree to proceed with the concept which have been reserved for development of this area. An amount of \$399,500 could be allocated to the project.

This report should be read in conjunction with other officer reports (as listed above) detailing the background of various reserves and the results of community expressions provided for or against development of various open space within the district. It is believed that Larsen Road would provide an opportunity to develop unused land that subject to a budget amendment process will have funds that could be utilized towards this project.

While Council has been seeking to seriously, consider a Dog Exercise Area in the Shire since 2016. This report seeks Council's determination to develop Reserve R50333 as the first purpose designed Dog Exercise Area in the District.

Community / Stakeholder Consultation

Community feedback from the Dog Exercise Area discussions has been undertaken. Noting varying support of different locations within the district, it is assumed this level of debate will continue for whatever project is chosen to be developed as the Shire seeks to identify a suitable site.

The Chief Executive Officer recommends a high level of engagement with the community at an "engaged" status through the development of an enquiry through design process that will work with professional staff to develop a facility that will meet contemporary standards for this type of community infrastructure whilst being innovative and meeting the majority of community needs. It is envisaged that this level of engagement will also seek to alleviate through engineering, landscaping or other processes, concerns raised by the community.

The development of the Reserve with the community through an engaged process may overcome any concerns from the community as to its design, purpose and traffic management required for the site. This level of engagement whilst labour intensive would see a day allocated, ideally on a weekend where the community can work together with the staff to design a Dog Exercise Area for the use of the community utilising this facility. A collective and congruent approach to work into the design any rectification measures from community concerns raised for the sites development as a Dog Exercise Area would be incorporated.

Council's December 2017 report indicated that the Larsen Road Reserve proposal sought consultation from 557 persons in the immediate area for which 25 responses were received (4%



of those consulted) of the responses received 1 positive response was identified and 24 were negative.

Comment

It is acknowledged that some negative comments have come from the community raising concerns about the development of the site.

The enquiry by design process as listed above may alleviate the majority of the concerns while developing a purpose built site that the community would be proud to promote as one of its assets.

The funds from the Public Open Space Reserve of \$399,500 come from protected funds that were help from the uncompleted development at the Reserve. This funding is specific to the Reserve so Council is able to use these quarantined funds for the development.

Most of the negative comments as attached to the location relate to the concept that the park would be unfenced or noise associated with the nearby residences. It is felt that with the above budget allocation available the majority of these concerns can be designed out and that the Enquiry by Design process envisaged by the author would see a fenced area with additional controls for small, medium and large dogs with double-gated fencing installed. Appropriate seating, rubbish collection receptacles would also be designed in with the community inputs.

Attachments

- [OCM092.1/08/18](#) - Photographs of Site (E18/8788)
- [OCM092.2/08/18](#) - Aerial topography (E18/8790)
- [OCM092.3/08/18](#) - Summary of submissions from 2017 consultation (E16/6254)
- [OCM092.4/08/18](#) - Examples of Social Media Comments (E18/8789)

Financial Implications

Council has an amount of \$399,500 in allocated in Public Open Space contributions particular to this lot development. These funds could be allocated to the undertaking should Council agree to developing the area.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Impacts on Brand from community disagreement	Unlikely (2)	Minor (2)	Low (1-4)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder	Accept Risk



				trust or low media item	
Insufficient funds to meet community design expectations	Unlikely (2)	Minor (2)	Low (1-4)	Financial Impact - 1 Insignificant - Less than \$50,000	Treat through costing of designs outcomes from community consultation and submit budget amendment to Council for consideration prior to capital works progressing. ...
Community do not participate in Enquiry by Design Process	Rare (1)	Minor (2)	Low (1-4)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder trust or low media item	Manage by undertaking marketing of Enquiry By Design Day, utilising available media mix to help message the proposal.

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)	
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)	
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)	

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority



OCM092/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Coales, seconded Cr Atwell

That Council

- 1. Identifies Reserve R50333 (Larsen Road cnr Samsimeon Boulevard) as a Dog Exercise Area investigation site and for the Chief Executive Officer to establish a mechanism to undertake an Enquiry by Design process with the community to design an appropriate site on the Reserve for a Dog Exercise Area.**
- 2. Requests the Chief Executive Officer to report to Council by Ordinary Council meeting of November 2018 the results of the community consultation process for developing a Dog Exercise Area on the site together with indicative financial costs reflecting the communities design criteria for Council's consideration.**
- 3. Requests the Chief Executive Officer to ensure the Enquiry by Design process anticipated with the community takes into consideration the views expressed by the community in relation to ensuring the site is fenced appropriately, noise and amenity considerations are taken into consideration as part of the facilitated design process.**

CARRIED UNANIMOUSLY 7/0



10.6 Confidential reports

COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr McConkey

That the meeting be closed to members of the public whilst items OCM093/08/18 and OCM094/08/18 are discussed pursuant to section 5.23(2)(c) of the Local Government Act 1995.

CARRIED UNANIMOUSLY 7/0

At 8.34pm the meeting went behind closed doors. All Members of the Public left the Chambers.

Local Government Act 1995

5.23 Meetings generally open to the public

(1) Subject to subsection (2), the following are to be open to members of the public —

- (a) all council meetings; and
- (b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government; and

(f) a matter that if disclosed, could be reasonably expected to —

- (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
- (ii) endanger the security of the local government's property; or
- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;

and

(g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and

(h) such other matters as may be prescribed.

(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.



OCM093/08/18 – CONFIDENTIAL Contract for the Provision of Youth Development Services (SJ1282-02)	
Author:	Manager Community Development
Senior Officer/s:	Deputy CEO/Director Community Services
Date of Report:	10 August 2018
Disclosure of Officers Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Voting Requirements: Absolute Majority

OCM093/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Byas, seconded Cr See

That Council:

1. Supports the cessation of contractual arrangements currently in place with YMCA for the Provision of Youth Development Services at the end of the current contract term; being 31 December 2018.
2. Endorses written notice be provided to YMCA by 30 September 2018, outlining the Shire's intent not to exercise the contract extension option.
3. Agrees to providing in-house service delivery for youth development services in the Shire of Serpentine Jarrahdale, with full service delivery commencing 1 January 2019.
4. Reallocates an amount of \$133,510 from account OSR 605.62 SJ Rec Centre Youth Services Management, to account OSR 605.30 Youth Services Employee Costs.

CARRIED BY ABSOLUTE MAJORITY 7/0



Cr Denholm declared an Impartiality Interest in OCM094/08/18. Councillor Denholm remained in the Chambers to partake in the debate and vote on this agenda item.

Cr McConkey declared an Impartiality Interest in OCM094/08/18. Councillor McConkey remained in the Chambers to partake in the debate and vote on this agenda item.

OCM094/08/18 – CONFIDENTIAL Contract for Management of Serpentine Jarrahdale Community Recreation Centre and Provision of Seniors Recreation Services (SJ994)	
Author:	Manager Community Development
Senior Officer/s:	Deputy CEO/Director Community Services
Date of Report:	15 August 2018
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Voting Requirements: Simple Majority

OCM094/08/18 COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Byas, seconded Cr Denholm

That Council:

1. Supports the contractual arrangements currently in place for management and operation of the Serpentine Jarrahdale Community Recreation Centre.
2. Requests the Chief Executive Officer to provide written notice to the YMCA, outlining the Shire's intent to exercise the contract extension option (being 3 years; to expire 31 December 2021).

CARRIED UNANIMOUSLY 7/0

COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr Denholm

That the meeting be reopened to members of the public.

CARRIED UNANIMOUSLY 7/0

At 8.36pm, the doors were reopened to members of the public. The Shire President, Councillor Rich advised members of the public that the Officers Recommendation for item OCM093/08/18 was carried by absolute majority 7/0 and the Officers Recommendation for item OCM094/08/18 was carried unanimously 7/0. Councillor Rich read the Council Resolutions to Members of the Public



11. Urgent business:

Nil.

12. Councillor questions of which notice has been given:

12.1 Councillor Coales

At the Ordinary Council meeting 23 July 2018, Councillor Coales asked the Chief Executive Officer in accordance with 3.11A of *Council's Standing Orders Local Law 2002 (as amended)*:

1. The State Government during the state election campaign in February 2017 promised \$200,000 for the Shire of Serpentine Jarrahdale volunteer fire brigades. Has this money been received?

Response

\$200,000 was received from the Department of Premier and Cabinet on 20 March 2018.

The grant funds have been earmarked for the following purposes:

- \$110,000 Bushfire Mitigation Strategy;*
- \$40,000 Jarrahdale VBFB Capital Improvements;*
- \$10,000 Byford VBFB Capital Improvements;*
- \$10,000 Oakford VBFB Capital Improvements;*
- \$10,000 Mundijong VBFB Capital Improvements;*
- \$10,000 Serpentine VBFB Capital Improvements;*
- \$10,000 Keysbrook VBFB Capital Improvements.*

13. Closure

There being no further business, the Presiding Member declared the meeting closed at 8.42pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 25 September 2018.

.....
Presiding Member

.....
Date