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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG MONDAY 28<sup>TH</sup> APRIL, 2003. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

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## 1. ATTENDANCES & APOLOGIES

**PRESENT:** Crs JC Star ..... Presiding Member  
DL Needham  
JA Scott  
KR Murphy  
THJ Hoyer  
A Wigg  
JE Price  
WJ Kirkpatrick  
AJ Simpson  
IJ Richards

### APOLOGIES:

### IN ATTENDANCE:

Mr D Price ..... Chief Executive Officer  
Mr G Dougall ..... Director Corporate Services  
Mr M Beaverstock..... Director Asset Services  
Ms J Abbiss ..... Director Sustainable Development  
Mrs S Langmair ..... Minute Secretary

**GALLERY: 10**

## 2. PUBLIC QUESTION TIME

Public Question Time commenced at 7.00pm

Ken Court

In attendance at the meeting with David Bradbury in support of the High School study which is before Council. Outlined past experience and called on Council and the community to be proactive with the Anglican Schools Commission. The Anglican Schools Commission have 12 schools on their agenda, with 9 being of top priority and the Mundijong proposal being a very high priority. There is huge support for this project coming from resident Robert Leighton and the CEO of the Anglican Schools Commission. Urged Council to communicate with the community via newsletters on this project.

Q Does the Council have the will to push this project for a 2005 start?

A The Presiding Member thanked Mr Court and advised that she could see certain enthusiasm for the project and that the matter would be discussed by Council tonight.

Mrs Bond

Q Is Cr Murphy aware of a building (for Perth International Motor Management (PIMM)) constructed on Kargotich land near the Fire Station without Council approval? Will retrospective approval be given for this building or has it already been given?

A The Director Sustainable Development advised that approval had been given under delegated authority for that building.

Q What was the date?

- A The Director Sustainable Development was unsure of the exact date and advised that this would be taken on notice.
- Q Was this building for PIMM or for the Fire Station.
- A The Director Sustainable Development advised that it was for PIMM for a public information area.
- Q Has a proposal been put to Council for the raceway.
- A The Director Sustainable Development advised no.

Paul Nield

- Q Does Council consider it correct to fail to minute questions that residents have legitimately asked?
- A The answer provided to the question asked at the Ordinary Council Meeting referred to the Shire President having certain powers under Councils Standing Orders. The powers that are applicable to deal with matters relating to the questions are not contained within Councils Standing Orders but rather the Local Government Act and consequently the following correction applies.

The Presiding Member is able to accept or not accept a question asked by a member of the public in accordance with the Local Government Act Section 5.24 and the Local Government (Administration) Regulations 1996 and Council Policy CSP24 - Question Time.

Council Policy CSP24 - Question Time states that if a question asked at Public Question time is "considered by the Chief Executive Officer to be a local government operational matter, the Chief Executive Officer may authorise a response without referring the referral to a Committee. In such a case the full response is not required to be included in the agenda and minutes of the next Ordinary Meeting of Council for information (a note made in the agenda), and the matter is considered to be final". Consequently, there may also be occasions when a question is asked and answered at the Council meeting which is operational and not fully recorded in the minutes.

The Chief Executive Officer also has an obligation to check the content of Council minutes. The Local Government Act 1995 S5.41(h), states that one of the CEO's functions is to ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law.

This additional information and a copy of Council Policy CSP24 - Question Time, was provided to Mr Nield on 30<sup>th</sup> April, 2003.

- Q Councillors seems to have been participating, debating and voting on legal funding issues that they have interests in with the apparent full knowledge of the Chief Executive Officer, is this considered right and proper in local government?
- A Further information was requested in order to answer this question.
- Q Have the Council voted to fund the defamatory action that Mrs Nield has against the Weekend Examiner and they have an action against the Shire?
- A This was a current legal matter and no comment would be made.

Q Is it considered right and proper for local government, because I understand that the debating of whether to allow the legal funding to be distributed was I don't recall any of the parties involved leaving whilst those matters were debated.

A There have been no matters debated by the Council in relation to the legal matters referred to by Mr Nield.

Q Can you please explain how the legal funding is applied for and do you have to vote?

A There is a Council Policy.

Q Mrs Neild was ordered to vacate a Council meeting last time Mr Nield was asked to leave the meeting, who instructed G Dougall and the security guard to enforce that order and was this voted on?

A The question was taken on notice.

The Presiding Member asked that under standing orders Mr Nield sit down.

Christine Nield

Q Asked the Chief Executive Officer to clarify his words - the policy is to not print any defamatory statements, is that correct?

A Council does not intentionally print such statements.

Mrs Nield advised that on 20<sup>th</sup> December 1999, Mr Murphy has actions against him in relation to statements that were printed.

Cr Murphy was not a Councillor at that time and at that time there was no understanding that the matters were defamatory.

Mr Nield

Q Would like to know if Cr Murphy has contravened in any way shape or form by applications that the people who are or maybe suing him when they make an application to tender for work in the Shire or any other applications, planning approval or what have you?

A This was not a matter that needs to be spelt out.

Public Question Time concluded at 7.16pm

### **3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

### **4. STATEMENTS, PETITIONS, MEMORIALS & DEPUTATIONS**

Commenced at 7.16pm

Mark Keirnan, 14 Mead Street, Byford

Regarding Recreation Centre at Briggs Park. He has spoken to his local Councillors and Shire offices at Mundijong regarding the roads that will be used to service the new centre and no one can give him a solid answer to which road or roads will be used. As it seems likely that Mead Street, Bateman or Gordin Way could be used he tabled a petition signed by all the residents in the area stating that they do not wish their roads to be used as either temporary or permanent access ways to the new centre.

They would therefore like Council to consider the options of using Warrington Road, off Abernethy Road, as there is only one driveway to a ten acre property which is set back off the road, with access to the centre from the bottom of Mead Street or failing that to consider a new road being made on the land owned by Fred Thatcher. (Please advise what will happen with Recreation Road, which is in the map book?).

As residents they feel that the Council has not been fair in its dealings regarding the road plan to the new centre, they have not been approached as to whether or not they would like their roads used and not much thought has gone into the impact that this will have on the residents living around the centre, especially the elderly residents living in the Retirement Village and Hostel.

The BMX meetings on a Friday nights are also a cause for concern by the residents showing them what can happen when the new centre is built.

Concluded at 7.19pm

## **5. ANNOUNCEMENTS BY PRESIDING MEMBER**

- \* Welcome to the two new Directors Joanne Abbiss – Director Sustainable Development and Mick Beaverstock – Director Asset Services. I also welcomed Julia Unfried, a visiting student from Austria to the meeting.
- \* Congratulations to Cr Needham on being awarded a Centennial medal which was very well deserved and congratulations also to some other local recipients, including past President Colleen Rankin, Mayor of Armadale and Mayor of Gosnells on receiving medals.
- \* This is my last Council meeting as President and so thank you to the Chief Executive Officer, David Price and his staff and particularly our Personal Assistant, Sue Langmair for the support they have given me. Over the past eight months or so, most of my attention has been elsewhere, either with the World Summit on Sustainable Development or the workload created by the Commonwealth's new model for the delivery of NRM (National Action Plan for Salinity and Water Quality and NHT2). I hope these efforts will eventually have some benefits to the Shire. It has been a most enjoyable four years and I could not have wished for a better team of Councillors, as well as staff. I congratulate them for their diligence and maturity and thanked particularly thank my Deputy Cr Needham who always has had sound advice.

## **6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **6.1 Ordinary Council Meeting – 24<sup>th</sup> March, 2003**

#### **COUNCIL DECISION**

Moved Cr Simpson seconded Cr Kirkpatrick  
That the minutes of the Ordinary Council Meeting held on 24<sup>th</sup> March, 2003 be confirmed.  
CARRIED 10/0

## **7. REPORTS OF COMMITTEES & OFFICERS**



7.1 Asset Services – 7<sup>th</sup> April, 2003

**COUNCIL DECISION**

Moved Cr Kirkpatrick seconded Cr Needham  
That the minutes of the Asset Services Committee Meeting held on 7<sup>th</sup> April, 2003 be received.  
CARRIED 10/0

AS056/04/03 REQUEST FOR TENDER RFT C04/2002-03 WIN & STOCKPILE 50,000T FERRICRETE SCRIVENER RD PIT (A0890)		
Proponent	Shire of Serpentine Jarrahdale	<b>In Brief</b>  Council is requested to accept the offer for the Winning and Stockpiling of 50,000 tonnes Ferricrete at Council's Scrivener Rd Pit Serpentine.
Officer	Paul Bachman, Contract Administration Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	21/03/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	Council	

**Background**

Tenders were advertised Saturday 22<sup>nd</sup> February for the Winning and Stockpiling of 50,000 tonnes Ferricrete at Council's Scrivener Road Pit Serpentine. The proposed material will form part of Council's forward works road infrastructure construction and maintenance program as outlined in the Principal Activities Plan. Tenders closed 3.00pm Thursday 20<sup>th</sup> March 2003. The following tender was received:

Tenderer	ITEM	Rate/tonne GST	ex GST	TOTAL COST
B & J CATALANO PTY LTD	Ferricrete	\$4.50	\$0.45	\$247,500.00
	TOTAL	\$4.50	\$0.45	\$247,500.00
		<b>Rate/Hr ex GST</b>	<b>GST</b>	
	Dayworks D10 Dozer – additional pit rehabilitation	\$300.00	\$30.00	

**Comments**

Tender documents were requested and sent out to two companies. Only the one tender was received. The tendered price represents a 55% reduction in comparison to the previous contract awarded ex Nettleton Rd pit for the supply of Ferricrete. Further, the Evaluation Report has sufficiently demonstrated that the tenderer has a strong history of carrying out similar works of suitable standard to several other Councils, including Serpentine Jarrahdale. The equipment to be utilised is modern and within environmentally acceptable sound and dust levels.

**Sustainability Statement**

The supply of Ferricrete forms an essential component of the Council's ongoing road works program. It constitutes an integral part of road construction and maintenance thus strongly contributing to current and future infrastructure development, road safety standards and state transport networks. The works consist of the establishment of equipment, locating material, selection, winning, breaking, mixing, crushing, stockpiling, measurement of stockpile and testing to Council's satisfaction of laterite rock and associated material in approved specification base course material of quality suitable for sealed road construction.

This tender will ensure that the Shire is provided with the most advantageous material required to complete the proposed works identified in the Principal Activities plan. By utilising local resources and environmentally sound equipment through the tenderer, the Shire is able to promote best practice opportunities of sustainable development and maximize the productivity of the funds available to provide sound and sustainable Asset maintenance.

**Statutory Environment:** Local Government Act 1995, Local Government Tender Regulations, Purchasing Policy.

**Policy Implications:** Nil.

**Financial Implications:** No specific budget provision has been included in the 2002/03 budget for these works which will produce material as an asset held in stock. Nil financial implications for current budget. Processed material will be placed into stock and allocated as required in accordance with forward works program for road construction and maintenance from Financial Year 2003/04 onwards.

**Strategic Implications:** Nil.

**Community Consultation:** Adjacent landowners have been advised in writing of the Council's intention to commence works subject to an acceptable offer being received.

**Voting Requirements:** **ABSOLUTE MAJORITY** (out of budget expenditure).

**CRAS056 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Simpson seconded Cr Scott that the tender of B & J Catalano Pty Ltd be accepted for the Winning & Stockpiling of 50,000 Tonne Ferricrete for the sum of \$247,500.00 (GST Inclusive) and rehabilitation works at an hourly rate of \$330.00 (GST Inclusive) at Scrivener Road Pit.

**CARRIED 10/0 ABSOLUTE MAJORITY**

AS057/04/03 PURCHASE OF NEW LIGHT TANKER FOR BYFORD (A0191)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief <i>Council to approve the sale of the Byford and Serpentine light tankers and the purchase of the new light tanker for Byford Brigade in accordance with the Fire &amp; Emergency Services Authority grants scheme and Council five year emergency services policy.</i>
Officer	Fire & Emergency Services Officer	
Signatures - Author:	D Gossage	
Senior Officer:	D Gossage	
Date of Report	20 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

In early 2002 Council submitted application forms for grants for two light tankers and one 3.4 urban in accordance with Council Five Year Vehicle and Equipment Replacement plan.

Prior to the budget, advice was received Council would receive grant funding for the Byford 3.4 urban unit and one light tanker. It was indicated a grant for a second light tanker may be made later in 2002/03 in a second round of grants.

The 2002/03 budget was developed on the basis of Fire & Emergency Services Authority grant funding contributions for the Byford 3-4 unit and one light tanker only.

Subsequently Council has been advised a second round of grants has allocated funding toward a second light tanker.

**Comments**

The grant funding for the additional light tanker comprises 50% of the value of the vehicle and accessories (approximately \$36,500 of estimated \$73,000 vehicle cost).

The 2002/03 budget provides that Council's contribution to the first light tanker be paid to Fire & Emergency Services Authority over two years (2002/03 and 2003/04). The budget had also foreshadowed that the value of the existing light tanker being replaced would be assessed in the nett cost to Council, with the existing vehicle being accepted as a trade-in by Fire & Emergency Services Authority for reallocation elsewhere.

This has not occurred and the Council is able to dispose of the light tankers at its discretion. The second-hand light tankers have an estimated disposal value of \$25,000 each (GST inclusive).

It is proposed Council's 50% funding contribution of the new light tanker (estimated \$36,500 excluding GST) be drawn from Council's plant reserve, and that the proceeds from the disposal of the two second-hand light tankers (estimated \$45,500 excluding GST) be credited to the plant reserve.

**Sustainability Statement:**

The provision of sound and effective equipment is a prerequisite to Council's ability to provide a fire and emergency service meeting the expectations of the community.

**Statutory Environment:**

Bush Fires Act.

**Policy Implications:**

The purchase of the light tanker replacement will be fully funded through Council's Plant Reserve Fund and will not have any budgetary implication.

**Financial Implications:**

The cost of the additional light tanker replacement will be fully funded within budget.

**Strategic Implications:**

In accordance with replacement strategy.

**Community Consultation:**

Not applicable.

**Voting Requirements:**

**ABSOLUTE MAJORITY** (unbudgeted expenditure).

**CRAS057 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Kirkpatrick seconded Cr Scott Council accepts:-

1. The Fire & Emergency Services Authority grant funding of 50% of the value of a light tanker and draws its 50% contribution (estimated \$36,500) from Council's Plant Reserve Fund.
2. Invites tenders for disposal of the resultant two surplus second-hand light tankers with the proceeds (estimated \$45,500) directed to Council's Plant Reserve Fund.

**CARRIED 10/0 ABSOLUTE MAJORITY**

7.2 Planning Development & Environment Meeting – 17<sup>th</sup> April, 2003

**COUNCIL DECISION**

Moved Cr Richards seconded Cr Hoyer  
That the minutes of the Planning Development & Environment Committee Meeting held on 17<sup>th</sup> April, 2003 be received.  
CARRIED 10/0

B21/04/03 PROPOSED OUTBUILDING OUTSIDE BUILDING ENVELOPE – LOT 249 WARBURTON COURT, BYFORD (P00906)		
Proponent	SR & KL Lindsay	<u>In Brief</u>  Council is requested to consider an application to locate an outbuilding on Lot 249 Warburton Court partially outside the building envelope.  It is recommended Council refuses the application.
Officer	W Chant - Principal Building Surveyor	
Signatures - Author:		
Senior Officer:		
Date of Report	02.04.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<u>Council</u>	

Owner: SR & KL Lindsay  
 Owner's Address: 59 Warburton Court, Byford  
 Applicant: Garagex  
 Applicant's Address: PO Box 196, Bentley  
 Date of Receipt: 6 March 2003  
 Advertised: 14 March 2003  
 Submissions: 17 March 2003  
 Lot Area: 4056m<sup>2</sup>  
 L.A Zoning: Rural Living A  
 MRS Zoning: Urban Deferred  
 Byford Structure Plan: N/A  
 Rural Strategy Policy Area: Rural Living A  
 Rural Strategy Overlay: N/A  
 Municipal Inventory: N/A  
 Townscape/Heritage Precinct: N/A  
 Bush Forever: N/A  
 Date of Inspection: 2 April 2003

**Background**

An application has been received to construct a 9 metre long by 7.5 metre wide garage with a wall height of 3 metres on Lot 249 Warburton Court, Byford. The proposed garage is to be all steel construction clad with colorbond steel roof and wall sheeting.

It is proposed to locate the outbuilding partially outside the building envelope on Lot 249. ***A copy of the site plan is with the attachments marked Attachment B21/04/03.***

**Comments**

The proposal was advertised to the owner of the adjoining property, Lot 250 Pethick Close. It was referred on the basis that the proposed location may have an impact on the amenity of the adjoining property.

A submission was received signed by the owners of Lots 250, 251 and 252 Pethick Close. The points raised in their submission are summarized below:

- The proposed location represents a reduced boundary setback from 20 metres down to 15 metres.
- This reduced setback will place the shed within clear view from the road.
- The shed will impact on the view of the scarp enjoyed by the residents of Lot 250.
- The shed will relate to bedrooms on Lot 250 and may have an impact due to noise or other emissions.
- The shed may affect property values.

In response to the first two points, Council's Draft Local Planning Policy 17 specifies setbacks of 15 metres from primary street boundaries, and 7.5 metres from secondary street, side and rear boundaries. These setbacks do not apply in this instance due to the existence of a building envelope with setbacks of 20 metres from the Pethick Close boundary and 10 metres from all other boundaries. It is considered that the proposed shed location will impact on the streetscape as all existing development within Pethick Close has been setback at least 20 metres in accordance with approved building envelopes.

The remaining three points in the submission are subjective and, therefore, difficult to provide comment on.

The owners of Lot 250 have stated in their submission that they would be prepared to consider granting consent to a location partially outside the envelope on Lot 249 and behind the existing residence. This location is away from either street boundary.

### **Sustainability Statement**

#### **Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?**

It is considered that the proposed location will have a detrimental impact on the streetscape of Pethick Close.

#### **Does the proposal/issue minimise resource use, eg. energy, land, water, soil, compared to traditional development approaches?**

The proposed location 15 metres from Pethick Close would minimise service and access costs.

#### **Does the proposal/issue use locally available or produced resources?**

The shed will be manufactured by a regional manufacturer.

#### **Will the proposal/issue be economically viable in a way that incorporates its external costs?**

The shed is required for storage of domestic items.

#### **Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?**

The proposal has been the subject of ridicule within the immediate neighbourhood.

#### **Does the proposal/issue disadvantage any social groups?**

From the submission by the owners of Lot 250, the proposal may affect the vista enjoyed from their land and it may also affect their property value.

**Does the proposal/issue create long term employment or economic benefit to current and future residents of the Shire?**

Not applicable.

**Statutory Environment:** Town Planning Scheme N<sup>o</sup> 2, Clause 5.12.9(d) which states: *No building shall be constructed on a lot other than within the approved building envelope without the written approval of Council*

**Policy Implications:** Draft Local Planning Policy 17 – Residential and Incidental Development within Serpentine Jarrahdale Shire

**Financial Implications:** N/A

**Strategic Implications:** Key Sustainability Result Areas:  
1 People & Community  
Objective 2 – Plan and develop towns and communities based on principles of sustainability. Strategy:  
4: Foster a strong sense of community, place and belonging (involve community in local planning decisions)

**Community Consultation:** Advertised to the owner of potentially affected adjoining property

**Voting Requirements:** **ABSOLUTE MAJORITY**

**Officer Recommended Resolution**

Council refuses an application to locate an outbuilding 15 metres from the Pethick Close boundary on Lot 249 Warburton Court, Byford due to the impact a shed in that location would have on the streetscape within Pethick Close.

**CRB21 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Hoyer seconded Cr Richards

- 1 That Council refuses the current application for an outbuilding to be erected on Lot 249 Warburton Close, Byford.
- 2 That the Principal Building Surveyor be given delegation to vary the setback distances on the northern side of Lot 249 Warburton Close, Byford to allow approval of a building application for the construction of a shed on that portion of the block.

**CARRIED 10/0 ABSOLUTE MAJORITY**

Note: The Officer Recommended Resolution was changed to facilitate speedy resolution of the impasse over the siting of the shed.

E021/04/03		CITIES FOR CLIMATE PROTECTION – MILESTONE 5 (A0956)
Proponent	Shire of Serpentine - Jarrahdale	<b>In Brief</b> Council has already completed Milestone 1-4 of the Cities for Climate Protection Program and has just completed the Milestone 5 inventory. The Milestone 5 report has been completed for comment.
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	30 March 2003	
Previously	P197.9/12/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Shire has been part of the Cities for Climate Protection Program since 1991 and has completed Milestone 1 to 4. The Milestones are as below:

- Milestone 1 *Prepare an emissions analysis and estimate emissions growth*
- Milestone 2 *Establish an emissions reduction goal*
- Milestone 3 *Developing a local action plan*
- Milestone 4 *Implementing the local action plan*
- Milestone 5 *Monitoring and reporting on the implementation of the local action plan*

The Shire received funding approval from the AGO for Milestone 5 of the CCP program to be undertaken. As part of the agreement an external person was engaged to complete the work. The Shire engaged Sonja Farrow, a final year Murdoch Sustainable Development student, to complete the Milestone 5 inventory and report.

### **Comments**

***The full milestone 5 report is with the attachments marked E021.1/04/03.***

The Milestone 5 inventory has been completed and submitted to ICLEI throughout the process. ICLEI have given sign off on the inventory. The report has been drafted and submitted to ICLEI as a draft for information and comment. Once council has reviewed the report and made comment the final amended report will be submitted to ICLEI for final sign off.

The milestone inventory has shown that the Council has achieved an 18.7% decrease upon the 1998/99 greenhouse gas emission levels, in the Corporate Sector. The Shire if it continues to implement energy efficiency measures to both practices and building equipment will achieve the 30% reduction goal set.

In regards to the community levels the CCP software does not require calculation of actual community greenhouse reduction as this would be unachievable. The community action plan is reviewed against what has been achieved and what is planned. In regards to achieving an overall 15% greenhouse gas reduction we believe that this is unachievable due to the current and predicted population increase and propose that a 15% reduction per capita is a more practicable target.

Once Council has completed Milestone 5 there is the opportunity to join the CCP Plus program within six months.

## **Sustainability Statement**

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

The Cities for Climate Protection Program aims to reduce greenhouse gas emissions through providing a framework and support to local governments throughout the world to address their own emissions and engage their communities to reduce theirs. The program is best practice in engaging local communities on greenhouse issues.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The CCP program aims to reduce energy consumption of local governments and their communities. This reduction in power use will reduce resource consumption and also pollution. Significant reductions worldwide have already been achieved.

*Does the proposal/issue use locally available or produced resources?*

The CCP program engages local communities to make changes in greenhouse emissions. The initiatives are locally based.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

The CCP actions undertaken by the Shire aim to make both environmental gains but also financial gains through energy use reduction and efficiencies. This is a life cycle approach which incorporates upfront, ongoing and external costs such as pollution.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

Yes, the CCP Program has both a corporate and community component. The Shire has prepared a regional greenhouse action plan which sets out how the Shire has and will engage the community in achieving greenhouse gas reductions in their activities.

*Does the proposal/issue disadvantage any social groups?*

No reductions in energy consumption and greenhouse gas emissions will benefit the entire community.

*Does the proposal/issue create long- term employment or economic benefit to current and future residents of the shire?*

Reduction in energy consumption and greenhouse gas emission creates long term environmental gain for the residents through reducing the environmental impacts that may in the future require funds.

**Statutory Environment:** Not applicable

**Policy Implications:** Not applicable

**Financial Implications:** Cost of Report funded through Australian Greenhouse Office Grant

**Strategic Implications:** Community Strategies are:

“1.2.1 Increase information and awareness of key activities around the Shire and principles of sustainability.”



Environmental Commitment Strategies are:

- “2.1.1 Increase awareness of the value of environmental requirements towards sustainability.*
- 2.1.2 Develop partnerships with community, academia and other management agencies to implement projects in line with Shire objectives.*
- 2.1.5 Reduce green house gas emissions*
- 2.2.2 Respond to Greenhouse and Climate change.”*

Governance Strategies:

- “4.1.2 Promote best practice through demonstration and innovation.”*

**Community Consultation:** Not applicable

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

Council endorses the Cities for Climate Protection Milestone 5 final report as shown in Attachment E021.1/04/03.

### **Committee Recommended Resolution**

1. Council endorses the Cities for Climate Protection Milestone 5 final report as shown in Attachment E021.1/04/03.
2. Council makes a submission to the Review of the Mandatory Renewable Energy Target with the following points in mind:
  - Export Industries
  - Industry that can be developed in Rural areas
  - Encouraging small scale renewables

Note: The Officer Recommended Resolution was altered to ensure the Shire provided input into the Review of the Mandatory Renewable Energy Target.

### **CRE021 COUNCIL DECISION**

Moved Cr Hoyer seconded Cr Scott that

1. Council endorses the Cities for Climate Protection Milestone 5 final report as shown in Attachment E021.1/04/03.
2. Council makes a submission to the Review of the Mandatory Renewable Energy Target with the following points in mind. We should be encouraging small scale renewables that can be developed in rural and remote areas and which can become an export industry with huge potential.

CARRIED 10/0

Note: The committee recommended resolution was corrected as Point 2 did not reflect the committee intent.

P240/04/03 TRIBUNAL APPEAL NO. 177 OF 2002 – EXTENSIONS TO EXISTING POULTRY FARM – LOT 717 BOOMERANG ROAD, OLDBURY (P01542/01)		
Proponent	Dykstra & Associates	<b>In Brief</b>  Purpose of report is to inform Council of the outcomes of the Tribunal mediation hearing held 26 March 2003 and Shire's appeal response, in relation to the above matter.
Officer	David Spencer – Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	7 April 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### Background

At its Ordinary Meeting held 28 October 2002, Council considered an application to extend the existing poultry farm on Lot 717 Boomerang Road, Oldbury. This extension involved the decommissioning of seven (7) existing poultry sheds and construction of six (6) new environmentally controlled sheds.

Council resolved to approve the proposed development at the said meeting and imposed a total of 16 conditions. Of these, the applicant appealed against four (4) of the planning conditions, namely 6, 9, 12 and 15.

The four (4) conditions subject of this appeal are as follows:

- “6. *Prior to the issue of a Building Licence the proponent shall pay to the Council a contribution toward the upgrading and bituminous surfacing of Boomerang Road between King Road and the western access to the premises equal to 50% of the estimated cost of investigation, design and construction as determined by Councils Director Asset Services.*
  
9. *A noise modelling report to be submitted by the applicant for approval of Council prior to beginning a new shed and shed extension operations, which satisfactorily demonstrates through modelling of noise that there will be no amplification of adverse noise impact on neighbouring residences with the proposed development. In this respect, written notification is to be provided to Council upon commencement of operations.*
  
12. *Existing sheds to be decommissioned in accordance with the details provided in the application. All existing poultry sheds are to be removed off-site immediately after commissioning of sheds 1, 2 and 3.*
  
15. *An odour profile report to be submitted by the applicant for approval of Council prior to beginning a new shed and shed extension operations, which satisfactorily demonstrates through modelling of odour movement that there will be no amplification of adverse odour impact on neighbouring residences with the proposed development. In this respect, written notification is to be provided to Council upon commencement of operations.”*

### Mediation Hearing

A Tribunal mediation hearing was scheduled for 26 March 2003. Persons present at the mediation representing the appellant were Henry Dykstra (Dykstra & Associates), and current landowners of Lot 717. Richard Morup (Contract Strategic Planner), Patrick Rose (Engineering Technical Officer) and David Spencer (Senior Planner), represented the Shire as the Respondent.

At the Mediation of the Tribunal Appeal No. 177 of 2002 the Tribunal made the following directions:

- “1. Appellant to draft revised conditions for the Respondent’s consideration.
2. Adjourned to a Directions Hearing on a date to be fixed and following the Council meeting on 17 April 2003.
3. Parties have leave to apply for a hearing or to submit a Minute of Consent Orders.”

In accordance with the above programming directions the respondent has since provided the Shire with some recommended revised conditions of approval for the planning appeal. These are presented in full within the Comments section of this report.

## **Comments**

### **Appellants Recommended Modified Conditions & Advice Notes**

The appellant has submitted to Council some suggested changes to the Planning conditions and advice notes imposed, in respect to the development approval issued for extensions to an existing poultry farm on Lot 717 Boomerang Road, Oldbury.

The appellant submits the following suggested modified conditions and advice notes for Council’s consideration:

*“Condition No. 6 is to be supported by an advice note stating as follows:*

In respect of Condition No. 6 the applicant is advised that Council will require a 50% contribution towards the upgrading of the section of road between King Road and the Western most entry point of the site as determined by the landowner to a sealed standard in accordance with Council’s Road Standards policy. Council would be prepared to accept a bank guarantee for the full amount of the contribution prior to the issue of the first building licence for the poultry farm.

Conditions No. 9 & 15 to be deleted and in their place an advice note is to be applied to the approval as follows:

The applicant is advised that the operations of the poultry farm are to comply at all times with the relevant state and local regulations, in particular regulations addressing noise and odour, and any non-compliance with these regulations would result in a requirement for independent testing and assessment and possible remediation strategies being imposed on the development.

*Condition No. 12 to be modified as follows:*

All existing sheds to be decommissioned so as not to accommodate poultry. Any subsequent use of the sheds may require a separate planning consent.

*And the following advice note being added:*

The applicant is advised to consult with the local authority regarding the future possible use of the decommissioned sheds.

The officer’s comments in relation to the appellants recommended conditions are detailed below.

### **Senior Planners Comments**

#### **Condition No. 6**

This condition was imposed due to the additional transport movements which will result due to the increase in capacity of the farm. This impact will be in the form of more vehicles and/or larger vehicles. Given that Boomerang Road is currently of limestone formation, it is not acceptable to alter traffic conditions without improving the road, as it also services residential properties. The length of Boomerang Road is approximately one (1) kilometre with the length of road requiring sealing being about 450 metres.

Council's Asset Services advises that the additional advice note suggested by the appellant is satisfactory as it still achieves Council's objective in obtaining a 50% monetary contribution from the applicant towards the upgrade of a portion of Boomerang Road. It is further advised, that in terms of the future upgrading requirements, a 6.1m wide seal for Boomerang Road is adequate and complies with Council's road standard requirements.

It is considered that the imposition of the Advice Note does not alter the intent of Condition No. 6, but merely serves as information or advice to the applicant. It is therefore recommended that Council endorse the appellants revised condition, with a minor alteration (which is underlined), to read:

*"In respect of Condition No. 6 the applicant is advised that Council will require a 50% contribution towards the upgrading of the section of road between King Road and the Western most entry point of the site, as per the approved plan, to a sealed standard in accordance with Council's Road Standards policy. Council would be prepared to accept an unconditional bank guarantee for the full amount of the contribution prior to the issue of the first building licence for the poultry farm with the road upgrading contribution being paid to the Council within 12 months of issue of the first building licence, and Council to undertake the upgrading works within six months of payment being made.*

#### Condition No's. 9 & 15

Potential noise and odour generated from an expansion of poultry farm activities on the subject land may include things such as; additional birds, more truck movements for feed, cleaning out of sheds and removal of dead birds and new style sheds based on mechanical extraction of air.

Of particular relevance to this matter is the Shire's Rural Strategy Review, which in part, states that:

*"All applications for poultry development to be accompanied by a noise modelling assessment report and include any noise attenuation measures recommended in such report."*

A report detailing potential noise emissions was not lodged with the application, however it was imposed as a condition of approval.

It is worth noting that under Clause 5.7 of the WA Planning Commissions Statement of Planning Policy No. 5 (Poultry Farms Policy), the Council is obligated to refer all applications to the Commission, for the development of poultry farms or extensions (in excess of 100m<sup>2</sup>), as well as the improvements of existing farms.

The Commission determined the application under the provisions of the Metropolitan Region Scheme (MRS) and resolved to grant approval to commence development subject to the imposition of three (3) conditions.

Condition No. 1 of the Commission's approval states the following:

*"Compliance with all planning, building, health and environmental conditions recommended by the Shire of Serpentine-Jarrahdale at the Council meeting of 28 October 2002."*

The appellant contends that the proposed development complies with all relevant requirements, policies and codes including Statement of Planning Policy No. 5, EPA Guidelines and the Shire's Poultry Farm Policy, all of which set out appropriate guidelines so as to protect surrounding landowners from the perceived issues of noise presented by poultry farms.

The appellant therefore maintains that given the presence of the existing poultry farm and that the proposed extensions are not in proximity to any rural residential or residential areas, and that the proposal is compliant with the aforesaid guidelines, a noise and odour assessment should not be necessary.

Council has powers under clause 7.2.1 of Town Planning Scheme No. 2 (TPS 2) and pertinent clauses under the Town Planning and Development Act 1928 (as amended) to prosecute, if it is found that the operators are guilty of an offence.

Clause 7.2.1 of TPS 2 states the following:

*“No lot, building or appliance shall be used in such a manner as to permit the escape there from of smoke, dust, fumes, odour, noise, vibration, or waste products in such quantity or extent or in such a manner as to create or to be a nuisance to any inhabitant of the neighbourhood of such land or to traffic or persons using roads in the vicinity.”*

There are also powers given to the Local Government with regard to noise levels, which are governed by State Government legislation. In this respect, officers from the local authority are responsible for enforcing and carrying out the provisions of the Environmental Protection (Noise) Regulations 1997. Therefore, if the Shire, for arguments sake, receives substantiated complaints from nearby residents upon commencement of the new poultry shed development, qualified Environmental Health Officers from Council have the ability to conduct noise testing and monitoring. If it is found that noise levels do not comply with the Environmental Protection (Noise) Regulations 1997, then Council may issue a noise abatement order upon the landowners/operators to undertake appropriate measures to reduce noise levels to make them compliant with relevant legislation.

In view of the above, it is therefore recommended that Council acknowledge and accept the appellants proposed recommendation and delete Condition No.'s 9 and 15 and replace them with the Advice Note put forward.

#### Condition No. 12

The purpose and wording of this condition was to ensure that all existing poultry sheds currently on-site are decommissioned and removed from the premises. This would mean that existing shed No. 7 despite its location, would also be demolished. It is interesting to note that the proponent in their letter of application proposed to decommission the seven (7) existing sheds and construct six (6) new poultry sheds, as their replacement. The site plan submitted with the development application confirmed this, which indicated that the existing sheds would be “progressively decommissioned”.

The proposal put forward by the appellant to decommission all sheds, however have the ability to retain some of the poultry sheds for a separate land use activity, at some time in the future, is not supported. It is argued that the use of the outdated sheds serves little purpose as a buffer or screen to surrounding landowners. Furthermore, the existing poultry sheds are considered to detract from the amenity of the area.

Once constructed, the new environmentally controlled sheds will be far more appealing from a visual perspective to nearby residents and road users.

It is also worth highlighting that the appellant's consultant negotiated at the Planning Development and Environment Committee held 18 October 2002 for shed No. 7 to be

removed, as the Shire believed that it would result in a loss of vegetation as the owners/operators would not be able to obtain an internal circular route to service this outbuilding and a second access would be required meaning further sealing of the road.

The appellant maintains that shed 7 has never been used to house poultry, nor will it be used for use as a poultry shed. According to the appellant the shed has been utilised in the past to store machinery and equipment associated with the poultry business. It should also be noted that once the sheds are decommissioned the applicant would no longer have a licence to grow chickens inside them.

Based on the foregoing, it is recommended that Council request the decommissioning of all existing poultry sheds and removal of the sheds, except shed no. 7 which is considered to be an isolated and separate building given its' location, and is well screened from Boomerang and King Roads, as well as surrounding properties.

The revised condition should read:

*“All existing sheds to be decommissioned so as not to accommodate poultry. Existing poultry sheds (except Shed 7) are to be removed off-site immediately after commissioning of sheds 1, 2 and 3.”*

It should be noted by Councillors that the imposition of Advice Notes and/or Footnotes do not have the force of law, unlike planning conditions which carry or hold more statutory “weight” and which are also legally binding and enforceable.

### **Sustainability Statement**

The proposed development involves the replacement of the existing outdated poultry farm sheds with the new environment controlled sheds, which are in line with the Poultry Industry standards of best practice.

The poultry farm has the potential to provide local employment to the Shire. Road upgrading is required to ensure that the road is able to be maintained to a sustainable standard for all present and future users.

### **Statutory Environment:**

Town Planning and Development Act 1928  
Town Planning Scheme No. 2  
Environmental Protection Act 1986

### **Policy Implications:**

Statement of Planning Policy No.5 (SPP 5)  
Statement of Planning Policy No.2 (SPP 2)  
Environmental Protection Authority (EPA) Code of Practice  
Department of Environmental Protection (DEP) Guidelines  
Draft Environmental (Peel Harvey Estuarine System) Policy 1992

### **Financial Implications:**

No legal advice was sought or obtained from Council's solicitors in relation to this matter.

### **Strategic Implications:**

The proposal meets Strategy 1.4 of Key Result Area – People and Community in Council's Strategic Plan (2001-2005), which states:

*“Strengthen community groups and promote meaningful community input into Council decision”.*

And Strategy 2.1, which is:

*“Encourage best practice environmental management”.*

And Strategy 3.5, which is:

*“Support the development of an Enterprise Culture”.*

**Community Consultation:**

Application was referred to surrounding landowners, WA Planning Commission and Department of Environment, Water and Catchment Protection for comment.

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**CRP240 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Needham seconded Cr Price that Council gives delegated authority to the Director Sustainable Development, to execute a consent order on behalf of Council in Town Planning Appeal Tribunal Appeal number 177 of 2002 generally reflecting the following:

- a) Allowing the appeal in part, subject to no order as to the cost of the appeal;
- b) Adding an advice note to condition 6 (marked in bold);
- c) Deleting conditions 9 and 15 (marked as strikethrough) and substituting those conditions with an advice note (marked in bold); and
- d) Modifying condition 12 (marked in bold), as follows:
  - 1. A building licence being obtained prior to the commencement of development;
  - 2. There shall be a separation of 50m from the edge of the wetland dependant vegetation and the start of any development;
  - 3. All solid wastes (including poultry litter and spilt feed) should be contained in weather-proof conditions (on a covered hardstand) until removed from the site for disposal at an approved facility;
  - 4. Dead birds should not be buried on site.
  - 5. Shed wash waters should be kept to a minimum. The waste water is to be disposed of by solar evaporation in a pond with low permeability lining;
  - 6. Prior to the issue of a Building Licence the proponent shall pay to the Council a contribution toward the upgrading and bituminous surfacing of Boomerang Road between King Road and the western access to the premises equal to 50% of the estimated cost of investigation, design and construction as determined by Councils Director Asset Services.
  - 7. The applicant shall construct access crossings servicing the property with a pavement strength and asphalt surface able to safely accommodate the turning movements of the largest design vehicle intended to access the property.
  - 8. Screening of the eastern and southern boundaries to be in accordance with Council’s Landscaping and Revegetation Policy to the satisfaction of Council. Landscaping to be implemented by 30 September 2003 and from thereon suitably maintained to Council’s satisfaction;
  - ~~9. A noise modelling report to be submitted by the applicant for approval of Council prior to beginning a new shed and shed extension operations, which satisfactorily demonstrates through modelling of noise that there will be no amplification of adverse noise impact on neighbouring residences with the proposed development. In this respect, written notification is to be provided to Council upon commencement of operations;~~
  - 10 9. Notices indicating the type of operation, hours of operation and potential impacts of the poultry farm operation to be displayed adjacent to the usable entrances to the farm in accordance with the Western Australian Planning Commission’s Statement of Planning Policy No.5 - Poultry Farms Policy, to the satisfaction of Council;

4410. A separate application will need to be submitted for any proposed signage for the poultry farm (except that referred to in condition 10 above);
4211. All eExisting sheds to be decommissioned so as not to accommodate poultry. ~~in accordance with the details provided in the application~~ All existing Existing poultry sheds (except Shed 7) are to be removed off-site immediately after commissioning of sheds 1, 2 and 3;
4312. A demolition licence application being made to Council for the demolition and removal of the existing poultry sheds;
4413. All practicable measures being taken to ensure that commercial vehicle transport occurs during daylight hours including delivery of feed and collection of birds;
15. ~~An odour profile report to be submitted by the applicant for approval of Council prior to beginning a new shed and shed extension operations, which satisfactorily demonstrates through modelling of odour movement that there will be no amplification of adverse odour impact on neighbouring residences with the proposed development. In this respect, written notification is to be provided to Council upon commencement of operations;~~
4614. Provision of a static water supply to the satisfaction of Council's Fire and Emergency Services Officer.

Advice Notes:

1. In relation to Condition 6, Council requires a fifty (50) percent monetary contribution towards the cost of upgrading Boomerang Road.
2. Separate approval may need to be obtained from the Water and Rivers Commission for a bore licence.
3. A works approval or licence may need to be obtained from the Environmental Protection Authority for the poultry farm development.
4. Noxious weeds to be removed in accordance with Council's brochure titled "*Weed It Out*".
5. In relation to condition 6, nothing in the condition prohibits further rationalisation of access points in conjunction with construction of an internal loop road to minimise the length of Boomerang Road to be upgraded.
6. By the end of the construction of the third shed, all old sheds must be removed (except Shed 7).
7. A planning consent is not an approval to commence any works. A building licence must be obtained for all works. An application for a building licence will not be accepted unless proof of payment of all bonds and guarantees accompanies the application documents.
8. Your application for a building licence must be accompanied by a photocopy of the Form 2 Approval, and all plans, where appropriate, must satisfy the conditions specified.
9. Native vegetation is valued and protected in the Shire of Serpentine-Jarrahdale. You are advised that Council's Town Planning Scheme requires separate approval for the clearing of native trees in most instances if approval for this is not given above.
10. The construction or deepening of drains outside of the above approval requires separate approval by the Commissioner of Soil and Land Conservation.
11. Council can advise on energy efficient opportunities that can benefit your operations.
12. Approval does not obviate compliance with any other appropriate legislation in particular, the Environmental Protection (Noise) Regulations 1997.
13. The applicant is advised that this planning consent does not absolve the applicant or owner from time to time from complying with the restrictions contained in any restrictive covenant, estate covenants or easement pertaining to the site. This is the case even if this planning consent is in respect of a development which if constructed or carried out, would necessarily breach such a covenant or easement. Any such restrictive covenant, estate covenant or easement is a matter of private rights between the applicant or owner from time to time and the owner and owners of the land with the benefit of that restrictive covenant, estate covenant or easement, and this planning consent does not authorise a breach of such private rights or prevent such owners from enforcing such rights.



14. In respect of Condition No. 6 the applicant is advised that Council will require a 50% contribution towards the upgrading of the section of road between King Road and the Western most entry point of the site as determined by the landowner to a sealed standard in accordance with Council's Road Standards policy. Council would be prepared to accept an unconditional bank guarantee for the full amount of the contribution prior to the issue of the first building licence for the poultry farm with the road upgrading contribution being paid to the Council within 12 months of issue of the first building licence, and Council to undertake the upgrading works within six months of payment being made.
15. The applicant is advised that the operations of the poultry farm are to comply at all times with the relevant state and local regulations, in particular regulations addressing noise and odour, and any non-compliance with these regulations would result in a requirement for independent testing and assessment and possible remediation strategies being imposed on the development.

**CARRIED 10/0 ABSOLUTE MAJORITY**

P242/04/03 PROPOSED ANCILLARY ACCOMMODATION – LOT 14 KOWIN COURT, OAKFORD (P01027/02)		In Brief
Proponent	Collier Homes	
Officer	Michael Davis – Planning Officer	Council approves an application dated 12 February 2003 for ancillary accommodation on Lot 14 Kowin Court, Oakford subject to conditions.
Signatures - Author:		
Senior Officer:		
Date of Report	13 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: B & Y Pearce  
 Owner's Address: 99 Belmont Road, Kenwick WA 6107  
 Applicant: Collier Homes  
 Applicant's Address: 611 Karrinyup Road, Stirling WA 6021  
 Date of Receipt: 19 February 2003  
 Advertised: Application referred to surrounding landowners for comment until 18 March 2003  
 Submissions: No submissions received.  
 Lot Area: 1.9693 ha  
 L.A Zoning: Rural Living A  
 MRS Zoning: Rural  
 Byford Structure Plan: Not applicable  
 Rural Strategy Policy Area: Rural Living A Policy Area  
 Rural Strategy Overlay: Not applicable  
 Municipal Inventory: Not applicable  
 Townscape/  
 Heritage Precinct: Not applicable  
 Bush Forever: Nil  
 Date of Inspection: 18 March 2003

**Background**

Council has received an application for ancillary accommodation on Lot 14 Kowin Court, Oakford.

***A copy of the plan is with the attachments marked P242.1/04/03.***

**Purpose**

The landowner provides the following in relation to the proposal:

*“This guest area is to be used by our Parent’s, Arthur and Emily Robinson, who will be living with us in the house. This can be supported by the certificate of title which carries both names and also the building contract, which is held in both names.”*

## **Comments**

### **Scheme Requirements**

The subject land is zoned ‘Rural Living A’ under Council’s Town Planning Scheme No.2. Within this particular Rural Living A’ zone, ancillary accommodation is classed as an ‘AA’ use, which means Council may, at it’s discretion permit the use.

### **BP1 Ancillary Accommodation Policy**

According to Council’s policy ancillary accommodation is permitted within the Special Rural zone.

Should Council approve an application for ancillary accommodation, the following conditions may be imposed:

- *“Any occupier shall be a member of the family of the occupier of the main dwelling.*
- *Parking spaces additional to those required for a single house will be required as applicable.*
- *Council may require the owner to enter into a legal agreement which shall bind the owner, his heirs and successors in title, requiring that the occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling.*
- *All legal costs incurred to be met by the applicants.*
- *Legal agreement be entered into prior to the issue of a building licence.*
- *Exterior finish to be the same or similar to the main dwelling.*
- *Main dwelling to be constructed prior to the ancillary accommodation.*
- *Ancillary accommodation to be attached to the main dwelling by a closed walkway.*
- *Minimum area 40m<sup>2</sup>; maximum area 60m<sup>2</sup>.”*

With respect to point 4 above, the applicant will be requested to lodge a Section 70A Notification on the title that states that a member of the family occupying the main dwelling can only occupy the ancillary accommodation.

### **Area**

The total floor area for the ancillary accommodation (guest area) is 100m<sup>2</sup> (67.51m<sup>2</sup> excluding family area).

Council’s Ancillary Accommodation Policy allows for a maximum floor area of 60m<sup>2</sup> for ancillary accommodation .The area of the proposed ancillary accommodation exceeds the maximum area for ancillary accommodation by 40 m<sup>2</sup>.

As the floor area of the ancillary accommodation exceeds Council’s Policy requirements, the application for ancillary accommodation requires determination from Council.

It is considered that the proposed larger floor area will benefit the elderly couple without presenting any major implications to Council or the surrounding community.

### **Building Envelope**

The proposed dwelling and guest house is within the building envelope located on the subject land.

### Materials

The proposed residence and guest house is to be constructed of brick (walls) with a zincalume roof.

Numerous other houses have zincalume roofs on Kowin Court.

### Setbacks

The proposed ancillary accommodation is to be setback to approximately 15 metres from the side boundary and in excess of 9 metres from the rear boundary. The proposed ancillary accommodation complies with the setback requirements set by Council Policy.

### Government Sewerage Policy

The Government Sewerage Policy states the following with respect to Granny Flats (ancillary accommodation):

*"The concept of the 'granny flat' to house a dependant relative has previously been considered as exempt from the Policy and will continue to be exempt subject to such development having a total floor area of not more than 60m<sup>2</sup> and any other restrictions the local government may wish to apply.*

*All other similar developments in excess of this maximum size will be deemed a density development..."*

The proposed ancillary accommodation is deemed density development in accordance with the Government Sewerage Policy. The following provision applies to the proposal:

*"...density development without sewer in the outer metropolitan area may be permitted by the responsible authorities in the following circumstances...:*

*proposals for large lot subdivision do not involve the creation of lots less than 2000m<sup>2</sup>, or density development exceeding R5, provided the responsible authorities are satisfied that no significant detriment to the environment is likely and there is no further opportunity for subdivision without sewerage".*

The subject lot is 1.9693ha in size. It is considered that the proposed ancillary accommodation will not be a significant detriment to the environment and there is no further opportunity for subdivision of the lot without sewerage and would result in density development that does not exceed R5.

### Rural Strategy

The subject land is located within the Rural Living A Policy Area of the Shire's Rural Strategy.

Within the Shire's Rural Living Policy Area, ancillary accommodation (granny flat) is considered a desirable use. It is considered that the proposed ancillary accommodation is in accordance with the Shire's Rural Living A Policy Area.

### Community Consultation

The application for ancillary accommodation was referred to surrounding landowners in accordance with Council policy. No submissions were received.

### Environment

The gum tree shown on the plan has already been cleared. However, the application for ancillary accommodation will not involve the clearing of any further vegetation. It is considered that the proposed ancillary accommodation will not have any significant impact on the environment.

### Emergency Management

It is considered that the proposed ancillary accommodation will not have an impact on emergency vehicle access or emergency management.

### Sustainability Statement

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

The proposed ancillary accommodation will not involve the clearing of any further native vegetation. It is considered that the proposed ancillary accommodation will not have any significant environmental impacts.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The application for ancillary accommodation does not propose any specific measures to minimise resource use compared to traditional development approaches.

*Does the proposal/issue use locally available or produced resources?*

It is uncertain whether the proposed ancillary accommodation will use locally available or produced resources.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

It is considered that the proposed ancillary accommodation will be economically viable in a way that incorporates its external costs.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The application for ancillary accommodation has been referred to surrounding landowners for comment, in accordance with Council Policy.

*Does the proposal/issue disadvantage any social groups?*

It is considered that the application for ancillary accommodation has the potential to benefit specific social groups as it has the potential to provide housing for the elderly and/or disabled who may require less living area floor space than what a standard house contains.

*Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?*

The proposed ancillary accommodation will not create long term employment or economic benefit to current and future residents of the Shire.

### Statutory Environment:

Town Planning and Development Act 1928, Town Planning Scheme No.2.

### Policy Implications:

BP1 Ancillary Accommodation Policy

**Financial Implications:** There will be no direct financial implications to Council as a result of this application

**Strategic Implications:** This proposal relates to Strategy 1.4 in Key Result Area – People and Community in Council’s Strategic Plan, which is:

*“Strengthen community groups and promote meaningful community input into Council decision.”*

**Community Consultation:** Application was referred to surrounding landowners for comment, in accordance with Council policy. No submissions were received.

**Voting Requirements:** Normal

**Officer Recommended Resolution**

Council approves an application dated 12 February 2003 for ancillary accommodation on Lot 14 Kowin Court, Oakford subject to the following conditions:

1. A building licence must be applied for and issued by Council before any work commences on the site (Application forms are available from reception at the Shire Administration Centres at Mundijong and Byford);
2. Dwelling to be constructed of new materials;
3. The ancillary accommodation is to be in the same materials, colour and design as the primary residence;
4. The specific approval of Council’s Health Service is required for effluent disposal prior to the commencement of development;
5. Any occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling;
6. A Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land, the subject of the proposed development, prior to the issue of a building licence to notify owners and prospective purchasers of the land that restrictions apply to the use of the ancillary accommodation as stipulated in condition 5. The Section 70A Notification shall be prepared by the Shire’s solicitors to the satisfaction of the Shire of Serpentine-Jarrahdale and all costs of and incidental to the preparation of and registration of the Section 70A Notification including the Shire’s solicitors’ costs shall be met by the applicant or the owner of the land;
7. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council;
8. Development to be generally in accordance with the plan entitled “Working Drawings”, dated 31 January 2003 as received by Council on 18 February 2003;
9. Any development or use not depicted or detailed in the approved plan and proposal documentation, will require further approval to be obtained from the Council.

**CRP242 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Price seconded Cr Simpson that Council approves an application dated 12 February 2003 for ancillary accommodation on Lot 14 Kowin Court, Oakford subject to the following conditions:

1. A building licence must be applied for and issued by Council before any work commences on the site (Application forms are available from reception at the Shire Administration Centres at Mundijong and Byford);
2. The ancillary accommodation is to be constructed in the same materials, colour and design as the primary residence;
3. The specific approval of Council's Health Service is required for effluent disposal prior to the commencement of development;
4. Any occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling;
5. A Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land, the subject of the proposed development, prior to the issue of a building licence to notify owners and prospective purchasers of the land that restrictions apply to the use of the ancillary accommodation as stipulated in condition 5. The Section 70A Notification shall be prepared by the Shire's solicitors to the satisfaction of the Shire of Serpentine-Jarrahdale and all costs of and incidental to the preparation of and registration of the Section 70A Notification including the Shire's solicitors' costs shall be met by the applicant or the owner of the land;
6. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council;
7. Development to be generally in accordance with the plan entitled "Working Drawings", dated 31 January 2003 as received by Council on 18 February 2003;
8. Any development or use not depicted or detailed in the approved plan and proposal documentation, will require further approval to be obtained from the Council.

CARRIED 10/0

Note: The Officer Recommended Resolution was altered by removing condition 2 to ensure that use of recycled materials was not discouraged.

P244/04/03 PROPOSED LIMESTONE BOUNDARY WALL – LOT 107 FOXTON DRIVE, OAKFORD (P05095/02)		
Proponent	G & M Fazio	<b>In Brief</b> Council refuses an application dated 4 February 2003 for a Limestone Boundary Wall on Lot 107 Foxtton Drive, Oakford for reasons outlined in the report.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	12 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: G & M Fazio  
 Owner's Address: Lot 107 Foxtton Drive, Oakford WA 6121  
 Applicant: G & M Fazio  
 Applicant's Address: Lot 107 Foxtton Drive, Oakford WA 6121  
 Date of Receipt: 5 February 2003  
 Advertised: Application was referred to surrounding landowners until 11 March 2003.  
 Submissions: 2 letters of 'Objection' and 2 letters of 'No Objection' were received.  
 Lot Area: 2.008 ha.  
 L.A Zoning: Special Rural  
 MRS Zoning: Rural  
 Byford Structure Plan: Not applicable  
 Rural Strategy Policy Area: Rural Living B Policy Area  
 Rural Strategy Overlay: Not applicable  
 Municipal Inventory: Not applicable  
 Townscape/  
 Heritage Precinct: Not applicable  
 Bush Forever: Nil  
 Date of Inspection: 28 February 2003

### **Background**

Council has received an application for a Limestone Boundary Wall on Lot 107 Foxtton Drive, Oakford.

***A copy of the Plan is with the attachments marked P244.1/04/03.***

### **Comments**

#### Proposal

The application proposes to construct a limestone boundary wall of 1.8 metres in height along the front half of the side boundaries of the property. The proposed limestone boundary wall would replace 269.77 metres of the existing post and rail side boundary fencing.

The application further proposes a 1.1 metre high limestone wall along the front boundary of the property.

#### Site and Zoning Description

The subject land is zoned 'Special Rural' under Council's Town Planning Scheme No. 2. A significant portion of the block has been cleared of native vegetation without approval, however the vegetation that is remaining on the property is considered to be significant native vegetation.

### Scheme Requirements

Council's Town Planning Scheme No.2 contains the following clause:

*"5.1.2 Except where specifically provided by a policy incorporated in the Scheme, the planning consent of the Council is not required in respect of:*

*the erection of a fence except as otherwise required by the Scheme".*

Pursuant to the above clause, Clause 5.9.6 (G) states that:

*"In addition to the provisions contained in Appendix 4 and such other provisions of the Scheme as may affect it, any land which is included as part of the Special Rural Zone shall be subject to the following conditions:*

*(g) lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by Council".*

While this clause allows Council to approve fencing other than post and rail, the type of fencing proposed is considered out of character and inappropriate.

The application proposes a 1.8 metre limestone boundary fence in the Special Rural zone. The proposed fence would provide a solid screen barrier not considered in keeping with the amenity of the area. It is recommended that the application be refused, as it does not comply with the requirements of Council's Town Planning Scheme No.2 as described below:-

Further the Scheme states:

*"5.2.1 If a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council, may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

*5.2.2 The power conferred by this Clause may only be exercised if the Council is satisfied that:*

*(a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality."*

The surrounding properties in the locality are 'bush blocks' and have post and wire fencing. It is considered that the proposed limestone wall is not in keeping with the 'rural-bush' character of the area and as such it is considered that the proposed limestone wall would detriment the amenity of the area.

The following special provision under Council's Town Planning Scheme No.2, which relates to the subject land is relevant to this application:

*"12.5 Council shall not approve any development unless it is satisfied that such development and works will not damage the existing indigenous vegetation or significantly alter the natural ground level or compromise the principles of the Jandakot groundwater pollution control area."*

No further clearing is proposed as a result of the application for a limestone wall. It is considered that the application will not damage the existing indigenous vegetation.



### Fencing Local Law

The Shire of Serpentine Jarrahdale's Fencing Local Law requires the following:

*"No person shall –*

- (a) *erect or commence to erect a fence in a Special Rural Zone without first having obtained a licence from Council; unless the fence is erected and maintained in accordance with the Third Schedule".*

The Third Schedule under Council's Local Law states:

*"The following is a "sufficient fence" in a Special Rural Zone –*

*A lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by the Council or as otherwise stated in Council's Town Planning Scheme."*

The application proposes a 1.8 metre limestone boundary fence in the Special Rural zone. It is recommended that the application be refused, as it is not in keeping with the style of fencing deemed to be common and acceptable in preserving the amenity in a Special Rural Area as described in Council's Fencing Local Law.

### Community Consultation

Council referred the application for a limestone wall to surrounding landowners for comment in accordance with Council policy. Two letters of 'No Objection' and two letters of 'Objection' were received.

The following concerns were raised in the submissions:

1. The proposed limestone wall is not in keeping with the rural surrounds;
2. Will access to emergency services, namely Fire Fighters, be hindered, and if so does this block now not represent a potentially serious fire hazard to the neighbouring blocks;
3. If the property should be sold would it, owing to its fortress like boundaries, attract an unsavory buyer;
4. Since the plan already shows internal limestone walls surrounding the house the limestone walls surrounding the property would appear to be superfluous;
5. Due to the landowner clearing a large portion of the native vegetation on the subject property, one resident is completely against the construction of an enormous limestone wall because the wall will be able to be seen from their property;
6. Residents moved into this area to get away from high wall surrounded homes found in suburban areas. The proposed limestone wall will detriment the amenity of the semi rural 'bush block' area;
7. Concern that the limestone wall will replace existing post and wire fence.

The above concerns are addressed below:

- In respect to point 1, it is considered that the proposed limestone wall will have a detrimental effect on the 'rural-bush' amenity in the area;
- In respect to point 2, it is acknowledged that the proposed limestone boundary wall may impede on emergency vehicle access;
- In respect to point 3, it is unfounded whether the 'fortress like boundaries' will attract 'unsavory' buyers;
- Point 4 is noted;
- Point 5 is noted;
- In respect to point 6, it is considered that the proposed limestone wall will have a detrimental effect on the rural amenity in the area;
- In respect to point 7, the application proposes to construct a 1.8 metre high limestone wall along the front half of the side boundaries. This is a valid concern to the resident, as it is considered that this will detract from the amenity of the rural area.

The two letters of 'No Objection' provided the following comments to their conditional non-objection to the fence:

- That the limestone wall be to engineers specifications and of a smooth finish;
- That while building the wall, the smoother side of the wall will be facing the neighbouring property;
- That the rest of the boundary will be post and rail;
- That all the costs for the full length of the boundary will be born by the applicant;
- That no more trees will be removed as a result of the development.

These points are noted. However, it is recommended that the application be refused, the above points have been included for reference purposes.

### Environment

It is considered that the proposed limestone boundary wall will have a detrimental impact on the built and natural environment of the area.

### Emergency Management

It is considered that the application for a limestone boundary wall may have an impact on emergency vehicle access and emergency management, as the proposed wall may obstruct emergency vehicle access to the property.

### Sustainability Statement

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

It is considered that the proposed limestone boundary wall will have a detrimental impact on the built and natural environment of the area.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

Not applicable.

*Does the proposal/issue use locally available or produced resources?*

It is uncertain whether the application for a limestone boundary wall will use locally available or produced resources.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

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

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The application has been referred to surrounding landowners, in accordance with Council Policy. It is considered that approval of this application would not be socially or environmentally responsible considering that a number of residents had strong concerns and objected to the proposal. It is considered that the proposed development would have a negative impact to the amenity of the locality.

*Does the proposal/issue disadvantage any social groups?*

It is considered that the proposal will not disadvantage any social groups.

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*Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?*

It is considered that the proposal will not create long term employment or economic benefit to current and future residents of the Shire.

**Statutory Environment:** Town Planning and Development Act 1928, Town Planning Scheme No.2.

**Policy Implications:** Not applicable

**Financial Implications:** There will be no direct financial implications to Council as a result of this application.

**Strategic Implications:** This proposal relates to Strategy 1.4 of Key Result Area – People and Community in Council’s Strategic Plan, which is:

*“Strengthen community groups and promote meaningful community input into Council decision.”*

**Community Consultation:** The application was referred to surrounding landowners for comment. Two letters of ‘Objection’ and two letters of ‘No Objection’ were received.

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

Council refuses an application dated 4 February 2003 for a Limestone Boundary Wall on Lot 107 Foxton Drive, Oakford for the following reasons:

1. It is considered that the application for a limestone boundary wall will have a detriment to the rural amenity of the area which is characterised by open post and wire fencing;
2. It is considered that the application for a limestone boundary wall would obstruct emergency vehicle access to the property;
3. The application is not in keeping with the style of fencing deemed common and acceptable in preserving the amenity in a Special Rural Area as described in the Shire of Serpentine Jarrahdale’s Local Law, as the Local Law allows only for post and rail or post and wire boundary fencing in the Special Rural Zone without the specific approval of Council;
4. The application is not in keeping with the style of fencing deemed common and acceptable in preserving the amenity in a Special Rural Area as described in Clause 5.1.2 (g) of Council’s Town Planning Scheme No.2, which allows only for post and rail or post and wire boundary fencing in the Special Rural Zone as of right.

**CRP244 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Murphy seconded Cr Richards that Council refuses an application dated 4 February 2003 for a Limestone Boundary Wall on Lot 107 Foxtan Drive, Oakford for the following reasons:

1. It is considered that the application for a limestone boundary wall will have a detriment to the rural amenity of the area which is characterised by open post and wire fencing;
2. It is considered that the application for a limestone boundary wall would obstruct emergency vehicle access to the property;
3. The application is not in keeping with the style of fencing deemed common and acceptable in preserving the amenity in a Special Rural Area as described in the Shire of Serpentine Jarrahdale's Local Law, as the Local Law allows only for post and rail or post and wire boundary fencing in the Special Rural Zone without the specific approval of Council;
4. The application is not in keeping with the style of fencing deemed common and acceptable in preserving the amenity in a Special Rural Area as described in Clause 5.9.6 (g) of Council's Town Planning Scheme No.2, which allows only for post and rail or post and wire boundary fencing in the Special Rural Zone as of right.
5. The application does not meet the general objective 1.5 of TPS 2 and purpose of the scheme to secure the amenity of the inhabitants of the District.

CARRIED 10/0

Note: The Officer Recommended Resolution was altered with the addition of No. 5 to ensure that the basic objectives of the scheme had been addressed in the reasons for refusal

Note: By way of correction in Point 4 – should read Clause 5.9.6(g) and added “1.5 of TPS2” after the word “objective” as a point of clarification.

P247/04/03 WA PLANNING COMMISSION DETERMINATION OF DRAFT RURAL STRATEGY REVIEW 2001/2002 (A0803-10)		
Proponent	Shire of Serpentine-Jarrahdale	<b>In Brief</b>  Council to adopt Rural Strategy Review following incorporation of WA Planning Commission requirements.
Officer	A Watson – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	18 March 2003	
Previously	P134/10/96, P335/03/97, P327/05/98, P218/04/99, P098/02/01, P099/02/01, P026/08/01, P063/12/01, SM051/03/02, SM033/01/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

At its meeting of 28<sup>th</sup> January 2003 Council considered a report on the Rural Strategy Review. Council resolved:

**“CRSM033 COUNCIL DECISION**

*Moved Cr Needham seconded Cr Murphy*

- A. *That Council notes the WA Planning Commission's determination in respect of the Rural Strategy Review and agrees to the variations to the Rural Strategy Review in accordance with the Commission's requirements.*
- B. *Council advises the WA Planning Commission that, notwithstanding its resolution to agree to the variations required by the Commission at Part A (above) in order to bring about a speedy resolution of the Rural Strategy Review, Council wishes to make further submissions in respect of the use of the Farmlet Policy Area to obtain orderly planning – as instanced in the case of Submission 4 of the Rural Strategy Review (Recommendations 39 and 39a) in respect of Lot 30 Soldiers Road Cardup. Council firmly believes this particular property should be included in the Farmlet Policy Area to strengthen and complete the buffer between Byford and Mundijong.*

**CARRIED 10/0**

*Note: The reason for the change in the Committee/Officer Recommended Resolution is that Council does not think the Commission has considered all the implications of the Farmlet Policy Area."*

### **Comments**

The Rural Strategy has been altered in accordance with the requirements of the WA Planning Commission.

In accordance with the requirements of the Planning Commission, discussions have taken place between Council officers and officers from the Water and Rivers Commission in relation to the issue of the proposed Karnup-Dandalup Water Pollution Control Area. The following words have been agreed on, and approved by the Department for Planning and Infrastructure, as meeting the requirements of the Commission:

#### **"4.10 PROPOSED KARNUP-DANDALUP UNDERGROUND WATER POLLUTION CONTROL AREA**

*Council has received notice from the WA Planning Commission of advice they received from the Water and Rivers Commission, highlighting the land use implications of the proposed Karnup-Dandalup Underground Water Pollution Control Area (UWPCA).*

*An agreed strategy of the 1994 Rural Strategy with respect to the management of surface and groundwater resources was to "recognise government policies for water resource protection".*

*The 1994 Rural Strategy also acknowledged the intent of the former Water Authority to proclaim the Karnup-Dardanup Water Supply Area as a Priority 2 source area, however no further progress has been made to proclaim the area, and the proposed UWPCA remains in a draft form.*

*Council has recognised the draft UWPCA in its final recommendation on Submission 31, in which the proposed Rural Living B development to the north of the Serpentine townsite, was considered by the Water and Rivers Commission to be incompatible with the draft UWPCA water protection guidelines.*

*Formal liaison has been initiated between the Water and Rivers Commission, the Shire of Murray and the Shire of Serpentine-Jarrahdale; with a view to addressing the draft UWPCA in the 2005/2006 comprehensive review of the Rural Strategy.*

**Recommendation No. 32**

*That the implications of the proposed Karnup-Dandalup Underground Water Pollution Control Area be addressed in the 2005/2006 comprehensive review of the Rural Strategy."*

***The Rural Strategy Review as amended is with the attachments marked P247.1/04/03.***

### Residential and Stable Policy Area

The WA Planning Commission has recently highlighted an inconsistency between Map 1 and Map 7 of the Rural Strategy Review 2001/2002 document, in depicting the extent of the "Residential and Stable Policy Area".

The WA Planning Commission has requested that Council clarify which of these two maps prevail. Both of the maps are presented in the attached Rural Strategy document. It was the intention, however, that Map 7, the more detailed map, would prevail. The Officer Recommended Resolution has been worded accordingly.

### Sustainability Statement

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

The Shire of Serpentine-Jarrahdale Rural Strategy is:

- A five year plan with a 25 year planning horizon;
- Foremost an expression of Council's vision for the Shire to the year 2015;
- A public document which provides the opportunity for government agencies and the community to have input into rural planning;
- Formalises a plan for land use, zoning, subdivision and development in rural areas of the Shire to be carried out through the statutory planning system and provides the basis for amendment of Council's Town Planning Scheme;
- A strategy for Council's involvement in land management outside the planning system;
- A statement that relevant government policies, guidelines and concerns have been addressed, and wherever possible implemented.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

Since 1994 the use and development of land in the district of Serpentine-Jarrahdale has been guided by the Shire's Rural Strategy. The Strategy is based on sound land capability and environmental planning principles and a view to fostering development of a healthy community. Many of the Strategy's universal objectives aim towards building a more sustainable future (Local Agenda 21).

*Does the proposal/issue use locally available or produced resources?*

Not applicable.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

Not applicable.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The settlement strategy espoused by the Rural Strategy is a cornerstone of Council's Strategic Plan.

The public was involved in formal advertising of the draft Rural Strategy Review and through a hearings day where a submission was made to the review.

*Does the proposal/issue disadvantage any social groups?*

As a policy document, the Rural Strategy is intended to evolve with changes in community aspirations, development trends and government policy.

*Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?*

The Rural Strategy Review is a key tool in allowing Council to achieve strategy 3.3 of Key Result Area Economic Development in Council's Strategic Plan which is "Develop the potential of agricultural diversity and value adding".

**Statutory Environment:** Town Planning and Development Act 1928

**Policy Implications:** Formal review of Council's Rural Strategy.

**Financial Implications:** Within Budget.

**Strategic Implications:** The Rural Strategy is Council's principal statement of strategic land use direction.  
The specific issue of the Rural Strategy Review relates to strategies 2.1 and 2.2 of Key Result Area Environmental and strategy 3.3 of Key Result Area Economic Development in Council's Strategic Plan which are:

- "2.1 Make best practise environmental management a foundation of Shire business.
- 2.2 Encourage best practise environmental management
- 3.3 Develop the potential of agricultural diversity and value adding."

**Community Consultation:** Formal advertising and hearings day carried out as part of the review process.

**Voting Requirements:** Normal

### **Officer Recommended Resolution**

1. Council resolves to endorse the extent of the "Residential and Stable Policy Area" as depicted in Map 7 of the *2002/2003 Rural Strategy Review*, and amend Map 1 of the Rural Strategy accordingly.
2. Council adopts the *2002/2003 Rural Strategy Review* as an addendum to the 1994 Rural Strategy following incorporation of the requirements of the WA Planning Commission.

### **CRP247 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Needham seconded Cr Simpson that

1. Council resolves to endorse the extent of the "Residential and Stable Policy Area" as depicted in Map 7 of the *2002/2003 Rural Strategy Review*, and amend Map 1 of the Rural Strategy accordingly.
2. Council adopts the *2002/2003 Rural Strategy Review* as an addendum to the 1994 Rural Strategy following incorporation of the requirements of the WA Planning Commission.
3. Lot 1 Butcher Road be included in the Rural Living A Policy Area.
4. Council reiterates its decision to make further submissions in respect to the use of the Farmlot Policy Area to obtain orderly planning, as instanced in the case of submission 4 of the Rural Strategy Review in respect of Lot 30 Soldiers Road, Cardup, Council firmly believes this particular property should be included in the Farmlot Policy Area to strengthen and complete the buffer between Byford and Mundijong.

CARRIED 10/0

Note: The Officer Recommended Resolution was altered to include Lot 1 Butcher Road which has been left out of the Rural Living A policy area in error and to ensure that Lot 30 Soldiers Road, Cardup was open to further investigation for inclusion in the Farmlot zone.

P250/04/03 PROPOSED SUBDIVISION/AMALGAMATION – LOT 16 & 17 SOUTH WESTERN HIGHWAY, BYFORD (S121128)		
Proponent	J & D Harley	<b>In Brief</b>  Application requests approval of the WA Planning Commission to subdivide a portion of Lot 17 and amalgamate this with Lot 16 South Western Highway, Byford.  It is recommended the WA Planning Commission be advised that Council is unable to support the proposal.
Officer	David Spencer – Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	12 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

Owner: J & D Harley (Lot 16)  
 Owner's Address: 893 South Western Highway, Byford  
 P Harley (Lot 17)  
 897 South Western Highway, Byford  
 Applicant: J & D Harley  
 Applicant's Address: 893 South Western Highway, Byford  
 Date of Receipt: 28 January 2003  
 Advertised: Not a statutory requirement  
 Submissions: Not applicable  
 Lot Area: Lot 16 – 810m<sup>2</sup>  
 Lot 17 – 3088m<sup>2</sup>  
 L.A Zoning: Urban Development  
 MRS Zoning: Urban  
 Byford Structure Plan: Highway Commercial  
 Rural Strategy Policy Area: Not applicable  
 Rural Strategy Overlay: Not applicable  
 Municipal Inventory: Not applicable  
 Townscape/  
 Heritage Precinct: Not applicable  
 Bush Forever: Not applicable  
 Date of Inspection: 12 March 2003

### **Background**

There have been numerous applications lodged with the WA Planning Commission to subdivide land that falls within the draft Byford Structure Plan area. All of the proposals have been recommended for refusal by Council for one or more of the following reasons:

- “1. Council is constrained by Clause 5.18.1.1 of Council's Town Planning Scheme No. 2 in which a Structure Plan for a Development Area is required before Council can recommend subdivision of land within the Development Area.
2. Subdivision of the subject land is premature until planning issues (including agreement to an overall road pattern, the allocation of land for recreation and other public uses, provision of essential infrastructure such as drainage and effluent disposal and equitable arrangements for developer contributions) are resolved, via a suitable structure plan for the development of Byford town site.
3. Proposed subdivision of the subject land would create an undesirable precedent for the further subdivision of the undeveloped superblocks in the immediate area, which is not appropriate in the absence of structure planning referred to above.



4. *Common Infrastructure costings have yet to be determined by Council for the Byford Structure Plan area.*

### **Comments**

#### **Site and Surrounding Landuse Description**

The subject land is currently zoned 'Urban Development' under the provisions of TPS 2 and 'Urban' under the Metropolitan Region Scheme. Lots 16 and 17 fall within the draft Byford Structure Plan area.

Both of the subject lots contain existing residences which are setback a considerable distance from South Western Highway. The subject land supports native trees along Beenyup Brook but no remnant ground cover remains. Significant fill has been placed along the western bank of this brook. Advice has been sought from the Water & Rivers Commission (W & RC) pertaining to this fill. At the time this report was prepared no response had been received from W & RC.

The Shire's Environmental Officer advises that the majority of the property flows to the east into Beenyup Brook which flows through both Lots 16 and 17. The reinstatement of original banks, or redesign using urban sensitive design principles, plus the restoration of native riparian vegetation along this brook would protect water quality. Fencing the brook would be necessary if any stock were to be kept on site.

A site inspection of the site did not reveal weed infestations.

<b>Soil Type</b>	<b>DSE</b>	<b>Description</b>
F4 (majority)	6	Deep acidic yellow duplex soils and sandy alluvial gradational brown earths. Risk of waterlogging and phosphorous export. Susceptible to water erosion. Proximity to water likely to make part of the property unsuitable for stock.
P1a (south/west)	6	Deep acidic mottled yellow duplex soils. Shallow pale sand to sandy loam over clay. Risk of waterlogging, susceptible to wind erosion and nutrient loss

The soil map is not clear for the lot under consideration. Further, acid components in the soil could lead to acid sulfate soil problems.

#### **Scheme Provisions**

The subject land is zoned 'Urban Development' under Council's Town Planning Scheme No. 2. Clause 5.18.1.1 of Council's Scheme states the following:

*"The local government requires a Structure Plan for a Development Area, or for any particular part or parts of a Development Area, before recommending subdivision or approving development of land within the Development Area".*

The WA Planning Commission has not finally endorsed the draft Byford Structure Plan. A Detailed Area Plan has also not been submitted for the locality. However, in this instance it is considered that the proposed subdivision/amalgamation is minor in nature and no additional lots are proposed to be created as a result of this application.

#### **Revised Local Planning Policy No. 2 – Subdivision Within the Draft Byford Structure Plan Area**

It should be noted that the following statement within the above Policy is pertinent to the proposed subdivision/amalgamation:-

*“Where Council receives a referral from the WA Planning Commission or a request from developers or owners of a property within the Byford Structure Plan Area for subdivision within the Byford Structure Plan Area the following shall apply:*

- 1. The Council will not consider any application for subdivision in the Byford Structure Plan Area unless a Detailed Area Plan is carried out for the precinct(s) that the subject lot falls within.”*

#### Density Code

The subject lots are identified under the R20 Density Code in the draft Byford Structure Plan. The R20 Density Code allows for the creation of minimum lots of 440 square metres. The proposal complies with the minimum lot size for this future proposed zone.

#### Subdivision Proposal

The proposed subdivision/amalgamation essentially involves the subdivision of part of Lot 17 and amalgamating this land (i.e. approximately 436m<sup>2</sup>), with Lot 16.

The current lot area of Lot 16 and Lot 17 is 810m<sup>2</sup> and 3088m<sup>2</sup>, respectively. If the application is approved new proposed lot sizes of Lot 16 and Lot 17 will be 1246m<sup>2</sup> and 2652m<sup>2</sup>, respectively.

***A copy of the proposed Plan of Subdivision is with the attachments marked as P250.1/04/03.***

Lots 16 and 17 may be described as being of a unique and irregular shape in comparison to surrounding properties. It may therefore be argued that the proposed subdivision/amalgamation proposes to create lots which are in keeping with the shape and configuration with lots in the locality.

Advice received from the Water Corporation, albeit verbal, indicates that Lot 16 was recently connected to reticulated sewerage, with Lot 17 not currently connected. However, the Corporation stated that Lot 17 has the ability to be connected as the existing sewer line is within close proximity.

It is therefore recommended that the WA Planning Commission be advised to impose this as a condition accordingly, if the subdivision/amalgamation application is approved.

#### Environment

It is considered that the proposed subdivision/amalgamation will not have a significant impact on the environment in terms of the amalgamation and subdivision of land. However, it should be noted that Lots 16 and 17 South Western Highway are situated within the draft Byford Structure Plan area which depicts this land as being “Conservation”.

Clause 9.6 of the Structure Plan report states the following:

*“The conservation areas identified within the Structure Plan are intended to be provided in addition to the 10% open space requirement. Due to the proposed public open space distribution these areas, whilst recognised as having open space qualities, have a separate function.”*

It is recommended that advice to this effect be forwarded to the WA Planning Commission.

In addition, it has been observed that recent works have resulted in changes to the profile of Beenyp Brook. Therefore, it is recommended that a condition be imposed by the WA Planning Commission which requires the preparation and lodgement of a Revegetation Plan to the satisfaction of the Local Authority.

### Emergency Management

It is considered that the proposed subdivision/amalgamation will not have a significant impact on emergency vehicle access or emergency management.

### Conclusion

It is considered that the subdivision and amalgamation proposed at Lots 16 & 17 South Western Highway will not compromise the draft Byford Structure Plan. It is also considered that approval of this application by the WA Planning Commission will not lead to a precedent being set for further subdivision of the Byford Urban Development zone.

Additionally, it is not considered that subdivision of the subject land will adversely affect agreement to an overall road pattern, the allocation of land for recreation and other public uses or provision of essential infrastructure.

Furthermore, there are no new lots proposed as a consequence of this application.

### Sustainability Statement

The subdivision/amalgamation proposal seeks to retain the existing residences on Lot 16 and Lot 17. The proposed subdivision is considered to be minor in nature and for this reason is unlikely to impact upon the environment in terms of environmental damage.

### Statutory Environment:

Town Planning and Development Act 1928  
Town Planning Scheme No. 2

### Policy Implications:

Draft Byford Structure Plan

### Financial Implications:

Not applicable

### Strategic Implications:

There are no strategic implications to Council associated with this proposal.

### Community Consultation:

Referral of the proposed subdivision to local residents is not a statutory requirement.

### Voting Requirements:

Normal

### Officer Recommended Resolution

- A. Council advises the WA Planning Commission that it cannot support an application dated 23 January 2003 for the subdivision/amalgamation of Lots 16 & 17 South Western Highway, Byford, (WAPC Ref. No. 121128), because Council is constrained by Clause 5.18.1.1 of Council's Town Planning Scheme No. 2 in which a Structure Plan for a Development Area is required before Council can recommend subdivision of land within the Development Area.
- B. The WA Planning Commission be advised that with respect to the application to subdivide and amalgamate Lots 16 & 17 South Western Highway, Byford, (WAPC Ref. No. 121128):-
  1. It is not considered that subdivision of the subject land will adversely affect agreement to an overall road pattern, the allocation of land for recreation and other public uses or provision of essential infrastructure.
  2. No new lots are created as a consequence of the subdivision/amalgamation.
  3. Common infrastructure costings have yet to be determined by Council for the Byford Structure Plan area and equitable arrangements for developer

contributions are still to be resolved, via a suitable structure plan for the development of the Byford town site and the completion of the Byford Urban Storm Water Strategy. In the event of an approval prior to the creation of a Development Contribution Plan the Owner must make other arrangements satisfactory to the Council with respect to the Owner's contribution towards the provision of Infrastructure in the Development Contribution area.

- C. Council advises the WA Planning Commission that if it decides to approve an application dated 23 January 2003, to subdivide/amalgamate Lots 16 & 17 South Western Highway, Byford, the following condition is recommended:-
1. The buildings to be clear of all proposed boundaries by a minimum distance as stipulated by Council's District Zoning Scheme/Building Code of Australia/Residential Design Codes and Health Act 1911 (as amended).
  2. Connection of reticulated sewerage to service the lots proposed by this application.
  3. The subdivider shall prepare a Revegetation Plan to the satisfaction of the Local Authority prior to the commencement of on-the-ground works. The plan must include the planting of local native trees and shrubs of species and at a density and location to be determined by the Local Authority in accordance with the Shire of Serpentine-Jarrahdale Planning Guidelines for Nutrient Management and which may include planting of lots, public reserves and road reserves within or adjacent to the subdivision. Revegetation shall occur prior to the clearance of titles.
  4. Existing effluent disposal systems must be decommissioned in accordance with the relevant Health legislation.

Advice Notes:

1. In respect to Condition No. 3 above, the applicant is advised that restoration of the Beenyup Brook profile is required, which will also involve the revegetation of the banks with local native riparian species, to the satisfaction of the local authority.
2. A portion of part of Lots 16 and 17 under the draft Byford Structure Plan area are to be set aside for "Conservation" in addition to the 10% open space requirement.

**CRP250 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Richards seconded Cr Simpson that

- A. Council advises the WA Planning Commission that it cannot support an application dated 23 January 2003 for the subdivision/amalgamation of Lots 16 & 17 South Western Highway, Byford, (WAPC Ref. No. 121128), because Council is constrained by Clause 5.18.1.1 of Council's Town Planning Scheme No. 2 in which a Structure Plan for a Development Area is required before Council can recommend subdivision of land within the Development Area.
- B. The WA Planning Commission be advised that with respect to the application to subdivide and amalgamate Lots 16 & 17 South Western Highway, Byford, (WAPC Ref. No. 121128):-
1. It is not considered that subdivision of the subject land will adversely affect agreement to an overall road pattern, the allocation of land for recreation and other public uses or provision of essential infrastructure.
  2. No new lots are created as a consequence of the subdivision/amalgamation.
  3. Common infrastructure costings have yet to be determined by Council for the Byford Structure Plan area and equitable arrangements for developer contributions are still to be resolved, via a suitable structure plan for the development of the Byford town site and the completion of the Byford Urban Storm Water Strategy. In the event of an approval prior to the creation of a Development Contribution Plan the Owner must make other arrangements

satisfactory to the Council with respect to the Owner's contribution towards the provision of Infrastructure in the Development Contribution area.

C. Council advises the WA Planning Commission that if it decides to approve an application dated 23 January 2003, to subdivide/amalgamate Lots 16 & 17 South Western Highway, Byford, the following condition is recommended:-

1. The buildings to be clear of all proposed boundaries by a minimum distance as stipulated by Council's District Zoning Scheme/Building Code of Australia/Residential Design Codes and Health Act 1911 (as amended).
2. Connection of reticulated sewerage to service the lots proposed by this application.
3. The subdivider shall prepare a Revegetation Plan to the satisfaction of the Local Authority prior to the commencement of on-the-ground works. The plan must include the planting of local native trees and shrubs of species and at a density and location to be determined by the Local Authority in accordance with the Shire of Serpentine-Jarrahdale Planning Guidelines for Nutrient Management and which may include planting of lots, public reserves and road reserves within or adjacent to the subdivision. Revegetation shall occur prior to the clearance of titles.
4. Existing effluent disposal systems must be decommissioned in accordance with the relevant Health legislation.
5. A portion of part of Lots 16 and 17 under the draft Byford Structure Plan area are to be set aside for "Conservation" in addition to the 10% open space requirement.

Advice Note:

1. In respect to Condition No. 3 above, the applicant is advised that restoration of the Beenyup Brook profile is required, which will also involve the revegetation of the banks with local native riparian species, to the satisfaction of the local authority.

CARRIED 10/0

Note: The Officer Recommended Resolution was altered to ensure that the WAPC were made aware of the implications of the Byford Structure Plan on the proposal.

P253/04/03 MUNDIJONG RENEWABLE ENERGY PROJECT (A0938)		
Proponent	Shire of Serpentine – Jarrahdale	<b>In Brief</b> The Mundijong Renewable Energy Project is to be constructed this financial year. Calls for expressions of interest are out and approval for the location of the wind turbine is required.
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The Mundijong Renewable Project was developed in 2002. The project consists of a hybrid renewable energy system of a wind turbine and a solar system. This system is designed to be an educative tool for the local and regional community and to also have a tourism impact. The energy generated will be used to provide power to the library and in emergency situations to the SES building.

Funding was received in two grants from the PDC totalling \$18,000 (incl GST) and the Shire has allocated \$40,000 to contribute to the system. A funding application has been made to SEDO (Sustainable Development Energy Office) for an additional \$10,000 to undertake an educative component of the project including interpretive signage, school and teachers information kits and displays for the library. Council will be advised in April if it has been successful. Alcoa have also expressed interest in providing sponsorship for interpretive display dials and readout equipment which will allow the public to gauge the energy generation and use at different times from both the solar and wind systems. Investigations into the equipment available and costs are being currently undertaken for Alcoa.

The original proposed location for the wind turbine was in the Mundijong Linear Park, a decision has been made to locate the turbine on Council land due to the potentially long approval process associated with locating the turbine in the Park adjacent to the railway line. We would need approval from WAPC and Westrail on this site and it is most likely to cause major delays to the project and with funding deadlines it was decided to find a more suitable location. Investigations were undertaken assessing the suitability of the Council land in Paterson Street and the area behind the Landcare Centre was selected for the purpose of the call for expressions of interest to get comparable quotes.

Call for expressions of interest for both the Stage 1: wind turbine and Stage 2: solar system has been distributed and they are due in 10 April 2003.

### **Comments**

***A copy of the Stage 1: wind turbine brief is with the attachments marked P253.1/04/03 & P253.2/04/03.***

The current location, as proposed in the call for expressions of interest is at the rear of the Landcare Centre in the open lawn area. This site is a reserve owned by the Shire vested as a kindergarten site.

Development and subsequent use of land to accommodate a hybrid solar and wind turbine electricity generation facility falls within the use-class of "public utility", as defined in Appendix 1 of Town Planning Scheme No. 2 as:

*"means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications, or other similar services."*

Although there might otherwise be scope for this proposal to be considered a "public Work" which would be exempt from the requirement to obtain planning consent under Section 32 of the Town Planning and Development Act and Clause 5.1.2 (a) and Clause 5.1.2 (b) of TPS #2, these provisions are not applicable for the following reasons:

Section 32 of the Town Planning and Development Act requires the work to be undertaken in keeping with the design and intent of [Council's] Town Planning Scheme.

### **Town Planning and Development Act 1928**

As per Part IV section 32:

#### ***"32. Savings***

*Nothing in this Act shall be deemed to interfere with the right of Her Majesty, or the Governor, or the Government of the State or a local government to undertake, construct, or provide any public work, and to take land for the purposes of that work: Provided that:*

- (a) *so far as, in the interests of the public, it is reasonably possible, every such work shall be undertaken, constructed, or provided, and all land taken for the purpose of*

*such work shall be taken, in such a manner as to be in keeping with the design and intent of every town planning scheme, and so as not to destroy the amenity of any town planning scheme made and approved under this Act and having effect in the district where, and at the time when, such work is undertaken, constructed, or provided, or such land is taken; and*

- (b) *the responsible authority shall be consulted at the time when a proposal for any public work, or for the taking of land therefore, is being formulated to ensure that the undertaking, construction, or provision of, or the taking of land for, the work will comply with paragraph (a).*

*[Section 32 amended by No. 63 of 1955 s.4; No. 120 of 1982 s.17; No. 32 of 1983 s.6; No. 14 of 1996, s.4.]”*

Clause 5.1.2 (a) only applies to the "Use" of land, not the "Development" or construction component of works; and furthermore, only applies where the proposal is consistent with the purpose for which the reserve is vested. In this instance the vesting of Kindergarten is not considered consistent with predominant objective of power generation, despite the ancillary public education benefits. The proposed works on the Shire administration reserve are in keeping with the municipal vesting for this land.

Clause 5.1.2 (b) is also unable to exempt this proposal from planning consent, on account of the clause only applying to the "Use" of land.

On account of the above, Council's Contract Planner is of the view that this proposal can only be implemented if planning consent is granted by Council under Town Planning Scheme No. 2. It should be noted that a review of both Council's Town Planning Scheme and Paterson Street Guidelines identified no breach of height or setback requirements.

As stated previously, Council's Sustainability Unit is yet to decide on the exact location of the proposed wind tower, other than it will be located on a Council Reserve on Paterson Street. The final location will be determined with the objective of satisfying community expectations with regard to minimising noise, vibration and visual impacts.

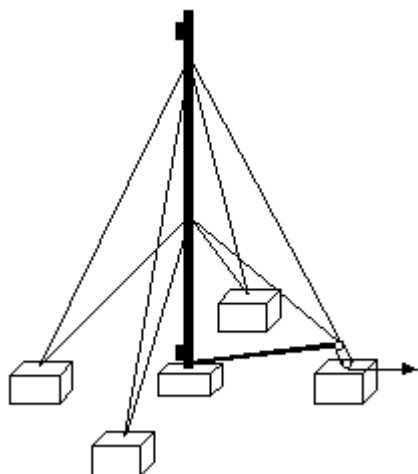
If located on the Shire Administration reserve, the public utility is in keeping with the historical and existing municipal and administrative activities being undertaken on these sites. Accordingly, Council's Sustainable Development Project Officer is unable to foresee any possible increased impact on neighbouring residents. If the Landcare and pre-primary reserve is selected as the preferred site, then further investigations will be necessary to determine the likelihood of noise, vibration and visual amenity impacts, and the cost of mitigating those impacts to acceptable levels.

As the successful consultants have not been selected the final design and type of wind turbine to be used is not known. The 24m tower and 5Kw turbine is the specification. Once the consultant has been selected a detailed analysis of sites on Council land available for location of the tower will be investigated to determine the most suitable site that will not adversely affect the amenity of surrounding residents.

The criteria for site selection are:

- Visible to the community as an educative tool
- Accessible to visitors
- Located close to the library which it is feeding power to
- Maintenance access

A diagram of a turbine 24m post is below, demonstrating the guy wires required:



A picture of the 5KW turbine is below:



### **Sustainability Statement**

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

The Mundijong hybrid wind and solar renewable energy system minimises environmental damage by reducing greenhouse gas emissions through traditional energy generation but also indirectly through educating and providing information to the community on renewable energy and energy efficiencies option available which aim to have some of the local and regional community reduce their own greenhouse gas emissions.

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The proposal reduces energy production which consumes non renewable resources and produces pollutants. The proposal aims to achieve behavioural change effect further reducing energy consumption.

*Does the proposal/issue use locally available or produced resources?*

The type of wind power equipment that will be used is yet to be determined as is the consultant and construction team.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*



The use of renewable energy provides a free source of energy to be used for the library and also offers the opportunity if surplus is created to be sold back to the grid. The initial cost is quite large but the system selected also provides an educational benefit as well as a financial benefit.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The system is designed to be socially and environmentally responsible and aims to engage the community in engaging in education, debate and assessment of renewable energy and energy efficiency. The project aim to inform and build capacity in the community to assess their options available for reducing both their energy consumption but also the greenhouse emissions and also achieving financial benefits.

*Does the proposal/issue disadvantage any social groups?*

No the wind turbine located in Mundijong doesn't disadvantage any groups.

*Does the proposal/issue create long- term employment or economic benefit to current and future residents of the shire?*

The proposal may provide long term economic benefit to the residents through the reduction in energy use and also the reduction in environmental damage which may require funds in the future.

**Statutory Environment:** Not applicable

**Policy Implications:** Not applicable

**Financial Implications:** The Shire has allocated \$40,000 towards the project. Funding for the remainder of the system has been achieved from PDC and further funding for the educative and interpretive components is being sought through SEDO and Alcoa.

**Strategic Implications:** Council's Strategic Plan Strategies state:

*"1.2.1 Increase information and awareness of key activities around the Shire and principles of sustainability.*

*2.1.1 Increase awareness of the value of environmental requirements towards sustainability*

*2.1.5 Reduce green house gas emissions.*

*2.2.2 Respond to Greenhouse and Climate change.*

*3.1.3 Develop tourism potential"*

**Community Consultation:** Community consultation was undertaken as part of the original feasibility through a range of community groups and organisations including LCDC, local schools and the Serpentine Jarrahdale Tourism Association. When the final location is agreed with the successful consultant, if community consultation is required it will be undertaken.

**Voting Requirements:** **ABSOLUTE MAJORITY**

### **Officer Recommended Resolution**

Council grants the Director of Sustainable Development delegated authority to grant planning approval for the hybrid solar wind system for the Landcare site subject to satisfying community expectations with regard to minimising noise, vibration and visual impact on the Mundijong Administration reserve site.

Cr Richards left the meeting at 7.36pm and returned at 7.41pm.

### **ALTERNATIVE MOTION**

Moved Cr Hoyer seconded Cr Murphy that

1. Council grants the Director of Sustainable Development delegated authority to grant planning approval for the hybrid solar wind system subject to satisfying community expectations with regard to minimising noise, vibration and visual impact on the Mundijong Administration reserve site.
2. Should the Director Sustainable Development be unable to satisfy community expectations then the project be deferred for further assessment.

LOST 3 / 7

### **CRP253 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Price seconded Cr Simpson that Council grants the Director of Sustainable Development delegated authority to grant planning approval for the hybrid solar wind system subject to satisfying community expectations with regard to minimising noise, vibration and visual impact on the Mundijong Administration reserve site.

**CARRIED 10/0 ABSOLUTE MAJORITY**

Note: The Officer Recommended Resolution was altered to reflect the unsuitability of the proposed landcare site.

7.3 Strategic Management Committee Meeting – 22<sup>nd</sup> April, 2003

**COUNCIL DECISION**

Moved Cr Simpson seconded Cr Needham

That the minutes of the Strategic Management Committee Meeting held on 22<sup>nd</sup> April, 2003 be received.

CARRIED 10/0

SM048/04/03 BYFORD URBAN STORMWATER STRATEGY - STUDY TOUR (A0827-02)		
Proponent	Shire of Serpentine - Jarrahdale	<b>In Brief</b>  In March a study tour of Water Sensitive Urban Design (WSUD) to the eastern states (Melbourne and Brisbane) was undertaken to hold discussions with key agencies and to view constructed WSUD projects.  This report seeks to appoint a WSUD consultant on an annual retainer arrangement.
Officer	Carlie Eldridge - Manager Sustainability Unit	
Signatures - Author:		
Senior Officer:		
Date of Report	30 March 2003	
Previously	Strategy: SM035/01/03, P148/06/02, P082/01/02, SM040/02/03 Tour: SM027/12/02	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

**Background**

The draft Byford Urban Stormwater Strategy has been prepared and reviewed by Council. Comments are being considered by the consultants. As noted in a report (SM027/12/02) to Council:

*“It is evident from initial review of the Draft Final Byford Urban Water Management Strategy that the underlying issues are quite complex. Similarly, there are few working examples of the water sensitive urban design treatments with any significant operational history available in Western Australia. A more complete understanding of the implications of the Byford Urban Water Management Strategy is required by both Councillors and staff to ensure political and technical understanding of, and support for, the strategy proposed by Parsons Brinckerhoff (formerly PPK).”*

**“CRSM027 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Simpson seconded Cr Scott that

1. Council notes the December 2002 status report on the strategic planning program in preparation for Byford urban development.
2. Council approves a study tour of water sensitive urban design treatments in Melbourne and Brisbane commencing February/March 2003 and nominates the following two Councillor attendees: Cr Simpson and Cr Needham.
3. Council approves the attendance of up to three technical staff on a study tour of water sensitive urban design treatments in Melbourne and Brisbane commencing in early 2003.
4. Council invites representatives of the Water Corporation to meet with the Council to more comprehensively outline the proposal for a drainage management model review agreement as soon as practicable.

CARRIED 9/0”

The study tour was undertaken by three technical staff and two councillors, being Robert Harris (former Director Asset Services), Mick Beaverstock (Director Asset Services), Carlie Eldridge (Manager Sustainability Unit), Cr Needham and Cr Simpson (the delegation).

## **Comments**

A presentation will be made at the conclusion of the Strategic Management Committee on 22 April 2003, on the Study Tour, covering places visited and key lessons learnt.

In regards to successfully implementing Water Sensitive Urban Design in the development within the Byford Structure Plan area, Council staff do not have the technical expertise to assess application requirements on WSUD criteria.

The study tour team having had in depth discussions with Councils, authorities and developers who have been involved with the implementation of WSUD criteria in urban development areas have learnt it is essential to get the technical design correct to ensure there are no long term problems. To achieve this, officers may need a technical expert to assess this section of development applications for the Byford Structure Plan area in addition with other assessments undertaken by Council technical staff.

Mr Tony Wong, an ecological engineer who manages Ecological Engineering and also works for Monash University is the leading expert in Australia in WSUD. Mr Wong was involved in writing part of the Byford Stormwater Strategy and also provided Council with advice, organised the Melbourne part of the study and spent a day with us discussing all the issues.

The delegation believe Mr Wong would provide invaluable advice on assessments in the Byford Structure Plan area to ensure the WSUD criteria are met and to also advise developers on how to achieve these criteria. It is recommended to Council by the delegation that consideration be given to the engagement of Mr Wong on a retainer to advise Council on the implementation of WSUD in the Byford Structure Plan area. Under this arrangement Mr Wong would not be able to work for developers within the Byford Structure Plan area.

Mr Wong has indicated his willingness to enter into an arrangement with Council rather than be commissioned by developers to design works.

## **Sustainability Statement**

*Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?*

Water Sensitive Urban Design (WSUD) the principles on which the Byford Strategy is based is considered best practice in stormwater management in Australia. WSUD reflects a move away from the traditional urban stormwater management approach which focused on drainage and flood protection but not with water quality. WSUD incorporates the move to managing stormwater as a resource and encompasses the full spectrum of planning and engineering practices.

Adopting a WSUD approach for the Byford Structure Plan area will enhance the built environment through the incorporation of ecologically based stormwater management systems including bioretention swales, constructed wetlands and multiple use corridors into the new urban fabric as Byford is developed.

The adoption of the strategy for the Byford Structure Plan area will reduce environmental damage through taking a broad spectrum approach that includes quantity, recreation, aesthetic and quality issues into account. The proposed systems aim to improve the water quality through swales and constructed wetland systems reducing environmental impacts to receiving water bodies. The use of water quality ecological treatment systems also provides an educational function through residents and visitors being more aware of the impact they have on water bodies and stormwater as the treatment systems are integrated into streetscapes and recreational areas as opposed to the traditional method of in pipes which is “out of sight out of mind.”

*Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?*

The WSUD approach reduces the use of traditional drainage systems and also hard paved road area and kerbing used for water collection and integrates the water management into the streetscape and recreational areas. The WSUD utilises more land area but utilises many other functions beyond water collection including water treatment, recreational and aesthetic value.

*Does the proposal/issue use locally available or produced resources?*

The Byford USWMS is a strategy, it does not go into the detail of resource use and construction methods. This will be covered in the detailed area plan requirements which relate to the Structure Plan. It provides for local solutions to the treatment of water quality to ensure optimal water quality is achieved before the water leaves the precinct and enters into the receiving water body.

*Will the proposal/issue be economically viable in a way that incorporates its external costs?*

The proposed WSUD approach to managing stormwater in the Byford Structure Plan Area aims to incorporate the external costs of urban development and stormwater quality through addressing the water quality and quantity. The major external cost of stormwater and urbanisation is the increase of stormwater entering receiving water bodies in the catchment and the decrease in water quality of stormwater due to the increase in activity and resulting pollutants from cars, gardens and general rubbish. By implementing a new approach to dealing with stormwater that addresses both water quantity and quality and also integrates treatment systems into the urban form the costs of urbanisation are integrated. The cost of constructing the treatment systems are covered by the developers as they are required to meet minimum water quality standards and structure plan requirements within their catchment. The ongoing cost of maintaining the systems to ensure water quality is kept to optimal levels is expected to be comparable to that for traditional systems, if the correct design is installed. The cost of not treating water quality as in the traditional system is paid for by the community in the decrease in water quality within the catchment.

*Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?*

The strategy is designed to be both environmentally and socially responsible through taking a holistic approach to integrating stormwater management into the urban fabric of Byford. The construction of the urban stormwater systems will be undertaken by the developer/s. The community has been involved in the development of the Byford Structure Plan and will be involved in the long term ongoing success of the water systems through their use of the multiple use corridors and not polluting the water systems. The community is therefore key in the implementation and success of the ecological water treatment.

*Does the proposal/issue disadvantage any social groups?*

The proposal takes a catchment approach to achieving water quality objectives. Individual owners of land holdings may be disadvantaged as all landowners in the catchment must work together to achieve the required water quality objectives and smaller landowners may not have as much voice as owners of larger land parcels. The whole catchment approach is essential though to achieve the required water quality that will be of benefit to the whole Byford Area and the regional area in regards to water quality in the catchment.

*Does the proposal/issue create long- term employment or economic benefit to current and future residents of the shire?*

Taking a water sensitive urban design approach will provide long term economic benefit to the residents through potential increased property value as the area will differentiate itself from most of the residential development in the greater region. There is also the economic benefit of reduced water quality problems in water bodies within the catchment which would have to be addressed.

**Statutory Environment:** Town Planning and Development Act 1928 (as amended)  
Town Planning Scheme No. 2

**Policy Implications:**

1. Detailed Area Plan for Byford
2. The Byford Urban Storm Water Management Strategy is an important part of the whole Byford Structure Plan and development process. This Strategy will set the requirements for drainage management within the Structure Plan prior to development commencing.

**Financial Implications:** Cost to have Mr Wong on a retainer is to be negotiated and considered as part of the 2003/2004 draft budget. This cost would be offset through development supervision fees.

**Strategic Implications:** In the Key Results Area: Environment, waterways and water quality are addressed as follows:

*“Vegetated corridors on watercourses in our townsites will provide recreational opportunities, enhance the urban environment, improve water quality and create wildlife habitat which will connect to our rural drains that will be managed as living streams.”*

Also in the environment key results area the strategy is catchment based reflecting the approach taken for Byford:

*“Plans developed with the community will be used to guide catchment management and build a network of waterway and vegetation corridors throughout the Shire.”*

The strategy is based on best practice for stormwater management which is aligned with our Strategic Plan *“Encourage best practice environmental management.”*

**Community Consultation:** Community Consultation was undertaken for the preparation of the Structure Plan for Byford which the Byford Urban Stormwater Strategy forms part of. The setting of water quality objectives and requirements is a specialised technical area and the community has not been consulted in the setting of these.

**Voting Requirements:** Normal

#### **SM048 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Simpson seconded Cr Price that Council consider as part of the 2003/2004 budget deliberations engaging Mr Tony Wong of Ecological Engineering on an annual retainer basis to provide professional advice to Council in assessing detailed areas plans, subdivision and development applications in the Byford Structure Plan area.  
CARRIED 10/0

SM049/04/03 QUARTERLY FINANCIAL REPORT – MARCH 2003 (A0924/03)		
Proponent	Local Government Act 1995	<b>In Brief</b>  To receive the March quarter financial report, approve the recommended changes to the adopted budget 2002/2003 and resolve not to prepare a quarterly financial report for the period ending 30 June, 2003.
Officer	G R Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	21/03/03	
Previously	C043/10/02, SM020/10/02, SM023/10/02, C055/11/02, SM032/01/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### Background

Regulation 34(1)(b) of the Local Government (Financial Management) Regulations 1996 require that quarterly financial reports be presented to Council for the periods ending 30 September (C043/10/02), 31 December (C032/01/03), 31 March and 30 June at either the next ordinary meeting after the end of the period, or if not prepared in time to the next ordinary meeting after that meeting.

The format of the report is to be set out providing the following information;

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Includes an operating statement, and
- Any other required supporting notes.

Regulation 34 (1a) of the Local Government (Financial Management) Regulations 1996 provide that a *“local government need not prepare a quarterly... financial report for the period ending 30 June in any year if, before that date, the council resolves (by absolute majority) that such a report is not necessary.”*

The June quarterly report has not been prepared in the past in accordance with the above regulation. Generally this report is prepared after all payments have been included and finalisation of accounts has been prepared for auditors, then past on to Council for consideration once auditors sign off to the point where they provide their audit certification.

### Comments

The adjustments made from previous quarterly or other reviews this year are indicated in this document and shown in **SM049/04/03** with the resolution number. This review contains all committed purchase orders that have been raised against the budget provisions as well as actual payments made to those provisions. This simply means that some accounts will have the projected expenditure requirements into the next couple of months included. This provides the most up to date projection.

This report will indicate all significant variations that are considered to effect the end of year result and other budget changes as a result of a review of the budget requirements. Where a variation is not considered to significantly effect the end of year result or is anticipated to correct itself prior to the end of year no comment has been made.

A copy of the Financial Report is provided with this agenda. The report reflects the period to 21 March 2003.

### General Purpose Funding

RAR602 Rates Written Off – with the progress being undertaken in the review of outstanding rates further rates have been written off. It is anticipated this account will need to be revised further to \$37,000, an increase of \$11,500.

RAR122 Interim Rates – This figure was adjusted at the mid year review upward to \$68,000. This figure can be further revised upward to \$98,000 to reflect additional revenue raised during the quarter.

GFI621 Bank Fees – On current projections this account will finish the year under expectations and the budget can be amended downward by \$3,000 to \$31,000.

GFI630 Interest on Investments – Whilst investments have been achieving above market returns this account will not achieve the anticipated figure. As a result it is recommended this account be reduced by \$30,000 to \$90,000.

### Governance

MOC530 Economic Development – An allocation was forecast under this account for \$5,000 for the Bendigo Bank Study. The actual allocation is \$10,000 however \$5,000 income is also budgeted making the actual cash contribution from Council \$5,000.

MOC611 Election Expenses – As there will only be an election in the North Ward the cost of this election can be reduced by half to \$10,000.

CEO508 Training – It is recommended this account be reduced by \$1,750 to assist with meeting the changes and as a result of resolution C081/01/03.

CEO525 Organisational Development – It is recommended this account be reduced by \$2,000.

CEO550 Vehicle Operating Expenses – This account will require a further \$750 allocation which has been transferred from account CEO508 in accordance with the decision of resolution C081/01/03 for the CEO to travel to Adelaide via road for the 2003 Local Government Managers Association National Conference.

CEO560 Special Projects – Multi agency funding concept planning can be deferred until next year as the WA Police Service are yet to commit to their portion of the funding. This will result in an \$18,000 saving on this account.

DAS502 Casual Salaries – Not all of this program can be achieved within the current financial year as other priorities will require the remaining time. As a result the amount of \$6,000 can be reduced from this account. The remaining \$10,000 will be transferred to account WSO500 Reserve Management Salaries to fund a shortfall in this area.

ITS537 GIS Lease – this allocation will not be required this financial year and can be re-budgeted in the next financial year when costs will be better known. Therefore this account can be reduced by \$5,000 to nil.

CDO523 Cultural Development – The \$2,500 allocation here for Youth Project Materials will not be required this year and as a result this account can be decreased by this figure.

CDO571 Community Forums – This account will not be fully expended and can be reduced by \$3,000.



CDO572 Community Development – This account was to provide for the social sustainability training. This training has only just taken place and was paid for last financial year, as a result the funds of \$1,000 will not be required this year.

ITS536 Equipment Leasing and Purchase – This account will finish \$7,000 lower than forecast at \$93,000.

CCS515 Stationery – This account is anticipated to finish less than the budget forecast and is recommended to be decreased by \$3,000 to \$24,000.

ADM510 Telephone – This account was forecast to carry the organisation telephone charges for the year and then be reallocated through the Administration Allocation across the budget. With the installation of the new telephone system we are now able to allocate each phone individually and as a result the individual telephone accounts will show an over expenditure whilst this account will show under-expenditure to offset this. It is estimated that a saving of \$6,000 may be made in this area therefore this expenditure forecast can be reduced.

ADM518 Photocopier Maintenance – A saving of \$1,000 should result in this account.

ADM627 Program Maintenance – It is estimated a saving of \$2,000 can be made on this account forecast.

ADM730 Ground Maintenance – The requirement of funds in this account has decreased with the changed maintenance arrangement for parks and gardens, therefore this account may be reduced by \$3,000.

CRE500 Salaries – The total salaries account is approximately \$30,000 under forecasts for year end. It is suggested this account be reduced by that amount to \$134,637 to reflect this.

CRE600 Public Relations – The website provision in this account will not provide the modifications being sought so it is suggested this be deleted this year and considered again in the next budget. It is also recommended that the general allocation also be deleted, therefore reducing this account to \$18,500.

OGC510 People and Partnerships – This account was provided to allow this committee to undertake projects associated with this program. At this time it is not considered that sufficient time will be available to utilise all of these funds so it is recommended this account be reduced by \$10,000 to a budget of \$4,000.

OGC530 Legal Expenses - Expenditure is currently over budget forecast by \$13,000. This issue was raised at the last quarter review, however a solution was deferred until this quarter when a better indication of the situation would be known. The budget will need to be amended to \$40,000.

#### Law, Order and Public Safety

FIR640 Fire Hydrants – This account will probably not be fully expended by year end and will therefore give a saving of \$2,000.

FIR402 Bushfire Levy – Income for this account was modified at the mid year budget review, however it has increased beyond that adjustment and can now be adjusted further by another \$12,000 to \$293,510.

RAN525 Impounding Vehicles – It is recommended that an amount of \$1,500 be reduced from this budget.

RAN550 Vehicle Operating – Ranger vehicle operating is tracking below budget estimation and will more than likely finish approximately \$2,000 lower. It is recommended this allocation be reduced to \$18,000.

RAN101 Dog Registrations – Appear well short of the anticipated revenue and should be adjusted to reflect this. It is anticipated this revenue will be \$4,000 less than the budget forecast.

### Community Amenities

Sanitation – This area of the budget is self providing through the fee set for this service. On current projections this area may finish the year above budget forecasts. Council does have reserve funds it can draw on to assist any over budget expenditure.

ENV526 Regional Energy Project – The original budget provided for this area is \$21,000 less than the project brief provided for. It is suggested this deficiency be made up by from ENV702 Reserve Management Planning and ENV698 Environmental Reserve Management added to the vehicle contribution of \$7,350.

ENV698 Environmental Reserve Management – It is recommended an amount of \$7,500 be reduced from the budget forecast.

ENV702 Reserve Management Planning – It is recommended an amount of \$10,500 be reduced from this account leaving a nil balance.

TPL174 Rezoning Fees – This account will finish the year well below budget forecasts of \$20,400. It is recommended that this account be reduced by \$18,000 to \$2,400.

### Recreation and Culture

MFC625 Mundijong Pavilion Changerooms – This forecast provides for \$10,000 for design specification and tender of the changerooms as per the Forward Financial Plan. Centrals football club have undertaken the design and will only require the drafting of the specifications, therefore this account can be reduced by \$5,000.

JHP730 Jarrahdale Heritage Park – This account has been expended to satisfy the conditions of the grant requirements. As part of the intention to commence the woodlot subdivision it was forecast that an amount of \$36,000 would become available to place into general revenue. As this subdivision will now not take place until next financial year it is recommended that this account be reduced by \$30,000 to a budget figure of \$79,357. This additional expenditure above this amount currently shown can be offset by the additional grant funds shown in account JHP101.

JHP736 Woodlot Subdivision – It is recommended this account be reduced to \$4,000 in line with the current expenditure on the account.

JHP100 JHP Revenue – it was estimated that \$36,000 of this allocation would be placed back into general revenue in the budget. This revenue would be derived from the sale of the woodlot blocks. As this subdivision will not occur this year the \$36,000 will not be gained. The remaining \$200,000 was for proceeds from the sale, of which \$50,000 would be used to fund the costs of subdivision and \$150,000 would go into a reserve account. Since the subdivision is yet to proceed there has been minimal costs incurred and the reserve account will not be created this year as there are no proceeds from sale to transfer. It is recommended this account be amended to reflect nil income.

OSR903 Recreation Centre Construction – This account was to provide for the commencement of construction of the Recreation Centre. This construction will now not take place until the new financial year in line with the draft forward financial plan and therefore can be reduced to nil.

Council has budgeted and income of \$750,000 this financial year as part funding of the Recreation Facility, as it was anticipated that should earlier notice of grants occur the project may have been able to be commence. The \$750,000 was made up of an anticipated \$450,000 Commonwealth grant, which Council was advised in March has had to now be revised down to meet Commonwealth funding requirements to approximately \$340,000. The remaining \$300,000 was to be raised by way of loan as part of the total loan funding by Council over the 2002/2003 and 2003/2004 financial years to fund the facility. If this had occurred as planned, it was budgeted that Council would spend \$500,000 this financial year to commence the project, with the project rolling into 2003/2004 when the CSRFF funding became available. The intention however, was to carry forward the unspent \$250,000 into 2003/2004 and use this as part of the overall Council funding contribution required to fund the Recreation facility. What has occurred is that the \$250,000 carry forward was not shown in the 2002/2003 budget, and consequently the budget has been prepared and adopted with \$250,000 income which is committed to the Recreation Facility and is not available for general expenditure.

In summary, the budget has been developed with an additional \$250,000 worth of projects that are not funded. Whilst this on the surface this may appear a disappointing oversight, it is not considered difficult to address, because if this problem had been identified when developing the draft budget, it would have been addressed at that time no differently to the process that has been undertaken by the Executive team and the solution presented to Council. Projects that are either not commenced or shown in the Principal Activities Plan or not of a high operational priority are either proposed to be deferred for further consideration in the 2003/2004 budget or have been identified as areas where savings can be made in expenditure areas across the whole budget. In fact, it could be argued that it is more appropriate that this matter has been addressed at this budget review, as Council and the Executive Team are able to much more accurately identify the current financial position on the whole range of Council Programs and target areas which will not have a detrimental effect on completing this years budget program.

Therefore OSR402 Loan Finds – These loan funds were to be drawn for the construction of the Recreation Centre. As the building construction is not anticipated to be commenced this financial year this loan will not be drawn on, and

OSR404 RAP Grant – These funds were anticipated for the Recreation Centre. The finalisation of the grant application is still to be concluded and as a result no income has been received. If income is received this financial year the funds will be placed into a reserve for the construction of the Recreation Centre.

TPG700 Serpentine Playground Equipment – \$10,000 of the funds provided in this account will now be diverted to the storage facility for the Clem Kentish Hall. The remaining funds can be reduced from the budget.

CFS625 Serpentine Community Facility – It does not appear that these funds are required this year and this expenditure can be reconsidered in the 2003/2004 budget.

### Transport

RC013 Hopkinson Road – The balance of expenditure on this account is to complete the second coat seal. It is not anticipated that this seal will take place until the next financial year and therefore this figure can be reduced by \$32,000.

MOR805 Reseals – This account can be reduced by \$50,000 to \$470,286.

### Economic Services

WSO500 Salaries Weed Strategy – This account will require additional funds for the balance of the year. Wages are currently being balanced between this account and NNW730 Weed

Control, however there needs to be \$10,000 provided to allow the early season weed spraying.

***A copy of the March Quarter Financial Report is provided in hard copy format and marked SM049.1/04/03.***

### **Sustainability Statement**

This review provides an indication of current allocation of resources to provide services as adopted in the 2002/2003 budget. It ensures that allocations are undertaken in accordance with the adopted budget and proposes any changes required to maintain the most efficient use of the available resources.

**Statutory Environment:** Section 6.4 of the Local Government Act 1995 and Regulations 34 and 35 of the Local Government (Financial Management) Regulations 1996.

**Policy Implications:** No policy implications

**Financial Implications:** This review has deliberately not tried to re-allocate 100% of funds to meet the deficit as it is felt reasonable to approach the end of year with a deficit of approximately \$50,000 still based on the view that it is anticipated that this can be absorbed by any small surplus which may be remaining at the end of the financial year.

**Strategic Implications:** No strategic implications

**Community Consultation:** Not required.

**Voting Requirements:** **ABSOLUTE MAJORITY**

### **CRSM049 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Simpson seconded Cr Scott that

1. Council receives the December Quarterly Report in accordance with Section 6.4 of the Local Government Act 1995.
2. Council adopts the following budget adjustments to the 2002/2003 statutory budget:-

<b>ACCOUNT</b>	<b>CURRENT BUDGET</b>	<b>AMENDED BUDGET</b>	<b>VARIANCE</b>
MOC530 Economic Development	18,000	13,000	( 5,000)
MOC611 Election Expenses	20,000	10,000	( 10,000)
RAR602 Rates Written Off	25,500	37,000	11,500
RAR122 Interim Rates	68,000	98,000	( 30,000)
GFI621 Bank Fees	34,000	31,000	( 3,000)
GFI630 Interest on Investments	120,000	90,000	30,000
CEO508 Training	7,000	5,250	( 1,750)
CEO525 Organisational Dev	9,000	7,000	( 2,000)
CEO550 Vehicle Expenses	9,000	9,750	750
CEO560 Special Projects	30,000	12,000	( 18,000)
DAS502 Casual Salaries	16,700	Nil	( 16,700)
ITS536 Equip Lease & Purchasing	100,000	93,000	( 7,000)
ITS537 GIS Lease	5,000	Nil	( 5,000)
CDO523 Cultural Development	11,700	9,200	( 2,500)
CDO571 Community Forums	6,660	3,660	( 3,000)
CDO572 Community Development	1,000	Nil	( 1,000)
CCS515 Stationery	27,000	24,000	( 3,000)

ACCOUNT	CURRENT BUDGET	AMENDED BUDGET	VARIANCE
ADM510 Telephone	35,625	29,625	( 6,000)
ADM518 Photocopier Maintenance	7,500	6,500	( 1,000)
ADM627 Program Maintenance	8,520	6,520	( 2,000)
ADM730 Ground Maintenance	12,000	9,000	( 3,000)
CRE500 Salaries	164,637	134,637	( 30,000)
CRE600 Public Relations	28,500	18,500	( 10,000)
OGC510 People and Partnerships	14,000	4,000	( 10,000)
OGC530 Legal Expenses	27,000	40,000	13,000
FIR640 Fire Hydrant Maintenance	6,394	4,394	( 2,000)
FIR402 Bushfire Levy	285,000	293,000	( 8,000)
RAN525 Impounding Vehicles	2,500	1,000	( 1,500)
RAN550 Vehicle Operating	20,000	18,000	( 2,000)
RAN101 Dog Registrations	21,000	17,000	4,000
TPL174 Rezoning Fees	20,400	2,400	18,000
ENV526 Regnl Energy Project	31,031	46,031	14,000
ENV698 Environ Reserve Mgmt	12,000	4,500	( 7,500)
ENV702 Reserve Mgmt Planning	10,500	Nil	( 10,500)
MFC625 Mundijong Changerooms	18,241	13,241	( 5,000)
JHP730 J'dale Heritage Park	109,357	79,357	( 30,000)
JHP736 Woodlot Subdivision	50,000	4,000	( 46,000)
JHP100 JHP Revenue	236,000	Nil	236,000
JHP Reserve	150,000	Nil	(150,000)
OSR903 Rec Centre Construction	500,000	Nil	(500,000)
OSR402 Loan	300,000	Nil	300,000
OSR404 RAP Grant	450,000	Nil	450,000
TPG700 Playground Equipment	15,000	10,000	( 5,000)
CFS625 Community Facility	10,000	Nil	( 10,000)
MOR805 Reseals	519,286	470,286	( 50,000)
RC013 Hopkinson Road	135,000	113,000	( 32,000)
WSO500 Salaries Weeds	18,000	28,000	10,000
<b>TOTAL</b>			<b>50,800</b>

3. Council resolves not to prepare a quarterly financial report for the period ended 30 June 2003.

**CARRIED 10/0 ABSOLUTE MAJORITY**

Note: The period of the report was corrected in Part 1 to March 2003.

SM050/04/03 HIGH SCHOOL FEASIBILITY STUDY FINAL REPORT AND RECOMMENDATIONS (A1118)		
Proponent	Serpentine Jarrahdale and Anglican Schools Commission	<b>In Brief</b>  Council supports in principal the establishment of a high school in Mundijong.  Subject to the Forward Financial Plan being adopted reflecting the proposed High School, Council agrees to continue discussions regarding the establishment of a High School in Mundijong by 2006.
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	11/4/03	
Previously	SM043.11/02/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Serpentine Jarrahdale Council (Council) has established a High School Working Group, comprised of representatives of government and opposition, local Primary schools, Council and the Local Economic Development Unit. Cr Simpson is Council's representative on the High School Working Group.

The High School Working Group has investigated the challenges and potential for a State funded high school being established, and this is understood to not be on the Education Departments agenda for at least the next 10-15 years.

The opportunity of attracting a privately funded school to Mundijong was recognised as being underpinned by the unique circumstances of an existing site, in proximity to substantial sporting and other facilities being available in the short-term future at relatively low development cost.

Council and the Anglican Schools Commission (ASC) appointed Tungsten Group Pty Ltd (Tungsten) to undertake an independent feasibility study of the concept to establish an Anglican Schools Commission High School in the Town of Mundijong.

The initial purpose of the study was to determine whether it was feasible to convert the Councils' existing Mundijong Administration Office into a High School facility.

***The final report, provided at Attachment SM050.1/04/03 identified a total of five (5) options for consideration.***

Through a process that included surveys of the Serpentine Jarrahdale area households, direct consultation with community and interviews with key stakeholders, Tungsten developed a series of facility options that could potentially meet stakeholder requirements.

These options were evaluated in consultation with stakeholders, to identify the most appropriate 'facility solution' in terms of:

- Financial viability for Council and ASC;
- Suitability of the available site and improvements to accommodate the school;
- Planning and Statutory requirements; and
- Social and economic impact on the local community.

### **Comments**

The final report identifies that there is a concurrent view by the key parties that the only viable facility option identified from the feasibility study is converting the existing Council

Chamber and Administration building into a school facility which would be controlled and operated by Anglican Schools Commission (ASC). Under this concept, the Shire Administration Office would be re-located on a new site in Mundijong. It has been proposed that a suitable site could be on Council owned land in Butcher Street, Mundijong. This site would enable the Council Administration and Operations centres to be sited together. This option would involve converting Butcher Street into a cul-de-sac (Note: No cost for purchase of road reserve and associated works have been considered as part of the Feasibility Study).

The central issue from Councils perspective is to ensure that the value of any lease arrangement and the eventual sale of the Shire building is able to justifiably offset the cost of borrowings incurred in developing a replacement Administration centre. This outcome will determine whether an agreement regarding lease and eventual sale of the Shire building can be found between the parties.

The key milestones that are proposed in the report to enable a school to open in 2006 are as follows:

<b>Date</b>	<b>Milestone</b>
2003 / 04	SSJ to design new building and implement road closures
April 2005	SSJ purchase the Administration portion of the existing Crown Reserve site from DOLA
May 2005	New Shire Building completed
June 2005	Serpentine-Jarrahdale vacates the old Shire Building
July 2005	ASC lease shire building and commence building changes
January 2006	ASC Mundijong School opens
2007	ASC builds additional buildings for use in 2008
2009	ASC builds additional buildings for stage 3 in 2010.
2020	Lease expiry. ASC purchases land and owns buildings.

#### New Council and Shire Administration facility

The cost to build the above facility to replace the existing Shire building is estimated at \$2.3 million, which includes allowances for building fittings and fitments and a contingency of approximately \$150,000 for additional furniture and fixtures that may be required. In addition, Council will need to purchase from Department of Land Administration (DOLA) the land being part of Crown Reserve 30867 (Reserve which the Council Chambers, Administration, Hall and car park are located on), for the purpose of subdividing it and transferring the Shire building portion to ASC. The agreed estimate of reasonable consideration (subject to formal valuation) between Serpentine Jarrahdale and ASC for this portion was \$50,000. The total development cost is then estimated at \$2.35 million.

The development cost of a new Administration centre will need to be funded by unbudgeted borrowings. Currently, Council reflects in the draft 2003-2005 Forward Financial Plan \$500,000 (\$200k reserves and \$300k borrowings) for the upgrade of the existing Shire building in 2005/06. Under this proposal, these funds would be re-directed toward the new facility, and consequently Council would need to borrow an additional \$1.85 million to that which is already proposed in the draft 2003-2008 Forward Financial Plan (\$500,000+\$1.85 million = \$2.35 million)

Council is at present able to borrow funds at 5.77% pa. The repayments on the additional \$1.85 million would be \$187,629 per annum based on the Shire getting a fifteen (15) year fixed 5.77% interest rate loan. The repayment costs will need to be offset by funds to be generated by lease of existing Shire building and from identified flow-on community benefits.

### Lease of Existing Shire Building

From discussion between the parties, the preferred option is for ASC to lease the main building premises for a term of fifteen (15) years, and acquire the freehold title of the land and buildings at the expiry of the lease period.

In taking into consideration the lease estimate in the initial feasibility study draft report, Council would need to attract a lease amount of \$100,000 net of outgoings for the first full year, with subsequent reviews aligned to the Consumer Price Index (CPI) every twelve (12) months thereafter. Under this arrangement, ASC would pay \$50,000 from July 2005 for the first six (6) months, and \$100,000 for the initial twelve (12)-month period commencing 1 January 2006.

ASC would be responsible for all maintenance and outgoings associated with the buildings and associated land.

### Purchase of Shire Building ONLY

It proposed that ASC could acquire the existing Shire building at the expiry of the fifteen (15)-year lease period by way of interest-free vendor finance over the fifteen (15) year period. In consideration of the assessment of current depreciated cost of the buildings contained in the initial feasibility study report, Council representatives have suggested that ASC pay a fixed annual contribution of \$50,000 per annum over fifteen (15) years, corresponding with the period of the lease.

This arrangement offers ASC a unique opportunity to own the building at the expiry of the lease for a total consideration of \$750,000, with the following benefits:

- Payment of a low, annual capital contribution;
- Not incurring any interest or borrowing cost;
- Avoidance of any additional 'balloon' payment at the expiry of the 15-year period.

The summary of the direct funds generated by lease of the Shire building against annual cost to be incurred by Council in developing a new Shire Administration and Council facility is presented below.

<b>Annual Income</b>	<b>\$</b>	<b>Annual Costs</b>	<b>\$</b>
Lease of Building (1 <sup>st</sup> full year)	\$100,000	Loan repayments	\$187,629
Purchase price contribution	\$50,000		
<b>TOTAL</b>	<b>\$150,000</b>	<b>TOTAL</b>	<b>\$187,629</b>

The above table indicates a net cash flow shortfall for Serpentine Jarrahdale of \$37,629.

Note: As mentioned earlier, Council will need to fund the development cost with additional borrowing. They are able to use \$500,000 (\$200k reserves and \$300k borrowings) of funds reflected in the draft 2003-2008 Forward Financial Plan for upgrade of their existing Shire building in 2005/06, toward the new facility, and would need to borrow the additional \$1.85 million.

Council has already provided for the \$300,000 borrowings of the estimated total cost of \$500,000 to extend the Mundijong Administration building in the draft 2003-2008 Forward Financial Plan. It is estimated that \$300,000 borrowings over 15 years cost Council \$30,000 pa at 6%

Therefore the total cost of borrowings involved in the recommendation is in fact \$30,000 pa plus \$187,629 assuming the quoted interest rates are able to be achieved and fixed for fifteen (15) years is approximately \$217,000 pa, with income from ASC of \$150,000.



Consequently, the estimated cost to Council to attract a high school and build a new Council Administration building (cost of Chamber and Administration land only included) would be in the order of \$67,000 pa for fifteen (15) years (total \$1,005,000), however, this would reduce slightly over time as the lease income was reviewed and adjusted as proposed.

This will be a shortfall that Council will need to address. It may be able to be justified as the cost of attracting a high school and offset in the following ways:

- Net cash flow shortfall being reduced over successive years as the annual lease amount payable by ASC is adjusted in line with CPI;
- Recognition of future medium to long-term community benefits from the facility concept.

### Summary

The process of consultation with key representatives of both parties, further investigation and financial analysis as detailed in this report has resulted in the following outcomes.

### Part One: Financial Terms

The financial terms pertaining to the facilities proposed by Serpentine Jarrahdale is as follows:

- Lease of the existing Shire building by ASC for fifteen (15) years for an annual amount of \$100,000 initially, and to be reviewed annually to CPI.
- Use of the existing Mundijong Town Hall and sports oval facilities for an agreed amount to be reviewed annually by the parties. This amount is expected reflect lesser use requirements in the initial years due to limited student numbers.
- ASC to purchase of the portion of Crown Reserve 30867 (to be subdivided) improved with Shire buildings in 2020, for an amount to be determined by the Valuer Generals Office in 2005, and adjusted by CPI annually. The Mundijong Town Hall and sports oval facilities will continue to be used on the agreed terms.
- Purchase of existing buildings on interest-free terms by way of \$50,000 annual payment, for fifteen (15) years ( $\$50,000 \times 15 \text{ yrs} = \$750,000$  – estimated valuation to be confirmed by valuation) commencing in 1 January 2006.
- To establish a secondary school from the existing facilities, ASC will require to undertake initial refurbishment works and future capital works to expand the capacity of the school as required.

### Part Two: Objective of the parties

The financial analysis performed in the report demonstrates that the above outcomes will result in both parties achieving their stated objectives. The outcome for Council is as follows:

- A minimal cash flow impact in vacating the existing Shire Administration premises and developing a replacement Shire Administration and Council facility. The estimated additional cost would be \$37,629 per annum. This shortfall figure will reduce over the term of the lease period, and potentially be fully offset in the later years due to the affect of annual lease reviews by CPI.
- This shortfall is considered relatively low in light of the forecasted medium to long-term financial benefits to the community of Mundijong from the establishment of the

school. The financial benefits were estimated by an economic forecasting specialist at \$135,000 pa.

The outcome for ASC may be summarised as:

- A relatively low-cost and low risk opportunity for ASC to establish a high school in the short-term future in Mundijong. The total cost of the facility lease option has a significantly lower net-present-value of about \$5.0 million, compared with the cost of developing similar facilities on a notional green-field site, which was assessed as about \$7.0 million based on 1% interest rates, and about \$8.0 million at 3.0%.
- The proposal for ASC to purchase the existing Shire building at the expiry of the lease presents an opportunity for a low annual capital payment of \$50,000 pa, without having to pay a lump sum at the end, and without having to pay interest to Council or borrow additional capital.
- The low initial cost to ASC presents a unique opportunity to further expand their presence in this region for a very nominal capital outlay. In addition, future capital outlays can be either not proceeded with or postponed by ASC if necessary.
- Agreed purchase price for the land component of the Shire Offices in 2020 to be determined by the Valuer Generals Office in 2005 and adjusted annually by CPI, and purchase of the vacant portion in 2009 for an amount to be determined by the Valuer General's Office.
- Whilst financially the facility concept is sound, both Council and ASC will need to consider the financial impact on their overall objectives and future priorities.

The ASC has advised that they will be progressing the report and its recommendations along the lines of the following timetable:

7 April - Report as we have it at this stage to Finance Committee for comment and noting - seeking their input and referral to New Schools Committee for detailed consideration.

8 April - ASC Council meeting - Report tabled, for noting and referral to New Schools Committee

6 May - as needed Finance Committee make recommendation to New Schools Committee and ASC Council as to financial viability of proposal.

27 May - New Schools Committee consider Final Report, noting recommendation from Finance Committee, and make recommendation to ASC Council.

10 June - ASC Council make decision on Mundijong School (which in reality will be either to agree in principle and move forward to finalise matters, or reject the proposal).

### Recommendations

The following recommendations are made by Tungsten in the report to Serpentine Jarrahdale and ASC:

- The outcomes contained in Part One: Financial Terms of Section 7 above be reviewed by the New Schools Commission and Council of ASC and Serpentine Jarrahdale respectively, with a view to making a decision whether to move forward, defer or reject the concept.
- That the parties acknowledge a potential enrolment impact on existing ASC schools (most particularly John Wollaston Anglican Community School, but also Fredrick Irvin Anglican School) and ASC agrees to pursue options to minimise such impact.

- Following the above initial review that the parties again meet to discuss issues requiring deliberation and negotiation.
- If agreement is reached between the parties then, the parties move to further develop the facility concept. This may include establishing a formal group of key stakeholders to proceed with more in-depth planning.

### **Sustainability Statement**

Specialist sub-consultants *Economics Consulting Services* were engaged to develop a high-level estimate of the anticipated future medium and long-term financial value of the potential economic, social and environmental benefits of the high school concept, to Serpentine Jarrahdale.

The sub consultants report is summarised as follows:

#### **Economic Benefits**

The estimated direct economic effect from a school facility in Mundijong with 600 students, employing 50 FTE staff is expected to include:

Directly employ teaching staff. Between five (5) and eight (8) staff initially and fifty (50) teaching and administration staff for a school population of 600 is required. It is assumed that this would result in six (6) staff establishing households in Serpentine Jarrahdale, although there would be a time lag before this would occur.

Directly employ additional staff including gardener/handyperson, after-hours cleaners and faults maintenance contractors. It is assumed that this would result in four (4) additional staff establishing households in Serpentine Jarrahdale.

Increase in business due to staff demand, for local consumables such as petrol, entertainment, food and groceries, both from those located inside and external to Serpentine Jarrahdale.

Increase in demand for school consumables, having further effect on local business. Direct expenditures by the student population on books etc.

Increase bus transport requirements for students. At present one bus travels daily through Serpentine Jarrahdale, and fares are subsidised to parents outside of a 15-kilometre range of the local school. From discussions with a representative of the local bus company, the demand for bus services is expected to increase.

In addition, future indirect economic benefits are expected to include:

Additional residents locating to Serpentine Jarrahdale, being a long-term sustained increase in the number of households, due to the improvement in local amenities.

Correction of the current dip in the 15-24 age group demographic for Serpentine Jarrahdale, due to the presence of the school would further boost population.

Long-term multiplier effect on employment prospects. The 'education' sector multiplier is 1.73, meaning a school of 59 staff should generate an addition 43 jobs across WA, which is likely to re-circulate benefits to Serpentine-Jarrahdale.

The effect of future release of land earmarked for residential subdivision in the area.

Development of a high school is likely to provide a catalyst for future land releases.

It was strongly emphasised by the sub-consultants that the large majority of business and employment opportunities created from the school would be felt outside of Serpentine Jarrahdale. This is due to the location characteristics of the area, including the cost of transport, and limited availability of local goods and services. Consequently, the long-term 'multiplier effect' was valued as only 5% of the relevant multiplier total that would apply.

### Social

A secondary school is considered a positive contributor to the social fabric of the community, by offering the following potential benefits:

- Higher retention of the population as students attend school locally;
- A closer-knit community due to students forming extended peer relationships as they attend school together for a longer duration;
- The facility is likely to attract cultural activities to Mundijong through the extra-curricula activities for students. Examples may include a visiting music show, or travelling art exhibition. The town becomes a far greater 'catchment area' for cultural programs. The long-term effect could potentially be to encourage the establishment of further integrated facilities in the town, such as a performing arts centre or an arts/crafts workshop, which draws on the local student population;
- The pastoral content of the ASC curriculum should have a positive social influence on the local community;
- Being a community based school, the community would be able to participate in the use of school facilities such as a gymnasium.
- Youth would be accessible to develop future community leaders.

### Environment

Influences on the environment from a secondary school are expected to include:

- A significant boost in the utilisation of current local facilities, including the Town Hall, oval and sports buildings, thereby supporting the need to maintain them to a good standard;
- The school would attract development of further facilities specific to school curriculum such as a new gymnasium; and
- The local student population will underpin establishment of facilities in response to new unmet demand, for example a skate-park or a public swimming pool.

**Statutory Environment:** Local Government Act 1995

**Policy Implications:** No Policy Implications are known.

**Financial Implications:** The cost to build the above facility to replace the existing Shire Administration and Council Chamber building is estimated \$2.35 million (including existing Shire Administration and Council Chamber building land only, based on an estimated cost of \$50,000)

Council will need to fund the development cost with additional borrowing. Currently, Council shows \$500,000 (\$200k reserves and \$300k borrowings) of funds reflected in the draft

2003-2008 Forward Financial Plan for upgrade of their existing Shire building in 2005/06, toward the new facility. The report assumes that this would be used as a part contribution toward the total estimated cost of \$2.35 million. Therefore, Council would need to borrow the additional \$1.85 million to fund the estimated \$2.35 million dollar cost of a new Administration and Council Chamber building.

<b>Annual Income</b>	<b>\$</b>	<b>Annual Costs</b>	<b>\$</b>
Lease of Building (1 <sup>st</sup> full year)	\$100,000	Loan repayments	\$187,629
Purchase price contribution	\$50,000		
<b>TOTAL</b>	<b>\$150,000</b>	<b>TOTAL</b>	<b>\$187,629</b>

The above table indicates a net cash flow shortfall for Council of \$37,629 per annum for fifteen (15) years has been projected should Council and ASC agree to progress the proposal recommended.

Council has already provided for the \$300,000 borrowings of the estimated total cost of \$500,000 to extend the Mundijong Administration building in the draft 2003-2008 Forward Financial Plan. It is estimated that \$300,000 borrowings over fifteen (15) years cost Council \$30,000 pa at 6%

Therefore, the total cost of borrowings involved in the recommendation is in fact \$30,000 pa plus \$187,629 assuming the quoted interest rates are able to be achieved and fixed for fifteen (15) years is approximately \$217,000 pa, with income from ASC of \$150,000.

Therefore, Council will incur an overall cost under this proposal of approximately \$67,000 pa for fifteen (15) years. This is a cost that Council will need to give due consideration to. It may be able to be justified as the cost of attracting a high school and offset in the following ways:

- Council has already provided for the \$300,000 borrowings to extend the Mundijong Administration building in the draft 2003-2008 Forward Financial Plan. It is estimated that over fifteen (15) years this would cost Council \$30,000 pa at 6%.
- Being reduced over successive years as the annual lease amount payable by ASC is adjusted in line with CPI;
- In recognition of future medium to long-term community benefits from the facility concept described in Section 5.6 of the final report.
- Estimate of economic value of Medium to Long Term Benefits

A highly conservative estimate of the economic value of the above benefits to Serpentine Jarrahdale was determined, due to the nature of assumptions used. Estimates were made using two separate methodologies, as follows:

- The anticipated sum of the most significant local content of all expenditures attributed from the school directly and also

resident and non-resident staff. This was estimated at \$135,000 per annum.

- Estimation of the 'multiplier' effect on the local economy of the expected total annual spend by the school. This indicates a total financial benefit of \$500,000.

This consultants suggest that the difference can be explained by three factors:

- The \$135,000 represents only the first round of expenditures in the area. The 'multiplier' takes into consideration future rounds, attributable to social and environmental benefits that in turn create subsequent flow-on economic benefit.
- A significant number of potential local expenditure impacts have not been estimated (such as the local component of the \$900,000 on school consumables) due to the high uncertainty in predicting them;
- The estimate of the locally-spent component of incomes was also highly conservative;

The above analysis indicates that the establishment of a high school is likely to be a substantial long-term economic benefit to Serpentine Jarrahdale, based on a conservative estimate.

The net present value of the projected multiplier value of local benefits from the direct impacts of the school over fifteen (15) years is approximately \$900,000 in today's dollars, with a 5% real discount rate. This excludes the estimated attraction of additional families into the area.

**Strategic Implications:**

- a) Councils 2003 Strategic Plan states the following;
  - 1. People and Communities
    - 1.2 Develop good services for health and well being – Increase educational and skill development facilities and opportunities.
- b) Councils Employment and Economic Development Strategy (2002-2007) states under "Stimulate Employment, Education and Training Opportunities" b) Ensure State Government establishes a Private or Government High School in the Shire to meet the growing population needs – 1.) Achieve a High School in the Shire within the next five (5) years.

**Community Consultation:**

Households Survey - The survey asked how many children would be attending high school in Grade 8 in each of the years between 2005 and 2010 and which school they would be likely to attend. A copy of the survey questionnaire is included in Appendix C.

A total of 657 questionnaires were sent out through the weekly newsletter publications of the local primary schools, to be completed by parents. Two (2) primary schools elected not to assist in distributing the survey, representing 190 households. We have extrapolated the above survey results to adjust for

this, and conclude 176 households would be interested in sending their children to an ASC school in Mundijong.

Community Workshop - A community workshop was held for interested members of the community and stakeholders on 11 November 2002. The purpose was to gauge the level of interest in a school facility and discuss some of the main options developed.

About 30 community members attended the workshop and expressed the following views of the concept:

- The local student population would retain peer group relationships by attending a local high school;
- The proposed school needs to be highly integrated into the local community;
- The curriculum to be offered by ASC ought to be include a wide range of subjects and the school ought to provide a wide range of facilities;
- Extra-curricula subjects including pastoral are important, but not should not overly dominate the curriculum;
- Fee structure for students of about \$2,500 per annum was reasonable.

Benefits to the local community of the school concept were discussed, and included:

- Increase in local population and general positive affect on Serpentine Jarrahdale demographics, producing long-term sustained economic benefit for local community;
- Positive affect on fabric of local community from a social perspective (sport etc);
- A better choice of schools for households;
- Easy access to schools – improvement in the amenity of the local area, potentially reflected in property values;
- Better use of existing community facilities; and
- Opportunity to use future facilities that the school will attract.

Impact on Neighbouring ASC Schools - Interviews were conducted with the Principals of neighbouring ASC schools John Wollaston Anglican Community School and Fredrick Irwin Anglican School the consultants were informed that:

There is perceived risk of a new high school in Mundijong competing with rather than supporting John Wollaston School, as 16 percent of the feeder student base comes from

Serpentine Jarrahdale. Enrolments are highly competitive in the area.

**Voting Requirements:** Normal

**Officer Recommended Resolution**

1. Council supports in principal the establishment of a high school in Mundijong.
2. Council agrees to include and review the forecast costs associated with the establishment of a High School through the draft 2003-2008 Forward Financial Plan process to enable longer term financial implications to be considered before the Forward Financial Plan is adopted.
3. On the condition that the Forward Financial Plan is adopted reflecting the proposed High School, Council requests the Chief Executive Officer to continue discussions regarding the establishment of a High School in Mundijong by 2006 with ASC using the Tungsten Final Report and recommendations as the guiding document subject to;
  - a) Establishing a formal group of key stakeholders with representatives from ASC and Council (the parties) to proceed with more in-depth planning. The representatives from Council will be one Councillor (Cr Simpson), the Chief Executive Officer or nominee, Director Corporate Services or nominee, Director Asset Services or nominee and Director Sustainable Development or nominee.
  - b) The following points and any other relevant matters being further negotiated and agreed in principal by the parties, however, subject to the final recommendations being referred back their respective Council/Committee for a final decision.
    - The proposed timeline
    - Lease of the existing Shire building ensuring that the value of any lease arrangement and the eventual sale of the Shire building is able to justifiably offset the cost of borrowing incurred by Council in developing a replacement Administration centre
    - Use of the existing Mundijong Town Hall and sports oval facilities, recognising and maintaining access for current and future community user groups for an agreed amount, to be reviewed annually by the parties.
    - Agreeing on an arrangement to enable ASC to purchase the portion of Crown Reserve 30867 (to be subdivided) improved with Shire buildings in 2020 for an amount to be determined by the Valuer Generals Office in 2005 and adjusted by CPI annually. The Mundijong Town Hall and sports oval facilities will continue to be used on the agreed terms.
    - Preparing an agreement, in accordance with the requirements of Local Government Act 1995 to enable ASC to purchase the existing Administration and Council Chamber buildings on interest-free terms by way of an annual payment, for fifteen (15) years commencing in 1 January 2006.

**CRSM050 COUNCIL DECISION/Committee Recommended Resolution**

Moved Cr Wigg seconded Cr Price that

1. Council supports in principal the establishment of a high school in Mundijong.
2. Council agrees to include and review the forecast costs associated with the establishment of a High School through the draft 2003-2008 Forward Financial Plan process to enable longer term financial implications to be considered before the Forward Financial Plan is adopted.
3. On the condition that the Forward Financial Plan is adopted reflecting the proposed High School, Council requests the Chief Executive Officer to continue discussions regarding the establishment of a High School in Mundijong by 2006 with ASC using the Tungsten Final Report and recommendations as the guiding document subject to;



- a) Establishing a formal group of key stakeholders with representatives from ASC and Council (the parties) to proceed with more in-depth planning. The representatives from Council will be two Councillors, the Chief Executive Officer or nominee, Director Corporate Services or nominee, Director Asset Services or nominee and Director Sustainable Development or nominee.
- b) The following points and any other relevant matters being further negotiated and agreed in principal by the parties, however, subject to the final recommendations being referred back to their respective Council/Committee for a final decision.
- The proposed timeline
  - Lease of the existing Shire building ensuring that the value of any lease arrangement and the eventual sale of the Shire building is able to justifiably offset the cost of borrowing incurred by Council in developing a replacement Administration centre
  - Use of the existing Mundijong Town Hall and sports oval facilities, recognising and maintaining access for current and future community user groups, for an agreed amount, to be reviewed annually by the parties.
  - Agreeing on an arrangement to enable ASC to purchase the portion of Crown Reserve 30867 (to be subdivided) improved with Shire buildings in 2020 for an amount to be determined by the Valuer Generals Office in 2005 and adjusted by CPI annually. The Mundijong Town Hall and sports oval facilities will continue to be used on the agreed terms.
  - Preparing an agreement, in accordance with the requirements of Local Government Act 1995 to enable ASC to purchase the existing Administration and Council Chamber buildings on interest-free terms by way of an annual payment, for fifteen (15) years commencing in 1 January 2006.
  - Recognition of the benefits a high school will bring to the entire Shire

CARRIED 10/0

Note: The Officer Recommended Resolution was enhanced with an additional dot point under B to ensure that the benefits of a high school to the entire Shire were acknowledged by the Parties.

SM051/04/03 INFORMATION REPORT		
Proponent	Chief Executive Officer	<b>In Brief</b>  Information Report.
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	24 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

SM051.1/04/03 COMMON SEAL REGISTER REPORT – MARCH 2003 (A1128)

***The Common Seal Register Report for the month of March 2003 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked SM051.1/04/03.***

SM051.2/04/03 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION PEEL WARD ZONE MINUTES MARCH 2003 (A0027)

***The Minutes of the Peel Zone Ward Meeting held on 31<sup>st</sup> March 2003 is with the attachments marked SM051.2/04/03.***

SM051.3/04/03 REGIONAL POWER CORPORATION – ENERGY REFORM IMPLEMENTATION (A0236-03)

The Department of Local Government and Regional Development have placed a call for regional stakeholders to register as Interested Stakeholders with the Energy Reform Implementation Steering Committee (ERISC) which is currently overseeing the desegregation of Western Power. While Cheryl Gwilliam, Director General of the Department of Local Government and Regional Development is on the Committee, additional strong support is needed if the outcomes of the implementation are to be desirable from a regional perspective.

The structure and location of the Regional Power Corporation have yet to be decided, despite earlier commitments made by the Minister for Energy. Also issues such as maintaining, extending and upgrading power service delivery the SWIS network will be affected by how the desegregation of Western Power is progressed.

The Committee needs clear and strong signals from stakeholders that regional issues are not secondary and regional customers expect an improvement in power service delivery and investment and decision making in regional areas.

The Department has asked to register your interest and recruit others to register as interested stakeholders in this important implementation program. Stakeholders registration is made at [www.erienergy.wa.gov.au](http://www.erienergy.wa.gov.au) or [erienergy@energy.wa.gov.au](mailto:erienergy@energy.wa.gov.au).

SM051.4/04/03 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – STATE COUNCIL MINUTES APRIL 2003 (A1164)

***The summary minutes of the State Council Meeting held on 2 April 2003 are with the attachments marked SM051.4/04/03.***

SM051.5/04/03 APPOINTMENT OF REAL ESTATE AGENT TO DISPOSE OF COUNCIL PROPERTY (A1165)

In accordance with Council decision of February 2003 CRSM045/02/03 Heritage Country Real Estate, Jarrahdale has been appointed to undertake the disposal of Council property over the next twelve (12) months in accordance with Council Quotation Q05/2002-2003. Five (5) quotations were considered.

SM051.6/04/03 INVITATION TO A BRIEFING ON THE WESTERN AUSTRALIAN TOURISM COMMISSION'S ZONE TOURISM STRATEGY (A0143)

In December 2002, the Western Australian Tourism Commission (WATC) released a stakeholder Discussion Paper outlining a *New Concept for Regional Tourism in Western Australia*.

This initiative reflected the WATC's belief that fundamental change was needed to the State's tourism framework to facilitate continued strong growth of the industry. The WATC believed that the changes proposed in the Discussion Paper were in the best interests of WA's tourism industry stakeholders because they would:

- Result in more effective marketing of WA as a tourism destination, leading to greater market recognition and demand for travel to WA
- Support the development and promotion of the state around key man-made and natural icons
- Result in clearer lines of responsibility
- Promote greater efficiency and reduce bureaucracy for the tourism industry
- Simplify contractual relationships

- Allow regional Western Australians in tourism the freedom to chart their own future, in a true partnership with the WATC.

A wide range of interested stakeholders and industry representatives took the time to review the Discussion Paper during a ten-week consultation period. Valuable feedback was provided by more than 150 tourism operators, peak associations, local governments and State government agencies across the State.

The draft Position Paper on the Zone Tourism Strategy, which builds on the findings of the Discussion Paper, will be released on Tuesday, 29 April 2003 and the comment period for the Paper is 30 April - 30 May 2003.

Paolo Amaranti (Executive Director Industry Development & Visitor Servicing), Laurie O'Meara (Deputy Chairman) and Sheryl Fewster (Director Media & Communication) from the WATC will be travelling to Mandurah on Wednesday 7 May. The President/Mayor and Chief Executive Officer from each Shire in the Peel are invited to a briefing on the Zone Tourism Strategy. Meeting details are as follows:

**Date: Wednesday 7 May**  
**Time: 9.00am - 10.30am**  
**Venue: Mandurah Gates Resort**  
**110 Mandurah Terrace, Mandurah**

Councillors are asked to please advise the CEO's PA of their interest in attending.

SM051.7/04/03      DELEGATION - ACTING CHIEF EXECUTIVE OFFICER  
(A0039/H0031)

The Director Corporate Services will be Acting Chief Executive Officer under delegation AF-7, for the period 22nd May to 6th June 2003 inclusive, while the Chief Executive Officer is attending the LGMA National Congress in Adelaide and also taking Annual Leave.

**CRSM051 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Price seconded Cr Wigg that the Information Report to 15 April 2003 be received.  
CARRIED 10/0

SM052/04/03 CALLING FOR EXPRESSIONS OF INTEREST FOR THE MANAGEMENT OF THE DESIGN AND CONSTRUCTION OF THE SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE (A0900-03)		
Proponent	Shire of Serpentine Jarrahdale	<b>In Brief</b> Council is requested to approve calling for expressions of interest for the preparation of tender documentation, the assessment of tenders, and project management for the design and construction of the Serpentine Jarrahdale Community Recreation Centre.
Officer	Mick Beaverstock Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	18 April 2003	
Previously	C106/03/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### Background

At its meeting of 24 March 2003, Council resolved the following:

*“Council authorises the amended funding arrangements in the draft Forward Financial Plan 2003-2008 and approves the calling of tenders to commence the design and construction of the Serpentine Jarrahdale Recreation Centre as provided in the 2002/2003 budget.*

*Through discussion with industry representatives it has subsequently been determined that it will be beneficial for Council to engage a specialist to prepare a tender specification for the design and construction of the facility, and project manage the construction phase of the project.”*

### Comments

As with all projects, it is crucial for the initial planning and scope of works development to be undertaken thoroughly to ensure the desired outcomes are achieved. While Council officers have the skills necessary to prepare documentation for the construction of buildings, the specifications required for a facility of this nature requires considerable specialist knowledge.

It is proposed to appoint a consultant who will be responsible for the preparation of tender documentation for the design and construction of the facility, undertake the assessment of tenders submitted for the works, and to act in a third party supervisory role during the construction phase. This supervisory function will primarily involve managing technical queries and providing advice regarding variation claims which may occur during the construction phase.

To ensure the consultant meets all requirements necessary of such an appointment, it is recommended that Council calls for Expressions Of Interest within the industry to undertake this role. From this process a number of applicants deemed capable of undertaking the appointment will be invited to submit tenders with the successful tender awarded by Council.

Regulation 21 of the Local Government Act allows Council to make a preliminary selection from amongst prospective tenderers, and seek expressions of interest with respect to the supply of goods or services required, if there is good reason to make a preliminary selection from amongst prospective tenderers.

Regulation 21 (2) states that there is good reason to make a preliminary selection if, because of:

- a) the nature of the goods or services required; or

- b) the cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required;

It would be advantageous to the Local Government if tenders were invited only from persons it considers to be capable of satisfactorily supplying the goods or services.

Given the necessity to ensure the consultant undertaking this role has a demonstrated ability in works of this nature, with extensive experience beyond simply scoping the base requirements of the project, it is felt that the calling of expressions of interest is of advantage to Council.

<b><u>Sustainability Statement</u></b>	Not applicable.
<b><u>Statutory Environment:</u></b>	Local Government Act 1995 (as amended)
<b><u>Policy Implications:</u></b>	Nil
<b><u>Financial Implications:</u></b>	Costs associated with the appointment of a specialist consultant to undertake this commission have been included in project management cost allowances allocated to this project.
<b><u>Strategic Implications:</u></b>	Nil
<b><u>Community Consultation:</u></b>	Nil
<b><u>Voting Requirements:</u></b>	Normal

#### **CRSM052 COUNCIL DECISION/Committee/Officer Recommended Resolution**

Moved Cr Simpson seconded Cr Scott that Council calls for expressions of interest for the preparation of tender documentation, the assessment of tenders, and project management for the design and construction of the Serpentine Jarrahdale Community Recreation Centre.  
CARRIED 10/0

#### **8. MOTION OF WHICH NOTICE HAS BEEN GIVEN**

#### **9. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING:**

##### **9.1 INCLUDING CHIEF EXECUTIVE OFFICER/OFFICER REPORTS**

## 9.2 COUNCILLORS QUESTIONS

C115/04/03 CR KIRKPATRICK – REQUEST FOR LEAVE OF ABSENCE (A0024)		
Proponent	Cr J Kirkpatrick	<u>In Brief</u>  Councillor Kirkpatrick seeks leave of absence for the period 23 May to 23 June, 2003.
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report	28.04.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

### **COUNCIL DECISION**

Moved Cr Simpson seconded Cr Price  
Cr Kirkpatrick be granted a leave of absence for the period 23 May to 23 June 2003.  
CARRIED 10/0

Cr Kirkpatrick advised that there was a lot of vandalism in Jarrahdale over the ANZAC day long weekend (16 people were apprehended) and asked the Chief Executive Officer to recover all the costs and damages incurred.

The Chief Executive Officer advised that this matter has been pursued with the Mundijong Police and the staff costs will also be recovered.

Cr Price – noted gratitude of Councillors and Staff of the Shire for Cr Star's time as President of the Shire. Over Cr Stars time as President there has been the initiation and completion of a number of very significant projects that she has been associated with.

## 10. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY

### 10.1 Corporate Services

C107/04/03 REVIEW OF LOAN REPAYMENT DATES (A0080, A0085, A0422, A0375, A0884, A0885, A0988)		
Proponent	Western Australian Treasury Corporation	<u>In Brief</u>  To approve the review of repayment dates for Council loans to provide repayment dates to coincide for all Council loans.
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	11/03/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

### **CRC107 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Murphy:  
Council authorises the re-alignment of payment dates so that repayment of Council loans occur on the same dates for the following loan numbers 74, 79, 80, 82, 84, 85, 86.  
CARRIED 5/0

C108/04/03 RHAPSODY ROTURA MUSIC FESTIVAL – REQUEST FOR DONATION (A0012)		
Proponent	Kelmscott Senior High School	<u>In Brief</u>  Council donate \$150 towards this event on behalf of the three local students taking part in this event.
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	13/03/03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

### **CRC108 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Hoyer seconded Cr Kirkpatrick:

1. Council donate the sum of \$150 towards the Kelmscott Senior High School attendance of the Rhapsody Rotorua Music Festival to be held on 29 June 2003 to 7 July 2003, on behalf of the three local students taking part in the event.
2. The Work Procedure CSWP3 – Appeal & Donations be modified to “donate the sum of \$50 to residents of the shire who request a donation towards their expenses for competing in national and international sporting or cultural events”.

CARRIED 5/0

C109/04/03 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent	Director Corporate Services	<u>In Brief</u>  To confirm the creditor payments made to 21 March 2003
Officer	N. Taylor – Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

### **CRC109 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Kirkpatrick:

Council notes the payments authorised and made by the Chief Executive Officer, exercising his delegated authority and detailed in the list of invoices for the month of March (upto and including 21/03/03), presented to the Corporate Services Committee and to Council, per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.

CARRIED 5/0

<b>C110/04/03 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the statement of debtors over \$1,000 as at 21 March 2003
Officer	N. Taylor – Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**CRC110 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Kirkpatrick seconded Cr Hoyer:

Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 21 March 2003.

CARRIED 5/0

<b>C111/04/03 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the sundry debtor balances as at 21 March 2003.
Officer	N. Taylor – Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**CRC111 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Murphy seconded Cr Hoyer:

Council receive and note the report on Sundry Debtor Outstanding Accounts as at 21 March 2003.

CARRIED 5/0

<b>C112/04/03 RATE DEBTORS REPORT (A0917)</b>		
Proponent	Director Corporate Services	<u>In Brief</u>  To receive the rates report as at 28 March 2003
Officer	Darryn Reid – Manager of Finance	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**CRC112 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Murphy seconded Cr Kirkpatrick:

Council receive and note the report the Rate Debtors accounts as at 28 March 2003.

CARRIED 5/0



<b>C113/04/03 INFORMATION REPORT</b>		
Proponent	Director Corporate Services	<b><u>In Brief</u></b>  To receive the information report to 31 March 2003
Officer	Various	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee - In accordance with Resolution SM065/05/02</b>	

**CRC113 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Hoyer:  
The information report to 31 March 2003 be received.  
CARRIED 5/0

10.2 Asset Services

<b>AS050/04/03 METROPOLITAN REGIONAL ROAD PROGRAM – PROJECT SUBMISSIONS (A0427)</b>		
Proponent	Shire of Serpentine Jarrahdale	<b><u>In Brief</u></b>  Council is requested to endorse the proposed submission to the Regional Roads Group for the 2004/2005 and 2005/2006 financial years.
Officer	Mick Beaverstock Manager Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	24 March 2003	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

**CRAS050 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Richards seconded Cr Scott that Council endorse the submission of the roads nominated in the list contained within this report for consideration in the allocation of funds under the Metropolitan Regional Road Group Program for 2004/2005 and 2005/2006.  
CARRIED 5/0

AS051/04/03 REQUEST FOR FUNDING ASSISTANCE – CARDUP CHRISTIAN COMMUNITY CHURCH (P00419)		
Proponent	Cardup Christian Community Church	<b><u>In Brief</u></b>  Council is requested to consider a request from the Cardup Christian Community Church for financial assistance to allow the open drain in Karbro Drive, Cardup to be replaced with piped drainage adjacent to the Church property.
Officer	Mick Beaverstock Manager Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	24 March 2003	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

**CRAS051 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Wigg the Cardup Christian Community Church be advised that Council does not approve the conversion of the open drain in Karbro Drive to piped system equivalent and that off street parking options be canvassed by Asset Services with the Church.

CARRIED 5/0

AS052/04/03 CLOSURE OF MUNDIJONG OVAL PRIOR TO 2003/2004 SUMMER PERIOD (RS0016)		
Proponent	Shire of Serpentine Jarrahdale	<b><u>In Brief</u></b>  Council is requested to approve the closure of Mundijong Oval to allow de-thatching of the surface.
Officer	Mick Beaverstock Manager Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	24 March 2003	
Previously	AS031/01/03	
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

**CRAS052 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Richards seconded Cr Star that subject to allowance being made for the de-thatching of Mundijong Oval in the 2003/2004 budget, the Director Asset Services undertakes arrangements with the Mundijong Cricket Club for use of an alternate venue during the rehabilitation period.

CARRIED 5/0

AS053/04/03 REQUEST FOR SUBSIDISED TIPPING FEES – SOUTHERN DISTRICTS SUPPORT ASSOCIATION (A0173)		
Proponent	Southern Districts Support Association (Inc.)	<b>In Brief</b> Council is requested to provide free access to the Mundijong Transfer Station for the Southern Districts Support Association (Inc.) conditional on refuse being only that collected from Shire residents using their services.
Officer	Mick Beaverstock Manager Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	24 March 2003	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

**CRAS053 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Scott seconded Cr Richards that Council allow free disposal of refuse at the Mundijong Transfer Station to the Southern Districts Support Association (Inc.) limited to refuse generated by residents of the Shire using the “Home Maintenance and Gardening” Service and the arrangement be subject to review annually by the Director Asset Services.  
CARRIED 5/0

Crs Wigg, Star and Needham declared an impartial interest in the following item on the basis of their membership of the Serpentine Jarrahdale Land Conservation District Committee not affecting their consideration of the item.

AS054/04/03 MEMORANDUM OF UNDERSTANDING FOR MANAGEMENT OF RESERVE 7257 BETWEEN SERPENTINE-JARRAHDAL SHIRE AND SERPENTINE-JARRAHDAL LAND CONSERVATION DISTRICT COMMITTEE (RS0017)		
Proponent	Serpentine-Jarrahdale Land Conservation District Committee	<b>In Brief</b> Serpentine-Jarrahdale Land Conservation District Committee has proposed a Memorandum of Understanding between it and the Shire in regards to the management of “Pound Reserve” (Reserve 7257). It is recommended that Council endorses this Memorandum of Understanding.
Officer	Brett Dunn – Reserves Officer	
Signatures - Author:		
Senior Officer:	Mick Beaverstock	
Date of Report	25/03/03	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

**CRAS054 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Wigg seconded Cr Star Council endorses the attached Memorandum of Understanding for the management of Reserve 7257, between the Serpentine-Jarrahdale Land Conservation District Committee and the Shire.  
CARRIED 5/0

AS055/04/03 ENGINEERING STANDARDS FOR SUBDIVISIONAL DEVELOPMENT (A0567)		
Proponent	Shire of Serpentine Jarrahdale	<b>In Brief</b> Council is requested to approve the issue of the document “Engineering Standards for Subdivisional Development”..
Officer	Mick Beaverstock Manager Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	26 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	Committee in accordance with resolution SM065/05/02	

**CRAS055 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Richards seconded Cr Star Council approve the release of the *Shire of Serpentine Jarrahdale Engineering Standards for Subdivisional Development, March 2003* (as amended) for industry use following adoption of the 2003/2004 budget.  
CARRIED 5/0

AS058/04/03 PROPOSAL FOR PLANTING AT WAR MEMORIAL ON BRUNO GIANATTI HALL RESERVE (rs0032)		
Proponent	Jarrahdale Community Association	<b>In Brief</b> The Jarrahdale Community Association is holding a “Clean Up Jarrahdale” family day at the Bruno Gianatti Memorial Hall. As part of the event the Jarrahdale Community Association are proposing to plant native shrub species in the garden around the war memorial. It is recommended that this proposal be approved.
Officer	Brett Dunn – Reserves Officer	
Signatures - Author:		
Senior Officer:	Mick Beaverstock	
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	Committee in accordance with resolution SM065/05/02	

**CRAS058 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Wigg seconded Cr Scott Council approves the planting of native species at the War Memorial by the Jarrahdale Community Association and contributes 40 seedlings to this event.  
CARRIED 5/0

AS059/04/03 INFORMATION REPORT		
Proponent	Shire of Serpentine-Jarrahdale	<b><u>In Brief</u></b>  To receive the information report
Officer	Various	
Signatures - Author:		
Senior Officer:	Robert Harris	
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM065/05/02	

**CRAS059 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Richards seconded Cr Wigg that the information report to the 31 March 2003 be received .  
CARRIED 5/0

AS060/04/03 TONKIN HIGHWAY EXTENSION (a0471-03)		
Proponent	Shire of Serpentine-Jarrahdale	<b><u>In Brief</u></b>  <i>Committee request for consideration of alternate stage two staging.</i>
Officer		
Signatures - Author:		
Senior Officer:	Robert Harris	
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM065/05/02	

**CRAS061 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Richards that Council officers explore opportunities with the State Government for shortened stages of Tonkin Highway construction south of Thomas Road as priority sections (i) Thomas Road to Orton Road (ii) Mundijong Road to South Western Highway.  
CARRIED 5/0

AS061/04/03 WASTE MANAGEMENT – THANK YOU TO STAFF (a1158)		
Proponent	Shire of Serpentine-Jarrahdale	<b><u>In Brief</u></b>  To thank all staff for the successful planning and conduct of the hard waste collection service.
Officer		
Signatures - Author:		
Senior Officer:	Robert Harris	
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM065/05/02	

**CRAS061 COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Richards seconded Cr Star that all staff be thanked for the planning and conduct of a successful hard waste collection service.  
CARRIED 5/0

10.3 Community & Recreation Development

CRD18/04/03 PEEL COMMUNITY DEVELOPMENT GROUP – STRATEGIC PLAN (A1123)		
Proponent	Regional Community Development Coordinator	<b>In Brief</b> Council is invited to meet the Regional Community Development Coordinator, Seisha Fogarty-Pryor, receive a presentation on the goals and directions of the Peel Community Development Group and provide feedback on their Strategic Plan
Officer	C McKee - Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27.03.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Needham seconded Cr Scott that Council thanks the Regional Community Development Coordinator, Seisha Fogarty-Pryor, for her presentation and acknowledges the draft Peel Community Development Regional Strategic Plan.  
CARRIED 5/0

CRD19/04/03 YOUTH ADVISORY COUNCIL PLANNING PROPOSAL (A1172)		
Proponent	Council	<b>In Brief</b> Council is asked to endorse the establishment and ongoing development of a Youth Advisory Council and appropriate budget allocation.
Officer	C McKee - Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	28.03.03	
Previously	CRD09/01/03	
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Price seconded Cr Needham that Council supports the establishment of a Serpentine Jarrahdale Youth Advisory Council under the supervision of the Youth Liaison Officer, subject to budget approval.  
CARRIED 5/0

CRD20/04/03 REVIEW OF SOUTH EAST REGIONAL RECREATION FACILITIES STRATEGY PLAN (A0146-02)		
Proponent	South East Regional Recreation Advisory Group	<b>In Brief</b>  Council is asked to respectfully decline the offer from South East Regional Recreation Advisory Group for Serpentine Jarrahdale to be involved in the review of the South East Regional Recreation Facilities Strategy
Officer	C McKee – Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27.03.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Needham seconded Cr Price that Council declines the invitation to be a participant in the review of the South East Regional Recreation Facilities Strategy, but requests to continue the current arrangement of being kept informed of the South East Regional Recreation Advisory Group's activities by receiving and publishing their minutes and agendas through the Community & Recreation Development Committee Information Report.

CARRIED 5/0

CRD21/04/03 INFORMATION REPORT		
Proponent		<b>In Brief</b>  <i>Information Report</i>
Officer	Carole McKee - Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27.03.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Scott seconded Cr Needham that Council accepts the March 2003 Information Report.

CARRIED 5/0

10.4 Building Services

B22/04/03 INFORMATION REPORT		
Proponent	N/A	<u>In Brief</u>  Information report
Officer	Wayne Chant - Principal Building Surveyor	
Signatures - Author:		
Senior Officer:		
Date of Report	02.04.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Murphy seconded Cr Star that Council accepts the March 2003 Information Report.  
CARRIED 5/0

10.5 Health Services

H11/04/03 RURAL ROADSIDE RUBBISH PARTNERSHIP AGREEMENT (A)		
Proponent	Council	<u>In Brief</u>  Council is requested to participate in a partnership for the collection of rural roadside rubbish with Western Australian Landfill Services and local community groups. It is recommended that Council participates in the partnership.
Officer	J Abbiss - Manager Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	05.04.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Hoyer

- 1 Council indicates it is prepared to continue its current commitment to roadside rubbish collection should sponsorship be obtained from Western Australian Landfill Services by:
  - (a) administering the distribution of sponsorship funds obtained from Western Australian Landfill Services to local community groups at a rate of \$2 per bag of roadside rubbish collected; and
  - (b) collecting filled rubbish bags from the roadsides in the Shire.
- 2 The Manager Sustainable Development is requested to make a written request for sponsorship of \$2,000 and provision of bags, which are to carry Council's logo, to Western Australian Landfill Services.
- 3 The rural roadside rubbish partnership between the Shire, Western Australian Landfill Services and local community groups be reviewed in 12 months to ensure all parties are willing to continue with the partnership and their current level of commitment.
- 4 The Corporate Services Directorate, in consultation with the Asset Services Directorate and Western Australian Landfill Services, develops a procedure for the administration of this process.

CARRIED 5/0



H12/04/03 INFORMATION REPORT		
Proponent	N/A	<b>In Brief</b>  Information report
Officer	Joanne Abbiss	
Signatures - Author:		
Senior Officer:		
Date of Report	07.04.03	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM065/05/02</b>	

**COMMITTEE DECISION/Officer Recommended Resolution**

Moved Cr Star seconded Cr Price that Council accepts the information report for March 2003.

CARRIED 5/0

10.6 Planning Development & Environment

P249/04/03 MUNDIJONG LINEAR PARK CONCEPT MASTERPLAN (RS0181)		
Proponent	Shire of Serpentine – Jarrahdale	<b>In Brief</b>  Consultants have been engaged to design and document the Mundijong Linear Park to provide a cohesive framework for new facilities and future development.
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	31 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**Officer Recommended Resolution**

Council endorses the draft concept plan to guide the preparation of the final Mundijong Linear Park Master Plan.

**CRP249 Committee Decision**

Moved Cr Price, seconded Cr Star that

1. Council endorses the draft concept plan to guide the preparation of the final Mundijong Linear Park Master Plan.
2. When the final Plan is put out for public comment, prior to adoption, public feedback be sought on naming the park, Railway Park.

CARRIED 5/0

Note: The Officer Recommended Resolution was altered to reflect a desire to progress the naming of the Park during the public consultation phase for the Master Plan. This was deemed to not significantly alter the Officers Recommended Resolution.

E022/04/03 PROPOSED CARBON SEQUESTRATION PLANTING IN MANJEDAL BROOK RESERVE, WHITBY (RS0053)		
Proponent	Telstra Rally Australia (Events Corporation) Landcare SJ Inc.	<b>In Brief</b>  The Serpentine-Jarrahdale Shire has been approached by Telstra Rally Australia (through Landcare SJ Inc.) to allow the planting of 4,000 trees per year for 3 years on Manjedal Brook Reserve as part of a “carbon sequestration” project. It is recommended that this proposal be conditionally approved.
Officer	Brett Dunn – Reserves Officer Dr Sue Osborne – Environmental Officer	
Signatures – Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**CRE022 Committee Decision/Officer Recommended Resolution**

Moved Cr Price, seconded Cr Hoyer that

- A. Council endorses the proposal for Telstra Rally Australia to use Manjedal Brook Reserve as a planting site for 4,000 trees in conjunction with ground preparation, weed control and groundcovers during the 2003 season.
- B. Council endorses the proposal for Telstra Rally Australia to use Manjedal Brook Reserve as a planting site for 4,000 trees during both the 2004 and 2005 seasons subject to the following conditions:
  1. It is undertaken in accordance with any endorsed reserve management plan;
  2. Sufficient funding is provided by Telstra Rally Australia for understorey and groundcover plants to reinstate defined natural community outcomes;
  3. Sufficient funding is provided by Telstra Rally Australia for two years of weed control following each planting.
  4. Sufficient funding is provided by Telstra Rally Australia for ground preparation for each planting

CARRIED 5/0

E023/04/03 INFORMATION REPORT		
Proponent	Environmental Officer	<b>In Brief</b>  Information Report.
Officer	Dr Sue Osborne – Environmental Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**CRE023 Committee Decision/Officer Recommended Resolution**

Moved Cr Star, seconded Cr Price that the Information Report to 3 April 2003 be received.  
CARRIED 5/0

P241/04/03 PROPOSED EXTRACTIVE INDUSTRY LICENCE - LOT 1304 COYLE ROAD, OLDBURY (P03215/01)		
Proponent	Vincent Nominees Pty. Ltd	<b>In Brief</b>  The applicant applied for an Extractive Industry Licence on the subject lot. It is recommended that the application be conditionally approved.
Officer	Lilia Palermo – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	18 February 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

### CRP241 Committee Decision/Officer Recommended Resolution

Moved Cr Hoyer, seconded Cr Murphy that Pursuant to the Shire of Serpentine-Jarrahdale Extractive Industry Local Law, Council issues an Extractive Industry Licence for Sand Extraction at Lot 1304 Coyle Road, Oldbury for a period of 12 months ending 31 December 2003, subject to the following conditions:

1. The proponent shall pay to Council an annual renewal license fee based on Council's schedule of fees and charges.
2. The proponent is to provide to Council a copy of the current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for the sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation operations prior to the issue of the Extractive Industry Licence;
3. The proponent is to prepare and submit to Council for approval a Revegetation and Rehabilitation Plan prior to the issue of the Extractive Industry Licence;
4. The proponent is to prepare and submit to Council for approval a Weed and Dieback Management Plan prior to the issue of an Extractive Industry Licence;
5. Prior to 30 November 2003, the proponent shall submit a Quarry Management Report and Plan for review by Council. The Plan shall demonstrate the extent of compliance or non-compliance with all conditions of this Extractive Industry License and as a minimum, include the following information:
  - a) a plan of the quarry operation scaled to 1:250, depicting:
    - cadastral boundaries, contour lines, access roads, drains, sediment traps, water features, and development exclusion zones;
    - the extent and height of existing stockpiles;
  - b) a plan of the quarry operation scaled to 1:250, depicting:
    - cadastral boundaries, contour lines, access roads, drains, sediment traps, water features, and development exclusion zones;
    - the extent of each stage of excavation works undertaken since 1999;
    - the extent of each stage of rehabilitation works undertaken since 1999;
  - c) a plan of the quarry works scaled to 1:250, depicting:
    - cadastral boundaries, contour lines, access roads, drains, sediment traps, water features, and development exclusion zones;
    - the extent of excavation and rehabilitation works as at September 2003;
    - the extent of excavation and rehabilitation works proposed to be established between September 2003 and 31 December 2004;
    - the extent and height of any stockpiles proposed to be established between September 2003 and 31 December 2004;
  - d) an excavation report detailing:
    - include the amount of sand extracted and the amount of sand transported off-site;

- the estimated extent and depth of excavation works proposed to be undertaken between September 2003 and 31 December 2004;
  - the estimated volume and tonnage of material proposed to be excavated between September 2003 and 31 December 2004;
- e) a rehabilitation report detailing:
- the extent, species list and current stem density of each stage of rehabilitation works undertaken during each licensed period since 1999;
  - the extent, species list and seeding/planting density of rehabilitation works to be undertaken between September 2003 and 31 December 2004;
- f) a weed control report detailing:
- the extent, species list, density and control methods and eradication success rate for weed species present within each rehabilitation stage;
  - the extent and species of weeds present in 2003;
  - targets, timing, and weed control methods proposed be undertaken between September 2003 and 31 December 2004;
6. The proponent shall implement all conditions of this license and immediately rectify any examples of non-compliance, to the satisfaction and specification of the Director Sustainable Development.

#### AIR QUALITY

7. The proponent shall take all reasonable and practicable measures to prevent visible dust emissions passing outside the boundary of Lot 1304.
8. The proponent shall ensure no more than one hectare of land that would cause dust under dry and windy conditions, is exposed at any time;
9. The proponent shall ensure the main access to Coyle Road is managed so as not to produce dust emissions.
10. The proponent shall ensure the stripping of overburden and topsoil is conducted when soil moisture content is sufficiently high to prevent dust emissions; and stockpiles sited to prevent erosion or dust generation.

#### STORMWATER

11. The proponent shall establish silt traps and stormwater detention basins to ensure that during storm events, sediment laden stormwater does not discharge into remnant vegetation or the Conservation Category wetland;
12. The proponent shall maintain the silt traps and sediment dams so that they are effective at all times;

#### CONTAINMENT

13. The proponent shall keep a register of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a logbook to be kept on-site and available for immediate inspection by the Shire of Serpentine-Jarrahdale.
14. The on-site refueling of vehicles, or the storage of fuel and/or hydrocarbons, is not permitted without the written approval of the Director Sustainable Development.

#### WASTE DISPOSAL

15. Wastes shall be removed from the site on a weekly basis and shall not be buried or burnt on-site. The proponent shall ensure that materials suitable for recycling are recycled, and that any other wastes are disposed of at a suitably licensed waste disposal facility.

#### HABITAT PROTECTION

16. The proponent shall control declared and environmental weeds throughout the site, to the satisfaction of the Director Sustainable Development.
17. The proponent shall ensure no vegetation is disturbed and stockpiled materials do not encroach into the Banksia Road Nature Reserve and the Conservation Category Wetland.

Advice Notes:

1. The proponent is advised that the development, operation and rehabilitation of the quarry should generally accord with the document “Environmental Management of Quarries”, published by the Department of Minerals and Energy in 1994;
2. The proponent is reminded to operate in compliance with Mines Act 1978, Mining Regulations 1981, Council’s Extractive Industry Local Law and the Mines Safety and Inspection Act 1974;
3. The proponent is advised that Council Officers will carry out site compliance inspections every six months to check compliance with the extractive industry license and any other approvals granted for the site;
4. The proponent is reminded that all avenues for use and reuse of any cleared vegetation material is encouraged. This may include mulching, timber use and/or plant salvaging;
5. The proponent is reminded to operate in compliance with any Operating License issued by the Department of Environmental Protection under Pt V of the Environmental Protection Act 1986.
6. The proponent is reminded that operational noise must comply with the Environmental Protection (Noise) Regulations 1997 at all times.

CARRIED 5/0

P243/04/03 PROPOSED ANCILLARY ACCOMMODATION – LOT 117 COUNTRY DRIVE, OAKFORD (P00079/01)		
Proponent	Westcourt	<b>In Brief</b>  Council approves an application dated 3 February 2003 for ancillary accommodation on Lot 117 Country Drive, Oakford subject to conditions.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	12 February 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**CRP243 Committee Decision/Officer Recommended Resolution**

Moved Cr Price, seconded Cr Murphy that Council approves an application dated 3 February 2003 for ancillary accommodation on Lot 117 Country Drive, Oakford subject to the following conditions:

1. A building licence must be applied for and issued by Council before any work commences on the site (Application forms are available from Council’s Administration Centres at Mundijong and Byford);
2. Any occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling;
3. A Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land, the subject of the proposed development, prior to the issue of a building licence to notify owners and prospective purchasers of the land that restrictions apply to the use of the ancillary accommodation as stipulated in

- condition 2. The Section 70A Notification shall be prepared by the Shire’s solicitors to the satisfaction of the Shire of Serpentine-Jarrahdale and all costs of and incidental to the preparation of and registration of the Section 70A Notification including the Shire’s solicitors’ costs shall be met by the applicant or the owner of the land;
4. Separate approval for effluent disposal is to be obtained from the Shire of Serpentine-Jarrahdale;
  5. The ancillary accommodation shall be attached to the main dwelling by an enclosed (roofed) walkway;
  6. The exterior finish of the ancillary accommodation to be in the same materials, colour and design as the existing building;
  7. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council;
  8. Development to be generally in accordance with the amended plan entitled “Location Plan”, dated 1 October 2002 as received by Council on 21 March 2003;
  9. Any development or use not depicted or detailed in the approved plan and proposal documentation, will require further approval to be obtained from Council.

CARRIED 5/0

P245/04/03 PROPOSED UPGRADE OF GENERAL STORE – LOT 5 JARRAHDAL ROAD, JARRAHDAL (P01750/02)		
Proponent	D & I Anns	<b>In Brief</b>  That Council approves an application dated 13 February 2003 for an upgrade of the General Store located on Lot 5 Jarrahdale Road, Jarrahdale subject to conditions.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	13 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**Officer Recommended Resolution**

Council approves an application dated 13 February 2003 for an upgrade of the Shop (General Store) located on Lot 5 Jarrahdale Road, Jarrahdale subject to the following conditions:

**DEVELOPMENT**

1. Development to be in accordance with the plans that formed part of the application dated 13 February 2003 received by Council on 13 February 2003.
2. In addition to the floor plan of the store which has been provided, a site plan (to sketch standard only) is to be submitted to Council satisfaction, which includes all elements in their location prior to the upgrade of the store and landscaping. This plan shall also plot any significant plantings and any existing fencing.
3. The relocation of the existing bin is to be negotiated with Council’s Asset Services to the satisfaction of Council.
4. Operating hours of the general store is to be limited to between the hours of Sunday to Saturday, 7am to 7pm.
5. A maximum of twelve (12) seats to be provided on site at the rear of the property, in accordance with the plans that formed part of the application dated 13 February 2003 received by Council on 13 February 2003.

6. The proposed reinstatement of the window on the eastern side of the building is to accord with the heritage character of the existing building.
7. Ancillary shelter features to be of timber construct in accordance with the Timber Town theme of the Jarrahdale Townsite, with the same roof pitch as the existing General Store building to emulate the existing General Store building.
8. The original heritage colours of cream and green, are to be used for the colour of materials where required. If the original colours cannot be determined, documentary evidence, photographic evidence, or paint scrapes will be required to determine and match the original colours as closely as possible.
9. Minimal intervention and change to existing internal layout of the building in the construction of the internal staff toilet is required to the satisfaction of the Director Sustainable Development.

#### BUILDING

10. A building licence be obtained prior to the commencement of development.
11. Provision of disabled access and toilets in accordance with the Building Code of Australia.

#### COLOURS AND MATERIALS

12. The extension and alterations shall be in the same (wherever possible) or similar materials, colour and design as the existing building.
13. The colour, texture and condition of any recycled construction materials shall not degrade the streetscape and surrounds.
14. The installation of the proposed door is to be constructed of an appropriate material, for example jarrah finish, so that it is in keeping with the aesthetic heritage character of the existing building.
15. The front façade of the general store shall be replaced with Fibre Cement Sheeting.
16. The side and rear walls of the existing building shall be replaced with short sheet corrugated iron (custom orb).
17. Proposed fencing as part of the application dated 13 February 2003 is to be either shaped post and rail, with or without cyclone mesh wire, or timber pickets as specified in the guidelines of the Townscape Policy Precinct in Council's Town Planning Scheme No.2 so as to be in keeping with the heritage character and amenity of the locality.

#### PHOTOGRAPHIC RECORDING

18. All elements of the existing buildings, including skid mount, existing fence, lean to/storage shed, existing floor plan, garden shed, weather shield lean to and existing garden/yard to be photographically recorded prior to removal and/or alteration and their fabric noted on the floor plan (i.e. asbestos, corrugated iron) and located on a site map of the store prior to removal. A copy of the photographic records and site map is to be submitted to Council for inspection prior to removal. Wherever possible to determine, the dates that they were added on shall also be noted on the floor plan to indicate the pattern of development and change of the store. The salvaging of materials is encouraged.

#### HEALTH

19. All asbestos waste removal is to be disposed of in accordance with the requirements of the Health Asbestos Regulations (1992). Council requires 48 hours notice prior to disposal at the waste depot.
20. The development/use is to comply with the provisions of the Health (Food Hygiene) Regulations 1993 and the Australian New Zealand Food Standards Code (Food Safety Standards) to the satisfaction of Council's Health Service. The specific approval of Council's Health Service is required for any modifications to the kitchen and food service areas prior to commencement of development.

21. The specific approval of Council's Health Service is required for effluent disposal prior to the commencement of development.
22. Plans to comply with the Health (Public Buildings) Regulations 1992 (as amended).

Advice Note:

1. Applicant is advised that strict compliance with the Building Code of Australia does not obviate the need to comply with the Disability Discrimination Act 1992.

**CRP245 Committee Decision**

Moved Cr Price, seconded Cr Hoyer that Council approves an application dated 13 February 2003 for an upgrade of the Shop (General Store) located on Lot 5 Jarrahdale Road, Jarrahdale subject to the following conditions:

DEVELOPMENT

1. Development to be in accordance with the plans that formed part of the application dated 13 February 2003 received by Council on 13 February 2003.
2. In addition to the floor plan of the store which has been provided, a site plan (to sketch standard only) is to be submitted to Council satisfaction, which includes all elements in their location prior to the upgrade of the store and landscaping. This plan shall also plot any significant plantings and any existing fencing.
3. The relocation of the existing bin is to be negotiated with Council's Asset Services to the satisfaction of Council.
4. Operating hours of the general store is to be limited to between the hours of Sunday to Saturday, 7am to 7pm unless otherwise approved by the Director Sustainable Development.
5. A maximum of twelve (12) covered seats to be provided on site at the rear of the property, in accordance with the plans that formed part of the application dated 13 February 2003 received by Council on 13 February 2003.
6. The proposed reinstatement of the window on the eastern side of the building is to accord with the heritage character of the existing building.
7. Ancillary shelter features to be of timber construct in accordance with the Timber Town theme of the Jarrahdale Townsite, with the same roof pitch as the existing General Store building to emulate the existing General Store building.
8. The original heritage colours of cream and green, are to be used for the colour of materials where required. If the original colours cannot be determined, documentary evidence, photographic evidence, or paint scrapes will be required to determine and match the original colours as closely as possible.
9. Minimal intervention and change to existing internal layout of the building in the construction of the internal staff toilet is required to the satisfaction of the Director Sustainable Development.

BUILDING

10. A building licence be obtained prior to the commencement of development.
11. Provision of disabled access and toilets in accordance with the Building Code of Australia.

COLOURS AND MATERIALS

12. The extension and alterations shall be in the same (wherever possible) or similar materials, colour and design as the existing building.
13. The colour, texture and condition of any recycled construction materials shall not degrade the streetscape and surrounds.
14. The installation of the proposed door is to be constructed of an appropriate material, for example jarrah finish, so that it is in keeping with the aesthetic heritage character of the existing building.



15. The front façade of the general store shall be replaced with Fibre Cement Sheeting.
16. The side and rear walls of the existing building shall be replaced with short sheet corrugated iron (custom orb).
17. Proposed fencing as part of the application dated 13 February 2003 is to be either shaped post and rail, with or without cyclone mesh wire, or timber pickets as specified in the guidelines of the Townscape Policy Precinct in Council's Town Planning Scheme No.2 so as to be in keeping with the heritage character and amenity of the locality.

#### PHOTOGRAPHIC RECORDING

18. All elements of the existing buildings, including skid mount, existing fence, lean to/storage shed, existing floor plan, garden shed, weather shield lean to and existing garden/yard to be photographically recorded prior to removal and/or alteration and their fabric noted on the floor plan (i.e. asbestos, corrugated iron) and located on a site map of the store prior to removal. A copy of the photographic records and site map is to be submitted to Council for inspection prior to removal. Wherever possible to determine, the dates that they were added on shall also be noted on the floor plan to indicate the pattern of development and change of the store. The salvaging of materials is encouraged.

#### HEALTH

19. All asbestos waste removal is to be disposed of in accordance with the requirements of the Health Asbestos Regulations (1992). Council requires 48 hours notice prior to disposal at the waste depot.
20. The development/use is to comply with the provisions of the Health (Food Hygiene) Regulations 1993 and the Australian New Zealand Food Standards Code (Food Safety Standards) to the satisfaction of Council's Health Service. The specific approval of Council's Health Service is required for any modifications to the kitchen and food service areas prior to commencement of development.
21. The specific approval of Council's Health Service is required for effluent disposal prior to the commencement of development.
22. Plans to comply with the Health (Public Buildings) Regulations 1992 (as amended).

#### Advice Note:

1. Applicant is advised that strict compliance with the Building Code of Australia does not obviate the need to comply with the Disability Discrimination Act 1992.

#### CARRIED 5/0

Note: The Officer Recommended Resolution was altered to ensure opening hours and the number of people seated outdoors could be varied without the need for a further planning approval. This was deemed to not significantly alter the Officers Recommended Resolution.

P246/04/03 PROPOSED REFURBISHMENT OF EXISTING SERPENTINE DAM TEAROOMS – PART RESERVE 16634 COCKBURN SOUND, SERPENTINE (RS0141/03)		
Proponent	Interwall Holdings Pty Ltd	<b>In Brief</b>  Application requests approval to refurbish and upgrade the existing Serpentine Dam tearooms building situated at Part Reserve 16634 Cockburn Sound, Serpentine.  It is recommended that the WA Planning Commission be advised that the Shire supports the proposed development subject to conditions.
Officer	David Spencer – Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	31 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**CRP246 Committee Decision/Officer Recommended Resolution**

Moved Cr Star, seconded Cr Price that Council advises the WA Planning Commission that it supports an application dated 13 February 2003 for the refurbishment and upgrade of the existing Serpentine Dam tearooms at Part Reserve 16634 Cockburn Sound, Serpentine, subject to the following conditions:

1. Only colours and materials identified in the application dated 13 February 2003 are to be used in the development.
2. Development to be generally in accordance with the plans that formed part of the application dated 13 February 2003 received by Council on 13 February 2003.
3. The development/use is to comply with the provisions of the Health (Food Hygiene) Regulations 1993 to the satisfaction of Council's Health Service.
4. Application (including plans) to be made to Council's Health Service with respect to Food Premises.

Advice Note:

1. Applicant is advised that strict compliance with the Building Code of Australia does not obviate the need to comply with the Disability Discrimination Act 1992;

CARRIED 5/0

P248/04/03 WELLARD AND RICHARDSON STREET, SERPENTINE - DESIGN GUIDELINES (A1152)		
Proponent	Shire of Serpentine – Jarrahdale	<b>In Brief</b>  Urban Design Guidelines have been prepared for Wellard and Richardson Streets in the centre of Serpentine, which focus the built form. The guidelines will be adopted at a later time as a local planning policy to define and control the type of future development that occurs in the towns main street.
Officer	Carlie Eldridge - Sustainable Development Project Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**CRP248 Committee Decision/Officer Recommended Resolution**

Moved Cr Needham, seconded Cr Price that Council endorses the final draft of the Wellard and Richardson Street Design Guidelines.  
CARRIED 5/0

P251/04/03 FINALISATION OF AMENDMENT NO. 50 - LOT 2 SELKIRK ROAD, SERPENTINE (A0706)		
Proponent	Dykstra and Associates	<b>In Brief</b>  Council to consider finalising Amendment No. 50 to Town Planning Scheme No.2.  Amendment No. 50 proposes to rezone Lot 2 Selkirk Road, Serpentine from “Rural” to “Rural Living A”  The Amendment is recommended for final adoption without modifications.
Officer	Lilia Palermo – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	25 March 2003	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>	

**CRP251 Committee Decision/Officer Recommended Resolution**

Moved Cr Star, seconded Cr Needham that Council pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) resolve to adopt for final approval Amendment No. 50 to Town Planning Scheme No.2 by rezoning Lot 2 Selkirk Road, Serpentine from “Rural “ to “Rural Living A” without modifications. The Special provisions for the Amendment 50 are to be as follows;

Special Provisions

1. Within the Rural Living zone the following land uses are permitted at the discretion of the Council.

Use classes permitted (P):  
Single House

Discretionary Uses (AA):

Ancillary Accommodation

Keeping of stock for non – commercial purposes in accordance with Agriculture WA Stocking Rate Guidelines for Small Rural Holdings

All other use classes are prohibited

2. No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
3. The subdivider shall prepare and receive the Council's approval to, a Stormwater Management Plan for Lot 2. This plan shall be implemented in accordance with the requirements of the Council's approval, as part of any site subdivisional works.
4. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, house, driveways and/or to accommodate discretionary uses identified under provision 1.
5. The subdivider shall prepare and receive the Council's approval to, a Revegetation Plan for Lot 2 which shall accord with the Shire's Planning Guidelines for Nutrient management. This plan shall be implemented in accordance with the requirements of the Council's approval as part of any site subdivisional works.
6. The subdivider shall maintain the trees and shrubs planted in accordance with the approved Revegetation Plan to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of Council."
7. At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation and vegetation to be removed and retained and proposals for tree planting and maintenance.
8. The drainage system shall not be altered without the prior approval of the Council in writing. In considering any proposal to obstruct or dam any part of the drainage system the Council shall have regard to the effect on the drainage system and the impact on the land and the environment in general, and shall consult with any appropriate authority prior to granting approval.
9.
  - a) Where, in the opinion of the Council, the continued presence of animals on any portion of land is likely to contribute, or is contributing to dust nuisance or soil degradation, notice may be served on the owner of the land, requiring immediate removal of those animals specified in the notice.
  - b) Where notice has been served on the landowner in accordance with this clause the Council may also require the land to be rehabilitated to its satisfaction, within three (3) months of serving the notice.
  - c) In the event that action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.
10. The subdivider shall prepare and implement a fire management plan that is applicable to the land within the estate to the specifications and satisfaction of the Shire and Fire and Emergency Services Authority of WA, prior to subdivision clearance.
11. All buildings to be constructed in accordance with Australian Standard No. AS 3959 for Building in bushfire prone areas.
12. All buildings to be constructed in accordance with Council's Landscape Protection Policy. (Appendix 5 of the Scheme)

CARRIED 5/0

<b>P252/04/03 INFORMATION REPORT</b>			
Proponent	Director Sustainable Development		<b>In Brief</b>  Information Report.
Officer	Lisa Fletcher – Support Officer Sustainable Development		
Signatures - Author:			
Senior Officer:			
Date of Report	24 March 2003		
Previously			
Disclosure of Interest			
<b>Delegation</b>	<b>Committee In Accordance With Resolution SM065/05/02</b>		

**CRP252 Committee Decision/Officer Recommended Resolution**

Moved Cr Star, seconded Cr Price that the Information Report to 8 April 2003 be received.  
 CARRIED 5/0

**11. CLOSE**

There being no further business the meeting closed at 8.02 pm.

I certify that these minutes were confirmed at the ordinary council meeting held on 26<sup>th</sup> May, 2003

.....  
 Presiding Member

.....  
 Date