

## TABLE OF CONTENTS

<b>1.</b>	<b>ATTENDANCE &amp; APOLOGIES:</b> .....	3
<b>2.</b>	<b>PUBLIC QUESTION TIME:</b> .....	3
2.1	Response to Previous Public Questions Taken On Notice .....	4
<b>3.</b>	<b>PUBLIC STATEMENT TIME:</b> .....	8
<b>4.</b>	<b>PETITIONS &amp; DEPUTATIONS:</b> .....	10
<b>5.</b>	<b>PRESIDENT’S REPORT:</b> .....	10
<b>6.</b>	<b>DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:</b> .....	11
<b>7.</b>	<b>RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:</b> .....	11
SD145/06/10	ADOPTION OF DRAFT LOCAL STRUCTURE PLAN – LOT 2 SOUTH WESTERN HIGHWAY (CNR NETTLETON ROAD), BYFORD (A1695).....	13
SD152/06/10 (PO8250/01)	PROPOSED OVERSIZE SHED LOT 79 YOORDA CLOSE, CARDUP .....	25
SD153/06/10	PROPOSED OVERSIZE SHED OUTSIDE BUILDING ENVELOPE LOT 2 CRADDON ROAD, OAKFORD (PO0252/02) .....	30
OCM043/06/10	PROPOSED DEMOLITION OF EXISTING SINGLE DWELLING (PERCY’S PLACE) – RESERVE 48455 (LOT 116) COULTERHAND CIRCLE, BYFORD (RS0239/01) .....	34
SD146/06/10	LOCAL STRUCTURE PLAN – LOTS 61 & 62 THOMAS ROAD AND LOTS 59 & 60 BRIGGS ROAD, BYFORD (A1663) .....	38
SD147/06/10	APPLICATION FOR EXTRACTIVE INDUSTRIES LICENCE – PROPOSED KEYSBROOK MINERAL SANDS MINE – LOT 1 ELLIOTT ROAD, LOT 52 ATKINS ROAD, LOT 63 HOPELAND ROAD AND LOTS 6, 111, 112 AND 113 WESTCOTT ROAD, KEYSBROOK (P02893/02).....	44
SD148/06/10	PROPOSED AMENDED SUBDIVISION GUIDE PLAN FOR LOT 224 ORTON ROAD, OAKFORD (P04619).....	55
SD149/06/10	PROPOSED AMENDED SUBDIVISION GUIDE PLAN FOR LOT 1254 ABERNETHY ROAD, OAKFORD (P04118).....	68
SD150/06/10	REQUEST TO PURCHASE PORTION OF RESERVE 47573 – DARLING DOWNS (RS0207) .....	80
SD151/06/10	PROPOSED OVERHEIGHT OUTBUILDING LOT 112 (47) BURGESS DRIVE, BYFORD (P07324/03).....	83
SD154/06/10	DRAFT YANGEDI BUSH FOREVER AND AIRFIELD RESERVE MANAGEMENT PLAN (RS0008).....	87
SD155/06/10	INFORMATION REPORT .....	93
CGAM072/06/10	MONTHLY FINANCIAL REPORT – MAY 2010 (A0924/07).....	97
CGAM073/06/10	CONFIRMATION OF PAYMENT OF CREDITORS (A0917) .....	100
CGAM083/06/10	OLD RAILWAY BRIDGE MILLBRACE GLEN, BYFORD (RS0104)...	101
CGAM074/06/10 BASE (A1814)	TENDER NUMBER 001/2010-12 SUPPLY AND DELIVERY OF ROAD .....	105
CGAM075/06/10 (A1815)	TENDER 002/2010-12 DRY HIRE OF STEEL DRUM ROLLERS .....	109

CGAM076/06/10	TENDER NUMBER 003/2010-12 SUPPLY AND DELIVERY OF CRUSHED LIMESTONE (A1816)	112
CGAM077/06/10	TENDER 004/2010-12 SUPPLY AND PLACEMENT OF ASPHALT SERVICES (A1817)	115
CGAM078/06/10	TENDER NUMBER 005/2010-12 SUPPLY OF TRUCK MOUNTED WATER CARTS (A1818)	118
CGAM079/06/10	TENDER 006/2010-12 SUPPLY OF TRAFFIC MANAGEMENT SERVICES (A1819)	121
CGAM080/06/10	TENDER NUMBER 008/2010-12 TRUCKS FOR BULK CARTAGE AND INDIVIDUAL TRUCKS FOR GENERAL CARTAGE (A1820)	124
CGAM081/06/10	TENDER 009/2010-12 SUPPLY PLACEMENT AND FINISHING OF EXTRUDED CONCRETE KERBING (A1821)	127
CGAM082/06/10	TENDER NUMBER 012/2010-12 SUPPLY OF TREE PRUNING UNDER POWER LINES (A1822)	130
CGAM084/06/10	REQUEST TO WAIVE LAND FOR GRAVE FEE FOR PLOT 724 JARRAHDAL CEMETERY (RS0152)	133
CGAM085/06/10	INFORMATION REPORT	135
OCM040/06/10	APPOINTMENT OF COMMITTEES, MEMBERS & DEPUTIES (A0429).	137
OCM041/06/10	APPOINTMENT OF DELEGATE TO ORGANISATIONS (A0429)	139
OCM042/06/10	LOCALITY FUNDING PROGRAM (A1631)	141
<b>9.</b>	<b>CHIEF EXECUTIVE OFFICER'S REPORT</b>	<b>145</b>
OCM044/06/10	INFORMATION REPORT	145
<b>10.</b>	<b>URGENT BUSINESS:</b>	<b>146</b>
<b>11.</b>	<b>COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:</b>	<b>146</b>
<b>12.</b>	<b>CLOSURE:</b>	<b>146</b>
<b>13.</b>	<b>INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:</b>	<b>147</b>

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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 28<sup>TH</sup> JUNE 2010. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00 PM AND WELCOMED COUNCILLORS, STAFF AND THE MEMBERS OF THE GALLERY.

**1. ATTENDANCE & APOLOGIES:**

IN ATTENDANCE:

**COUNCILLORS:** S Twine .....Presiding Member  
M Harris  
C Buttfield  
MJ Geurds  
C Randall  
T Hoyer  
A Lowry  
E Brown  
A Ellis

**OFFICERS:** Mrs S van Aswegen .....Acting Chief Executive Officer  
Mr A Hart ..... Director Corporate Services  
Mr R Gorbunow ..... Director Engineering  
Mr B Gleeson ..... Director Development Services  
Mr U Striepe .....Executive Manager Engineering  
Ms P Kursar .....Minute Secretary

**OBSERVER:** Mrs L Fletcher .....Process Improvement Officer

**APOLOGIES:** Nil

**GALLERY:** 11

**2. PUBLIC QUESTION TIME:**

Mrs Bond (70 Stockman Close, Oakford)

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

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

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

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

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

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

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

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

The Shire President advised that these questions would be taken on notice.

Mrs Bond requested responses to these questions in writing before the next Council meeting.

John Kirkpatrick (16 Harris Place, Jarrahdale)

Costing for the structure plan for the Byford Town Centre

Q1 Has the project run over budget again?

Q2 If so, by how much?

Q3 What would be the cause of any budget overrun?

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

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

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

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

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

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

The Shire President advised that these questions would be taken on notice

Mr Kirkpatrick requested responses to these questions in writing before the next Council meeting.

## 2.1 Response to Previous Public Questions Taken On Notice

John Kirkpatrick (16 Harris Place, Jarrahdale)

Q1 Considering the Shire is contemplating the installation of a toilet block in the Jarrahdale Heritage Park. Also that the current public toilets in Jarrahdale are out of service most of the time, either through vandalism or lack of maintenance. The building costs are only a fraction of the total costs. We talk about tourist potential but do nothing to alleviate one of the major problems.

Could I have the whole of life costs for:

- a) An architect designed toilet block comprising of one male, one female and one disabled toilet.
- b) A similar drop in unit as discussed with Mr Hart for by the mill managers house (these units have been successfully installed in Roebourne, Halls Creek and Fitzroy Crossing). The Roebourne one has been in service for more than ten years. All of these towns have anti-social behaviour problems.

- A1a The cost estimate for an architect designed toilet block as endorsed by the Jarrahdale Heritage Park Management Committee is between \$140,000 to \$160,000.
- A1b The cost estimate for a single pan basic Exeloo including all delivery and installation costs are approximately \$126,000. A two pan basic Exeloo including delivery and installation costs are approximately \$168,000.

These cost estimates are construction costs only and do not include the whole of life costs. Whole of life costs can only be ascertained upon finalisation of designs including the preparation of construction drawings as the final design, finishes etc can determine the annual maintenance costs which will affect the whole of life costs.

- Q2 Notwithstanding the Hypothetical and the Dream world of the Services and Facilities Plan, and given that Mr Tressler states that we will have 14 new ovals in the Shire by 2010. Remember that this is just a plan, not a commitment.

When will the Shire have a new sporting oval complete with all services, not just an area of grass?

- A2 The Shire Community Facilities and Services Plan to 2020 is a guide only for future planning that outlines that around 12 new ovals with related services (changerooms/clubrooms etc) should be considered in Byford and Mundijong as development occurs. At the time the plan was written dates were estimated. These dates and the feasibility of any of these facilities will be dependent on population growth and available funding to build, maintain and ultimately upgrade and replace them.

At the time of the study it was suggested that 2 new ovals in Byford and Mundijong, along with the necessary related facilities could be completed by 2011 – subject to population growth and feasibility work. Conversations are currently being held with the State Department of Education and the Catholic Education Department in relation to joint use facilities which includes ovals and related facilities in The Glades in Byford.

Currently the ovals that have access to toilets and halls, pavilions and changing facilities are Briggs Park in Byford, Mundijong Oval and Clem Kentish Oval in Serpentine.

Mrs Bond – 70 Stockmans Close, Oakford

- Q. How many natural reserves are there in Serpentine Jarrahdale Shire?
- A. The Shire President advised that there are 43 natural reserves in the Shire.
- Q. What is the Natural Reserves Co-ordinator for and does she act in any other capacity as a Shire employee?
- A. The Natural Reserves Co-ordinator co-ordinates the care, protection, management, maintenance and enhancement of Council owned and vested reserves, including public open space reserves, recreation reserves, bushland and conservation reserves, drainage and streamside reserves, road and emergency access reserves. This position also assists in the preparation and implementation of Reserve Management Plans and manages leasee schedules of Shire reserves.

The Natural Reserves Co-ordinator does not act in any other capacity as a Shire employee.

Q. How long has she been employed by the Shire as Natural Reserves Co-ordinator?

A. The Natural Reserves Co-ordinator has been employed at the Shire since October 2009

SCM041/06/10 - Colleen Rankin (33 South Crescent, Byford)

It is pleasing to see the Byford Town Centre LSP coming to fruition. It is however disappointing to read that an internal review, carried out after the draft plan was completed, identified so many 'key issues' that were contrary to Councils, developers and the community's known position, which resulted in a delay to the plans completion and substantial additional cost. These key issues include density along the interface with the Trotting Complex, connecting a street through the complex to the Town Centre, diverting Soldiers Road at an awkward angle so that the development potential of the land was compromised and precluding right turn access to George Street from Abernethy Road. The plan also wiped out most of the parking bays for the shops located on George Street.

Q1 Why was the project not monitored by staff so that 'key issues' could be identified before they appeared in the draft that was advertised to the public? The resulting \$145,000 debt, which is to be recouped from developer contributions, will result in the loss of some amenity those contributions would have provided for the town.

A1 The key issues that are identified are the issues that were raised during the various consultative workshops and sessions held to determine what the best outcomes would be for the community of Byford and the Town centre more specifically. These issues have been addressed by the technical team and responses provided that will give the best possible outcomes. In some instances planning for the Town centre has identified other issues that also need to be addressed and it would be unwise not to note and to ensure that further studies address the drainage issues and Public open space concerns in existing Byford residential areas. However decisions need to be made to progress the Town Centre and for this reason some issues are best left for later studies.

I am very surprised and somewhat dismayed at information provided in the report under Item 11. Advice from the retail consultant states that the Council's desire for a Main Street retail configuration potentially precludes a discount department store.

Q2 Why does a main Street configuration potentially preclude a discount department store? It is disappointing that the consultant made such a negative statement instead of doing the research and stating how well it can and has been done in many parts of the world. Wagga Wagga in NSW has Main Street shopping with K Mart, Big W and Target, all right on the street front. I have provided photos for the consultant, Council staff and Councillors.

A2 While there are examples of a relatively good interface with the Main street principle and Discount Department Stores (DDS) it is generally accepted that without very careful treatment the DDS will not succeed in achieving the outcome of a "Mainstreet". The principle of a DDS is almost the opposite of a mainstreet as it is generally inward-facing surrounded by parking and tends to concentrate a number of shops in a small area. It is generally accepted that a DDS usually presents itself as a "big box" structure which is contrary to what the Shire has as its vision for the town centre. These "big box" structures tend not to be adaptable to change and therefore once a "big box" development is situated it remains there for a long time, whereas a mainstreet development can adapt and the smaller shops can be revamped and changed as and when required. The technical evidence supports the vision that the "Mainstreet" principle should be the dominant principle and only if there is sufficient

technical motivation and treatment should any change be supported. This could be done through an Amendment to the LSP.

Q3a Will Council documents now state that Main Street retail configuration will be achieved and can include a discount department store?

A3a Careful consideration was given to the whole issue of a discount department store, it's possible inclusion on the plan and possible locations. There is a possibility of a DDS in future, however it would be some time before such a store would be viable. The planning framework does allow for changes to the Local Structure Plan if the proponent can provide legitimate and sufficient motivation at that time. It is therefore not excluded that when the the population of Byford and possibly Mundijong expands a DDS can be provided in the Shire. Changes to the LSP to accommodate a DDS would then be considered at that time.

Q3b With regard to the actual content of the Town Centre plan I do have a concern that it proposed a parking ratio of 1 bay for every 20m<sup>2</sup> of gross leasable area which is a lower standard than that usually required by TPS2. Much of Byford's population is located quite some distance from the Town Centre and there are also people who cannot walk even a relatively short distance to shops or carry home shopping. With no public transport from almost all areas of Byford to the Town Centre, parking must be generous at least in the short to medium term.

A3b The parking ratios are the standard that is generally accepted in a "Mainstreet" type environment to achieve the kind of development that will give the Town centre a good feel. There is however a general acceptance that careful consideration will have to be given to parking in general to allow for the kind of pedestrian access that will allow for a vibrant town centre. It needs to be stated that there are many conflicting interests in planning a Town centre and that some compromises are required.

Q4 If that ratio is accepted as part of the Plan will the proposed Parking Strategy be able to ensure adequate parking?

A4 The parking strategy will address the issue of parking and will also address the parking ratio requirements.

Gary Wilson (62 Rowe Road, Serpentine)

Q1 What is Council's intent with regards to precinct planning within the Shire as a means of defending the rural wedge?

A1 Council is currently deliberating the 2010/2011 budget. The Rural Strategy is an important Business case that has been put up for consideration with the available funding for the next financial year. Council accepts that the review of the Rural strategy is an important component of the Local Planning Strategy and is currently in the process of strengthening the policy framework of the Rural Strategy.

Q2 Has Council considered the option of prioritising policy areas that need urgent review?

A2 The Local Planning Strategy has been separated into smaller projects to enable the process to be done with the available funding. How the process will continue depends on the available funding.

Q3 Has Council considered that by reviewing small sections of its Rural Strategy within more manageable timeframes and budgets and doing so with in-house expertise, that these reviews are ultimately able to be combined to formulate the new Local Planning Strategy?

- A3 Council is currently deliberating about possible alternative ways to progress the Rural Strategy within the available funding.
- Q4 Can Council work with proponents where there is a shared agreed vision to complete a review and achieve an amicable result?
- A4 Council is currently deliberating about possible alternative ways to progress the Rural Strategy within the available funding. Working with landowners in areas where there is pressure from a number of likeminded landowners is currently one of the options being considered.

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

#### Clayton Oud (301 Lightbody Road, Oldbury)

I ask again that council show some compassion for the residents of Lightbody Road who have suffered a substantial decrease in the quality of our lives due to the council's decision to leave Lightbody Road open as a through road.

We all know the politics behind the decision to leave the road open and commence the staged sealing of it. Unfortunately the people who drove this decision are no longer concerned about the road nor the plight of the people who call the road home.

I beg the Councillor's, not as a Council, but as individuals with a conscience to please ensure that this forthcoming budget included an allocation to seal the section in front of our homes and relieve us from the intolerable life we must now live.

#### OCM043/06/10 - Sandra Hawkins – Byford Scarp Residents Association (27 Burgess Drive, Byford)

As you are aware during December 2009 a demolition order was granted to enable the old house on Coulterhand Circle at Byford on the Scarp to be demolished.

It is now nearing the end of June 2010 (6 months) since that order was granted and the licence to carry out that order has not been issued. I would ask why? The procrastination of this situation has led to problems arising that would not have done so has the licence been granted by now.

It is time for the members of the Shire council to ensure that this matter is finalised so that Aspen and the residents can move forward.

The demolition order was granted for all the right reasons, Aspen have complied with the conditions applied to this order. The heritage organisation is satisfied with the order and has been invited to contribute to design the plaque with the appropriate wording plus all expenses plus all expenses incurred are to be met by the Aspen group.

The landscaping plans have been put in place, so what more does the Shire require from us?

Please let us go forward to protect and preserve the bush forever area and the memorial to Percy Nairn. It belies belief that this situation has gone on for so long. I have been informed that the paperwork was on the planners desk, that was some three months ago.

So what is the hold up? Please we beg you to assist with the finalisation of this matter for all concerned.



John Kirkpatrick (16 Harris Place, Jarrahdale)

After writing a number of letters to the CEO about my perceived lack of response to the events following the storm of 22 March, to which I have neither received acknowledgement or reply.

As a last resort I wrote to the Minister for Emergency Services sending copies of letters to the Shire and a covering letter. I received an acknowledgement within a week and a reply shortly afterwards.

A copy of the reply is attached. In it the Minister states that the Local Emergency Policies and Procedures will be reviewed by the Shire and FESA.

I would like to suggest that the people of Jarrahdale be involved in this review as they were the people that were affected by the apparent lack of response by the Shire.

It is no good having a recovery plan if it does not help the people in need at the time.

A copy of the letter from Minister Rob Johnson MLA was presented.

John Kirkpatrick (16 Harris Place, Jarrahdale)

At the April OCM I asked a question about the footpath at the Jarrahdale Anglican Church and disabled access.

I received a reply from the CEO stating that the path and disabled access would be started by the end of May.

There have been a number of informal discussions between the Shire president and my wife about this issue.

It is now the end of June and no sign of a start to rectify the situation. As a result I have posted a letter of complaint about this discrimination to the Equal Opportunities Commissioner this afternoon, copy attached.

A copy of the letter to the Equal Opportunities Commission was presented.

SD152/06/10 – B & S Lantzke (Lot 79 Yoorda Close, Cardup)

Additional supporting notes to the oversize shed application.

Require the floor space for the following:

- House various vehicles to protect from elements – 2 boats, 3 trailers, 1 camper van, 1 tractor (future purchase), 1 work vehicle, 1 buggy, smaller items (mover, m/bikes, garden equipment, power tools).
- Housekeeping (keep block tidy)
- Store animal feed
- General storage

Require the height for the following:

To house the following sized boat (and trailer) which we plan to purchase in the near future – photos attached.

#### Use of Shed

We propose to use the shed for the above, and do not intend to use the shed for commercial purposes.

#### Residence Building Application

We confirm that we have submitted to Council our building licence application and engineers' plans and details for our proposed residence.

#### Mrs Bond (70 Stockmans Close, Oakford)

On the 1<sup>st</sup> June this year, a community meeting was held in the new sports pavilion at Mundijong. The meeting should have included everyone at the meeting. There was a selected few permitted to ramble on because of their pro-council attitude. Those who tried to ask questions were often cut short. This was not a meeting for the people and to be told by two women attending the meeting "to get off our asses" and "to get off our bums" is uncalled for and will be remembered by many who attended.

To add injury to insult, this Council now wants to raise rates to 8%. It wasn't enough we suffered a 12% hike last year. You have repeatedly stated that this council is one of the top 30 sustainable councils in the state. Why then are you asking for more govt funding and playing catch-up with the rates? There are many areas you can cut costs, but not make the ratepayer suffer as they are.

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

##### SD145/06/10 - Brendan Toohey - Aspen Group Pty Ltd - Lot 2 South Western Highway (Cnr Nettleton Road), Byford.

I would like to thank the Council for its support for the Local Structure Plan proposed by Aspen for Lot 2 Nettleton Road. Particular thanks to Simon Wilkes & Colleen Murphy.

I note the Sustainable Development Committee amendments to the Officers report in seeking greater emphasis in achieving solar orientation and the provision of suitable level of on-site carparking.

Achieving good orientation is part of the picture in achieving greater energy efficiency at the built form level. Other considerations as important include window locations and size, external landscaping; orientation of internal rooms, and building materials.

The provision of onsite carparking is a balancing act between too much which makes the Village feel like a landing strip at an airport and too little where cars park anywhere. Aspen's aspiration is for the Village to feel pedestrian friendly especially as some residents will be confined to motorised transport or other forms of supported walking.

Parking for visitors will be within designated areas with parking also proposed within the driveways of each villa. Therefore depending on the garage there is the potential for 4 four vehicle storage where there is a double garage or two (2) where there is a single garage.

In summary Aspen is committed to achieving industry best standards for energy efficiency as well as providing a balanced but appropriate level of on-site car parking.

Once again I thank Council for their support of the Local Structure Plan.

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

I am pleased to report that the upcoming Central Ward extra ordinary election has attracted four candidates. This shows growing interest in local government which is a plus for our Shire. The candidates are Allen Smith, Phil Bongiovanni, John Kirkpatrick and Kim Petersen. The election closes at 6pm on 22 July 2010.

Our Acting Chief Executive Officer, Suzette van Aswegen, Councillor Randall and myself have met with Tony Simpson MLA, and will meet with Don Randall MP on Wednesday, 30 June to discuss SJ Shire issues in their electorates. We are also meeting with Peel Development Commission Acting Director, Colleen Yates and have had sessions with Alannah MacTiernan.

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

Nil

**7. RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:**

**7.1 Sustainable Development Committee – 20 April 2010**

Moved Cr Hoyer, Seconded Cr Lowry

The *attached (E10/2007)* minutes of the Sustainable Development Committee meeting held on 20 April 2010 be confirmed.

**CARRIED 9/0**

Moved Cr Brown, seconded Cr Randall

That confirmation of previous minutes be carried en bloc.

**CARRIED 9/0**

**7.2 Sustainable Development Committee – 18 May 2010**

Moved Cr Brown, seconded Cr Randall

The *attached (E10/2576)* minutes of the Sustainable Development Committee meeting held on 18 May 2010 be confirmed.

**CARRIED 9/0 EN BLOC**

**7.3 Corporate Governance & Asset Management Committee Meeting - 18 May 2010**

Moved Cr Brown, seconded Cr Randall

The *attached (E10/2538)* minutes of the Corporate Governance & Asset Management Committee Meeting held on 18 May 2010 be confirmed.

**CARRIED 9/0 EN BLOC**

**7.4 Ordinary Council Meeting – 24 May 2010**

Moved Cr Brown, seconded Cr Randall

The *attached (E10/2769)* minutes of the Ordinary Council Meeting held on 24 May 2010 be confirmed.

**CARRIED 9/0 EN BLOC**

**7.5 Special Council Meeting (swearing in Ceremony) – 1 June 2010**

Moved Cr Brown, seconded Cr Randall

The *attached (E10/2874)* minutes of the Special Council Meeting held on 1 June 2010 be confirmed.

**CARRIED 9/0 EN BLOC**

**7.6 Special Council Meeting – 2 June 2010**

**Moved Cr Brown, seconded Cr Randall**

**The *attached (E10/2912)* minutes of the Special Council Meeting held on 2 June 2010 be confirmed.**

**CARRIED 9/0 EN BLOC**

**7.7 Special Council Meeting – 8 June 2010**

**Moved Cr Brown, seconded Cr Randall**

**The *attached (E10/2962)* minutes of the Special Council Meeting held on 8 June 2010 be confirmed.**

**CARRIED 9/0 EN BLOC**

**REPORTS OF COMMITTEES:**

**COUNCIL DECISION**

**Moved Cr Brown, seconded Cr Hoyer**

**That Items SD145/06/10, SD152/06/10, SD153/06/10 and OCM043/06/10 be discussed out of order whilst members of the gallery are present to hear the items.**

**CARRIED 9/0**

SD145/06/10 ADOPTION OF DRAFT LOCAL STRUCTURE PLAN – LOT 2 SOUTH WESTERN HIGHWAY (CNR NETTLETON ROAD), BYFORD (A1695)		
Proponent:	Aspen Group Pty Ltd	In Brief  Following advertising, the draft local structure plan for Lot 2 South Western Highway (Cnr Nettleton Road), Byford is presented and recommended for adoption, subject to modifications.
Owner:	Aspen Development Fund No. 2 Ltd	
Author:	Colleen Murphy - Senior Planner	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	15 June 2010	
Previously	SD070/12/09	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 9 October 2009  
 Advertised: 25 February 2010 to 9 April 2010  
 Submissions: 22  
 Lot Area: 32.3 hectares  
 L.A Zoning: Urban Development  
 MRS Zoning: Urban  
 Byford Structure Plan: Residential R30-R60, Residential R20, Multiple Use Corridor, Area of Landscape Sensitivity, Proposed Local Park within Multiple use Corridor, Drainage Basin Indicative Location, Proposed Local Park Proposed Neighbourhood Park, 400m and 800m catchments from the Byford railway station, note 13 regarding interfaces between residential and rural-residential development.

**Background**

Following Council's resolution on 19 December 2008 that a proposed local structure plan (LSP) developed by Aspen Group Pty Ltd for Lot 2 South Western Highway was not satisfactory for advertising, a revised draft LSP was lodged with the Shire in October 2009.

The LSP was considered at the Ordinary Council meeting of 21 December 2009, deeming the LSP satisfactory for advertising and was resolved as follows:

“SD070/12/09 COUNCIL DECISION/Committee/Officer Recommended Resolution:

*Moved Cr Randall, seconded Cr Harris*

1. *That Council, pursuant to Clause 5.18.3.2(b) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, determine that the draft Local Structure Plan for Lot 2 Nettleton Road, Byford as provided at Attachment SD070.1/12/09 is satisfactory for advertising subject to additional details being provided and modifications first being*

- undertaken, as detailed in the schedule of modifications provided at Attachment SD070.9/12/09, to the satisfaction of the Director Development Services.*
2. *That Council, pursuant to Clause 5.18.3.5 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, advertises the draft Local Structure Plan for Lot 2 Nettleton Road, Byford for public inspection for a period of not less than 42 days by way of:*
    - a) *Written notice to all landowners affected by the draft Local Structure Plan;*
    - b) *Written notice to all landowners within 200m of the boundary of the draft Local Structure Plan;*
    - c) *Written notice to relevant agencies to the satisfaction of the Executive Manager Planning;*
    - d) *An advertisement being placed in a newspaper circulating in the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 area; and*
    - e) *A sign being erected in a conspicuous position on Lot 2.*
  3. *That Council, pursuant to Clause 5.18.3.6 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, forward a copy of the draft Local Structure Plan for Lot 2 Nettleton Road, Byford to the Western Australian Planning Commission.*
  4. *That Council note that an amendment to the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 may be required in the future to ensure all land within the Local Structure Plan area is appropriately zoned.*
  5. *The applicant be encouraged to explore every opportunity to incorporate the retention of all other vegetation, to the maximum extent practicable, through detailed design and assessment as part of future subdivision and development applications.*

**CARRIED 6/4**

*Council note: The Committee/Officer Recommended Resolution was amended with Part B being changed from 21 days to 42 days and Part 2b being changed from 100m to 200m. The Presiding Officer advised that these were minor changes which did not alter the intent of the recommendation.”*

**A copy of the advertised draft Operative Part and Map of the LSP is with attachments marked SD145.1/06/10.**

### **Sustainability Statement**

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

##### *Fauna*

There is a significant kangaroo population that utilises Lot 2 for foraging and a general strategy has been developed for the management of the kangaroo population. The strategy involves a staged approach to development and the progressive installation of fencing to encourage the movement of the population along Beenyup Brook and ultimately out onto the Darling Scarp.

Environmental studies prepared for the subject proposal have identified the presence of Black Cockatoos on the site. Development, approval, and implementation of a fauna management plan is a requirement of the draft LSP Statutory Section, addressing the issue of Black Cockatoos on-site.

##### *Vegetation*

Vegetation assessment identifies that a patch of remnant vegetation in the north east corner of the site qualifies as a “Natural Area” on the grounds that it is Forrestfield Complex and potentially a Threatened Ecological Community. The draft LSP retains the vegetation within a three hectare conservation area that will be revegetated to achieve a “very good” condition and fenced with controlled access to minimise disturbance. Vegetation will also be retained as part of Beenyup Brook.

Development, approval, and implementation of a bushland management plan is a requirement of the draft LSP Statutory Section, addressing various matters including the future management of the vegetation conservation area.

Outside the formal conservation area, sensitive design techniques will aim to maximise retention of other trees on the site, including:

- Avoiding fill on the lifestyle village site to north of Beenyup Brook where the bulk of trees are located;
- The utilisation of screw pile footings on the lifestyle village sites;
- Private pocket parks, corridors, an “Arbor Way”, and landscaped buffers aligned to accommodate remnant vegetation; and
- An internal road layout sympathetic to the retention of trees across the site.

In addition to design elements, a number of management mechanisms are proposed to be implemented to maximise the likely survival of trees.

### *Water Management*

A Local Water Management Strategy (LWMS) has been prepared to support the draft LSP for Lot 2. The LWMS provides a framework for the application of total water cycle management to the study area, consistent with the Byford Townsite Drainage and Water Management Plan (BTDWMP). The document aims to integrate stormwater drainage, nutrient and pollutant management, and stormwater conservation, and is based on the principles of water sensitive urban design.

The LWMS provides an understanding of the existing surface water and shallow groundwater for the study area and provides advice on seasonal groundwater variation, stormwater drainage, water quality considerations and flood management. The document has been prepared to be in accordance with the requirements of the BTDWMP.

The LWMS will inform the preparation of Urban Water Management Plans (UWMPs) at subdivision and development stages.

***A copy of the LWMS is with the attachments marked SD145.2/06/10.***

### ***Resource Implications:***

#### *Solar Orientation*

The applicant has prepared a solar orientation plan which identifies that some of the development sites would not achieve best orientation. Due to the shape of Lot 2 and the practical constraints of the site, such as surrounding development, roads and environmental features, full compliance would be difficult to achieve. Notwithstanding these constraints, most development on the subject site would be appropriately orientated.

***Economic Viability:*** The draft LSP seeks to retain the majority of the land in private ownership, providing opportunities for assets to be delivered and maintained by the private sector and therefore minimising demands on the Shire.

***Economic Benefits:*** The draft LSP would facilitate the development of a medical centre/respite care facility and other associated businesses which would enhance employment opportunities within Byford.

***Social – Quality of Life:*** The draft LSP proposes an east-west corridor, along the Beenyup Brook, for enhancement and utilisation by the existing local community. This proposed public open space will provide improved access to and from the Byford Town Centre. The development is proposed to be gated and as such, the retention of public access to the open space area will be vital. The draft LSP does not propose the creation of any north-south

movement networks, as envisaged by the Byford Townsite Detailed Area Plan. The applicant has advised that residents will be provided with a range of internal amenities.

***Social and Environmental Responsibility:*** There is the potential for a significant community to be formed within the proposed development, however the form of the development is generally internalised.

Development of the site is proposed to be in a “gated” format with access being generally restricted to residents. This form of development is generally not supported by Liveable Neighbourhoods in a residential scenario as it is not considered to encourage community interaction, especially given the provision of internal facilities.

Given that the development is catering for aged persons and will contribute towards the provision of a diverse housing product in Byford, and that the public open space area abutting Beenyup Brook will remain accessible for the general public, the restricted access nature of the development, although not ideal, is considered acceptable.

***Social Diversity:*** The provision of over-55s and aged persons accommodation within Byford will enhance the diversity of lifestyle choices in the area, and will cater for the growing and aging local community.

**Statutory Environment:**

Town Planning Scheme No. 2 (TPS 2)  
Byford Structure Plan (BSP)

***Statutory Process***

Pursuant to Clause 5.18.3.7 of TPS 2, following advertising of a LSP, Council is required to consider all submissions received and is to either adopt the draft LSP with or without modifications, or refuse to adopt the draft LSP and give reasons for this to the applicant. It is recommended that the draft LSP be adopted with modifications. Should Council resolve that the draft LSP be adopted, it will be necessary to forward the following information to the Western Australian Planning Commission (WAPC) for consideration, pursuant to Clause 5.18.3.9:

- A summary of all submissions and comments received and the Shire’s decision or comments in relation to these;
- The Shire’s recommendation to the WAPC to approve, modify or refuse to approve the draft LSP; and
- Any other information the Shire considers may be relevant to the WAPCs consideration of the draft LSP.

**Statutory Elements of the LSP**

The draft LSP is supported by statutory provisions that provide for its implementation. The Part 1 – Statutory Section includes provisions for:

- Detailed area plans
- Management plans
- Public open space provision

Plan 1 – the LSP map, assigns the primary zones, residential densities, and public roads.



An indicative development concept plan has been prepared for the subject site and included within the Statutory Section of the draft LSP. As development concept plans are not recognised by TPS2, the concept plan provides detail on the likely pattern of development across the draft LSP area, and guides future development without prescribing it.

**Policy Implications:**

*Local Planning Policy (LPP) No. 19 – Byford Structure Plan Area Development Requirements*

Land uses proposed by the draft LSP are consistent with the permissibility of land uses set out in LPP 19 – Byford Structure Plan Area Development Requirements.

*LPP 8 – Landscape Protection*

The subject land falls within the Landscape Protection Policy Area of LPP 8. An assessment against parts of the Policy considered relevant to the LSP stage has been undertaken by the proponent. The proposed draft LSP is not considered to present any risk to the maintenance of view corridors and landscape amenity in accordance with the policy.

**Financial Implications:**

The proposed form of development will deliver a significant population in close proximity to the Byford Town Centre, with associated demands for commercial and community infrastructure. The impact on future rate revenue for the Shire from the proposed form of development is a matter that needs to be considered.

**Strategic Implications:**

The draft LSP will contribute to the achievement of several objective areas of the Plan for the Future.

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT	Landscape	4		Incorporate environmental protection in land use planning.
	Integrated Water Cycle Management	22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.
		23		Enforce the adoption of “better urban water management”.
		24	Natural systems	Understand the behaviour of natural flood systems in land use planning and engineering design to ensure safe communities.
BUILT ENVIRONMENT	Land Use Planning	1	Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.
		2		Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
		5		Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.
		8		Ensure local structure plans have a range of

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				attractions within a walkable distance of residential areas.
		13	Buildings	Ensure the Shire's rural character is sensitively integrated into urban and rural villages.
		14		Encourage built form that positively contributes to streetscape amenity.
		16		Enable built form that accommodates a range of business and family circumstances and needs.
		20	Landscape	Prioritise the preservation of landscape, landform and natural systems through the land development process.
		21		Provide a variety of affordable passive and active public open spaces that are well connected with a high level of amenity.
		22		Continue the development of low maintenance multiple use corridors to accommodate water quality and quantity outcomes and a diversity of community uses.
		23		Protect the landscape and environmental values of natural reserves and areas from the impacts of development.
		26	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.
		31		Encourage innovative solutions, technology and design.
	<b>Infrastructure</b>	53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
<b>PEOPLE AND COMMUNITY</b>	<b>Places</b>	29	Vibrant	Create vibrant urban and rural villages.
		32		Ensure community spaces and places are accessible and inviting.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs
		34		Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.
		36		Plan and develop safe communities and places.
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.

### **Community Consultation:**

The draft LSP was advertised for 42 days by way of:

- Written notice to all landowners affected by the draft LSP;
- Written notice to all landowners within 200m of the boundary of the draft LSP;
- Written notice to relevant agencies to the satisfaction of the Executive Manager Planning;
- An advertisement being placed in a newspaper circulating in the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 area; and
- A sign being erected in a conspicuous position on Lot 2.

Twenty two submissions were received. The schedule of submissions and modifications includes the nature of all individual submissions received, the applicant's response to the submission, and any recommended modification to address the submission.

***A Schedule of Submissions is with attachments marked SD145.3/06/10.***

***A Schedule of Modifications is with attachments marked SD145.4/06/10.***

Generally, submissions were supportive of the proposal, with some concerns raised regarding bushland and fauna management and noise. Part 1 (the statutory section) includes requirements for bushland and fauna management plans, and detailed area plans,

therefore it is considered these issues can be addressed through management requirements aligned with subsequent planning stages.

The Bush Forever office of the Department of Planning raised concern that insufficient vegetation is proposed to be retained. However, all vegetation of good and better condition will be retained in a three hectare bushland area, and subject to active management to control weeds and other edge effects, consistent with Council's previous resolution to retain that vegetation. Site responsive built form in the surrounding area will retain a comparatively high portion of natural vegetation that will assist in buffering the retained core area.

Main Roads raised concern that traffic modelling undertaken to support the structure plan is based on incorrect base data; data previously provided by Main Roads does not reflect true land uses in its given area of study. The Shire's Engineers and Statutory Planning staff are in the process of having this base data attuned to reflect true land uses. As a result, the traffic modelling undertaken to support the LSP is based on incorrect base data and assumptions, and needs to be revised.

Incorrect base data has a direct impact on the functionality of arterial roads at a district level, and can influence their classification and reserve requirements. However, no arterial roads are located within the LSP area, therefore the only impact updated traffic modelling will have is in regard to developer contributions payable, and detailed intersection design for access to Nettleton Road. The layout of land uses and movement networks proposed by the LSP would not change.

No modification is required to the LSP layout, however revised traffic modelling is required to support its implementation and verify detailed engineering designs.

**Comment:**

*BSP*

The BSP is a strategic planning document, setting out broad land uses to facilitate urban development across the Byford district. Whilst it envisages standard residential subdivision for the subject land, its role is not to specify the specific type of residential developments that occur on any given landholding. Therefore, the draft LSP can be considered generally consistent with the BSP in that it provides for residential development commensurate with the residential depiction of the subject land on the DSP, at a density suited to its location adjacent to a town centre.

*Byford Townsite Detailed Area Plan (DAP)*

The Byford Townsite DAP provides more detailed planning for the subject land, including residential density codes and road reserve widths based on standard residential subdivision. As the draft LSP proposes an alternative form of residential development, there are some areas of variation from the Byford Townsite DAP.

The applicant has prepared an assessment table, comparing the draft LSP against the DAP, identifying the extent to which the draft LSP adheres or does not adhere to the requirements of the DAP, and providing justification for variation. Key areas of variation include the deletion of north-south and east-west road links, modified interfaces using landscaped buffers rather than lower density housing, increased residential density, and modified road reserve width for Lazenby Drive.

***An assessment table for the draft LSP prepared by the applicant, against the requirements of the Byford Townsite DAP is with attachments marked SD145.5/06/10.***

It is considered that the variations from the Byford Townsite DAP are appropriate in the context of the alternative form of residential development provided for by the draft LSP.

### *Liveable Neighbourhoods*

The WAPCs Planning Bulletin No. 49 – Caravan Parks states that:

*‘...caravan parks which are principally designed for permanent residents should be assessed in the same way as conventional residential development.’*

In this context, the draft LSP has been assessed against the general community design element of Liveable Neighbourhoods.

### **Key Structure Plan Elements**

#### ***Land Use:***

The draft LSP generally provides for residential use, however provides an alternative style of residential development with lifestyle and retirement villages developed on residential superlots, including areas of prefabricated modular homes on footings to reduce earthworks and retain natural ground levels and vegetation.

#### *Special Use Zone*

A significant portion of the site is proposed to be developed for a lifestyle village encompassing prefabricated modular homes which generally sit above natural ground level on footings. The style of residential development is classified as Special Use of Caravan Park (Park Home Park). A lifestyle village generally caters for a permanent residential population; therefore the village would meet the intent of a residential classification.

#### *Residential Zone*

The balance of the draft LSP area is proposed for residential zoning. The draft LSP includes an indicative development concept plan, which proposes the development of retirement villages, aged persons accommodation and associated uses, including club houses and medical centres, over superlots rather than standard residential subdivision. Proposed uses are discretionary within the residential zone and would be considered by Council, subject to advertising requirements, through future applications for planning approval.

The draft LSP also provides for three R10 residential lots located at the interface of the existing rural residential development.

#### ***Density:***

##### *Medium Density Development*

The draft LSP proposes a split density of R40/60 for residential zoned land, located generally within a 400m catchment of the Byford Town Centre, to be developed as a retirement village. The applicant has identified that development to the R60 standard will only be undertaken adjacent to South Western Highway should there be a market established for multiple dwellings. It is anticipated that most of the site would be developed to a R40 standard.

##### *Lifestyle Village*

Within the special use zone, whilst the proposed lifestyle village is residential in nature no residential coding is required. However, the indicative density of development is presented on the indicative development concept plan included within the operative section of the draft LSP, which would be higher than that of a standard R20 subdivision. This is consistent with

planning principles to increase density within 800 metres of activity centres and public transport nodes.

### ***Movement Network:***

As the proposed draft LSP does not propose standard residential subdivision, a public road network is not proposed, with the exception of an extension of Lazenby Drive to Nettleton Road.

The indicative development concept plan shows a private road network providing individual access to three separate village areas.

The indicative development concept plan includes a pedestrian and cycle network, with public access through a multiple use corridor open space area (east-west link).

### ***Open Space:***

The draft LSP proposes to set aside the Beenyup Brook multiple-use corridor public open space area, but does not propose any additional public open space as standard residential subdivision is not proposed. Private open space is proposed in the form of a 3ha vegetation retention area to the northeast of the site, and other small areas of private open space throughout the site. Documentation demonstrates that open space provision will satisfy the requirements of the future community.

### *Interfaces*

The subject site is located in proximity to residential, rural-residential, industry and proposed commercial development. In this context, land use integration and interfaces are vital issues.

### Residential Development

The indicative development concept plan identifies that the retirement village and lifestyle village will directly back onto residential development to the north. No road interface is proposed by the draft LSP as, in this location, a road would likely become a poor street environment bounded by solid fencing to the south and various standards of fencing and rear yards to the north. The development potential of lots fronting Beenyup Road would not be compromised; lots could still subdivide in future, albeit in a battleaxe arrangement.

### Rural-Residential Development

Where the site abuts existing rural-residential development to the east, a 15m wide landscaped area is proposed. The area will ensure the retention of trees and will act as a visual buffer, providing an appropriate interface between rural-residential lots and the lifestyle village.

### Industry

The lifestyle village and residential development to the south of Beenyup Brook is located adjacent to the industry area to the south of Nettleton Road. The indicative development concept plan contained within the draft LSP proposes a landscaped buffer as an interface treatment.

It will be possible to establish planning mechanisms to appropriately site dwellings and provide a landscaping buffer at the subdivision and planning approvals stages. Noise from the industry area is discussed later in this report.

### Proposed Commercial Development

A commercial zoned lot is located at the intersection of South West Highway and Beenyup Road and abuts Lot 2. Council has previously considered and refused an application for a fast food outlet and commercial building on the site. The applicant has sought review of the determination and the matter is currently with the State Administrative Tribunal.

The indicative development concept plan identifies the area adjacent to the proposed commercial development for a club house development, and not residential development, which can provide a suitable interface. Later detailed design at development approval stage can further consider interface treatments.

### *Noise*

The subject site is affected by traffic noise from South Western Highway. The proposed respite care facility at the intersection of Nettleton Road and South Western Highway as well as several dwellings proposed within the retirement village will be affected by noise.

Noise amelioration is proposed to be achieved through a combination of noise walls and “quiet building” design principles.

Whilst the quiet building design principles are supported, the use of noise walls along South Western Highway is not considered appropriate in terms of safety and visual amenity, especially given that the site is in close proximity to the Byford Town Centre. Alternative design options for noise amelioration measures will need to be considered by the applicant in the context of a noise management plan, provided for by the statutory component of the draft LSP.

Noise from the industry adjoining the site to the south of Nettleton Road also has impacts on the subject site and proposed development. Industry noise is proposed to be addressed through:

- “Quiet building” design principles.
- Notifications on title.
- Requiring various noise reductions from the adjacent industry area.
- Advising the service station at the intersection of Nettleton Road and South Western Highway that the playing of external music at night is unacceptable.

The Industry Noise Assessment report accompanying the draft LSP does identify that, ultimately, it is the responsibility of the noise emitter to achieve compliance. Compliance for the industry is more difficult, however, since the industry has not been specifically designed to accommodate residences in the proposed location. Although it is the responsibility of the industries to comply and reduce noise emissions as far as reasonably practicable, it is also considered reasonable for some of the responsibility to be on the developer/future residences.

The provision of residential development next to an industrial area may result in noise complaints to the Shire from future residents. The Shire will be required to act on these complaints and may have to undertake appropriate action to reduce noise emissions from the industrial area to acceptable levels. A DAP will be required for any subdivision/development abutting Nettleton Road, or likely to be affected by road or industry noise, to ensure that noise amelioration measures are incorporated.

### *Development Contributions*

Shire staff are currently preparing a development contribution arrangement (DCA) for the Byford development area, which includes the subject land. The DCA will set out infrastructure and cost items for which contributions will be collected from developers. In addition, the DCA will set out a methodology for the calculation of contributions as well as administrative and operational requirements and procedures.

The DCA will be advertised for public comment once considered by Council. At this time, the owner of Lot 2 would be able to comment on the draft DCA. Should subdivision and development of the site proceed prior to finalisation of the DCA, an interim contribution arrangement will be entered into with the landowner. This approach has been applied elsewhere within Byford and usually involves entering into a legal agreement and associated mechanisms.

#### *Fire and Risk Management*

A Fire and Emergency Management Plan has been provided as a technical appendix to the draft LSP. The Plan identifies a range of fire management measures and standards including the road system, strategic firebreaks, treatment of remnant vegetation and open space, staging and building protection zones. The Plan also provides an assessment of risk associated with storms, drainage and other identified hazards. It provides a management framework for dealing with each. The statutory section of the draft LSP requires the fire management plan be approved prior to the commencement of significant site works.

#### *Unzoned Land*

A small portion of the subject site running parallel with South Western Highway appears to be subject to no zoning or reservation under TPS 2. It is assumed that this land used to be part of the South Western Highway Primary Regional Road reservation under the Metropolitan Region Scheme (MRS).

It would appear that the reserve width has been reduced in the past, with the land subsequently being zoned Urban under the MRS. The land has not however been subsequently zoned under TPS 2.

This abnormality will need to be addressed through an Amendment to TPS 2. In the meantime, it is considered that the draft LSP can be progressed and apply to unzoned land. There appears to be nothing within TPS 2 which states that a structure plan needs to be on land zoned Urban Development. In addition, as the land is zoned Urban under the MRS, there is a reasonable expectation that the land would be zoned for development purposes.

#### **Conclusion:**

The draft LSP proposes a subdivision and development outcome for the subject site which differs from that specifically envisaged by the BSP and Byford Townsite DAP. These planning mechanisms predict standard residential subdivision, whilst the draft LSP proposes private residential development in the form of a retirement and lifestyle village. The alternative form of development proposed is consistent with the overall objectives of those documents, providing a diverse range of housing and lifestyle opportunities at a density suitable to its location adjacent to a town centre. Issues identified through advertising can be effectively managed through subsequent detailed area plans (built form, interfaces, noise) and bushland and fauna management plans.

It is considered that the draft LSP to be satisfactory for adoption and implementation, subject to some minor modifications, as detailed in the schedule of submissions and modifications.

**Voting Requirements:** Simple Majority

#### **Officer Recommended Resolution:**

That Council:

- A. For the purposes of Clause 5.18.3.9(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, notes the submissions received on the draft Local Structure Plan for Lot 2 South Western Highway, Byford as per *Attachment SD145.3/06/10*.
- B. Pursuant to Clause 5.18.3.7(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, adopts the draft Local Structure Plan for Lot 2 South Western Highway, Byford (as advertised) subject to the modifications outlined in *Attachment 145.4/06/10*.
- C. Adopts the draft Local Water Management Strategy for the Lot 2 South Western Highway Local Structure Plan, as provided in *Attachment 145.2/06/10*.
- D. Following compliance with Part B of Council's resolution and pursuant to Clause 5.18.3.9 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, forward to the Western Australian Planning Commission:
  - 1. A summary of all submissions and comments received by the Shire in respect of the draft Local Structure Plan for Lot 2 South Western Highway, Byford, and Council's decisions or comments in relation to these.
  - 2. Council's recommendation to the Western Australian Planning Commission to adopt the draft Local Structure Plan for Lot 2 South Western Highway, Byford, with modifications.
  - 3. Any other information that may be relevant to the Western Australian Planning Commission's consideration of the draft Local Structure Plan for Lot 2 South Western Highway, Byford.
- E. Advise the applicant, all agencies and persons who lodged a submission on the draft Local Structure Plan for Lot 2 South Western Highway, Byford of Council's decision.

**SD145/06/10 COUNCIL DECISION/Committee Recommended Resolution:**

**Moved Cr Hoyer, Seconded Cr Randall  
That Council:**

- A. For the purposes of Clause 5.18.3.9(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, notes the submissions received on the draft Local Structure Plan for Lot 2 South Western Highway, Byford as per *Attachment SD145.3/06/10*.
- B. Pursuant to Clause 5.18.3.7(a) of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, adopts the draft Local Structure Plan for Lot 2 South Western Highway, Byford (as advertised) subject to the modifications outlined in *Attachment SD145.4/06/10*, including the following:
  - 1. Insert into "Part 1" text a stipulation that solar orientation will be a relevant consideration at the time of assessing development applications and that the applicant shall take all reasonable steps to ensure optimum solar orientation of dwellings.
  - 2. Insert into "Part 1" text a stipulation that parking will be a relevant consideration at the time of assessing development applications and that the applicant shall take all reasonable steps to ensure appropriate levels of parking for residents and visitors.
- C. Adopts the draft Local Water Management Strategy for the Lot 2 South Western Highway Local Structure Plan, as provided in *Attachment SD145.2/06/10*.
- D. Following compliance with Part B of Council's resolution and pursuant to Clause 5.18.3.9 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, forward to the Western Australian Planning Commission:
  - 1. A summary of all submissions and comments received by the Shire in respect of the draft Local Structure Plan for Lot 2 South Western Highway, Byford, and Council's decisions or comments in relation to these.
  - 2. Council's recommendation to the Western Australian Planning Commission to adopt the draft Local Structure Plan for Lot 2 South Western Highway, Byford, with modifications.



**3. Any other information that may be relevant to the Western Australian Planning Commission’s consideration of the draft Local Structure Plan for Lot 2 South Western Highway, Byford.**

**E. Advise the applicant, all agencies and persons who lodged a submission on the draft Local Structure Plan for Lot 2 South Western Highway, Byford of Council’s decision.**

**CARRIED 9/0**

**Committee Note: The Officers Recommended Resolution was changed by adding condition B1 and B2 relating solar orientation and parking.**

SD152/06/10 PROPOSED OVERSIZE SHED LOT 79 YOORDA CLOSE, CARDUP (P08250/01)		
Proponent:	S & B Lantzke	In Brief  Application for the construction of oversize and over height shed. Approval subject to conditions is recommended.
Owner:	As Above	
Officer:	C Rose - Planning Assistant	
Senior Officer:	B Gleeson - Director Development Services	
Date of Report	17 May 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 17 March 2010  
 Lot Area: 2 hectares  
 MRS Zoning: Rural  
 TPS Zoning: Special Rural  
 Use Class & Permissibility: Single Residence – incidental development (P use)  
 Rural Strategy Policy Area: Rural Living B

**Background**

An application was received for an outbuilding totalling 240m<sup>2</sup>. The proposed shed and lean-to is to be situated inside the building envelope. The applicant provides justification for the variation to height and size:

*“We need a larger shed to house various vehicles so that they are not exposed to the elements and also to keep the block appearing tidy from the road. Some of the items include 2 boats, 3 trailers, camper van, tractor, 4WD, dune buggy, mower, motorbikes, garden equipment and various domestic tools”*

***The location, site, elevation plans and an aerial photo are contained in the attachments to the agenda marked SD152.1/06/10.***

**Variations requested**

The single shed will result in the combined floor area being 240<sup>2</sup> in lieu of 200m<sup>2</sup> allowable in the special rural zone. The additional 40m<sup>2</sup> is within the 20% variation allowable under LPP17. The shed also proposes an open lean-to which does not contribute to accumulative floor area as it is open more than 50%.

**Sustainability Statement – Outbuildings**

<b>Sustainable Element</b>	<b>Comment</b>
Is there remnant native vegetation on site or adjoining verge?	Yes. Scattered vegetation exists both inside and outside the building envelope
Is remnant native vegetation to be retained or removed as a result of this proposal?	Some vegetation has already been removed from the proposed location of construction. This vegetation was within the building envelope and therefore removal is permissible.
Is additional vegetation required to screen or ameliorate the bulk of the proposed development?	Additional vegetation may assist with screening providing firebreak access is not restricted
Will the requested variation have an adverse effect on streetscape or the character and amenity of the locality?	No. The proposal will be consistent with nearby properties.
Will the requested variation have an adverse effect on visual amenity of neighbouring properties due to bulk and scale, appearance or materials?	There are no other large outbuildings and therefore this placement of shed and lean to will be consistent with the adjoining properties.
Does the proposal include the capture and re-use of stormwater from the roof of the proposed building and/or diversion of stormwater from hardstand areas to landscaped areas?	There are no proposals for a water tank although should a dwelling be constructed on the property this would be necessary for the provision of domestic water.

**Statutory Environment:**

Planning and Development Act 2005  
Serpentine Jarrahdale Town Planning Scheme No. 2  
Serpentine Jarrahdale Rural Strategy 1994

**Policy/Work Procedure Implications:**

LPP17 Residential and Incidental Development

**Financial Implications:**

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

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

5. Value and enhance the heritage character, arts and culture of the Shire.

**2. Environment**

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

Strategies:

3. Encourage protection and rehabilitation of natural resources.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

Required – Yes. Two submissions were received.

Affected Property (Assess No.)	Summary of Submission	Officer's Comment
<b>A400630</b>	<p>Concerned due to fact I've recently had approval for my new home and this shed will dominate over my entertaining area to the rear of my house and more importantly will cause the rear west side of the house to be overshadowed.</p> <p>I request that it is either reduced in height and size or moved further from my boundary by 5 metres.</p>	<p>Condition. There is approximately 30m between the submitters proposed dwelling location (construction has not yet started) and the proposed shed. The shed, regardless of height and size, would be visible from all adjoining properties due to the open landscape.</p> <p>Dismiss. The position of the shed is within an "as of right" location inside the building envelope.</p>
<b>A400629</b>	<p>Although the shed will be large we would believe if a quality Colorbond™ structure with vegetation to screen it, eventually it will blend in.</p> <p>Our concern is for possible future uses of an industrial sized shed. If the owner proposed it for storage of personal equipment (eg boat/truck) we don't have a concern.</p> <p>The problem would be in now or the future a home business is run from the shed (eg bobcat / engineering) and we have regular noise and traffic just across the way. We moved to enjoy the quiet rural attraction of the area.</p>	<p>Condition. Screening vegetation may be appropriate providing it does not impact on fire safety.</p> <p>Noted.</p> <p>No applications for such land uses have been received so conditions unable to address an assumed use.</p>

### **Planning Assessment:**

#### **Policy Requirements**

LPP17 Residential and Incidental Development.

Policy Requirement	Required	Proposed	Comments (Complies/Variation Supported/Condition Required)
Setbacks Primary Street Rear Side	20m 20m 10m		Complies Complies Complies
Floor Area (combined total floor area of all outbuildings)	Max. 200m <sup>2</sup>	240m <sup>2</sup>	Variation – supported as the combined floor area is 20% variation considered allowed under LPP17
Wall Height	Max. 4m	4.8m	Variation – supported as the combined floor area is 20% variation considered allowed under LPP17
Roof Height	Max.		Complies

	6m	6m	
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There is currently no local planning policy restricting colours and materials in this part of the Shire and consequently there is a vast colour selection of similar sheds within the estate. The proposal is generally consistent with other lifestyle properties in the locality.

#### Options:

There are primarily two options available to Council in considering the proposal:

- (1) to approve the application, with or without conditions; and
- (2) to refuse the application.

Should the applicant be aggrieved by a determination by Council, including a refusal determination or approval conditions, the applicant could lodge an application for review with the State Administrative Tribunal.

#### Conclusion

The proposed shed is intended to provide a secured storage area for general property tools and vehicles. The applicant's property is well established with mature trees that will screen the outbuilding. The proposed shed is similar to other properties within the locality and will not detrimentally affect the amenity of the area.

**Voting Requirements:** Simple Majority

#### **Officer Recommended Resolution:**

That the Application for Approval to commence development for an oversized and overheight outbuilding on, Lot 79 Yoorda Close, Cardup be approved subject to the following conditions:

1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.
2. The outbuilding is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems.
3. A building licence is required to be issued for the development.
4. All storm water to be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is prohibited.

#### Advice Note

1. The shed is not to be used for any commercial or industrial purpose (including home occupation), the parking of a commercial vehicle or the stabling of horses or other livestock unless the written approval of the Shire has first been obtained.

#### **Committee Recommended Resolution:**

That the Application for Approval to commence development for an oversized and overheight outbuilding on Lot 79 Yoorda Close, Cardup be deferred to the June Ordinary Council meeting pending clarification of the wall and ridge height of the proposed development.

Committee Note: The item was deferred to the June Ordinary Council Meeting to allow time for officers to clarify the wall and ridge height of the oversized and overheight outbuilding.

## **SUPPLEMENTARY REPORT**

### **Height of Shed**

The applicants engineer has confirmed that the roof height is 6 metres.

### **Sand Pads**

Typically in our Shire, residents opt for sand pads between 300mm and 600mm in height for outbuildings.

Under the Building Code of Australia there is no minimum (or even a compulsory requirement) for a sandpad for an outbuilding. However in SJ (clay soils prone to flooding) the average owner would go for around a 300mm pad – that's because it's enough to keep your shed / stables out of the wet. Anything more than 300mm starts to increase the cost and therefore "the average" resident goes for the bare necessity.

An example of the cost impacts of pad heights is below:

*An average 700mm sand pad may be around the \$15,000 - \$20,000 mark – by comparison the average 300mm pad will set you back about \$5,000-\$7,000)*

House pads are rarely less than 600mm (on an A class site – sandy soils) but average in the Shire is 800mm for the M (Moderate) and upwards average of 1m for a S (Severe clay) class site.

Planning staff have checked the City of Armadale Town Planning Scheme and interestingly their scheme made mention of maximum sand pad heights of up 1.5 metres. Note: Where a sand pad exceeds 1m in vertical height it is required to be retained in accordance with the City's building requirements. They have a height limit for all buildings of 9.0 metres.

Planning staff are looking into the sand pad issue as part of the preparation of a new Local Planning Policy for Outbuildings that will come before Council soon.

### **SD152/06/10 COUNCIL DECISION/Officer Recommended Resolution:**

#### **Moved Cr Brown, Seconded Cr Harris**

**That the Application for Approval to commence development for an oversized and overheight outbuilding on, Lot 79 Yoorda Close, Cardup be approved subject to the following conditions:**

- 1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.**
- 2. The outbuilding is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems.**
- 3. A building licence is required to be issued for the development.**
- 4. All storm water to be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is prohibited.**

#### **Advice Note**

**The shed is not to be used for any commercial or industrial purpose (including home occupation), the parking of a commercial vehicle or the stabling of horses or other livestock unless the written approval of the Shire has first been obtained.**  
**CARRIED 8/1**

SD153/06/10 PROPOSED OVERSIZE SHED OUTSIDE BUILDING ENVELOPE LOT 2 CRADDON ROAD, OAKFORD (PO0252/02)		
Proponent:	S G Stafford	In Brief  Application for the construction of oversize outbuilding outside building envelope. Approval subject to conditions is recommended.
Owner:	As Above	
Officer:	C Rose - Planning Assistant	
Senior Officer:	B Gleeson - Director Development Services	
Date of Report	17 May 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 7 April 2010  
 Lot Area: 2 hectares  
 MRS Zoning: Rural  
 TPS Zoning: Special Rural  
 Use Class & Permissibility: Single Residence – incidental development (P use)  
 Rural Strategy Policy Area: Rural Living B

### **Background**

An application was received for a brick outbuilding totalling 240m<sup>2</sup>. The proposed brick outbuilding is to be situated on the outer edge of the building envelope in an existing cleared area and screened by other existing remnant vegetation.

The applicant provides justification for the variation to height and size:

*“Both my son and I have an interest in vintage cars and want to store these vehicles along with a caravan, 4WD and boat. I want my property to look neat and tidy so I want to put everything in one shed. The reason that I want to have a shed that size is so I can work in there in summer. The reason I want to build outside the building envelope is that the different height of the shed and house would not enhance the look of the property also the fact there are no trees in the location I want the shed to go.”*

***The location, site, elevation plans and an aerial photo are contained in the attachments to the agenda marked SD153.1/06/10.***

### **Variations requested**

The single shed will result in the combined floor area being 240<sup>2</sup> in lieu of 200m<sup>2</sup> allowable in the special rural zone. The additional 40m<sup>2</sup> is within the 20% variation allowable under LPP17. The proposed location is on the outer edge of the building envelope.

### **Sustainability Statement – Outbuildings**

Sustainable Element	Comment
---------------------	---------

Is there remnant native vegetation on site or adjoining verge?	Yes. The proposed location is bordered by Banksia dominant vegetation allowing a useable screening area.
Is remnant native vegetation to be retained or removed as a result of this proposal?	No vegetation is proposed to be removed.
Is additional vegetation required to screen or ameliorate the bulk of the proposed development?	Unlikely. The existing strip of vegetation between the neighbouring properties is remnant and adequately matured with many of the Banksia trees existing around 5m in height.
Will the requested variation have an adverse effect on streetscape or the character and amenity of the locality?	No. The proposal will be consistent with nearby properties and partially screened by existing natural occurring vegetation.
Will the requested variation have an adverse effect on visual amenity of neighbouring properties due to bulk and scale, appearance or materials?	There are no other large outbuildings and therefore this placement of one brick style outbuilding will blend with the existing brick and tin dwelling whilst providing storage for current recreational vehicles.
Does the proposal include the capture and re-use of stormwater from the roof of the proposed building and/or diversion of stormwater from hardstand areas to landscaped areas?	An existing rainwater tank on the property can be used to capture stormwater runoff from the roof of the new outbuilding.

**Statutory Environment:**

Planning and Development Act 2005  
Serpentine Jarrahdale Town Planning Scheme No. 2  
Serpentine Jarrahdale Rural Strategy 1994

**Policy/Work Procedure Implications:**

LPP17 Residential and Incidental Development

**Financial Implications:**

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

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

5. Value and enhance the heritage character, arts and culture of the Shire.

**2. Environment**

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

Strategies:

3. Encourage protection and rehabilitation of natural resources.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

Required. One objection was received.

Affected Property (Assess No.)	Summary of Submission	Officer's Comment
<b>A294704</b>	The size of the proposed shed is an industrial sized factory unit	Dismiss. The proposed size of 240m <sup>2</sup> is considered incidental outbuilding development typical of the Special Rural zone
	<p>It is outside of the building envelope and encroaches on the buffer between our two properties.</p> <p>Also being 6 metres tall and having no vegetation on his side (as Mr. Stafford has stated to me, he intends to construct an access road down his boundary will mean any visual eyesore will be viewed by us not him.</p> <p>The opening doors (which account for 3/4 of the length) face toward our property and away from Mr. Stafford's own dwelling. Hence any noise associated with activities inside will be directed towards us.</p> <p>While he has a masonry wall which will provide some acoustic insulation and does not detract from the aesthetics of his house.</p> <p>We do not see the need for such a large shed unless you are undertaking a commercial venture. Not permitted in this zoning. It is the size of an industrial unit, which should be located in an industrial estate.</p> <p>The value of our property will be greatly affected by such a structure, purely by the physical presence of a commercial building in a special rural zone and if the Mr. Stafford sells his property we have no control over the future purchaser pursuing any number of activities which could greatly affect the quality of our lives. Friends in the same shire have been greatly distressed by a trucking business run on an adjacent property with no relief despite many complaints to the shire. We do not wish to end up</p>	<p>Dismiss. There is approximately 55m of existing vegetation between the properties. The proposed location was already cleared in an isolated area prior to purchase of the property by current owner. This was confirmed by aerial mapping.</p> <p>Condition. An existing sandy firebreak runs on one side of the boundary vegetation area and an existing driveway that will be used for access to the proposed shed on the other side of the boundary vegetation.</p> <p>Condition. Any commercial activities, home occupation or home business (if permitted) would be subject to separate written approval by Council.</p> <p>The adjoining property does not have any entertaining areas from the dwelling directly facing the applicant's property.</p> <p>Dismiss. Refer to above.</p> <p>Dismiss. Property values are not considered relevant grounds for planning decisions.</p> <p>Unlawful activities being conducted on other properties would require a separation investigation should a written complaint be received.</p>



Affected Property (Assess No.)	Summary of Submission	Officer's Comment
	in the same situation.	

### **Planning Assessment:**

#### **Policy Requirements**

LPP17 Residential and Incidental Development.

<b>Policy Requirement</b>	<b>Required</b>	<b>Proposed</b>	<b>Comments</b> (Complies/Variation Supported/Condition Required)
Setbacks Primary Street Rear Side	20m 20m 10m	70m 80m 19.5m	Complies Complies Complies
Floor Area (combined total floor area of all outbuildings)	Max. 200m <sup>2</sup>	240m <sup>2</sup>	Variation – supported as the combined floor area is 20% variation considered allowed under LPP17
Wall Height	Max. 4m	4.8m	Variation – supported as the combined floor area is 20% variation considered allowed under LPP17
Roof Height	Max. 6m	6m	Complies

The proposal is generally consistent with other lifestyle properties in the locality. In this instance, the proposed new shed will provide storage for typical property maintenance items and personal vehicles along with general domestic tools. An existing small garden shed of approximately 23m<sup>2</sup> is proposed to be removed upon construction of the new outbuilding.

#### **Options:**

There are primarily two options available to Council in considering the proposal:

- (1) to approve the application, with or without conditions; and
- (2) to refuse the application.

Should the applicant be aggrieved by a determination by Council, including a refusal determination or approval conditions, the applicant could lodge an application for review with the State Administrative Tribunal.

#### **Conclusion**

The proposed shed is intended to provide a secured storage area for general property tools and vehicles. The applicant's property is well established with mature trees that will screen the outbuilding. The proposed shed is similar to other properties within the locality and will not detrimentally affect the amenity of the area.

**Voting Requirements:** Simple Majority

#### **SD153/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Hoyer, Seconded Cr Brown**

**That the Application for Approval to Commence Development for an oversized outbuilding on, Lot 2 Craddon Road, Oakford be approved subject to the following conditions:**

1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.
2. The outbuilding is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems.
3. A building licence is required to be issued for the development.
4. All storm water to be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is prohibited.

**Advice Note**

1. The shed is not to be used for any commercial or industrial purpose (including home occupation), the parking of a commercial vehicle or the stabling of horses or other livestock unless the written approval of the Shire has first been obtained.

**CARRIED 9/0**

OCM043/06/10		PROPOSED DEMOLITION OF EXISTING SINGLE DWELLING (PERCY'S PLACE) – RESERVE 48455 (LOT 116) COULTERHAND CIRCLE, BYFORD (RS0239/01)
Proponent:	Serpentine Jarrahdale Shire	In Brief  To grant planning approval for the demolition of the existing dwelling (Percy's Place).
Owner:	Crown	
Author:	Senior Planner	
Senior Officer:	Director Development Services	
Date of Report	23 June 2010	
Previously	OCM017/12/09; SD072/12/05; SD045/10/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Lot Area: 3.57ha  
 L.A Zoning: Public Open Space  
 MRS Zoning: Urban  
 Bush Forever: Part of foreshore reserve is classified as Bush Forever and contains riparian vegetation (Site No. 271)

**Background**

On 21 December 2009, Council considered a proposal to demolish the existing homestead (known as Percy's Place) located on the public open space abutting the Cardup Brook and passed the following resolution:

“OCM017/12/09 COUNCIL DECISION/Officer Recommended Resolution:

*Moved Cr Randall, seconded Cr Brown*

- A. *The application for approval to demolish the existing old house on the public open space (Lot 116) located on the northern side of Cardup Brook within the Byford by the Scarp residential estate be approved subject to the following conditions:*

1. *A Demolition License is to be obtained prior to the commencement of any demolition works.*
  2. *Demolition is to be carried out by a licensed demolition contractor.*
  3. *Contaminated soil shall be removed from the site to an approved landfill facility and the site remediated to the satisfaction of the Shire.*
  4. *Any existing septic tanks and leach drains shall be decommissioned and the site remediated to the satisfaction of the Shire.*
  5. *All existing indigenous vegetation shall be retained and shall be protected from damage prior to and during demolition of the house.*
  6. *Materials such as bricks and sound pieces of jarrah are to be retained for use in the construction of features in the public open space containing the house site such as paths, walls, park furniture, artwork and signage to the satisfaction of the Shire. Details of how these recycled materials are to be used to give an interpretive history of the site are to be included in a landscape and vegetation management plan required to be prepared by the developer for the public open space.*
  7. *A commemorative plaque is to be installed by Aspen as part of the interpretive landscape plan detailed above.*
  8. *The offer from Aspen to cover the full cost of demolition, landscaping and interpretation of the site be accepted.*
- B. *The Royal Australian Naval Armaments Depot land and any remaining buildings related to the past operation of the depot be included in the next review of the Shire's Municipal Inventory.*

CARRIED 10/0"

At the time of presenting the previous report to Council, officers were of the understanding that the reserve on which the Percy's Place building is located, was under the care, control and management of the Shire. However, it has only recently been discovered that the management order to transfer responsibility of this land to the Shire has not be finalised by the State Government. Therefore, the land currently is still under the care, control and management of the Crown (State Government).

The Shire has investigated what it now needs to do to allow for the demolition of the building as per Council's previous resolution. The Shire is required to formally grant planning approval for the demolition of the building under the Council's Town Planning Scheme No. 2 (TPS2). This report presents Council with the opportunity to do this.

***A copy of the site plan and aerial photograph is with attachments marked OCM043.1/06/10.***

### **Sustainability Statement**

***Effect on Environment:*** The site is being landscaped by the developer (Aspen) who has also indicated intent to erect a plaque to commemorate the Heritage and Cultural significance of the site. The Heritage Council has deemed that while the building may have some cultural significance it is unlikely that it would meet the threshold for entry on the State Register of Heritage Places. The site can however be considered for inclusion in the Shire's Inventory of Heritage Places.

***Resource Implications:*** Aspen will provide all the resources required to demolish the building, remove the waste and restore the site with landscaping and commemorative detail.

***Use of Local, renewable or recycled Resources:*** There is an opportunity for some of the demolished building materials to be recycled such as bricks, tiles and any usable jarrah. Of particular interest is the large slab of jarrah which forms the threshold at the front door. There may be an opportunity for some of the recycled materials to be used in the construction of interpretive walls, park furniture and sculptures as a means of interpreting the

European history of the site. Aspen will be requested to recycle some of the bricks and other materials from the building to utilise within the landscaping of the park or in other areas.

**Economic Benefits:** The proposal will enhance the park, attract visitors and improve the amenity adjacent to residences which in turn may improve their value. Recycling of materials for use in construction of park features could provide an economic benefit to the Shire.

**Social – Quality of Life:** The proposal will improve the quality of life for Byford on the Scarp residents as they will have a more accessible park in which to recreate as well as enjoying a more pleasing visual amenity.

**Social Diversity:** The proposal does not disadvantage any social group as the building was not in a useable state. The proposal is of advantage to residents in that it opens up the access to the park.

**Statutory Environment:** Planning and Development Act 2005  
Land Administration Act

**Policy/Work Procedure Implications:** Local Planning Policy No.8 (LPP 8) *Landscape Protection*

**Financial Implications:** There are no financial implications to Council related to this proposal for demolition as the developer Aspen has offered to cover the cost of demolition, landscaping and commemorative detail.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>NATURAL ENVIRONMENT</b>				
	<b>Landscape</b>	1	Safeguard	Restore and preserve the visual amenity of our landscapes.
<b>BUILT ENVIRONMENT</b>				
	<b>Infrastructure</b>	34	Asset management	Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.
		53	Partnerships	Proactively and positively negotiate mutually beneficial outcomes with the development industry.
<b>PEOPLE AND COMMUNITY</b>				
	<b>Wellbeing</b>	1	Healthy	Promote a wide range of opportunities to enable optimal physical and mental health.
		2		Promote a variety of recreation and leisure activities.
	<b>Places</b>	32	Vibrant	Ensure community spaces and places are accessible and inviting.
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		7		Elected members and staff have a clear

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				understanding of their roles and responsibilities.
		8		Elected members provide a clear and consistent strategic direction.
		9		All decisions by staff and elected members are evidence based, open and transparent.
	<b>Knowledge and Information</b>	47	Generating, collecting and analysing the right data to inform decision making	Understand the needs of stakeholders.
	<b>Customer and Market Focus</b>	59	Effective management of customer relationships	All councillors and staff play an active role in promoting the positives of the Shire.

### Community Consultation

Consultation with the local community and community groups has occurred on this matter.

### Comment

#### Development Application

As the reserve is still under the control of the State Government, a planning application is required to be endorsed by the State Land Services, on behalf of the Crown. The application is currently with State Land Services awaiting their endorsement.

### Conclusion

Council has previously resolved to demolish the existing dwelling for a number of reasons. However, as a formal planning application for the demolition had not been lodged nor endorsed by State Land Services (on behalf of the Crown), a new Council resolution for the demolition is required. Council officers do not have delegated authority to process the planning application.

**Voting Requirements:** Simple Majority

### **OCM043/06/10 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Randall, Seconded Cr Harris**

**That subject to the Form No.1 'Application for Approval to Commence Development' being signed the Minister for Lands (or relevant delegate), the application for approval to demolish the existing single dwelling (Percy's Place) on Reserve 48455 (Lot 116) Coulterhand Circle, Byford be approved subject to the following conditions:**

- 1. A Demolition License is to be obtained prior to the commencement of any demolition works.**
- 2. Demolition is to be carried out by a licensed demolition contractor.**
- 3. Contaminated soil shall be removed from the site to an approved landfill facility and the site remediated to the satisfaction of the Shire.**
- 4. Any existing septic tanks and leach drains shall be decommissioned and the site remediated to the satisfaction of the Shire.**
- 5. All existing indigenous vegetation shall be retained and shall be protected from damage prior to and during demolition of the house.**
- 6. Materials such as bricks and sound pieces of jarrah are to be retained for use in the construction of features in the public open space containing the house site such as paths, walls, park furniture, artwork and signage to the satisfaction of the Shire. Details of how these recycled materials are to be used to give an**

**interpretive history of the site are to be included in a landscape and vegetation management plan required to be prepared by the developer for the public open space.**

**7. A commemorative plaque is to be installed by Aspen as part of the interpretive landscape plan detailed above.**

**CARRIED 9/0**

SD146/06/10 LOCAL STRUCTURE PLAN – LOTS 61 & 62 THOMAS ROAD AND LOTS 59 & 60 BRIGGS ROAD, BYFORD (A1663)		
Proponent:	TPG Town Planning & Urban Design	In Brief  A Local Structure Plan has been prepared for Lots 61 & 62 Thomas Road and Lots 59 & 60 Briggs Road, Byford. The Local Structure Plan has been adopted by Council and approved by the Western Australian Planning Commission. It is recommended that Council adopt the Local Structure Plan pursuant to Clause 5.18.3.15.
Owner:	Oyster Reef Holdings Pty Ltd & Valma Hicks	
Author:	Michael Daymond – Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	14 May 2010	
Previously	SD097/04/09, SD034/09/09, SD034/09/09 & SCM007/10/09	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 4 December 2008  
 Advertised: Yes  
 Submissions: Yes  
 Lot Area: 8.78 ha  
 L.A Zoning: Urban Development  
 MRS Zoning: Urban  
 Byford Structure Plan: Residential R20 & Multiple Use Corridor  
 Date of Inspection: January 2009

**Background**

Council at its meeting of 28 April 2009 considered a draft Local Structure Plan (LSP) for Lots 61 & 62 Thomas Road and Lots 59 & 60 Briggs Road, Byford. At this meeting, Council deemed the draft LSP to be satisfactory for advertising subject to modifications. These modifications were undertaken, the draft LSP was advertised and a report was taken back to Council to consider the submissions and formally adopt the LSP.

At the Special Council Meeting held on 12 October 2009, Council considered the LSP for adoption and resolved to adopt the LSP pursuant to Clause 5.18.3.7 of the Shire’s Town Planning Scheme No.2 (TPS 2) subject to a number of modifications and forward the LSP to the Western Australian Planning Commission (WAPC) for a determination. A copy of the full resolution is detailed below:

“SCM007/10/09 COUNCIL DECISION/New Motion:

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

- A. *Note the submissions received during the formal advertising of the Local Structure Plan.*
- B. *Pursuant to Clause 5.18.3.7 of Town Planning Scheme No. 2 adopt the Local Structure Plan for Lots 61 & 62 Thomas Road and Lots 59 & 60 Briggs Road, Byford as advertised for public comment, subject to the following modification:*
- (i) The ‘statutory text’ for the LSP to include a requirement that any subdivision and/or development application be accompanied by an Urban Water Management Plan.*
- C. *Adopt the revised Local Water Management Strategy for Lots 61 & 62 Thomas Road and Lots 59 & 60 Briggs Road, as provided in attachment SCM007.4/10/09 subject to the following modifications:*
- (i) The Local Water Management Strategy to detail the commitment of the proponent to obtain a minimum of two peaks/winters of pre development groundwater data (levels and quality) in accordance with the Byford Drainage and Water Management Plan to inform the Urban Water Management Plan and further investigate the management of perched water on the site;*
  - (ii) The Local Water Management Strategy to clearly describe where subsoil drainage is to be directed and water quality treatment measures to be applied at points of outfall;*
  - (iii) The Local Water Management Strategy to clearly present within the one document all relevant information to pre-development conditions, groundwater management, surface water management, pre and post development monitoring; and*
  - (iv) The Local Water Management Strategy to contain a schedule of information to be provided at the Urban Water Management Plan stage.*
- D. *Forward the Local Structure Plan to the Western Australian Planning Commission, pursuant to Clause 5.18.3.9 of Town Planning Scheme No. 2.*
- E. *Advise those persons who lodged a submission during the advertising period of Council’s decision to adopt the Local Structure Plan.*
- F. *The applicant is reminded of their obligations under the Environmental Protection and Biodiversity Conservation Act and the Aboriginal Heritage Act of the need to obtain all relevant approvals.*
- G. *The applicant be advised that at the time of consideration of a development application for the Aged and Dependent Persons Dwellings, the development will need to comply with the requirements of Part 7.1 - Special Purpose dwelling requirements of the Statement of Planning Policy - Residential Design Codes and any other Local Planning Policy requirements of the Council.*

*CARRIED 9/0”*

In accordance with the provisions set out in TPS 2, the LSP was forwarded to the WAPC for a determination under the Clause 5.18.3.10 of TPS 2. The WAPC approved the LSP on 28 April 2010 incorporating all of the modifications requested by Council.

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

***A location plan is with attachments marked SD146.1/06/10.***

***A copy of the LSP map is with attachments marked SD146.2/06/10.***

***A copy of the statutory text is with attachments marked SD146.3/06/10.***

***A copy of the Local Water Management Strategy (LWMS) is with attachments marked SD146.4/06/10.***

### **Sustainability Statement**

**Effect on Environment:** The proposed LSP provides for a sound environmental outcome. The LSP, if implemented, would result in the loss of some vegetation however an aged or dependent persons' dwelling development is likely to preserve more vegetation than if subdivision was proposed. Although there is no identified declared or rare flora vegetation on site, significant stands of vegetation centrally located on the site are proposed to be preserved within open space. This will positively contribute to the environmental outcomes and sense of place. The multiple-use corridor (MUC), which is part of the integrated open space network, is planned to provide opportunities for cyclist and pedestrian movements as well as passive recreation opportunities. The LSP provides a gazetted road in the southern portion of the site abutting the MUC that will provide increased levels of access to the existing public open space (POS) reserve, thus increasing the ability for the community to access and enjoy the existing POS.

**Resource Implications:** The LSP seeks to integrate principles of water sensitive urban design into the future development. The LWMS has been prepared in accordance with best practice and sustainability principles. It is considered that the objectives of the LWMS can be more readily achieved as the land is within single ownership and management and maintenance of the drainage systems will be coordinated. The proposed density of development also represents an efficient use of land while being in accordance with the character of the surrounding proposed urban development.

**Economic Viability:** The LSP seeks to retain the land in private ownership, providing opportunities for services and infrastructure to be delivered and maintained by the private sector and therefore minimising demands on the Shire.

**Social – Quality of Life:** The LSP seeks to provide aged or dependent persons' dwellings with communal amenities and support services which will support the quality of life for local residents. The development will allow residents to age within their community rather than being relocated to other areas. The proposal also provides a MUC to the south of the subject site which contributes to an interconnected public open space and urban water management network across the Shire. The MUC will provide pedestrian and cycle footpaths and areas within which to recreate.

**Social and Environmental Responsibility:** The LSP seeks to have dwellings orientated to overlook the public open space, open space and streetscape thus increasing passive surveillance and providing a built form that contributes to the urban landscape rather than working against it. Dwellings will be designed and oriented to provide for a high level of passive solar access. There are significant portions of the property being set aside for open space retaining existing vegetation thus positively contributing to a sense of place. The proposed development seeks to incorporate principles of water sensitive urban design through the sound principles of the LWMS.

**Social Diversity:** The LSP seeks to provide a high level of diversity of housing through providing aged or dependent persons' dwelling opportunities for seniors in the community.

**Statutory Environment:** Planning and Development Act 2005  
Town Planning Scheme No. 2 (TPS 2)

**Policy/Work Procedure Implications:** Western Australian Planning Commission (WAPC)  
Operational Policy - Liveable Neighbourhoods  
State Planning Policy 2.1 – Peel-Harvey Coastal Plain Catchment  
Local Planning Policy 22 – Water Sensitive Urban Design

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



**Strategic Implications:**

This proposal relates to the following Focus Areas:-

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

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

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

### **Community Consultation**

In accordance with the requirements of TPS 2, the draft LSP was advertised for public comment to state government authorities, servicing/infrastructure authorities and adjacent land owners. At the Special Council Meeting of 12 October 2009, Council formally considered the submissions received during the advertising period. All those persons who lodged a submission during the advertising period will be advised that the LSP has commenced formal operation, following a decision by Council

### **Comment**

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

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

### **Options**

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

### **Conclusion**

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

**Voting Requirements:** Simple Majority

### **SD146/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

Moved Cr Randall, Seconded Cr Harris  
That Council:

- A. Adopt the Local Structure Plan 'map', 'statutory text' and Local Water Management Strategy for Lots 61 & 62 Thomas Road and Lots 59 & 60 Briggs Road, Byford pursuant to Clause 5.18.3.15 of Town Planning Scheme No. 2 as provided in attachments SD146.2/06/10, SD146.3/06/10 and SD146.4/06/10.

- B. Notify the proponent, the Western Australian Planning Commission, all relevant state government agencies and those persons who lodged a submission during the formal advertising of the Local Structure Plan for Lots 61 & 62 Thomas Road and Lots 59 & 60 Briggs Road, Byford of Council's decision to adopt the Local Structure Plan pursuant to Clause 5.18.3.5 of Town Planning Scheme.**
- C. Make arrangements for the Local Structure Plan for Lots 61 & 62 Thomas Road and Lots 59 & 60 Briggs Road, Byford to be made available for inspection by any member of the public during office hours.**

**CARRIED 9/0**

**Committee Note: The proponent be requested to address the interface between the retaining wall and cycleway and require information to be provided relating to security fencing for this development at the time of lodging a development application.**

SD147/06/10 APPLICATION FOR EXTRACTIVE INDUSTRIES LICENCE – PROPOSED KEYSBROOK MINERAL SANDS MINE – LOT 1 ELLIOTT ROAD, LOT 52 ATKINS ROAD, LOT 63 HOPELAND ROAD AND LOTS 6, 111, 112 AND 113 WESTCOTT ROAD, KEYSBROOK (P02893/02)		
Proponent:	Planning Solutions on behalf of Matilda Zircon Pty Ltd	In Brief  An application for an extractive industries licence for mineral sands mining operation in the locality of Keysbrook has been received. The Shire of Murray has received a similar application for mining activities south of the Serpentine Jarrahdale Shire boundary.  It is recommended the application be refused as it does not comply with the requirements of the Shire of Serpentine-Jarrahdale Extractive Industries Local Law.
Owner:	Various	
Author:	Colleen Murphy - Senior Planner	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report:	24 May 2010	
Previously:	Nil	
Disclosure of Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act  The Chief Executive Officer declares an interest in common as a resident of the locality of Keysbrook.	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 8 February 2010  
 Advertised: 24 February 2010  
 Submissions: 57  
 Lot Area: 941.7 hectares

### **Background**

The application covered a total of 6 lots, including Lots 1, 6, 52, 63, and 111-113. A similar application was concurrently lodged with the Shire of Murray for land within their jurisdiction.

The application was advertised for public comment, with submissions closing on 26 March 2010. Concurrently, comment was invited from a range of State Government Agencies. In total 43 submissions were received from members of the public and 14 submissions were received from government agencies.

This report provides Council with the opportunity to determine the application for an extractive industries licence in accordance with the Shire of Serpentine-Jarrahdale Extractive Industries Local Law.

An application for approval to commence development (planning approval) was refused by Council on 7 May 2010.

***A copy of the application is with attachments marked SD147.1/06/10.***

### **Sustainability Statement**

***Effect on Environment:*** The proposal has been through an extensive environmental impact assessment by the Environmental Protection Authority (EPA) in accordance with the *Environmental Protection Act 1986*. On 19 October 2009, the Minister for Environment issued Statement No. 810 (Ministerial Approval) which approved the proposal under the *Environmental Protection Act 1986* (EP Act). The Ministerial Approval contains conditions requiring a range of management plans and reporting on native vegetation, watercourses, wetlands, rehabilitation, weed and dieback, water, acid sulphate soils, noise, air quality and dust.

***The Ministerial Approval Statement is with attachments marked SD147.2/06/10.***

The applicant suggests that all environmental matters have been dealt with through the assessment undertaken by the EPA that culminated in the Ministerial Approval, and therefore has not submitted any management plans, staging plans, or a rehabilitation and decommissioning programme with the licence application. Some draft management plans submitted to the EPA as part of the environmental impact assessment leading to the Ministerial Approval were obtained by the Shire, and provided to independent consultants engaged to undertake specialist reviews related to hydrology and biodiversity as part of the development application assessment.

### **Biodiversity**

Review of biodiversity management as part of the development application assessment suggests that impacts to flora and fauna can be managed in accordance with relevant EPA guidelines, however notes that this is dependent on management plans being compliant with various government positions and guidelines and industry best practice. The review as part of the development application assessment recommends that the Shire, as an important stakeholder, could stipulate directly or request the Chief Executive Officer of the Department of Environment and Conservation that it has early and ongoing input into the preparation of all environmental management plans required under the Ministerial Approval. The review as part of the development application assessment also sets out standard expectations and recommendations to be addressed in each management plan, in addition to requirements of the Ministerial Approval.

The review as part of the development application assessment specifically notes that the proponent is yet to publish final Vegetation Protection and Rehabilitation Plans for the proposal, and therefore there is insufficient information to demonstrate compliance with policy requirements regarding rehabilitation.

### **Hydrogeology**

Review as part of the development application assessment of hydrogeology elements and documentation suggests that, in general, the proponent has addressed many issues associated with the hydrogeology of the project. However, some key issues were identified regarding groundwater management, including:

- Groundwater modelling undertaken does not consider the cumulative effect of impacts on the Superficial Aquifer through abstraction from the Leederville Aquifer, dewatering of the Superficial Aquifer for ore extraction, and other groundwater users in the area.
- Underestimation of likely groundwater decline from abstraction from the Leederville Aquifer.
- Insufficient measurement of water quality of the Leederville and Superficial Aquifers in the mine area and an assessment of the cumulative quality impacts of mixing of both water resources during production and subsequent disposal in mine pits.
- Possible impacts of post closure landforms with regard to increasing evaporation from the Superficial Aquifer.
- Potential for offsite disturbance of acid sulphate soils due to groundwater decline. It is not known whether the Acid Sulphate Soils Management Plan considers potential offsite disturbance, monitoring, or rehabilitation.

The above issues are of concern, as underestimation of groundwater decline brings the potential to reduce the availability of other water users in the area, including domestic and drinking water for residents. Also, the potential for increased evaporation from the superficial aquifer due to post closure landform, i.e. less clearance to groundwater with potential for groundwater to break the surface resulting in greater evaporation, can lead to significant, permanent decline in groundwater.

***A copy of the hydrogeology impact assessment is with the attachments marked SD147.3/06/10.***

***Resource Implications:*** The application includes limited information on resource efficiency, particularly related to waste, water, and greenhouse emissions.

***Use of Local, Renewable or Recycled Resources:*** The application includes limited information on the use of local, renewable, or recycled products. Statements in the documentation prepared as part of the environmental impact assessment suggested commitments to local procurement opportunities and programs, however no detail or commitment has been provided to the Shire in this regard.

***Economic Viability:*** The application does not include any information regarding the economic viability of the project. Potential costs to the community, should the proposal not be viable, could arise in the form of undertaking rehabilitation of the land on behalf of the proponent, and funding the costs of rehabilitation of local roads. It is noted that the Ministerial Approval includes the payment of bonds by the applicant prior to commencement of works and on an annual basis to cover rehabilitation costs should the project or company experience unforeseen circumstances that prevent completion.

***Economic Benefits:*** The proponent suggests that the proposal will not impact on tourism or rural businesses in the locality. However, there is limited information provided to support this suggestion.

### Tourism

The site is visible from key vantage points along the Darling Scarp and could be expected to present visual impacts, which may have an effect on tourism. Visual impact is discussed further in relation to amenity.

### Rural Business

Current agricultural pursuits in the locality can be impacted by dust and noise affecting nearby livestock and cropping. Whilst no management plans or details were submitted as part of the development application to enable consideration of these issues, impact assessments and management plans submitted to the EPA as part of the environmental

assessment were obtained by the Shire and independently reviewed by specialist noise and health impact consultants as part of the development application assessment.

***The health and noise impact reviews are with the attachments marked SD147.4/06/10 and SD147.5/06/10.***

With respect to noise, the review as part of the development application assessment of the Noise Impact Assessment and Noise Management Plan (NMP) submitted to the EPA as part of the environmental assessment, considers “that the work undertaken is of sufficient rigour to suggest that the issue of noise has been adequately investigated and addressed”, however note shortcomings that the NMP does not respond to:

- Cumulative impacts of noise generated from operations and traffic.
- Consideration of the prevailing local meteorological conditions that might have an influence on the noise levels measured at any of the sensory receptors (e.g. katabatic winds from the Darling Scarp).
- Potential impacts of noise emissions on native fauna populations.
- Consideration of the potential impacts on the surrounding agricultural land-uses, particularly in terms of the potential for impacts to livestock.
- A newly constructed shed which has been adapted as a residence within 250 metres of the excavation area; it is unclear whether this has been considered as a “sensitive premises” for the purpose of any noise assessment.
- Only the closest residences were included in the noise assessment report – there are residences 400 metres from the mine area that were not included in the assessment and at least 19 residences within 1 kilometre of excavation activities. The existence of residences may impact on the ability of the proponent to progress night-time mining.

With regard to the influence of dust on food production, the specialist review as part of the development application assessment of dust management elements suggests that the statement within the application that the proposal would not “adversely affect end food production” is not accompanied by any justification.

The above suggests that insufficient information has been provided regarding dust and noise management. The impact on rural businesses in the area cannot be properly considered without further information from the applicant.

Future rural use of the land is dependent on successful rehabilitation. It is recognized that, due to the local conditions with summer extreme wind and high groundwater in winter, the window to undertake rehabilitation activities could be reduced. No rehabilitation plan has been submitted to the Shire to demonstrate rehabilitation can be undertaken in accordance with the Extractive Industries Local Law.

#### Local Employment

The application suggests an increase in local employment opportunities, however details on specific employment opportunities are generalist and the potential for these to be sourced locally with existing skills or the actual diversity of employment opportunities presented by the application is not discussed.

#### ***Social – Quality of Life:***

##### Human Health

Based on the information available at this time, dust emissions have the potential to be a significant issue requiring careful consideration. The applicant suggests that no physical or mental health issues would be presented by the proposal, with issues surrounding noise and dust considered as part of the environmental impact assessment. The application received

by the Shire does not include management plans that specifically consider and discuss amenity or visual impact assessment in accordance with State guidelines. However, those management plans submitted to the EPA as part of the environmental assessment were obtained to consider key issues.

The EPA, in Bulletin 1269 of October 2007, identified the need to revise the draft Air Quality and DMP to address a number of matters, including both predictive and reactive management measures and measures to minimise open areas, among other matters. The EPA noted that modelling completed by the proponent indicated that airborne particulate concentrations at some residences would exceed the National Environmental Protection Measure (NEPM) standard. No updated dust management plan, addressing the matters identified by the EPA, has been made available to the community and/or the Shire.

Written advice from the Department of Health has suggested that the proponent does not fully understand the issues associated with potential health and amenity, and it is not appropriate to assume that there will be no adverse impacts. Noting the previous environmental assessment and conditions applied under the *Environmental Protection Act 1986*, the Department of Health also notes that environmental protection does not always cover health concerns.

Given the information provided, comments and conclusions related to public health are unsubstantiated and unsupported and as such are not considered acceptable to the Department of Health.

The specialist review as part of the development application assessment of health impact considered dust and radiation impacts, and suggests that, although the application states that “*There will be no health or mental health impacts (e.g. respiratory disease, depression and lowered immunity) on local residents, visitors to the subject site or surrounding area, or those involved in undertaking the proposal, including exposure to airborne contaminants, radiation and dust*”, there is limited evidence supporting the statement. The review as part of the development application assessment concludes that the application does not provide complete justification for predicting no health or mental health impacts or impacts on food production from the proposal, and a more comprehensive summary on the justification for statements in the application would better inform decisions made on the proposal.

### Amenity

The application suggests that the potential impacts on the amenity and lifestyle opportunities for existing and future residents and visitors to the Shire are limited and that amenity concerns as they relate to environmental issues were addressed in the Ministerial Approval. However, the EPA and Ministerial Approval does not consider issues as they relate to amenity, public health, and potential nuisance, and did not consider impact on amenity from visual impact or the amenity of people’s lifestyles due to conflicts with existing surrounding land uses, e.g. keeping of horses or rural pursuits affected by proposed mining operations (see previous discussion regarding economic benefits).

### ***The visual impact assessment review is with the attachments marked SD147.6/06/10.***

A visual impact assessment (VIA) formed part of the licence application, and was subject to independent review as part of the development application assessment from a specialist landscape consultant. The review as part of the development application assessment identified that the VIA stated many assessment outcomes, however lacked evidence or justification to quantify outcomes, specifically, the VIA did not:

- Relate the project site at a scale or format that would enable the reader to sufficiently interpret the visual elements of the proposal.
- Adequately describe the visual landscape character with supporting text, images, or maps.
- Adequately describe the view experience of the landscape.



- List or illustrate visual management objectives.
- Adequately justify statements to convince the reader that there would be minimal impact on landscape character.

The review as part of the development application assessment suggests that it is difficult to demonstrate if the visual mitigation recommendations included are appropriate for managing the impact on the landscape character as the impacts have not been adequately documented nor justified. The review completed as part of the development application assessment recommends the VIA is repeated to include sufficient supporting information, or undertaken by a suitably qualified consultant with a strong understanding of landscape.

Potential impact on groundwater levels, discussed previously, can also impact on amenity or contribute to nuisance factors where domestic water supplies are affected and alternative water sources required. Whilst the application commits to monitoring groundwater levels within 500 metres of the subject land, and providing alternative water to residents affected by decline. However, the application does not suggest any contingency for properties beyond that 500 metres, nor is there commitment for long term monitoring and management of offsite groundwater levels or contingency should operations cease in the interim.

Overall, the application does not appear to provide sufficient justification to support statements that amenity and health impacts would be minimal with the implementation of proposed dust and noise mitigation and landscaping.

**Social and Environmental Responsibility:** The application was subject to independent review as part of the development application assessment from a specialist consultant to consider social impacts. The review completed as part of the development application assessment concludes that, while the proponent has suggested that the nature of the proposal may not have significant impact due to its location, duration, and proposed rehabilitation, the application does not provide a complete discussion nor detail specific plans or mitigation to qualify or justify statements of no impact. Therefore, any significance of impact cannot be determined. The review completed as part of the development application assessment specifically notes that the EPA project assessment report that led to the Ministerial Approval identified a lack of detail in the application relating to community consultation and community development programs. The EPA report recommended that measures for ongoing community consultation and community development be identified.

***The social impact assessment review is with the attachments marked SD147.7/06/10.***

The application does not discuss partnerships or consultation with the community, and only discussed community benefit or otherwise in terms of economic activity, employment, and access to services and facilities. Proponent commitments to ongoing community consultation and funding for community development projects were included within recommended conditions in EPA Bulletin 1269; the conditions and relevant commitments do not form part of the final Ministerial Approval. The development application does not include measures for community consultation or contribution to community development programs.

The social impact review completed as part of the development application assessment also discussed community interest, and notes that noise and dust were issues that received a high degree of community concern and comment through the Ministerial Approval process. The review suggests that *“due to the high level of community interest in noise and dust items, general good practice consultation should consider reporting and feedback mechanisms to community relating to noise and dust, and overall project information and progress, as well as complaints management and investigation. Issues resolution and responsiveness may impact the community’s perception of amenity values in the future”*. Whilst specific community submissions received on the application are discussed later, it is noted that the nature of submissions highlighted such amenity issues and minimal consultation by the proponent as areas of key concern. Dust and noise have the potential to impact on human health, which needs to be carefully considered by decision-making

authorities. The concerns identified by the community in respect of these matters will likely continue unless adequate processes are put in place for effective community engagement, including reporting and feedback processes.

**Statutory Environment:**

Shire of Serpentine-Jarrahdale Extractive Industries Local Law. Clause 3.1 of the Extractive Industries Local Law states that an application can be refused where it does not comply with requirements of Clause 2.3; and/or Planning approval for an extractive industry use of the land has not first been obtained. The applicant completed a self-assessment against the requirements of Clause 2.3.

Overall, the application is not considered to comply with Clause 2.3, as it does not include appropriately scaled site plans, a works and excavation programme (including, but not limited to, detail on actual excavation area, setbacks from property boundaries, stages, internal roads, location of fences, stockpiles, powerlines and other infrastructure, warning signs, screening vegetation, and vegetation to be retained), or a rehabilitation and decommissioning programme (including post-excavation levels and batters). No planning approval has been obtained for extractive industry use of the land. The application is not considered to comply with the requirements of the Serpentine Jarrahdale Shire Extractive Industries Local Law.

***The applicant's self assessment against the requirements of the Extractive Industries Local Law with Administration's response is included with Attachments marked SD147.8/06/10.***

**Financial Implications:**

Should an application for review be lodged with the State Administrative Tribunal (SAT), against a decision of Council on this licence application, there will be costs incurred by Council.

**Strategic Implications:**

This proposal has implications for all strategies within the People and Community, Environment, and Economic key sustainability result areas.

**Community Consultation:**

The proposal was advertised from 24 February to 26 March 2010 by way of:

- Newspaper advertisement
- Written advice to all residents in the Keysbrook locality
- Written advice to all relevant state agencies
- Notification on the Shire's website

The extractive industries licence was advertised concurrently with the application for approval to commence development. Therefore submissions received on either were treated as a submission on each application. Fifty seven submissions were received.

***A full schedule of submissions with responses from the applicant is with the attachments marked SD147.9/06/10.***

Generally, submissions suggest community opposition to the proposal, on the grounds that mining operations would affect lifestyle, agricultural pursuits, and the local environment. A summary of the specific issues and concerns raised follows.

***The applicant's response to the summary issues is with the attachments marked SD147.10/06/10.***

The following sections provide a summary of the issues identified in the submissions.

Dust Generation

Local wind conditions and fragile soils already generate dust. The scale of the proposal, combined with local wind conditions, would mean that controlling dust will be a challenge. There was concern that the proposal does not sufficiently consider the health implications, including rainwater contamination and respiratory issues. There was concern dust would impact on livestock, with a resultant loss in income.

Groundwater Abstraction and Dewatering

There was significant concern that the volume of groundwater to be abstracted, and the scale of dewatering required, would threaten the availability of groundwater for domestic and rural uses, particularly in the context of a drying climate. There was concern for potential loss of income from poorer quality pasture, and insufficient water availability for agricultural uses. Several submissions were also concerned about the potential environmental impact of proposed abstraction.

Heavy Vehicles

Submissions were concerned with the use of local roads by heavy vehicles, suggesting that the planned haulage route includes unsuitable roads, school bus routes, and would pass through North Dandalup townsite with potential impacts on schools. Several submissions were also concerned with dust generation from trucks using unsealed roads, and potential decline in the condition of local roads.

Lifestyle

Submissions specifically identified that their choice to live in the local area was for a quiet, rural lifestyle and a mining operation would affect that. Submissions were also concerned that the character and beauty of the local area would be compromised by a mining operation.

Noise

Submissions were concerned that noise would impact on residents and livestock. A number specifically noted that sensitive land uses, which had time restrictions, did not include stables although horses would be affected. Submissions noted that noise carries great distances due to local conditions and concerns were raised with respect to 24 hour operations. Several submissions also questioned the efficacy of noise monitoring and the process of responding to complaints.

Property Values

A number of submissions were concerned that proposed mining would result in declining property values, and questioned whether compensation would be provided. Some submissions specifically noted that any loss in property value would impact on their imminent retirement.

Future development

A number of submissions suggested that the proposed mining would inhibit future development or subdivision potential of the area.

#### Community benefit

Several submissions suggested that the proposal presented no benefit to the local community, and would only present impacts without sufficient contribution to community infrastructure or programs.

#### Visual impact

Several submissions were concerned with the visual impact of the proposed mining operations, particularly noting the prominence of the area from vantage points on the Scarp, and the impact on local tourism.

#### Ability to meet obligations

Several submissions were not confident in the proponent's ability to meet rehabilitation and management obligations. Submitters were concerned that financial or other reasons would result in costs or long term impact to ratepayers and local residents.

#### Groundwater contamination

Several submissions were concerned that proposed mining would result in contamination of groundwater resources, which is an important source of domestic and rural water.

#### Rehabilitation

A number of submissions were concerned that successful rehabilitation would be a challenge, due to local conditions including summer extreme winds and winter high groundwater levels, which would limit the time when works could take place. This would be exacerbated by the large areas requiring rehabilitation. Submissions also suggest that the revegetation proposed cannot be achieved as the project area has decreased since the environmental assessment, therefore land available for revegetation is reduced and the ratios presented cannot be achieved.

#### Vegetation

Several submissions state that all existing remnant vegetation should be retained, due to potential impacts on salinity, biodiversity, and threatened cockatoos.

#### Buffer to nearby properties

Several submissions are concerned that the proposal provides insufficient buffer between the proposed excavation area and adjacent property boundaries. Submissions suggest increasing the distance between the proposed excavation area and dwellings and agricultural activities. Several submissions are concerned that internal haul roads are placed adjacent to property boundaries.

#### Land degradation

Several submissions are concerned with erosion and potential land degradation, as a result of extreme wind conditions and fragile soil. Submissions suggest the proposal presents significant risk to important farming land in proximity to Perth.

#### Community Consultation:

Several submissions are concerned that community consultation by the proponent has been insufficient.

**Other issues:**

Other concerns raised in submissions include:

- Hydrological impacts.
- The low grade of the ore and limited financial viability of the project.
- Acid sulphate soils.
- Setting a precedent and encouraging further mining in the area.
- The presence of alternative sources of mineral sands, therefore no need to mine the subject land.
- Potential that the proposed 10 year timeframe could be extended.
- Potential that operations could be interrupted and the land left in a disturbed state.
- Compliance with staging and conditions may not be monitored.
- Mosquitoes.
- Lacking provision of management plans to enable full consideration.

**Comment:**

It is evident from the submissions received and the sentiments expressed at the public information evenings that there is a common concern and perception among many residents that the proposal will adversely impact on their health and environment. In the absence of management plans developed and reviewed by the Shire and accessible to the community, the prospect for concerns regarding noise to be realized is compounded by the lack of consultation with the community. Hence, if the proposal had been subject to greater levels of meaningful consultation and the collaborative development of monitoring, reporting, and feedback protocols, some of these concerns may have been better addressed by the applicant.

By omitting any reference or commitment to ongoing community consultation and support, the application does not meet the expectations of the local community.

**Conclusion**

The application does not provide the information required under the Extractive Industries Local Law or adequately justify statements that relevant issues of dust, visual amenity and potential impact on human health and existing and future rural uses can be managed.

The potential groundwater issues identified by the hydrogeology specialist review completed as part of the development application assessment are a key concern. Whilst most issues and impacts on hydrogeological factors were effectively addressed through the state environmental impact assessment and subsequent ministerial approval, the accuracy of groundwater modelling appears to have not been appropriately considered. Without reliable, robust groundwater modelling demonstrating otherwise, there is a risk of significant, permanent decline in groundwater, and associated environmental and social impacts.

**Options:**

There are primarily two options available to Council in considering the proposal:

- (1) to approve the licence application, over all or part of the land over which the application is made, and with or without conditions; and
- (2) to refuse the application.

Should the applicant be aggrieved by a determination by Council, including a refusal determination or approval conditions, the applicant could lodge an application for review with the SAT.

**Voting Requirements:** Simple Majority

**SD147/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Buttfeld, Seconded Cr Brown**

**That Council:**

- 1. Notes the submissions from members of the public and state government agencies in respect of the application for an Extractive Industries Licence for Lot 1 Elliott Road, Lot 52 Atkins Road, Lot 63 Hopeland Road and Lots 6, 111, 112 and 113 Westcott Road, Keysbrook.**
- 2. Refuses the application for Extractive Industries Licence for Lot 1 Elliott Road, Lot 52 Atkins Road, Lot 63 Hopeland Road and Lots 6, 111, 112 and 113 Westcott Road, Keysbrook, under the Shire of Serpentine-Jarrahdale Extractive Industries Local Law, for the following reasons:**
  - (a) Planning approval for an extractive industry use of the land has not been obtained in accordance with Clause 3.1 (1) of the Shire of Serpentine-Jarrahdale Extractive Industries Local Law**
  - (b) The applicant does not include the specified information required to comply with Clause 2.3 of the Shire of Serpentine-Jarrahdale Extractive Industries Local Law**
  - (c) The application fails to demonstrate that impacts can be managed, with particular regard to:**
    - i) Human health**
    - ii) Visual impact**
    - iii) Groundwater and surface water impact**
    - iv) Offsite acid sulphate soil disturbance**
    - v) Stock health**
    - vi) Impact on existing agricultural enterprises**
    - vii) Rehabilitation and future land use**
- 3. Advise all submitters and relevant State Government Agencies of Council's decision.**

**CARRIED 9/0**

SD148/06/10 PROPOSED AMENDED SUBDIVISION GUIDE PLAN FOR LOT 224 ORTON ROAD, OAKFORD (P04619)		
Proponent:	Allerding & Associates	In Brief  Request for Council to support an amended Subdivision Guide Plan for Lot 224 Orton Road, Oakford. The purpose of the amendment is to provide for the future subdivision of the site into 4,000m <sup>2</sup> lots. It is recommended that the proposed amended Subdivision Guide Plan be supported.
Owner:	Robert Da Prato	
Author:	Michael Daymond - Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	17 May 2010	
Previously	SD117/03/06 SD011/07/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt:	28 July 2009
Advertised:	Yes
Submissions:	Yes
Lot Area:	39.92 ha
L.A Zoning:	Rural Living A
MRS Zoning:	Rural
Rural Strategy Policy Area:	Rural Living A
Rural Strategy Overlay:	Roadsides Conservation Overlay

### **Background**

At the Ordinary Council Meeting held on 27 March 2006, Council resolved to adopt Amendment 149 to Town Planning Scheme No.2 (TPS 2) to rezone Lot 224 Orton Road, Oakford from 'Rural' to 'Rural Living A'. This amendment was subsequently granted final approval by the Minister for Planning on 26 July 2007.

### **Scheme Provisions**

Upon gazettal of the amendment, a number of special provisions were inserted into Appendix 4A of TPS 2. The provisions relate to the development and use of the land.

### **Subdivision Guide Plan**

The SGP endorsed by Council on 27 March 2006 was progressed in parallel with Amendment 149. It is this SGP that is proposed to be modified.

***A location plan is with attachments marked SD148.1/06/10.***

***A copy of the current adopted SGP (2007) is with attachments marked SD148.2/06/10.***

***A copy of the proposed amended SGP (2010) is with attachments marked SD148.3/06/10.***

***A copy of the Special Provisions for Lot 224 Orton Road are with attachments marked SD148.4/06/10.***

### **Sustainability Statement**

***Effect on Environment:*** The proposed change to the SGP may increase the impacts on existing vegetation as a higher total lot yield is proposed. However, the requirement for the preparation of a Landscape /Revegetation Plan is still included within the Special Provisions

in TPS 2 for this lot. Suitable revegetation will need to be undertaken to the satisfaction of the Shire.

**Resource Implications:** It is considered that there may be increased resource implications as a result of the modified SGP through the construction of additional roads to service the future 4,000m<sup>2</sup> lots. The proposed 2 hectare lots will need to be serviced by an alternative water supply until subdivided into 4,000m<sup>2</sup> lots where upon the land will be connected to scheme water.

**Economic Viability:** Existing Special Provisions within TPS 2 will ensure that any future subdivision will preserve and enhance biodiversity (through revegetation and vegetation management) and reduce land and waterway pollution (through better drainage management, the use of ATU's for effluent disposal and the implementation of land use controls).

**Social – Quality of Life & Social Diversity:** The proposed amendment to the SGP will enable future individual property owners to subdivide their properties once the land is connected to reticulated water.

**Statutory Environment:**

TPS 2  
Rural Strategy 1994  
WAPC Policy DC 3.4 Subdivision of Rural Land

**Policy/Work Procedure Implications:**

Local Planning Policy No.22 – Water Sensitive Urban Design (LPP 22)  
Local Planning Policy No.4 – Revegetation (LPP 4)

**Financial Implications:**

There are no financial implications related to this application.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>NATURAL ENVIRONMENT</b>	<b>Landscape</b>	1	Safeguard	Restore and preserve the visual amenity of our landscapes.
		3		Maximise the preservation of existing trees and vegetation.
		4		Incorporate environmental protection in land use planning.
		6	Restore	Establish increased levels of natural vegetation in urban and rural environments.
	<b>Integrated Water Cycle Management</b>	16	Quantity	Promote and implement water conservation and reuse.
		18		Identify and implement opportunities for detention and storage of stormwater.
		20	Quality	Improve and maintain surface and ground water quality.
		23	Planning and Design	Enforce the adoption of "better urban water management".
<b>BUILT ENVIRONMENT</b>				
	<b>Land Use Planning</b>	9	Rural Land	Ensure the built form complements and enhances the rural environment.
	<b>Infrastructure</b>	35	Roads and bridges	Protect, enhance and develop shady vegetated road verges to reflect the rural character of the locality and provide wildlife



Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				habitats and linkages.
		38		Ensure that bridge and road network planning and development considers community safety and emergency management.
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		43		Ensure infrastructure planning and design protects the community from flooding.
		44	Utilities	Press for minimal environmental and social impact and maximum preservation and enhancement of visual amenity, in the installation of utilities.
		47	Trails and linkages	Plan and develop well connected, distinctive, multiple use pathways that contribute to the individuality and sense of place of each neighbourhood.
<b>PEOPLE AND COMMUNITY</b>				
	<b>Places</b>	36		Plan and develop safe communities and places.
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.

### **State Government Comments**

Comments were sought from relevant service authorities on the proposed modified SGP. The main issues raised in these submissions are summarised below:

#### Water Corporation

The Water Corporation indicated that they object to the proposal and provide the following comments:

#### Drainage

- *The subject area falls within the Birrega Main Drain Catchment in the Mundijong Drainage District.*
- *A Drainage and Water Management Plan (DWMP) has not been prepared for the Mundijong Drainage District west of Hopkinson Road by the Department of Water. Until a DWMP is undertaken the Water Corporation would be opposed to any further subdivision of the 2 ha lots into 4,000m<sup>2</sup> lots.*

*In the event that the subdivision guide plan is approved, notwithstanding the Corporation's objection, then regard should be had for the following:*

- *The Birrega Sub D Drain traverses the subject area along the northern and western sides. A 20m reserve should be provided to protect this drain.*
- *The Mundijong Drainage District is a rural drainage system. Rural drains are not designed to give flood protection at all times and some inundation of land can be expected. The Water Corporation maintains its existing drains to ensure they are capable of clearing water from adjacent rural properties within three days of a storm event - where contours and internal drainage make this physically possible.*
- *Developments within this catchment are required to contain the flows from a one in one hundred year storm event on site and discharge to the Water Corporation drains must be compensated to pre-development levels. The developer of this land should be advised to*

*liaise with the Water Corporation at the preliminary planning stage to determine detailed planning requirements as this area could be prone to future flooding.*

#### Water & Wastewater

- *The subject area falls outside a planned Water Supply Scheme and therefore a reticulated potable water supply is not immediately available. If a reticulated water connection is required the development will need to undertake the planning and construction of the necessary head works infrastructure.*
- *The subject area falls outside a planned wastewater scheme catchment.*

#### General Comments

- *The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water, Sewerage and Drainage head works may also be required.*
- *In addition the developer may be required to fund new works or the upgrading of existing works and protection of those works. Any temporary works needed are required to be fully funded by the developer.*
- *The Corporation may also require land being ceded free of cost for works.*

#### Officer Comment

- Under DC Policy 3.4, the creation of lots between 1 to 4 hectares generally requires connection to a reticulated water supply where it is practical and reasonable to do so. However, the Department for Planning has previously advised that the requirement for reticulated water for lots under 4 ha in size is not applicable to this lot as the subject land had already been identified in Council's Rural Strategy as having rezoning potential to 'Rural Living A'. Any local strategy that was previously approved by the WAPC is not subject to the requirement for reticulated water under 4 ha.
- The proponent acknowledges that the creation of the proposed 4,000m<sup>2</sup> lots (stage 2 of the proposal) will require connection to reticulated water. This is the also the requirement under the current SGP.
- The subdivision of the land into 2 hectare lots can occur without reticulated water, whereas any further subdivision into smaller lots will require a water connection.
- With respect to drainage and water management, there is an existing clause in the Special Provisions of TPS 2 for this lot requiring that a Drainage Management Plan be provided prior to the commencement of on-the-ground works to the satisfaction of Council and the Water Corporation.
- All relevant drainage issues can be addressed through appropriate conditions of subdivision approval.

The comments provided by the Water Corporation will not impact on Council's ability to support the modified SGP.

#### Department of Water (DoW)

No objection but provides the following comments:

- *An Urban Water Management Plan to be prepared and approved prior to the commencement of ground disturbing activities.*
- *Any groundwater abstraction for purposes other than domestic and/or stock watering is subject to licensing by the Department of Water.*
- *As the subject site is located within the Peel-Harvey catchment, the provisions of the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992 and SPP2.1 shall apply.*

- *The use of conventional effluent disposal systems will only be supported where it can be demonstrated that there is at least a 2 metre vertical separation between the base of the leach drain and the highest known ground water level and a 100m horizontal separation between the disposal system and the nearest water body.*

Fire & Emergency Services Authority (FESA)

No objection but provides the following comments:

- *Local Government is the Hazard Management Agency regarding fire protection matters in this instance and would be expected to apply a condition requiring compliance with WAPC Policy DC 3.7 and the associated Planning for Bushfire Protection document.*

Western Power

No objection but provides the following comments:

- *We request that the developers contact us to discuss any planned works within our easement corridor including any proposed ground level changes or works near structures.*
- *Western Power also require information as to the plans for the drain realignment where it crosses our easement.*

Officer Comment

The comments provided by the DoW and FESA will be addressed at the subdivision application stage and are not applicable to the proposed amended SGP. Any application for subdivision will be referred by the WAPC to relevant service authorities for comment at which stage relevant conditions can be imposed on any approval. The applicant has been advised of the comments from Western Power.

**Community Consultation**

The modified SGP was referred to fourteen (14) surrounding properties for comment, being the same properties that the original Amendment 149 was referred to.

As a result of the advertising one (1) letter of objection, one (1) letter of no objection and one (1) letter of general comment were received.

<b>Affected Property</b>	<b>Summary of Submission</b>	<b>Officer's Comment</b>	<b>Action</b>
#398397	<p>Objects for the following reasons:</p> <p>There is no justification for increasing lot yields other than profit making.</p> <p>The original proposal fitted in with the surrounding rural 2ha lots, leaving a suitable buffer between rural activities.</p> <p>Problems with increased vehicular traffic as a result of the increase in lot numbers.</p>	<p>The proposed lot sizes comply with the Rural Living A zoning of the property.</p> <p>Refer above comment.</p> <p>Given the existing traffic volumes along Kargotich and Orton Roads, it is considered that the increase in traffic as a result of the modified SGP will not adversely impact on</p>	<p>Comments noted but no change required.</p>

Affected Property	Summary of Submission	Officer's Comment	Action
	<p>An increase in lots places more pressure on our dwindling water supply.</p> <p>All lots are to be on a 1.2m high sand pad, adding stress to the already decreasing amount of sand available in Perth.</p> <p>Drainage issues in the area have not been adequately addressed.</p> <p>The existing water bodies that have existed in the local area are being reduced significantly. This is due, in part, to the increasing use of bore water and lowering of the water table.</p> <p>I do not trust that the developers have the best interest of the area in mind. For example, the poor condition of Northerly Lane had to be repaired by Council.</p> <p>How can the Council expect to manage these extra lots when the Shire is developing out of their control?</p> <p>Have the developers committed to ensuring the homes have hot water systems, integrated insulation and window tinting packages, consideration to self supply electricity, the planting of more trees to offset the estimated 50% natural loss or to compensate for the extra lots that will be developed?</p>	<p>the surrounding environment.</p> <p>Any proposed subdivision of the land into 1 acre lots will require connection to a reticulated water supply.</p> <p>This is not a valid consideration for the current application.</p> <p>There is an existing clause in the Special Provisions of TPS 2 for this lot requiring that a Drainage Management Plan be provided prior to the commencement of on-the-ground works to the satisfaction of Council and the Water Corporation. This will address any existing drainage issues.</p> <p>Groundwater extraction is controlled by the Department of Water and not the Shire.</p> <p>The condition of Northerly Lane has no relevance to this current proposal and was on an adjoining subdivision.</p> <p>It is not the Shire's responsibility to manage the individual lots. The lots will be created by the subdivider with the management responsibility passing onto the owner at time of sale.</p> <p>The developers have not committed to any of these things yet. The current proposal at this stage is just to amend the existing SGP. Landowners building homes must comply with the energy efficiency rules under the Building Code of Australia.</p>	

Affected Property	Summary of Submission	Officer's Comment	Action
#398394	<p>Provides the following general comments:</p> <p>As our lot backs onto the low lying wetland sump, it is our request that suitable drainage be implemented along the eastern boundary of Lot 224 to ensure no increase in runoff into our property.</p> <p>We ask that due consideration be given to our requirements during any environmental or flood plain management work conducted during the life of the development and that we be notified of the planning and execution of these activities.</p> <p>The wire fence along the eastern boundary of Lot 224 requires replacement. As the bridle trail extends along the eastern boundary we would request that the fence be replaced to ensure adequate animal containment.</p> <p>We request access to this bridle trail network at a point 60m from the southern boundary of our Lot.</p>	<p>There is an existing clause in the Special Provisions of TPS 2 for this lot requiring that a Drainage Management Plan be provided prior to the commencement of on-the-ground works to the satisfaction of Council and the Water Corporation. This will address any existing drainage issues.</p> <p>The notification of these works is a responsibility of the developer.</p> <p>This is a dividing fence issue and is not an issue that the Shire can get involved with.</p> <p>There is no intention to provide access from the submitter's lot into the future bridle trail.</p>	<p>Comments noted but no change required.</p>
#202418	<p>No objection to the proposal.</p>	<p>Noted.</p>	<p>Noted.</p>

## **Comment**

### **Proposal**

The proposed SGP is an amendment to the existing SGP for the site which was prepared at the time when the zoning of the land was changed from 'Rural' to 'Rural Living A'.

The amended SGP has been prepared to enable the utilisation of the current land zoning which allows subdivision to a minimum lot size of 4,000m<sup>2</sup> at the time when scheme water is available. In the interim the intention is to provide a subdivision design which is sustainable and responsive to the site characteristics at a 2 hectare density.

It is intended that the development would not be staged other than the 2 hectare subdivision would occur once the amended SGP was endorsed (and a subdivision approval issued by

the WAPC), then the 4,000m<sup>2</sup> subdivision would be determined at a future time after reticulated water is available.

A summary of the differences between the existing adopted SGP and the proposed amended SGP are detailed in the below table:

Issue	Current Adopted SGP 2007	Proposed revised SGP 2010	Improved outcome through revised 2010 SGP?	Other Comments	Objective
No. of lots	<p><u>Stage 1</u> 18 x 2ha lots</p> <p><u>Stage 2</u> Each 2ha lot subdivided in half</p> <p><u>Total Yield</u> <b>36 x 1ha lots</b></p>	<p><u>Stage 1</u> 14 x &gt;2ha lots</p> <p><u>Stage 2</u> 8 x &gt;2ha lots subdivided into 50 x 4000m<sup>2</sup> lots</p> <p><u>Total Yield</u> <b>56 lots</b> (6 x &gt;2ha, 50 x 4000m<sup>2</sup>)</p>	Neutral	The proposed 4000m <sup>2</sup> lots sizes under the modified SGP comply with the current Rural Living A zoning under TPS 2.	To ensure that the lot sizes proposed can achieve landscape protection, landscape capability and fire management objectives.  ACHIEVED
Impacts on Vegetation	The proposed building envelope locations would result in the removal of some existing vegetation.	The creation of the 4000m <sup>2</sup> lots and the future roads would result in the removal of some existing vegetation.	Neutral	The proposed 4000m <sup>2</sup> lots sizes under the modified SGP comply with the current Rural Living A zoning under TPS 2.	To minimise impacts on the existing environment.  NOT ACHIEVED (however was not achieved under the current SGP)
Re-vegetation	Revegetation requirements are specified under special provision 12 of the scheme for this lot.  Areas of revegetation are proposed along Orton & Kargotich road, the new internal round and along the power line easement.	Revegetation requirements are specified under special provision 6 of the scheme for this lot.  Areas of revegetation are proposed along Orton & Kargotich road, the new internal round and along the power line easement.	Neutral		To ensure adequate and suitable revegetation is undertaken on the property.  ACHIEVED
Traffic Movements	From the total lot yield of 36 lots, it is	The increase in the total number of lots	Neutral	In the short term, stage 1 of the development will	To minimise the impacts that vehicle

Issue	Current Adopted SGP 2007	Proposed revised SGP 2010	Improved outcome through revised 2010 SGP?	Other Comments	Objective
	<p>anticipated that there will be approximately 360 vehicle movements per day from the subdivision.</p>	<p>to 56 will increase the number of vehicle movements from the subdivision to approximately 560 when fully developed. .</p>		<p>result in fewer lots created compared to the current SGP, resulting in fewer traffic movements. This will increase upon further subdivision of the land (once connected to scheme water).</p> <p>All vehicles will enter/exit the development via Kargotich and Orton roads which already carry high traffic volumes.</p>	<p>movements will have on adjoining properties.</p> <p>ACHIEVED</p>
Access	<p>The only road access is via a new 20m wide road reserve off Orton Road.</p> <p>2 shared crossovers are also proposed off Kargotich Road.</p>	<p>Access is via a new 20m wide road reserve off Orton Road and a future road off Kargotich Road upon creation of the 4000m<sup>2</sup> lots. 2 pedestrian access ways (PAW) are also proposed.</p> <p>The 2 shared crossovers off Kargotich Road are located in the same position as the 2007 plan.</p>	Yes	The proposed SGP provides a better access network for emergency management.	<p>To provide the most appropriate form of access into the development.</p> <p>ACHIEVED</p>
Water Supply	The creation of lots below 2.0 hectares without scheme water	The WAPC's DC Policy 3.4 has been amended and	Yes	In the initial stage only 14 lots will be reliant on an alternative supply	To ensure each lot has an adequate water supply.

Issue	Current Adopted SGP 2007	Proposed revised SGP 2010	Improved outcome through revised 2010 SGP?	Other Comments	Objective
	<p>was not previously permitted. This is the reason why the current SGP indicates the initial creation of 2ha lots to be subdivided into 1ha lots upon connection to scheme water.</p>	<p>it now provides for connection to an alternative water supply if the provision of a reticulated supply is not practical or reasonable.</p> <p>The proposed SGP still proposes the initial creation of 2ha lots with subdivision into 4000m<sup>2</sup> upon connection to scheme water.</p>		<p>(eg 120,000 litre rainwater tank), compared to 18 under the current SGP.</p>	<p>ACHIEVED.</p>
<p>Fire Management</p>	<p>Strategic fire access is located along the eastern boundary and extending from north from the cul-de-sac head.</p>	<p>Strategic fire access is still located along the eastern boundary and extending from north from the cul-de-sac head as per the 2007 plan.</p> <p>Additional access is provided via the 4 future east-west roads and the 2 PAW's onto Kargotich Road.</p>	<p>Yes</p>	<p>The requirement for the preparation of a Fire Management Plan (FMP) is still included under the scheme within Special Provision 8 for this lot. Specific detail to be included within the FMP will be determined at subdivision stage.</p> <p>An additional portion of PAW is recommended to be included on the revised SGP along the south side of proposed Lot 9, linking the future PAW to the east with the future access road off Orton</p>	<p>To ensure adequate fire protection measures are implemented through the development.</p> <p>ACHIEVED</p>



Issue	Current Adopted SGP 2007	Proposed revised SGP 2010	Improved outcome through revised 2010 SGP?	Other Comments	Objective
				Road.	
Impacts on adjoining land owners	<p>Impacts predominantly relate to vehicle movements along Kargotich Road and Orton Road.</p> <p>12 x 1ha lots are proposed along the eastern side of the lot, immediately abutting the existing 2ha lots to the east (Northerly Lane).</p>	<p>When the land is fully developed, vehicle movements in and out of the development will increase.</p> <p>The 2ha lots along the eastern side of the lot are being retained as a buffer between the land to the east (Northerly Lane) and the future 4000m<sup>2</sup> lots.</p>	Neutral	Vehicle movements will increase however fewer lots will be created on the east side of the property.	<p>To minimise the impacts that the development will have on adjoining properties.</p> <p>ACHIEVED</p>

## **Statutory Context**

### **TPS 2**

TPS 2 contains provisions that allow for adopted SGP's to be modified. With respect to SGP's within the 'Rural Living A' zones, clause 5.12.8 states:

- 5.12.8 *There shall be a plan of subdivision entitled Subdivision Guide plan for each specified parcel of land included in the Rural Living A and Rural living B zones endorsed by the Shire Clerk and approved by the State Planning Commission.*

The plan of subdivision referred to in the above clause refers to the SGP adopted as part of the scheme amendment. With respect to the potential for modifying adopted SGP's, clause 5.12.9(a) states:

- 5.12.9(a) *Subdivision shall be in accordance with the appropriate Subdivision Guide Plan endorsed by the Shire clerk but minor amendments to the plan of subdivision may be permitted subject to the approval of the Commission and Council, however, lot sizes will not generally be permitted to be reduced.*

The lot sizes under the proposed modified SGP have been reduced, however the lot sizes are still in keeping with the requirements of the 'Rural Living A' zone as per the following clause of TPS 2:

- 5.12.2 *The Rural Living A zone is intended to cater for rural residential development on a range of lot sizes between 4,000 square metres to one hectare in accordance with the objectives and guidelines of the Rural Strategy.*

### Rural Strategy

The subject lot is identified within the 'Rural Living A' policy area under the Rural Strategy. As such the land was rezoned from Rural to Rural Living A, in accordance with the Rural Strategy, in 2007. With respect to lot sizes, the 'Rural Living A' policy area allows for the creation of lots between 4,000m<sup>2</sup> and 1 hectare.

The lot sizes under the proposed modified SGP comply with the requirements of both TPS 2 and the Rural Strategy.

### DC Policy 3.4

The WAPC's Development Control Policy 3.4 *Subdivision of Rural Land* was updated in February 2008, after the final approval of amendment 149. Under DC Policy 3.4, the creation of lots between 1 to 4 hectares generally requires connection to a reticulated water supply where it is practical and reasonable to do so. Therefore, the creation of 2 hectare lots, as proposed under stage 1 of the amended SGP, would require a water connection. However, the Department for Planning has previously advised that the requirement for reticulated water for lots between 2 hectares and 4 hectares in size is not applicable to this lot as the subject land had already been identified in Council's Rural Strategy as having rezoning potential to 'Rural Living A'. Any local strategy that was previously approved by the WAPC is not subject to the requirement for reticulated water under 4 hectares.

The land will be required to be connected to a reticulated water supply to enable the future subdivision into 4,000m<sup>2</sup> lots.

### Required Amendments to Modified SGP

It is considered that there are few minor modifications required to the amended SGP. These are as follows:

- The 6.0 metre wide PAW, which also serves as an emergency services access, should be extended along the southern boundary of proposed Lot 9, to connect the PAW along the eastern boundary of the property to the new internal road off Orton Road.
- The inclusion of a PAW, linking the top of the cul-de-sac head with the northern property boundary for emergency access, as per the current adopted SGP.
- Building envelopes should be identified for proposed Lots 1 to 14. With respect to Lots 1 to 8, the location of the building envelopes will need to be appropriately sited so as to avoid any conflict with the 'future subdivision overlay' boundaries.
- Replacing the terms 'PAW' and 'Bridle Trail' with 'Multiple Use Trail' as these trails provide access for pedestrians, horses and emergency vehicles.

### Conclusion

It is considered that the proposed amended SGP for Lot 224 Orton Road represents a better outcome for the estate. Although the final total lot yield will be increased by 20 lots (once the land is connected to reticulated water in the long term), the size of the lots will still be in accordance with TPS 2 and the Rural Strategy. In addition the road network will be modified to provide alternative road access into the development resulting in better emergency access.

All relevant revegetation, fire management, drainage and land use controls will still be imposed for the new SGP as detailed within the Special Provision for this lot within TPS 2. As the proposed modified SGP generally represents a much better planning outcome for the

Shire and the locality, it is recommended that the proposed modified SGP be adopted by Council subject to modification.

**Voting Requirements:** Simple Majority

**Committee/Officer Recommended Resolution:**

- A. The proposed amended Subdivision Guide Plan for Lot 224 Orton Road, Oakford being modified to:
1. Replace the terms 'Bridle Trail' and 'PAW' with 'Multiple Use Trail'.
  2. Extend the 6.0 metre wide Multiple Use Trail along the southern boundary of proposed Lot 9 to connect the Multiple Use Trail along the eastern boundary of the property to the new internal road off Orton Road.
  3. Include a Multiple Use Trail to link the top of the cul-de-sac head with the northern property boundary.
  4. Identify building envelopes for proposed Lots 1 to 14. The location of the building envelopes on Lots 1 to 8 will need to have due regard for the 'future subdivision overlay' boundaries.
- B. Subject to part A. above being undertaken to the satisfaction of the Director Development Services:
1. Council endorse the amended Subdivision Guide Plan for Lot 224 Orton Road, Oakford in accordance with Clause 5.12.9(a) of Council's Town Planning Scheme No 2.
  2. The Western Australian Planning Commission be advised of Council's decision and be requested to adopt the amended Subdivision Guide Plan for Lot 224 Orton Road, Oakford.
- C. The submitters (including Government Agencies) being advised of the Council's decision.

**SUPPLEMENTARY REPORT**

As a result of questions raised by Councillors at the Sustainable Development Committee meeting and subsequent requests for further information, it is recommended that a decision on the proposed amended Subdivision Guide Plan be deferred to a future Council meeting. The purpose of the deferral is to allow the applicant and Shire staff to further liaise with Council regarding the following issues:

- Drainage impacts;
- Lot sizes; and
- Water provision

The deferral will allow a briefing to be given to Council prior to a formal decision being made on the matter.

**SD148/06/10 COUNCIL DECISION/Alternative Officer Recommended Resolution:**

**Moved Cr Brown, Seconded Cr Geurds**

**That Council defer consideration of the proposed modified Subdivision Guide Plan for Lot 224 Orton Road, Oakford to a future Council Meeting to allow for the applicant and Shire staff to enter into further discussion with Council to address drainage, water provision and lot size issues.**

**CARRIED 9/0**

SD149/06/10		PROPOSED AMENDED SUBDIVISION GUIDE PLAN FOR LOT 1254 ABERNETHY ROAD, OAKFORD (P04118)
Proponent:	Landvision	<p>In Brief</p> <p>Request for Council to support an amended Subdivision Guide Plan for Lot 1254 Abernethy Road, Oakford.</p> <p>The purpose of the amendment is to provide for the future subdivision of the site into minimum 4,000m<sup>2</sup> lots. It is recommended that the proposed amendment be supported subject to modification.</p>
Owner:	S & J Kargotich	
Author:	Michael Daymond - Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	18 May 2010	
Previously	SD120/06/07 SD041/10/08	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 26 February 2010  
 Advertised: Yes  
 Submissions: Yes  
 Lot Area: 24.25 ha  
 L.A Zoning: Rural Living A  
 MRS Zoning: Rural  
 Rural Strategy Policy Area: Rural Living A  
 Rural Strategy Overlay: Roadsides Conservation Overlay

### **Background**

At the Ordinary Council Meeting held on 27 October 2008, Council resolved to adopt Amendment 157 to Town Planning Scheme No.2 (TPS 2) to rezone Lot 1254 Abernethy Road, Oakford from 'Rural' to 'Rural Living A'. This amendment was subsequently granted final approval by the Minister for Planning on 2 July 2009.

### **Scheme Provisions**

Upon gazettal of the amendment, a number of special provisions were inserted into Appendix 4A of TPS 2. The provisions relate to the development and use of the land.

### **Subdivision Guide Plan**

The SGP endorsed by Council on 27 October 2008 was progressed in parallel with Amendment 157. It is this SGP that is proposed to be modified.

***A location plan is with attachments marked SD149.1/06/10.***

***A copy of the current adopted SGP (2008) is with attachments marked SD149.2/06/10***

***A copy of the proposed amended SGP (2010) is with attachments marked SD149.3/06/10.***

***A copy of the Special Provisions for Lot 1254 Abernethy Road are with attachments marked SD149.4/06/10.***

### **Sustainability Statement**

***Effect on Environment:*** The proposed change to the SGP may increase the impacts on existing vegetation as a higher total lot yield is proposed. However, the requirement for the preparation of a Landscape /Revegetation Plan is still included within the Special Provisions

in TPS 2 for this lot. Suitable revegetation will need to be undertaken to the satisfaction of the Shire.

**Resource Implications:** It is considered that there may be increased resource implications as a result of the modified SGP through the construction of additional roads to service the proposed lots. The current proposal is to service the 1 hectare lots with an alternative water supply until subdivided into the minimum 4,000m<sup>2</sup> lots where upon the land will be connected to scheme water.

**Economic Viability:** Existing Special Provisions within TPS 2 for this estate will help to ensure that any future subdivision will preserve and enhance biodiversity (through revegetation and vegetation management) and reduce land and waterway pollution (through better drainage management, the use of ATU's for effluent disposal and the implementation of land use controls).

**Social – Quality of Life & Social Diversity:** The proposed amendment to the SGP will enable future individual property owners to subdivide their properties once the land is connected to reticulated water.

**Statutory Environment:**

TPS 2  
Rural Strategy 1994  
WAPC Policy DC 3.4 *Subdivision of Rural Land*  
State Planning Policy 2.5 *Agricultural and Rural Land Use Planning* (SPP 2.5)

**Policy/Work Procedure Implications:**

Local Planning Policy No.22 – Water Sensitive Urban Design (LPP 22)  
Local Planning Policy No.4 – Revegetation (LPP 4)

**Financial Implications:**

There are no financial implications related to this application.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective	
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.	
		3		Maximise the preservation of existing trees and vegetation.	
		4		Incorporate environmental protection in land use planning.	
		6	Restore	Establish increased levels of natural vegetation in urban and rural environments.	
	Integrated Water Cycle Management		16	Quantity	Promote and implement water conservation and reuse.
			18		Identify and implement opportunities for detention and storage of stormwater.
			20	Quality	Improve and maintain surface and ground water quality.
			23	Planning and Design	Enforce the adoption of "better urban water management".
BUILT ENVIRONMENT	Land Use Planning	9	Rural Land	Ensure the built form complements and enhances the rural environment.	

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	<b>Infrastructure</b>	35	Roads and bridges	Protect, enhance and develop shady vegetated road verges to reflect the rural character of the locality and provide wildlife habitats and linkages.
		38		Ensure that bridge and road network planning and development considers community safety and emergency management.
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		43		Ensure infrastructure planning and design protects the community from flooding.
		44	Utilities	Press for minimal environmental and social impact and maximum preservation and enhancement of visual amenity, in the installation of utilities.
		47	Trails and linkages	Plan and develop well connected, distinctive, multiple use pathways that contribute to the individuality and sense of place of each neighbourhood.
<b>PEOPLE AND COMMUNITY</b>				
	<b>Places</b>	36		Plan and develop safe communities and places.
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.

### **State Government Comments**

Comments were sought from relevant agencies on the proposed modified SGP. The main issues raised in these submissions are summarised below:

#### **Water Corporation**

The Water Corporation indicated that they object to the proposal and provide the following comments:

- *According to the WAPC's SPP 2.5 lots ranging from 1 ha to 4 ha should have a reticulated potable water supply. The proposed amendment indicates that lots of 1 ha will be created initially. The subject area falls outside a planned Water Scheme and therefore a reticulated potable water supply is not immediately available.*
- *The subject area falls within the Birrega Main Drain Catchment in the Mundijong Drainage District.*
- *A Drainage and Water Management Plan (DWMP) has not been prepared for the Mundijong Drainage District west of Hopkinson Road by the Department of Water.*
- *Until the developer can arrange for Water Scheme Planning to be undertaken, and the result indicates that a reticulated potable water supply can be supplied, and a DWMP is undertaken the Water Corporation would be opposed to the proposed subdivision guide plan.*
- *If the above issues can be resolved, then the Water Corporation will be in a position to reconsider the objection.*

*In the event that the subdivision guide plan is approved, notwithstanding the corporation's objection, then regard should be had for the following:*

#### **Drainage**

- *The Birrega Sub D Drain traverses the subject area along the southern side. A 20m reserve should be provided to protect this drain.*
- *The Mundijong Drainage District is a rural drainage system. Rural drains are not designed to give flood protection at all times and some inundation of land can be expected. The Water Corporation maintains its existing drains to ensure they are capable of clearing water from adjacent rural properties within three days of a storm event - where contours and internal drainage make this physically possible.*
- *Developments within this catchment are required to contain the flows from a one in one hundred year storm event on site and discharge to the Water Corporation drains must be compensated to pre-development levels. The developer of this land should be advised to liaise with the Water Corporation at the preliminary planning stage to determine detailed planning requirements as this area could be prone to future flooding.*

#### Water & Wastewater

- *The subject area falls outside a planned Water Supply Scheme and therefore a reticulated potable water supply is not immediately available. If a reticulated water connection is required the development will need to undertake the planning and construction of the necessary head works infrastructure.*
- *The subject area falls outside a planned wastewater scheme catchment.*

#### General Comments

- *The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water, Sewerage and Drainage head works may also be required.*
- *In addition the developer may be required to fund new works or the upgrading of existing works and protection of those works. Any temporary works needed are required to be fully funded by the developer.*
- *The Corporation may also require land being ceded free of cost for works.*

#### Officer Comment

- DC Policy 3.4 states that the WAPC can consider an alternative supply of water for lots between 1ha to 4 ha where it is not practical and reasonable for the land to be connected to a reticulated water supply. Therefore, there is no mandatory requirement to connect to reticulated water in order to create 1 ha lots.
- The proponent acknowledges that the creation of the proposed minimum 4,000m<sup>2</sup> lots (stage 2 of the proposal) will require connection to reticulated water. This is the also the requirement under the current SGP.
- With respect to Drainage and Water Management, there is an existing clause in the Special Provisions of TPS 2 for this lot requiring that a Local Water Management Strategy be provided prior to the commencement of on-the-ground works to the satisfaction of Council and the Water Corporation.
- All relevant drainage issues can be addressed through appropriate conditions of subdivision approval.

It is considered that the comments provided by the Water Corporation will not impact on Council's ability to support the modified SGP.

#### Department of Water (DoW)

No objection but provides the following comments:

- *A Water Management Plan to be prepared and approved prior to the commencement of ground disturbing activities and thereafter implemented.*

- Any groundwater abstraction for purposes other than domestic and/or stock watering is subject to licensing by the Department of Water.
- As the subject site is located within the Peel-Harvey catchment, the provisions of the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992 and SPP2.1 shall apply.
- The use of conventional effluent disposal systems will only be supported where it can be demonstrated that there is at least a 2 metre vertical separation between the base of the leach drain and the highest known ground water level and a 100m horizontal separation between the disposal system and the nearest water body.

Fire & Emergency Services Authority (FESA)

No objection but provides the following comments:

- Local Government is the Hazard Management Agency regarding fire protection matters in this instance and would be expected to apply a condition requiring compliance with WAPC Policy DC 3.7 and the associated Planning for Bushfire Protection document.

Officer Comment

The comments provided by the DoW and FESA will be addressed at the subdivision application stage and are not applicable to the proposed amended SGP. Any application for subdivision will be referred by the WAPC to relevant service authorities for comment at which stage relevant conditions can be imposed on any approval.

Department of Planning (DoP)

The DoP advised that they have no objections in principle to the proposed modifications to the SGP, however, subject to formal adoption by the Shire, they have requested that the SGP be forwarded to the WAPC for acceptance.

Community Consultation

The modified SGP was referred to twelve (12) surrounding properties for comment, being the same properties that the original Amendment 157 was referred to.

As a result of the advertising one (1) letter of objection was received.

<b>Affected Property</b>	<b>Summary of Submission</b>	<b>Officer's Comment</b>	<b>Action</b>
#398397	<p>Objects for the following reasons:</p> <p>There is no justification for increasing lot yields other than profit making.</p> <p>The original proposal fitted in with the surrounding rural 2ha lots, leaving a suitable buffer between rural activities.</p> <p>Problems with increased vehicular traffic as a result of the increase in lot numbers.</p>	<p>The proposed lot sizes comply with the 'Rural Living A' zoning of the property.</p> <p>Refer above comment.</p> <p>Given the existing traffic volumes along Kargotich and Abernethy roads, it is considered that the increase in traffic as a result of the modified SGP will not</p>	<p>Comments noted but no change required.</p>



Affected Property	Summary of Submission	Officer's Comment	Action
	<p>An increase in lots places more pressure on our dwindling water supply.</p> <p>All lots are to be on a 1.2m high sand pad, adding stress to the already decreasing amount of sand available in Perth.</p> <p>Drainage issues in the area have not been adequately addressed.</p> <p>The existing water bodies that have existed in the local area are being reduced significantly. This is due, in part, to the increasing use of bore water and lowering of the water table.</p> <p>I do not trust that the developers have the best interest of the area in mind. For example, the poor condition of Northerly Lane had to be repaired by Council.</p> <p>How can the Council expect to manage these extra lots when the Shire is developing out of their control?</p> <p>Have the developers committed to ensuring the homes have hot water systems, integrated insulation and window tinting packages, consideration to self supply electricity, the planting of more trees to offset the estimated 50% natural loss or to compensate for the extra lots</p>	<p>adversely impact on the surrounding environment.</p> <p>Any proposed subdivision of the land into minimum 4000m<sup>2</sup> lots will require connection to a reticulated water supply.</p> <p>This is not a valid consideration for the current application.</p> <p>There is an existing clause in the Special Provisions of TPS 2 for this lot requiring that a Local Water Management Strategy be provided prior to the commencement of on-the-ground works to the satisfaction of Council and the Water Corporation. This will address any existing drainage issues.</p> <p>Groundwater extraction is controlled by the Department of Water and not the Shire.</p> <p>The condition of Northerly Lane has no relevance to this current proposal as it was undertaken by another developer.</p> <p>It is not the Shire's responsibility to manage the individual lots. The lots will be created by the subdivider with the management responsibility passing onto the owner at time of sale.</p> <p>The developers have not committed to any of these things yet. The current proposal at this stage is just to amend the existing SGP. Further discussions can be held with the developer regarding these issues.</p>	

Affected Property	Summary of Submission	Officer's Comment	Action
	that will be developed?		

### Comment

#### Proposal

The proposed SGP is an amendment to the existing SGP for the site which was prepared at the time when the zoning of the land was changed from 'Rural' to 'Rural Living A'.

The amended SGP has been prepared to enable the utilisation of the current land zoning which allows subdivision to a minimum lot size of 4,000m<sup>2</sup> at the time when scheme water is available. In the interim the intention is to provide a subdivision design which is sustainable and responsive to the site characteristics at a 1 hectare density.

It is intended that the development would not be staged other than the 1 hectare subdivision would occur once the amended SGP was endorsed (and a subdivision approval issued by the WAPC), then the subdivision into minimum lot sizes of 4,000m<sup>2</sup> would be determined at a future time after reticulated water is available.

A summary of the differences between the existing adopted SGP and the proposed amended SGP are detailed in the below table:

Issue	Current Adopted SGP 2007	Proposed revised SGP 2010	Is there an improved outcome through revised 2010 SGP?	Other Comments (if applicable)	Objective
No. of lots	<p><u>Stage 1</u> 10 x &gt;2ha lots</p> <p><u>Stage 2</u> 3 x &gt;2ha lots subdivided into 4000m<sup>2</sup> lots</p> <p><u>Total Yield</u> <b>25 lots</b> (7 x 2ha, 18 x 4000m<sup>2</sup>)</p>	<p><u>Stage 1</u> 20 x 1ha lots</p> <p><u>Stage 2</u> 17 x 1ha lots subdivided into 34 x min 4000m<sup>2</sup> lots</p> <p><u>Total Yield</u> <b>37 lots</b> (3 x 1ha, 34 x min 4000m<sup>2</sup>)</p>	Neutral	The proposed 4000m <sup>2</sup> lots sizes under the modified SGP comply with the current Rural Living A zoning under TPS 2.	<p>To ensure that the lot sizes proposed can achieve landscape protection, landscape capability and fire management objectives.</p> <p>ACHIEVED</p>
Impacts on Vegetation	The proposed building envelope locations may result in the removal of existing vegetation.	<p>The creation of the 4000m<sup>2</sup> lots and the future roads would result in the removal of existing vegetation.</p> <p>In addition, the proposed subdivision overlay boundaries on Lots 11, 12 and</p>	No		<p>To minimise impacts on the existing environment.</p> <p>NOT ACHIEVED</p>

Issue	Current Adopted SGP 2007	Proposed revised SGP 2010	Is there an improved outcome through revised 2010 SGP?	Other Comments (if applicable)	Objective
		18 will result in the removal of vegetation that was to be retained under the 2008 plan.			
Re-vegetation	<p>Revegetation requirements are specified under special provision 7 of the scheme for this lot.</p> <p>Areas of revegetation are proposed along road frontages, internal lot boundaries and either side of the power line easement.</p>	<p>Revegetation requirements are specified under special provision 7 of the scheme for this lot.</p> <p>Areas of revegetation are proposed along all road frontages and lot boundaries.</p>	Neutral	Detailed and specific vegetation requirements will be addressed as part of the subdivision works.	<p>To ensure adequate and suitable revegetation is undertaken on the property.</p> <p>ACHIEVED</p>
Traffic Movements	From the total lot yield of 25 lots, it is anticipated that there will be approximately 250 vehicle movements per day from the subdivision.	The increase in the total number of lots to 37 will increase the number of vehicle movements from the subdivision to approximately 370.	Neutral	All vehicles will enter/exit the development via Kargotich and Abernethy Road which already carry high traffic volumes.	<p>To minimise the impacts that vehicle movements will have on adjoining properties.</p> <p>ACHIEVED</p>
Access	<p>The only road access is via a new 20m wide road reserve with one entry off Abernethy Road and one entry off Kargotich Road.</p> <p>2 x 8m wide pedestrian access ways (PAW) are also proposed off Kargotich Road.</p>	Access is still via a 20m wide road reserve with one entry off Abernethy Road and one entry off Kargotich Road.	Yes	The proposed SGP provides a better road layout.	<p>To provide the most appropriate form of access into the development.</p> <p>ACHIEVED</p>
Water Supply	The creation of lots below 2.0 hectares without scheme water was not previously	The WAPC's DC Policy 3.4 has been amended and it now provides for connection	Neutral		<p>To ensure each lot has an adequate water supply.</p> <p>ACHIEVED.</p>

Issue	Current Adopted SGP 2007	Proposed revised SGP 2010	Is there an improved outcome through revised 2010 SGP?	Other Comments (if applicable)	Objective
	permitted. This is the reason why the current SGP indicates the initial creation of 2ha lots to be subdivided into 1ha lots upon connection to scheme water.	to an alternative water supply if the provision of a reticulated supply is not practical or reasonable.  The proposed SGP proposes the initial creation of 1ha lots without scheme water and then subdivision into 4000m <sup>2</sup> upon connection to scheme water.			
Fire Management	Strategic fire access is located along the eastern and southern boundaries of the site	Strategic fire access is still located along the eastern and southern boundaries as per the 2008 plan.	Neutral	The requirement for the preparation of a FMP is still included under the scheme within Special Provision 9 for this lot. Specific detail to be included within the FMP will be determined at subdivision stage.	To ensure adequate fire protection measures are implemented through the development.  ACHIEVED
Impacts on adjoining land owners	Impacts predominantly relate to vehicle movements along Kargotich Road and Abernethy Road.  7 x 2ha lots are proposed along the eastern side of the lot, immediately abutting the existing 2ha lots to the east (Mount Eden Lane).	When the land is fully developed, vehicle movements in and out of the development will increase.  6 x 1ha lots will be created initially along the eastern side of the lot. This will increase to 11 x 4000m <sup>2</sup> lots upon connection of the land to reticulated water.	No	Vehicle movements will increase together with there being an increase in the number of lots abutting the land to the east.	To minimise the impacts that the development will have on adjoining properties.  NOT ACHIEVED

## **Statutory Context**

### **TPS 2**

TPS 2 contains provisions that allow for adopted SGP's to be modified. With respect to SGP's within the 'Rural Living A' zones, clause 5.12.8 states:

- 5.12.8 *There shall be a plan of subdivision entitled Subdivision Guide plan for each specified parcel of land included in the Rural Living A and Rural living B zones endorsed by the Shire Clerk and approved by the State Planning Commission.*

The plan of subdivision referred to in the above clause refers to the SGP adopted as part of the scheme amendment. With respect to the potential for modifying adopted SGP's, clause 5.12.9(a) states:

- 5.12.9(a) *Subdivision shall be in accordance with the appropriate Subdivision Guide Plan endorsed by the Shire clerk but minor amendments to the plan of subdivision may be permitted subject to the approval of the Commission and Council, however, lot sizes will not generally be permitted to be reduced.*

The lot sizes under the proposed modified SGP have been reduced, however the lot sizes are still in keeping with the requirements of the 'Rural Living A' zone as per the following clause of TPS 2:

- 5.12.2 *The Rural Living A zone is intended to cater for rural residential development on a range of lot sizes between 4,000 square metres to one hectare in accordance with the objectives and guidelines of the Rural Strategy.*

### **Rural Strategy**

The subject lot is identified within the 'Rural Living A' policy area under the Rural Strategy. As such the land was rezoned from 'Rural' to 'Rural Living A', in accordance with the Rural Strategy, in 2009. With respect to lot sizes, the 'Rural Living A' policy area allows for the creation of lots between 4,000m<sup>2</sup> and 1 hectare.

The lot sizes under the proposed modified SGP comply with the requirements of both TPS 2 and the Rural Strategy.

### **Impacts on Vegetation**

The current 2008 SGP attempted to retain as much of the existing vegetation on site as possible. A majority of the vegetation to be retained was included within the larger 2 hectare lots on the east side of the lot.

Under the amended SGP, a significant amount of this vegetation is likely to be removed upon the further subdivision of proposed lots 11, 12 and 18. The future overlay boundaries dissect this vegetation meaning that it will need to be removed once landowners apply to develop the properties.

In order to preserve this vegetation, it is recommended that the proposed subdivision overlay boundaries be removed from proposed Lots 11, 12 and 18.

### **Water Supply**

#### **DC Policy 3.4**

The WAPC's DC Policy 3.4 was updated in February 2008, after the final approval of Amendment 157. With respect to the provision of water, DC Policy 3.4 states the following:

*“When approving lots for rural residential development (1-4ha) the WAPC will generally require connection to a reticulated water supply where it is practical and reasonable to do so. Where it is not practical and reasonable for lots to connect to a reticulated water supply the WAPC may consider an alternative water supply. In determining whether provision of a reticulated water supply is reasonable, the WAPC may consider the cost differential between a reticulated and alternative water supply and the reliability of an alternative water supply.*

*The reliability of alternative water supplies in different localities needs to be confirmed by available models”.*

The amended SGP proposes to create 1 hectare lots without a reticulated water supply. Rather they will rely on an alternative supply through the provision of rain water tanks.

As part of the application to Council, the proponent has indicated that the cost of providing a reticulated water main from Byford to the subject site is approximately \$4.34 million. It would appear that within at least the short-medium term and for the purpose of subdivision of the site, that a reticulated scheme water supply will not be physically or economically available.

In light of this, the proponent has provided case examples to demonstrate how rainwater alone can suitably provide for the proposed 1 hectare lots. The case examples take into account the following:

- Site characteristics;
- Average daily household water consumption;
- Rainfall data;
- Roof catchment supply; and
- Fire fighting requirements.

For new developments that do not have a reticulated water supply, the Shire requires water tanks to be installed with a minimum capacity of 120,000 litres. The data supplied by the proponent indicates that if each lot is provided with two tanks of 80,000 litres (total 160,000 litres) then adequate rainwater can be captured by each lot to be self sufficient.

The land will be required to be connected to a reticulated water supply to enable the future subdivision into 4,000m<sup>2</sup> lots.

### **Potential Risks**

As DC Policy 3.4 states that “the WAPC may consider an alternative water supply”, there is no guarantee that the proposed development of 1 hectare lots without a reticulated water supply will be supported by the WAPC upon the lodgement of a formal subdivision application.

Therefore, there are potential risks in approving the amended SGP for the following reasons:

- If the amended SGP is endorsed by the Shire on the basis that the 1 hectare lots can be created without connection to a reticulated water supply, the WAPC could refuse the subdivision application as the alternative supply is not suitable.
- Once the SGP is amended, and if a subdivision application is refused, the Shire could not support subdivision in accordance with the previous SGP as this plan would have been superseded.
- As the amended SGP is not required to be formally adopted by the WAPC, the WAPC's formal position will not be known until the subdivision stage.

Preliminary discussions with the DoP have indicated that they have no objections in principle to the proposed modifications to the SGP, resulting in the creation of 1 hectare lots without a reticulated water supply. However, this cannot be guaranteed until a subdivision application (in the long term) is determined by the WAPC. The DoP advised, however, subject to formal adoption by the Shire, they have requested that the SGP be forwarded to the WAPC for consideration.

### **Required Amendments to Modified SGP**

It is considered that there are few minor modifications required to the amended SGP. These are as follows:

- Removing the proposed subdivision overlay boundaries from proposed Lots 11, 12 and 18.
- Replacing the terms 'PAW' and 'Bridle Trail' with 'Multiple Use Trail' as these trails provide access for pedestrians, horses and emergency vehicles.

### **Conclusion**

It is considered that the proposed amended SGP for Lot 1254 Abernethy Road represents a better outcome for the estate. Although the final total lot yield will be increased by 12 lots (once the land is connected to reticulated water in the long term), the size of the lots will still be in accordance with TPS 2 and the Rural Strategy.

All relevant revegetation, fire management, drainage and land use controls will still be imposed for the new SGP as detailed within the Special Provision for this lot within TPS 2.

As the proposed modified SGP represents a much better planning outcome for the Shire and the locality, it is recommended that the proposed modified SGP be adopted by Council subject to modification.

**Voting Requirements:** Simple Majority

### **Committee/Officer Recommended Resolution:**

- A. The proposed amended Subdivision Guide Plan for Lot 1254 Abernethy Road, Oakford being modified as follows:
  - (1) Removing the proposed subdivision overlay boundaries from proposed Lots 11, 12 and 18; and
  - (2) Replacing the term 'ROW/Bridle Trail' with 'Multiple Use Trail'.
- B. Subject to part A. above being undertaken to the satisfaction of the Director Development Services:
  - (1) Council endorse the amended Subdivision Guide Plan for Lot 1254 Abernethy Road, Oakford in accordance with Clause 5.12.9(a) of Council's Town Planning Scheme No 2.
  - (2) The Western Australian Planning Commission be advised of Council's decision and be requested to adopt the amended Subdivision Guide Plan for Lot 1254 Abernethy Road, Oakford.
- C. The submitters (including Government Agencies) being advised of the Council's decision.

### **SUPPLEMENTARY REPORT**

As a result of questions raised by Councillors at the Sustainable Development Committee meeting and subsequent requests for further information, it is recommended that a decision on the proposed amended Subdivision Guide Plan be deferred to a future Council meeting. The purpose of the deferral is to allow the applicant and Shire staff to further liaise with Council regarding the following issues:

- Drainage impacts;
- Lot sizes; and
- Water provision

The applicant has requested that the item be deferred to allow a briefing to be given to Council prior to a formal decision being made on the matter.

**SD149/06/10 COUNCIL DECISION/Alternative Officer Recommended Resolution:**

**Moved Cr Harris, Seconded Cr Geurds**

**That Council defer consideration of the proposed modified Subdivision Guide Plan for Lot 1254 Abernethy Road, Oakford to a future Council Meeting to allow for the applicant and Shire staff to enter into further discussion with Council to address drainage, water provision and lot size issues.**

**CARRIED 9/0**

SD150/06/10		REQUEST TO PURCHASE PORTION OF RESERVE 47573 – DARLING DOWNS (RS0207)
Proponent:	Department for Regional Development and Lands	<p>In Brief</p> <p>The Shire has received correspondence from the Department of Regional Development and Lands who has received a request to purchase a portion of Reserve 47573.</p> <p>It is recommended that the request is not supported as the area falls within a registered Aboriginal site.</p>
Owner:	Crown	
Officer:	C Murphy - Senior Planner	
Senior Officer:	B Gleeson - Director Development Services	
Date of Report	15 June 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995.	
Delegation	<b>Council</b>	

Date of Receipt: 5 January 2010  
 Advertised: Yes  
 Submissions: 3  
 Lot Area: ~210m<sup>2</sup> or ~100m<sup>2</sup>  
 MRS Zoning: Parks and Recreation  
 Rural Strategy Policy Area: Rural Living A/Rural Living B  
 Bush Forever: Site 266

**Background**

On the 5 January 2010 the Shire received correspondence from the Department of Regional Development and Lands regarding a request to purchase a portion of Reserve 47573. The owners of 66 (Lot 523) Bruns Drive, Darling Downs have requested to purchase a portion of Reserve 47573 to enable access to groundwater from a location that is currently just outside their property boundary to irrigate a vegetable garden and fruit trees for domestic consumption.



The owners have proposed two alternative locations for a new property boundary, one which would require the purchase of approximately 100m<sup>2</sup> from Reserve 47573 and one which would require purchase of approximately 210m<sup>2</sup> from the reserve, as shown on the map included with the letter from the Department of Regional Development and Lands.

The Department has requested support from Council in the first instance before processing the application further.

***A copy of the letter from the Department of Regional Development and Lands is with the attachments marked SD150.1/06/10.***

***An aerial of the location is with the attachments marked SD150.2/06/10.***

### **Sustainability Statement**

***Effect on Environment:*** The area falls within Bush Forever site 266, however the area subject to the request for purchase is devoid of any natural vegetation.

The area proposed to be purchased is located within 50 metres of a conservation category wetland (Wungong Brook). A generic 50 metre buffer is usually provided to conservation category wetlands to provide protection from water quality and biodiversity impacts of nearby development and land use.

As shown by the aerial photograph, the nominal 50 metre buffer is predominantly cleared and grassed, therefore may not be acting as a functional or effective wetland buffer. Also, the area proposed to be purchased is comparatively minor in size, from 100 to 210 square metres. Moving the small portion of grassed land into private ownership is unlikely to result in environmental degradation or any greater risk to the adjacent Wungong Brook.

However, the proposed purchase is to enable groundwater abstraction, which may have potential to impact on the hydrology of the nearby Wungong Brook, dependant on the amount of water proposed to be pumped.

***Resource Implications and Use of Local, Renewable or Recycled Resources:*** The modification of the property boundary will allow the owners to access a significant amount of water if they sink a bore, to reduce scheme water usage in irrigating vegetables and fruit trees grown for domestic consumption.

***Economic Benefits:*** There will be no economic benefit or detriment to the Shire. Whilst the purchase would reduce the area managed by the Shire, any savings in management would be very minor.

***Social – Quality of Life:*** The subject land falls within a reserve that forms part of public open space providing an important recreational function for the community.

The reserve includes a creek and dual use path, and, in the area of the proposed purchase, provides a passive recreational function. The minor area proposed to be purchased would be unlikely to impact on the use of the area for passive recreation by the local community.

***Social Diversity:*** The subject area falls within a registered Aboriginal Site, Site No. S02602 (Wungong Brook). It is a mythological site on the permanent register.

### **Statutory Environment:**

Town Planning Scheme No. 2 (TPS 2)  
Metropolitan Region Scheme (MRS)  
Land Administration Act 1997  
Local Government Act 1995

**Financial Implications:** There are no financial implications to the Shire in relation to this application.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>NATURAL ENVIRONMENT</b>	<b>Landscape</b>			
		5	Restore	Establish and enhance waterways and bush corridors.
	<b>Integrated Water Cycle Management</b>			
		20	Quality	Improve and maintain surface and ground water quality.
		25		Facilitate and encourage the preservation, management and restoration of natural water systems.
<b>PEOPLE AND COMMUNITY</b>	<b>Wellbeing</b>			
		1	Healthy	Promote a wide range of opportunities to enable optimal physical and mental health.
		2		Promote a variety of recreation and leisure activities.
	<b>Places</b>	43	Distinctive	Acknowledge and accommodate diversity and multicultural interests in our places.

**Community Consultation:**

No submissions were received from adjoining residents. Advice was also sought from relevant State agencies. Submissions were received from the Department of Planning: Bush Forever, Department of Water, and the Department of Environment and Conservation. No objections were raised by any agency, except the Department of Environment and Conservation, which prefers the retention of the land in public ownership because of its location within the generic 50 metre wetland buffer.

As the proposal for purchase is to facilitate access to groundwater, additional enquiries were made to the Department of Water on the likelihood of the owners being granted a bore license. The Department advised that a license would not be required for abstraction from the superficial aquifer for domestic purposes (including household use, stock watering, fire-fighting, the irrigation of a garden up to 0.2ha in size, and other domestic purposes). A licence would be required to sink a bore and take water for any additional purpose, although there is groundwater available for licensing from the shallow superficial aquifer in the area. It would be unlikely that a license would be provided for abstraction from the Leederville Aquifer where scheme water is available.

**Comment:**

The proposed purchase of a small area from Reserve 47573 is unlikely to impact upon the local environment or passive recreational use of the area by the community. However, the abstraction of groundwater facilitated by the purchase may impact on the hydrology of Wungong Brook. Furthermore, the subject area is located within a registered Aboriginal mythological site, therefore should remain within public ownership to ensure it remains open and accessible to the indigenous and non-indigenous community. For these reasons, it is recommended that the Council advise that the Department of Regional Development Land that it does not support the request to purchase the portion of Reserve 47573

**Voting Requirements:** Simple Majority

**SD150/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, Seconded Cr Buttfield**

**That Council write to the Department of Regional Development and Lands advising that the request to purchase the portion of Reserve 47573 is not supported, due to:**

- 1. Potential impact on Wungong Brook from groundwater abstraction within the wetland buffer.**
- 2. The location of the subject area within Aboriginal Site No. S02602 – Wungong Brook.**

**CARRIED 9/0**

SD151/06/10 PROPOSED OVERHEIGHT OUTBUILDING LOT 112 (47) BURGESS DRIVE, BYFORD (P07324/03)	
Proponent:	Tony Langmair
Owner:	As Above
Officer:	Helen Maruta - Planning Officer
Senior Officer:	Brad Gleeson - Director Development Services
Date of Report	13 May 2010
Previously	Nil
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act
<b>Delegation</b>	<b>Council</b>

In Brief  
The applicant seeks planning approval for an over height shed. It is recommended that the application be conditionally approved.

Date of Receipt: 9 April 2010  
 Lot Area: 1,632m<sup>2</sup>  
 MRS Zoning: Urban  
 TPS Zoning: Residential (R20)  
 Use Class & Permissibility: Single Residence – incidental development (P use)

**Proposal**

An application was lodged for the construction of an overheight shed on Lot 112 Burgess Drive in Byford. The proposed shed is to be 9m by 6m in floor area (54m<sup>2</sup>) with a wall height of 3.2m and roof height of 3.7m. The shed is proposed to be constructed entirely out of colourbond pale eucalyptus and wilderness materials.

The applicant provided the following information regarding the necessity for the height of the proposed shed:

*“...the additional height will allow me to work on projects higher than 2.4 meters and assist in reducing the intensity of the heat from the roof and allow for much better circulation during the summer months. It will also allow me to store materials above the working area and should I wish to store a caravan, boat or mobile home in the shed in the future, the extra height will provide me with that flexibility and mean I will not have to keep those items in the driveway.”*

Officers have considered the applicant's justification for the overheight shed to be reasonable as it is not likely to negatively impact on the visual amenity of the neighbouring properties.

The wall height of the proposed shed being 3.2m is 320mm greater than the 20% variation (2.88m) to the 2.4m acceptable outbuilding height for the Rural Living A zone, prescribed in the Local Planning Policy 17 (LPP17).

The proposal is presented to Council for consideration as the proposal is outside the 20% variation potentially affords under LPP 17.

***The location, site, elevation plans, an aerial photo and Schedule of Materials and Finishes are contained in the attachments to the agenda marked SD151.1/06/10.***

### **Variations requested**

Construction of an overheight outbuilding with a wall height of 3.2m exceeding the 2.4m wall height limit acceptable for outbuilding height for the Residential (R20) zone, prescribed in Council's Local Planning Policy 17 (LPP17).

### **Sustainability Statement – Outbuildings**

<b>Sustainable Element</b>	<b>Comment</b>
Is there remnant native vegetation on site or adjoining verge?	No. The subject lot does not contain any remnant vegetation.
Is remnant native vegetation to be retained or removed as a result of this proposal?	No. the subject lot does not contain any vegetation.
Is additional vegetation required to screen or ameliorate the bulk of the proposed development?	No. The overall size of the shed is in keeping with the general sizes of sheds in this particular locality and officers have considered that vegetation screening is not required at this stage. The shed is proposed to be constructed of pale eucalyptus and wilderness colourbond (natural colours) which are anticipated to break the bulk factor.
Will the requested variation have an adverse effect on streetscape or the character and amenity of the locality?	No. The shed is proposed to be located at the rear of the subject land among a cluster of sheds along the rear boundaries of adjoining neighbouring properties. The proposal is not visible from the street scape and is not likely to adversely affect the amenity character and amenity of the locality.
Will the requested variation have an adverse effect on visual amenity of neighbouring properties due to bulk and scale, appearance or materials?	No. The overall ridge height of the proposed shed being 3.7m falls within the acceptable roof height limit for outbuildings for the residential zone (4.2) prescribed in Council's Local Planning Policy 17 (LPP17). It is anticipated that the variation in the wall height is not likely to cause any adverse effects on the visual amenity of the neighbouring properties. The shed will be located at the rear of the subject land consistent with the general character of the locality where sheds are located at the rear of the properties.
Does the proposal include the capture and	No proposals were submitted at this stage.

re-use of stormwater from the roof of the proposed building and/or diversion of stormwater from hardstand areas to landscaped areas?	The storm water captured from the roof can provide an opportunity for water capture and reuse onto the outdoor lawn and garden areas.
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**Statutory Environment:**

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

**Policy/Work Procedure Implications:**

LPP17 Residential and Incidental Development

**Financial Implications:**

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

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

5. Value and enhance the heritage character, arts and culture of the Shire.

**2. Environment**

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

Strategies:

3. Encourage protection and rehabilitation of natural resources.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

Required: Yes

The proposal was referred to adjacent neighbours for comment and no objections were received.

Policy: LPP17 Residential and Incidental Development

<b>Policy Requirement</b>	<b>Required</b>	<b>Proposed</b>	<b>Comments</b> (Complies/Variation Supported/Condition Required)
Setbacks Primary Street Rear Side	Minimum 6 metres 1.5 metres 1.0 metres	45 metres 5.0 metres 1.5 metres	Complies Complies Complies
Floor Area (combined total floor area of all outbuildings)	Max. 60m <sup>2</sup>	54m <sup>2</sup>	Complies
Wall Height	Max. 2.4 metres	3.2 metres	Variation – supported as the proposal will not impact adversely on the streetscape or the general character and amenity of the locality.
Roof Height	Max. 4.2 metres	3.73 metres	Complies

Policy: LPP8 Landscape Protection Policy

The following key extracts from LPP8 – Building appearance pertaining to the proposal are discussed below:

*“All developments in the Landscape Protection Policy Area require planning approval from Council.*

*Any building shall not exceed 9 metres in height. This height is to be measured from the natural ground level to roof apex*

*The use of Zinalume or reflective glazing within this policy area will not be permitted in the “seen area” unless measures are taken to prevent reflection. Such measures may include landscaping, colour schemes that blend with the surrounding environment, roof pitch and tilt on glazing;*

*Outbuildings and tanks should form a unified group with the main building and should be of similar form, colour and materials;*

Officers are of the view that the shed is generally consistent with the provisions outlined under this policy. The location of the shed extension in relation to the existing dwelling is such that a cluster of buildings will be formed. The report will contain recommendations as regards suitable material and colours complimentary to the location and compactable with the landscape character of the site and locality.

**Comment**

LPP 17 contains provisions to consider variations to the applicable development standards, subject to the applicant providing justification, a decision being made by officers on the potential impact of the proposal on the amenity or character of the area and variations in excess of 20% being presented to Committee or Council for a determination.

Council in determining the application needs to consider a number of matters, in particular:

- Whether sufficient justification has been provided;
- The potential impact on the amenity and character of the area; and
- The permissibility of land uses.

The applicant provided information that the necessity for the height of the proposed shed is for the storage of private equipment and increase of a flexible working area. Officers are of the opinion that the justification of the proposal is acceptable and can be considered as representing ‘incidental development’ to ‘Single Residence’ in terms of use class for the land.

The surrounding properties generally have existing storage sheds located at the rear of the properties due to the size of the properties in the residential area. Whilst the wall height of the shed is above the 20% variation from the standard development requirements under LPP17, the overall height of the shed being 3.7m is within the 20% variation of the apex height required under LPP7) is considered acceptable.

In terms of addressing the potential impact on the character and amenity of the area, officers are of the opinion that the proposed variation is considered to be reasonable. The overall height of the shed and its general impact on the adjoining properties is considered minimal. The proposal is therefore, considered not to cause any adverse effect in the locality and the general character and amenity of the area.

The overall size of the shed is in keeping with the general sizes of sheds in this particular locality and officers have considered that vegetation screening is not required at this stage.

The shed is proposed to be constructed of pale eucalyptus and wilderness colourbond (natural colours) which are anticipated to ensure that the visual bulk of the proposed development is not excessive.

Options:

There are primarily two options available to Council in considering the proposal:

- (1) to approve the application, with or without conditions; and
- (2) to refuse the application.

Should the applicant be aggrieved by a determination by Council, including a refusal determination or approval conditions, the applicant could lodge an application for review with the State Administrative Tribunal.

Conclusion

It is considered reasonable to support the variation as the shed will not adversely affect the amenity of neighbouring lots and the streetscape. It is recommended that the application be conditionally approved.

**Voting Requirements:** Simple Majority

**SD151/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, Seconded Cr Hoyer**

**That the application for approval to commence development for an overheight outbuilding on Lot 112 (47) Burgess Drive, Byford be approved subject to the following conditions:**

- 1. The shed is to be constructed in accordance with submitted Schedule of Colours and Materials.**
- 2. All storm water to be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is prohibited.**
- 3. The shed is not to be used for any commercial or industrial purpose (including home occupation), the parking of a commercial vehicle unless the written approval of the Shire has first been obtained.**

**Advice Note:**

- 1. A building licence is required to be issued prior to the commencement of development including earthworks.**

**CARRIED 9/0**

SD154/06/10 DRAFT YANGEDI BUSH FOREVER AND AIRFIELD RESERVE MANAGEMENT PLAN (RS0008)		
Proponent:	Serpentine Jarrahdale Shire	In Brief  Council is requested to adopt the Draft Yangedi Bush Forever Reserve Management Plan for an advertising period of three months inviting public and agency comment.  Following the advertising period,
Author:	Chris Portlock - Manager Environment and Sustainability Services	
Senior Officer:	Suzette van Aswegen - Director Strategic Community Planning	
Date of Report	April 2010	
Previously		

Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	submissions will be considered in drafting the final management plan and the revised document will be presented to Council for consideration.
<b>Delegation</b>	<b>Council</b>	

### **Background**

The vast majority of the Yangedi Reserve area has been identified as having high biodiversity conservation values and is Bush Forever Site 378 under the Bush Forever Project. The Sport Aircraft Builders Club of WA Inc. has been operating in the reserve for over 30 years in some form or another and currently has a 21 year lease with the Serpentine Jarrahdale Shire until 2023. The Sport Aircraft Builders Club is a non profit organisation with a constitution and currently has 318 members. Facilities include approximately 100 hangers, a clubhouse with kitchen, toilet facilities and 12 caravans, two with permanent residents as caretakers. The area of land taken up by the infrastructure and facilities has now reached a limit where any further expansion would require approvals from relevant State government agencies and will result in the loss of biodiversity value of the Reserve.

There is also a lease in the northwest corner of the reserve where a Bureau of Meteorology Communication Facility has been established just outside the Bush Forever Site. Exclusion of grazing, management and enhancement of the Yangedi Bush Forever and Airfield Reserve by the Sport Aircraft Builders Club in consultation with the Serpentine Jarrahdale Shire has resulted in the regrowth of important remnant vegetation. Protection and preparedness from fire outbreaks has resulted from the Sport Aircraft Builders Club presence with fire surveillance, hydrants and fire breaks being established and regularly maintained.

There is increased risk of fire, pollution, clearing and other impacts without a management plan acceptable to State Government agencies and its associated awareness raising value. Visitors and club members need to be made more aware of and be responsible for the biodiversity values and protection requirements of the reserve's vegetation and associated fauna.

***A copy of the Draft Yangedi Bush Forever and Airfield Reserve Management Plan is attached marked SD154.1/06/10.***

### **Sustainability Statement**

***Effect on Environment:*** The Draft Yangedi Bush Forever and Airfield Management Plan (The Plan) will facilitate advancement towards protecting biodiversity within the Shire while still providing for an important clubs purpose. This will be achieved through both a high level of maintenance and awareness raising of the Bush Forever Site at Yangedi.

***Resource Implications:*** The Plan seeks to protect biodiversity assets within the Yangedi Reserve while still continuing a recreational use of the reserve which intrinsically includes strategic fire surveillance and an emergency landing facility for helicopters as part of any required fire response.

***Use of Local, renewable or recycled Resources:*** Local renewable resources will be protected and enhanced, and seed will potentially be collected from Yangedi Reserve for further resource enhancement in neighbouring areas.



**Economic Viability:** The proposal is designed to identify and protect vegetation within the Shire. The Shire has already experienced significant loss of biodiversity assets. This proposal seeks to identify what biodiversity assets should be zoned for protective purposes, managed or reinstated and how that should be achieved. Environmental management has an ongoing cost which should include a user pay contribution. There is also a significant cost if environmental assets are not responsibly managed.

**Economic Benefits:** The proposal will work towards protecting that image of “beauty” that attracts people to the Shire.

**Social – Quality of Life:** Biodiversity is an essential component of our heritage and identity and provides essential ecosystem services. In addition to providing social values such as aircraft building and flying and other recreational opportunities with walk trails etc. there is also spiritual renewal as part of nature exposure and communion.

**Social and Environmental Responsibility:** The Plan preparation process includes community and other stakeholder participation toward the best possible environmental management of the reserve area.

**Social Diversity:** The proposal does not impact or disadvantage any social group.

### **Statutory Environment**

The preparation and implementation of the Plan will enable the Shire to proactively address the requirements of the following legislation as they relate to biodiversity conservation:

- Wildlife Conservation Act 1950
- Environmental Protection Act 1986
- Soil and Land Conservation Act 1945 (to be replaced by amendments to the Environmental Protection Act 1986: (Clearing of Native Vegetation) Regulations 2004 with a Guide for Local Government Clearing Native Vegetation under the Environmental Protection Act 1986)
- Planning and Development Act 2005

State Government environmental policies addressed in a management plan include:

- Bush Forever (Government of Western Australia 2000a, 2000b & 2000c) and related bushland policies (e.g. Urban Bushland Strategy)
- Environmental Protection Authority (EPA) Guidance Statement No. 10: Guidance for the Assessment of Environmental Factors – Level of assessment for proposals affecting natural areas within the System 6 region and Swan Coastal Plain portion of the System 1 region (Environmental Protection Authority 2003a)
- Wetlands Conservation Policy for Western Australia (Government of Western Australia 1997)
- EPA Position Statement No. 4: Environmental Protection of Wetlands (preliminary) (Environmental Protection Authority 2001)
- EPA Position Statement No 2: Environmental Protection of Native Vegetation in Western Australia (Environmental Protection Authority 2000b)

- State Weed Plan (State Weed Plan Steering Group 2001);
- EPA Guidance Statement No. 51: Guidance for the Assessment of Environmental Factors – Terrestrial flora and vegetation surveys for environmental impact assessment in Western Australia. (Draft) (Environmental Protection Authority 2003c)
- EPA Guidance Statement No. 56: Guidance for the Assessment of Environmental Factors – Terrestrial fauna surveys for environmental impact assessment in Western Australia. (Draft) (Environment Protection Authority 2003d)
- Draft Statement of Planning Policy: Bushland Policy for the Perth Metropolitan Region (Western Australian Planning Commission in preparation)
- Western Australian State Sustainability Strategy (Government of Western Australia 2003a)
- Environment and Natural Resources Statement of Planning Policy No. 2 (Government of Western Australia 2003b)
- Peel-Harvey Coastal Plain Catchment Statement of Planning Policy No. 2.1 (Government of Western Australia 1992d)
- Position Statement: Wetlands. (Water and Rivers Commission 2001)
- Wildlife Conservation (Rare Flora) Notice 2001 (Government of Western Australia 2001b)
- Wildlife Conservation (Specially Protected Fauna) Notice 2001 (Government of Western Australia 2001c)

**Policy/Work Procedure Implications:**

It is not envisaged that any new work procedures will be required, nor existing procedures reviewed, as a result of the ultimate adoption of this Management Plan, however actions or strategies proposed and costed are expected to be funded.

**Financial Implications:**

Individual cost codes for reserves and budgets for individual service teams will be created to facilitate the implementation of this management plan.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Obj No	Objective Summary	Objective	Action Number & Description
NATURAL ENVIRONMENT					
	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.	
		2		Defend our scarp and forest from inappropriate uses.	
		3		Maximise the preservation of existing trees and vegetation.	
		4		Incorporate environmental protection in land use planning.	

Vision Category	Focus Area	Obj No	Objective Summary	Objective	Action Number & Description
		5	Restore	Establish and enhance waterways and bush corridors.	
		6		Establish increased levels of natural vegetation in urban and rural environments.	
		7	Manage	Facilitate sustainable agricultural practices.	
		8		Ensure responsible animal care, control and management within the Shire.	
		9		Control and manage weeds and plant diseases.	
		10		Promote and develop appropriate tourism, recreation and educational opportunities.	
	<b>Biodiversity</b>	11		Develop active partnerships with stakeholders.	
		12	Protect	Prevent the further loss of "local natural areas".	
		13		Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire.	
		14	Manage	Protect and manage a portion of each basic type of vegetation and ecosystem typical to the Shire.	14.13 Oversee the development of the Yangedi Bush Forever and Airfield Reserve Management Plan.
		15	Restore	Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.	

### **Community Consultation**

The approach to participate in the management of local government reserves by relevant stakeholders recognises the need for broad consultation. Formal community consultation is proposed with the release of the Plan. This includes a public consultation period of three months. The community's existing involvement in management of local bushland and other natural areas is hoped to be strengthened by the preparation of reserve management plans with full public consultation.

### **Comment**

The Serpentine Jarrahdale Shire relies on community expertise and interest to maintain the high conservation or recreation values of many reserves. Continued community input to planning and management is carried out in collaboration with the Reserves Advisory Group which is considered essential for a high standard of protection and management of these values into the future.

The role of the Reserves Advisory Group is to:

- Provide advice to Council in relation to reserve values, threats to those values, management targets and management strategies that will protect the ecological and social values and take account of community aspirations for the future management of each reserve;

- Provide advice to Council and the RWG in relation to on-ground management programs and issues; and
- Undertake audits of reserve management plans and report the results to Council.

The Reserves Advisory Group meets when a draft management plan is being prepared and consultation will always include all relevant stakeholders. The Reserves Advisory Group has endorsed this management plan for being released to the public, as has the Sports Aircraft Builders Club.

Public consultation includes a three month period inviting public submissions on the management plan. This is particularly important for the incorporation of agency aspirations such as those involved with Bush Forever Sites. There are also agencies such as the Civil Aviation Safety Authority who have regulations which the Sport Aircraft Builders Club has to abide by. Stakeholders interest groups and groups which may have some interest in this draft management plan include:

- Department of Environment and Conservation
- Department of Planning and Infrastructure
- South West Aboriginal Land and Sea Council
- Civil Aviation Safety Authority
- Fire and Emergency Service Authority
- Serpentine Volunteer Bush Fire Brigade
- Recreational Aviation of Australia
- Flying Doctor Service
- The Bunbury Flying Club

#### Appeal rights

In broad terms, the determination of proposals by either the Shire, or other agencies or the advice of the Shire, may typically include an approval (with or without conditions/modifications) or a refusal. The Plan seeks to engage relevant stakeholders in the process of preparing and implementation of the management plan.

Full public consultation will maximise opportunities for comment. It is possible that a landowner/proponent may be aggrieved by Council's adoption of a management plan. It is not considered necessary to establish any new appeal rights. Nearly all statutory decision-making processes incorporate an established appeal right for the landowner/proponent and it is considered critical that due and proper processes are followed.

#### Information to be used for decision-making processes

Management plans for Serpentine Jarrahdale reserves are prepared, advertised and adopted in an open, transparent and accountable manner. A copy of management plans for comment are available to members of the public through a number of different avenues, including on the Shire's website.

Should any third party, such as a member of the public, wish to provide any additional information for Council to consider in its decision making processes on the particular management of Yangedi Bush Forever and Airfield Reserve, this is invited as part of the planning process and will be considered by Council during the formal advertising of the proposal in accordance with statutory processes.

Over time, additional information may become available to Council in respect of biodiversity values within the Shire. This may include survey work, information provided by agencies and/or members of the public.

**Voting Requirements:** Simple Majority

**SD154/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Randall, Seconded Cr Harris  
That Council:**

- A. Adopt the Draft Yangedi Bush Forever and Airfield Reserve Management Plan for advertising for a three month public submission comment period.**
- B. Invite the relevant government agencies to make submissions.**
- C. Following the end of the consultation period the strategy be brought back to Council for Council’s consideration of any comments attracted and a final Yangedi Bush Forever and Airfield Reserve Management Plan be presented for Council’s consideration.**

**CARRIED 9/0**

SD155/06/10		INFORMATION REPORT
Proponent:	N/A	In Brief  To receive the Information Report to the 17 May 2010.
Owner:	N/A	
Author:	Various	
Senior Officer:	B Gleeson - Director Development Services, S van Aswegen – Director Strategic Community Planning	
Date of Report	17 May 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

**BUILDING**

In accordance with the Delegated Authority vested in the Manager Building Services, the following report is provided:

DS16 – Building Applications and Licences

Building permits issued under Delegated Authority for the month of April 2010 were numbers 09/35, 09/36, 09/551, 09/875, 09/954, 09/955, 09/987, 09/992, 09/995, 09/1031, 09/1041, 09/1060, 09/1072, 09/1087, 10/33, 10/41, 10/51, 10/57, 10/63, 10/82, 10/83, 10/91, 10/94, 10/95, 10/99, 10/100, 10/102, 10/105, 10/106, 10/109, 10/114 – 10/116, 10/118, 10/120 – 10/123, 10/126 – 10/132, 10/134 – 10/136, 10/140, 10/142, 10/144, 10/148 – 10/150, 10/152, 10/158, 10/159, 10/163, 10/165 – 10/167, 10/170, 10/178, 10/180, 10/182, 10/186, 10/187, 10/227, 10/303 (69 approvals).

Month of April	2009/2010	2008/2009
Value of permits issued	\$7,512,869	\$4,517,326
Cumulative total for period	\$80,848,349	\$58,993,051
Number of permits issued	69	49
Number of dwellings approved	25	19
Number of applications received	62	65
Number of fast track applications	N/A	9

On 5 May 2010, 86 applications were pending

## **HEALTH**

In accordance with the Delegated Authority vested in the Manager Health and Ranger Services the following report is provided:

### **DS21 – Effluent Disposal Applications**

L77 Fremnells Vale, Cardup  
L72 Baigup Loop, Cardup  
L106 Cunningham Drive, Oakford  
L66 Gloaming Way, Darling Downs  
L109 Racy Prince Court, Byford  
L30 Hibbertia Court, Jarrahdale  
L78 Fremnells Vale, Cardup  
L75 Yoorda Close, Cardup  
L808 Bournbrook Avenue, Cardup  
L207 Aquanita Rise, Darling Downs  
L201 Aquanita Rise, Darling Downs  
L222 Aquanita Rise, Darling Downs  
L13 Soldiers Road, Cardup

### **DS21 – Permit to Use Apparatus**

L204 Learmouth Turn, Byford  
L208 Learmouth Turn, Byford  
L87 Lefroy Street, Serpentine  
L211 Learmouth Turn, Byford  
L567 Bruns Drive, Darling Downs

## **RANGERS & DEVELOPMENT COMPLIANCE**

### **Prosecutions – May (to 20 May)**

Prosecutions CG04	A330311 – Dog attack	Shire Ranger
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### **Enforcement – May (to 20 May)**

Notices issued CG05	6 x Dog, 7 x Sign, 4 x Livestock, 2 x Off road vehicle, 23 x Compliance, 7 x Parking	
Fines and Infringements issued CG05	2 x Litter, 9 x Dog, 1 x Livestock, 4 x Parking, 1 x Court Imposed.	\$1,740

Other (LG Act activities) CG02	Registration and impound fees (dog, livestock and off road vehicle). Recovery of costs.	\$2,725
In reported, legal or investigative process CG02	Dog Act Off Road Vehicle Act Litter Act Local Government Act Development Compliance	13 5 9 19 57 (in process) 69 (action pending)

		38 (completed / resolved) 4 (Form 2 Audit process)
Matters resolved in consultation or mediation.	Dog Act Local Government Act Development Compliance DA Form 2 Compliance Audit Other	9 11 37 2 (compliant) 32

## **PLANNING**

In accordance with the Delegated Authority vested in the Executive Manager Planning the following report is provided:

### **SCHEME AMENDMENTS**

*A copy of the Scheme Amendment Table is contained in the attachments marked SD155.1/06/10.*

### **DELEGATED AUTHORITY DETERMINATIONS – DEVELOPMENT APPLICATIONS, SUBDIVISIONS, DETAILED AREA PLANS**

<b>Date Issued</b>	<b>Authority Ref.</b>	<b>Property &amp; Development</b>	<b>Decision</b>
12/04/10	DS-08	L18 Rose Road, Mundijong – Single Dwelling	Approved
13/04/10	DS-15	L70 Rangeview Loop, Serpentine – Shed / Relocation of Building Envelope	Approved
14/04/10	DS-06	L25 Hibbertia Court, Jarrahdale – Shed	Approved
19/04/10	DS-08	L588 Harwood Pass, Darling Downs – Single Dwelling	Approved
19/04/10	DS-05	L528 Colesbrook Drive, Byford – Single Dwelling	Approved
19/04/10	DS-15	L243 Cardup Siding Road, Cardup – Swimming Pool / Retaining Wall	Approved
19/04/10	DS-08	L193 Vickers Pass, Byford – Single Dwelling	Approved
21/04/10	DS-12	L9012 South Western Highway, Byford – Clearance of Conditions	Approved
22/04/10	DS-27	L164 Yangedi Road, Hopeland – Aircraft Hangar	Approved
22/04/10	DS-05	L285 Walja Bend, Byford – Single Dwelling	Approved
22/04/10	Ds-15	L708 Eurythmic Road, Byford – Shed	Approved
23/04/10	DS-08	L100 Gadd Avenue, Byford – Portable Swim Spa	Approved
23/04/10	DS-08	L109 Burgess Drive, Byford – Alfresco with Toilet / Shower / Change Room	Approved
23/04/10	DS-08	L123 Randell Road, Mardella – Recommencement of Dairy	Approved
24/04/10	DS-06	L73 Karbro Drive, Cardup – Garage / Stables	Approved
27/04/10	DS-08	L22 McKay Drive, Serpentine – Bed & Breakfast	Refused
28/04/10	DS-08	L129 Beenyup Road, Byford – Patio	Approved
28/04/10	DS-08	L602 Bruns Drive, Darling Downs – Home Occupation	Approved
29/04/10	DS-08	L203 Mardja Loop, Mardella – Shed	Approved
29/04/10	DS-08	L578 Bruns Drive, Darling Downs – Shed Extension	Approved
30/04/10	DS-05	L937 Sunrays Street, Byford – Single Dwelling	Approved
30/04/10	DS-08	L282 Walja Bend, Byford – Single Dwelling	Approved
30/04/10	DS-11	L248 Gossage Road, Oldbury – Renewal of Planning Approval – Dairy	Approved
30/04/10	DS-08	L147 Karangi Circle, Byford – Single Dwelling	Approved
03/05/10	DS-08	L161 Quiberon Link, Byford – Single Dwelling	Approved
03/05/10	DS-08	L14 Jarrahdale Road. Jarrahdale – Horse Agistment	Approved

Date Issued	Authority Ref.	Property & Development	Decision
		/ Change of Use from Single Dwelling to Rural Workers	
06/05/10	DS-08	L20 Tuart Road, Oakford – Garage	Approved
06/05/10	DS-08	L20 Tuart Road, Oakford – Office / Lunchroom	Approved
07/05/10	DS-08	L112 Keirnan Street, Whitby – Swimming Pool / Gazebo	Approved
07/05/10	DS-15	L85 Cavanagh Close, Cardup – Shed / Stables / Water Tank / Keeping of Horses	Approved
07/05/10	DS-15	L803 Dalray Court, Darling Downs – Relocation of Envelope	Approved
07/05/10	DS-08	L325 Fieldview Chase, Oakford - Garage	Approved
07/05/10	DS-05	L407 Coles Street, Byford – Patio	Approved
10/05/10	DS-27	L164 Yangedi Road, Hopeland – Aircraft Hangar Extension	Approved
12/05/10	DS-27	L164 Yangedi Road, Hopeland – Aircraft Hangar Extension	Approved
12/05/10	DS-15	L502 Barip Place, Oakford – Swimming Pool	Approved

<b>APPLICATION TYPE</b>	<b>AUTHORITY</b>	<b>NUMBER</b>
Development Applications Received	N/A	65
Development Applications Approved	Delegated Authority Committee/Council	34 3
	<b>Total</b>	
Development Applications Refused	Delegated Authority Committee/Council	1 2
	<b>Total</b>	
Subdivision Referrals Received	N/A	2
Subdivision Approval Recommendation to WAPC	Delegated Authority	1
Subdivision Refusal Recommendation to WAPC	Delegated Authority	-
Subdivision Deferral Recommendation to WAPC	Delegated Authority	1
Subdivision Condition Clearances issued	Delegated Authority	1

On 19 May 2010, 86 applications were pending

#### **SUBDIVISION APPLICATION DETERMINATIONS BY WESTERN AUSTRALIAN PLANNING COMMISSION**

WAPC Ref	Property	No. of Lots	Type	Council Recommendation	WAPC Decision
S141270	L4 & 5 Abernethy Road, Byford	98	Residential	Deferral	Approval
S140545	L199 Peverett Road, Oakford	2	Western Power Substation / Rural Residential	Refusal	Approval
S141469	L181 Brown Street, Byford	4	Residential	Approval	Approval

#### **DEVELOPMENT APPLICATION DETERMINATIONS BY WESTERN AUSTRALIAN PLANNING COMMISSION**

Nil



## SUBDIVISION CLEARANCES ISSUED

WAPC Ref	Property	Type	Council Recommendation	WAPC Decision
S136499	L9012 South Western Highway, Byford	Residential/ Commercial	Approval	Approval

## DECISIONS OF THE STATE ADMINISTRATIVE TRIBUNAL

Nil

**Voting Requirements:** Simple Majority

### **SD155/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution**

**Moved Cr Geurds, Seconded Cr Buttfield  
That Council accept the Information Report.  
CARRIED 9/0**

CGAM072/06/10 MONTHLY FINANCIAL REPORT – MAY 2010 (A0924/07)		
Proponent:	Serpentine Jarrahdale Shire	In Brief  To receive the May 2010 Monthly Financial Report.
Owner:	Not Applicable	
Author:	Financial Accountant	
Senior Officer:	Director Corporate Services	
Date of Report	May 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Local Government (Financial Management) Regulations 1996 requires monthly financial statements to be presented to Council for their consideration. The Council has resolved to receive these statements according to business unit classification.

### **Sustainability Statement**

This review provides an indication of current allocation of resources to provide services as adopted in the 2009/2010 budget. It ensures that allocations are undertaken in accordance with the adopted budget.

### **Statutory Environment:**

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

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 as amended requires the local government to prepare monthly financial

statements and report on actual performance against what was set out in the annual budget.

**Policy/Work Procedure Implications:**

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

**Financial Implications:**

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

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective	Action Number & Description
OUR COUNCIL AT WORK	Strategy and Planning	29	Strategic Direction	Create innovative solutions and manage responsibly to aid our long term financial sustainability.	
	Success and Sustainability	35	Measuring and Communicating Organisational Performance	Evaluate performance against recognised standards and best practice and make improvements.	35.2 - Encourage a culture of continuous improvement that is supported by regular debriefs past the completion of projects and document the improvements necessary for incorporation in the development of the next project and any new innovations on a standard template that is stored in a continuous improvement register.
		36		Develop simple milestone reporting systems that meet the information needs of the community, elected members, management and staff.	36.1 - We constantly assess our capacity to deliver and communicate to our stakeholders any slippage utilising efficient reporting systems.
		38	Achieving Sustainability	Projects and goals are realistic and resourced.	38.1 - All services are reviewed against statutory requirements, financial constraints and community need. 38.3 - Develop effective milestone monitoring systems for major projects and address slippage promptly.
		39		The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.	39.1 - Staff will observe strict cost control and accurately budget.

**Community Consultation:**

Required: No

**Comment:**

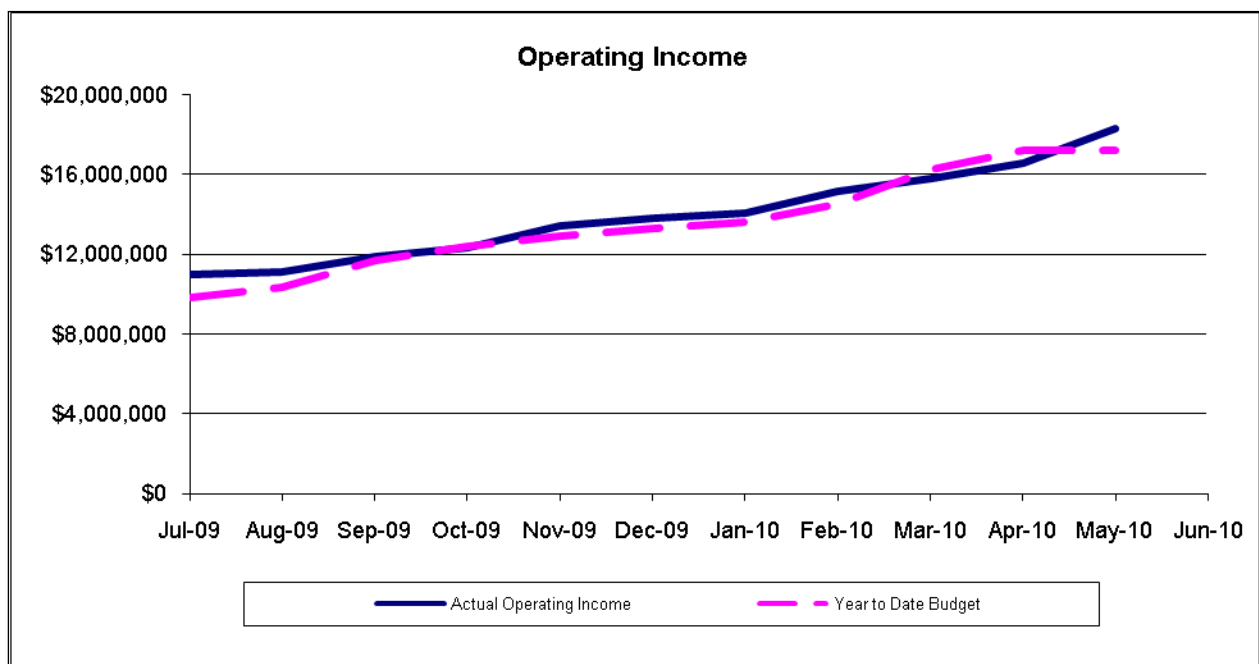
Council adopted the 2009/10 Budget at its Meeting held on 21 July 2009 (SCM002/07/09). The figures provided in this report are compared to the year-to-date budget.

The period of review is May 2010. The municipal surplus for this period is \$3,000,247 compared to a budget position of \$780,085. This is considered a satisfactory result for the Shire.

**Operating Income**

Income for the period May 2010, year to date is \$18,322,353. The budget estimated \$17,205,926 would be received for the same period. The variance to budget is (\$1,116,427) and details of all significant variances are provided in the detailed business unit reports.

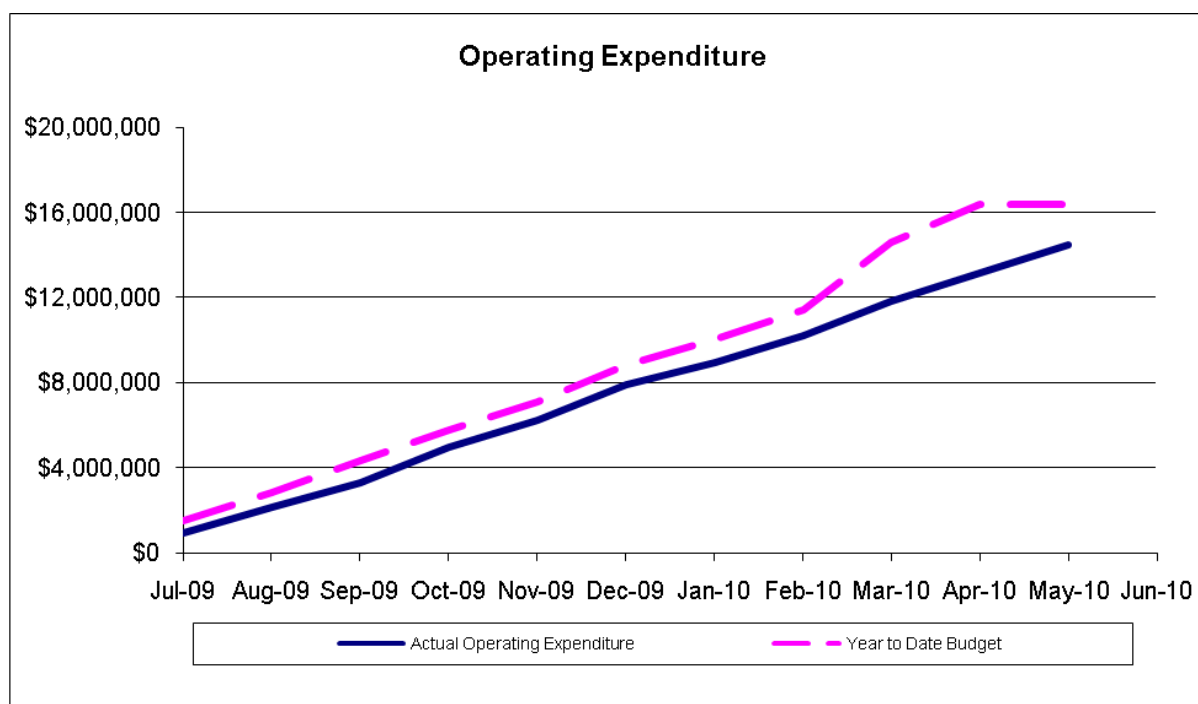
The following graph illustrates actual income to-date compared to the year-to-date budget.



**Operating Expenditure**

Expenditure for the period May 2010, year to date is \$14,462,408. The budget estimated \$16,366,155 would be spent for the same period. The variance to budget is (\$1,903,747) and details of all significant variances are provided in the detailed business unit reports.

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



**A copy of the Financial Report is included with the attachments and marked CGAM072.1/06/10 (E10/2737).**

**Voting Requirements:** Simple Majority

**CGAM072/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, Seconded Cr Harris**

**That Council receives the Monthly Financial Report for May 2010, in accordance with Section 6.4 of the Local Government Act 1995.**

**CARRIED 8/1**

**Cr Twine voted against the Motion.**

**Council note: Director Corporate Services to advise on variations of revenue stream for Engineering Services.**

CGAM073/06/10		CONFIRMATION OF PAYMENT OF CREDITORS (A0917)
Proponent:	Not Applicable	In Brief  To confirm the creditor payments made during the period of 21 April 2010 to 20 May 2010.
Owner:	Not Applicable	
Author:	Joanne Egitto - Finance Officer	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	24 May 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

**Comment:**

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

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

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

Summary of creditor accounts paid and payable for the period of 21 April 2010 to 20 May 2010.

***A copy of the vouchers numbered Chq 40106 – Chq 40190 and EFT 20092 - 20373 totalling \$1,595,264.75 for the period of 21 April 2010 to 20 May 2010 is included with the attachments and marked CGAM073.1/06/10 (E10/2693).***

**Voting Requirements:** Simple Majority

**CGAM073/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Hoyer, Seconded Cr Harris**

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

**CARRIED 9/0**

CGAM083/06/10		OLD RAILWAY BRIDGE MILLBRACE GLEN, BYFORD (RS0104)
Proponent:	Shire of Serpentine Jarrahdale	In Brief  For Council to consider allocating funds in the 2011/12 budget for maintaining the Old Railway Bridge located at Millbrace Glen, Byford
Owner:	Not Applicable	
Officer:	Laurence Bresland - Manager Infrastructure and Development	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	24 May 2010	
Previously	CGAM057/03/10	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
<b>Delegation</b>	<b>Council</b>	

**Background**

- Council received a report on the asset value of the bridge in March 2010.
- Council resolved to undertake *“Further Investigation and Community Consultation to take place within 2 months so that Council may consider the future of the Old Railway Bridge”*
- The public meeting was held on the 10 May 2010 with the meeting advertised in the Examiner on 1 May 2010. The meeting was not well attended, however ward Councillors, media, interested parties and Shire and technical staff attended. A presentation was given outlining the history and social significance of the Bridge.
- There is overwhelming support to preserve the Structure for future generations and is of significant, social and heritage value.

The presentation highlights all of the values of the bridge to the community and presented in an unbiased manner.

***A copy of the presentation is with attachments marked CGAM083.1/06/10 (OC10/4501)***

***A copy of the Survey Results are with attachments marked CGAM083.2/06/10 (E10/2701)***

### **Sustainability Statement**

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

The proposal has impacts on the;

- Environment from a Social, Heritage, History, and Recreational perspective.
- Cultural values of the Town.
- The Natural Environment will be affected by the demolition or repair of the structure. There is more negative impact from its demolition.
- The Community environment is improved by public recognition and use of the Recreational and Historical value of the Area.

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

Heritage and Cultural issues have been presented for consideration. The bridge certainly has Heritage and Cultural importance.

#### ***Resource Implications:***

Resources and Funds will be required to preserve or remove the Bridge. Materials required are Timber, tree's and Officer, consultant, contractual and possible community input.

#### ***Use of Local, renewable or recycled Resources:***

- Timber required will probably not be sourced locally. Recycled materials are unlikely to be used.

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

- Direct costs will require Capital outlay from Councils Budget
- Life cycle costs include White ant treatment, structural inspections, future maintenance and works costs.
- There will be future maintenance costs as expected from any infrastructure.

#### ***Economic Benefits:***

- Employment generation is unlikely to be improved by the project in the long term.
- Tourism Generation may increase dependant on marketing and community participation.

#### ***Social – Quality of Life:***

Promoting Heritage, Social and recreational values promotes a more sustainable culture.

## ***Social and Environmental Responsibility***

Preserving the Past has social and environmental impacts

### ***Social Diversity:***

Social diversity is achieved to all categories of the community by presenting the history, culture and significance of “Heritage Artworks created by dedicated and skilled workers and visions of a future generation is maintained”

### **Statutory Environment:**

There are no statute requirements other than Community Safety and Risk.

### **Policy/Work Procedure**

#### **Implications:**

Occupational Health and Safety, Community Safety, safety in the workplace, Compliance with Construction and Australian Standards.

### **Financial Implications:**

There are several options to Council which individually have different financial implications:

- 1) To restore the bridge in a single financial year is in the order of \$90,000
- 2) To remove or demolish the bridge is approximately \$75,000
- 3) If external funding is available Council’s contribution cost to the restoration \$50,000 (based on a 50% contribution).

The ongoing maintenance costs associated with the structure would include a nominal amount of \$5,000 per year for White Ant treatment and maintenance to the structure.

### **Strategic Implications:**

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>BUILT ENVIRONMENT</b>	<b>Infrastructure</b>			
		32	Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
		33		Ensure all decisions are consistent with the long term financial Plan for the Future.
		34		Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.
		35	Roads and bridges	Protect, enhance and develop shady vegetated road verges to reflect the rural character of the locality and provide wildlife habitats and linkages.
		36		Preserve the amenity and biodiversity of scenic drives and flora roads and create further interest through the incorporation of public art.
		37		Develop and adequately fund a functional road network and bridges based on the level of service set by Council.
		38		Ensure that bridge and road network planning and development considers community safety and emergency management.
	<b>SUSTAINABLE ECONOMIC GROWTH</b>			
<b>Industry</b>				

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	<b>Development</b>			
		7	Tourism	Encourage the development of tourist attractions and accommodation.
		8		Maximise the tourism and recreation potential of our natural environment.
		9		Develop and maintain our heritage assets to encourage visitors.
<b>PEOPLE AND COMMUNITY</b>				
	<b>Wellbeing</b>			
		2	Healthy	Promote a variety of recreation and leisure activities.
		3		Enable the provision of a range of facilities and services for families and children.
	<b>Relationships</b>			
		27	Celebrate	Actively engage, and value the contribution of all stakeholders in better decision making.
	<b>Places</b>			
		32	Vibrant	Ensure community spaces and places are accessible and inviting.
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.
<b>OUR COUNCIL AT WORK</b>				
	<b>Success and Sustainability</b>			
		41	Achieving Sustainability	The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.
	<b>Knowledge and Information</b>			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.

### **Community Consultation:**

A public meeting was held on 10 May 2010, questionnaires were distributed to the community for comment also.

47 survey responses were received, of those 45 supported repair of the bridge, 1 did not support it and 1 did not answer the question.

Overall it was gleaned from the meeting and the responses received is that the community would like the bridge to be repaired and maintained for its historic significance and tourism potential.

***A copy of the Survey Results are with attachments marked CGAM083.2/06/10 (E10/2701)***

### **Comment:**

The cultural and heritage significance of this bridge requires careful deliberation. There are financial implications and heritage / social considerations. These need to be considered carefully.

To do nothing would be seen to be irresponsible.



Council also needs to consider the ongoing costs for whole of life, maintenance and analysis.

**Voting Requirements:** Simple Majority

**Officer Recommended Resolution:**

That Council:

1. Consider allocating \$100,000 in the 2011/2012 financial year for the reconstruction of the Old Railway Bridge located at Millbrace Glen, Byford.

Executive Manager Engineering left the meeting at 8.24pm and returned at 8.26pm.

**Committee Recommended Resolution:**

**Moved Cr Geurds, Seconded Cr Randall**

**That Council;**

1. Notes its desire to restore and retain the Old Railway Bridge located at Millbrace Glen, Byford.
2. Consider allocating \$100,000 in the 2011/2012 financial year for the reconstruction of the Old Railway Bridge located at Millbrace Glen, Byford.
3. Advise the community of this decision.

**LOST 3/6**

During debate Cr Hoyer foreshadowed that he would move a new motion if the motion under debate is defeated.

**CGAM083/06/10 COUNCIL DECISION/New Motion:**

**Moved Cr Hoyer, Seconded Cr Buttfield**

1. Council notes its desire to restore and retain the Old Railway Bridge located at Millbrace Glen, Byford.
2. Council investigate funding and partnership opportunities and the cost of applying corrective works to the old railway bridge for the purposes of making it safe and to stop ongoing decay.
3. Should funds become available, Council proceed with the restoration works.
4. Advise the community of the decision.

**CARRIED 5/4**

**COUNCIL DECISION**

**Moved Cr Brown, seconded Cr Randall**

**That items CGA074/06/10, CGA075/06/10, CGA076/06/10, CGA077/06/10, CGA078/06/10, CGA079/06/10 CGA080/06/10, CGA081/06/10 and CGA082/06/10 be considered en bloc.**

**CARRIED 9/0**

CGAM074/06/10	TENDER NUMBER 001/2010-12 SUPPLY AND DELIVERY OF ROAD BASE (A1814)	
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April
Owner:	Not Applicable	
Officer:	Uwe Striepe – Executive Manager Engineering	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	

Previously	CGAM132/06/07	2010, with tenders closing on the 3 May 2010. The report recommends the appointment off tenderer's based on Compliance and Qualitative criteria assessment and price.
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

### **Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Supply of road base material to a high standard
- Tendered Price

The supply of road base 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.

This Tender will ensure that the Shire is provided with the most advantageous material required to complete the proposed works identified in the Forward Financial Plan and Annual Budget. By seeking the material externally the Shire is able to utilise best practice opportunities in the market and maximize the productivity of the funds available to provide sound and sustainable asset maintenance.

The proposed service will assist the Shire's Operations Team, ensuring they have access to a wide range of services available at competitive rates.

Tenders were received from;

- B& J Catalano
- Vinci Gravel Supplies
- All Earth Group (All Earth Group also submitted two alternate tenders)

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM074.1/06/10 (E10/2705)***

### **Sustainability Statement**

***Effect on Environment:***

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.

***Use of Local, renewable or recycled Resources:***

No Regional or local suppliers submitted a tender, however there are several Regional suppliers available.

***Economic Viability:***

- Direct costs based on utilization
- Life cycle costs are cost effective

**Statutory Requirement**

Statutory compliance with Local Government Act 1995, Serpentine Jarrahdale Shire Engineering standards and guidelines.

**Policy/Work Procedure Implications:**

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering. Equipment supplied is mechanically sound, Council operator trained in safe use of equipment.

**Financial Implications:**

Costs of materials are funded through Capital and Maintenance works budget.

***A copy of the confidential attachment outlining comparison to previous tender is with attachments marked CGAM074.2/06/10 (E10/2722)***

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT	Infrastructure	52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
		59		Interact with professional and industry bodies to keep abreast of best practice.
SUSTAINABLE ECONOMIC GROWTH	Industry Assistance	24	Strategy	Enter into partnership and joint venture projects that are mutually beneficial.
	Leadership	1	Leadership throughout the	Elected members and staff have ownership and are accountable for decisions that are

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			organisation	made.
		9		All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
		34	Measuring and Communicating Organisational Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognised standards and best practice and make improvements.
	<b>Knowledge and Information</b>			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.
		49	Creating value through applying knowledge	Ensure evidence based decision making
	<b>Process Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.

**Community Consultation:**

Not required.

**Comment:**

B& J Catalano, as well as All Earth Group Alternate Tender number 1 submitted the best prices. All Earth Group Alternate Tender number 1 is for provision of road base from recycled materials. Although All Earth Group states that their recycled roadbase consistently meet Main Roads specifications, officials will need to ensure that the material meets these requirements.

**Voting Requirements:** Simple Majority

**CGAM074/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer  
That Council;**

- 1. Accept the Tender submitted by B & J Catalano Pty Ltd for the supply of road base in accordance with Tender Number 001/2010-12 for the period from 1 July 2010 to 30 June 2012.**
- 2. Accept the Alternate Tender number 1 from All Earth Group Pty Ltd subject to Main Road's certification for conformance of recycled materials, for the supply of road**

**base in accordance with Tender Number 001/2010-12 for the period from 1 July 2010 to 30 June 2012.  
CARRIED 9/0 EN BLOC**

CGAM075/06/10		TENDER 002/2010-12 DRY HIRE OF STEEL DRUM ROLLERS (A1815)
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment off tenderer's based on Compliance and Qualitative criteria assessment and price.
Owner:	Not Applicable	
Officer:	Laurence Bresland - Manager Infrastructure and Development	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	
Previously	CGAM102/05/09	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

### **Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Supply of mechanically sound equipment
- Tendered Price

The dry hire of self propelled compactive machine means "*A machine is delivered to Councils construction site, operated by a Council employee and then returned upon completion of the project*"

Tenders were received from:

- MayDay Earthmoving - Wangarra
- Kwinana Hire - Wangarra
- Coats Hire - Belmont

- Coalcliff Plant Hire - Collie

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM075.1/06/10 (E10/2707)***

### **Sustainability Statement**

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

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.
- Hiring machinery rather than purchase reduces Council overheads and equipment is only hired when required, thereby reducing under utilization and capital expenditure.

#### ***Resource Implications:***

Reduces idle machine time and capital cost.

#### ***Use of Local, renewable or recycled Resources:***

No Regional or local equipment suppliers submitted a tender, however there are several Regional suppliers available.

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

- Direct costs based on utilization
- No Life cycle costs

#### ***Economic Benefits:***

- Local employees will be required to operate this machinery
- The proposal is hire of machine, not labour.

### **Statutory Requirement**

Statutory compliance with Local Government Act 1995

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

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering.  
Equipment supplied is mechanically sound, Council operator trained in safe use of equipment.

### **Financial Implications:**

Costs of hire are funded through Capital and Maintenance works budget.

***A copy of the confidential attachment outlining comparison to previous tender is with attachments marked CGAM075.2/06/10 (E10/2724)***

### **Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT				
	Infrastructure			
			Reduce Councils requirements to purchase and maintain	To only hire equipment when required that will benefit Councils Plan to reduce operational cost.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			equipment	
<b>SUSTAINABLE ECONOMIC GROWTH</b>				
	<b>Industry Assistance</b>			
			Strategy	No direct local benefit
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>			
			Leadership throughout the organisation	N/A
	<b>Success and Sustainability</b>			
			Measuring and Communicating Organisational Performance	Ensuring that equipment meets Councils requirement in a cost effective manner
	<b>Process Management, Improvement and Innovation</b>			Manage construction equipment in a cost effective manner.

**Community Consultation:**

Not required.

**Comment:**

While it is recognized that the value of the tender will not exceed the \$100,000 limit as required for tender under the Local Government Act, there may be difficulty in acquiring equipment as required regionally due to increased demand.

It is therefore considered prudent to accept the tender from Mayday Earthmoving and Kwinana Hire, which meet the criteria and have submitted the lowest machine hourly rate. However, if the tenderers are unable to supply, Council may seek alternative regional suppliers of equipment.

**Voting Requirements:** Simple Majority

**CGAM075/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

Moved Cr Brown, seconded Cr Hoyer  
That Council;

1. Accept the Tender submitted by Mayday Earthmoving for the Dry Hire of Steel Drum Rollers in accordance with Tender Number 002/2010-12 for the period from 1 July 2010 to 30 June 2012.
2. Accept the Tender submitted by Kwinana Hire for the Dry Hire of Steel Drum Rollers in accordance with Tender Number 002/2010-12 for the period from 1 July 2010 to 30 June 2012.

**CARRIED 9/0 EN BLOC**

CGAM076/06/10		TENDER NUMBER 003/2010-12 SUPPLY AND DELIVERY OF CRUSHED LIMESTONE (A1816)
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment off tenderer's based on Compliance and Qualitative criteria assessment and price.
Owner:	Not Applicable	
Officer:	Uwe Striepe – Executive Manager Engineering	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	
Previously	CGAM099/06/08	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
<b>Delegation</b>	<b>Council</b>	

### **Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Ability to provide test results and technical advice on material
- Tendered Price

The supply of limestone 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.

This Tender will ensure that the Shire is provided with the most advantageous material required to complete the proposed works identified in the Forward Financial Plan and Annual Budget. By seeking the material externally the Shire is able to utilise best practice opportunities in the market and maximize the productivity of the funds available to provide sound and sustainable asset maintenance.

The proposed service will strengthen the Shire's Operations Team ensuring they have access to a wide range of services available at competitive rates.



Tenders were received from:

- WA Limestone
- B & J Catalano Pty Ltd
- All Earth Group Pty Ltd ( also submitted an alternative tender)

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM076.1/06/10 (E10/2675)***

### **Sustainability Statement**

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

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.

#### ***Use of Local, renewable or recycled Resources:***

No Regional or local suppliers submitted a tender, however there are several Regional suppliers available.

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

- Direct costs based on utilization
- Life cycle costs are cost effective

### **Statutory Requirement**

Statutory compliance with Local Government Act 1995, Serpentine Jarrahdale Shire Engineering standards and guidelines.

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

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering. Equipment supplied is mechanically sound, Council operator trained in safe use of equipment.

### **Financial Implications:**

Costs of materials are funded through Capital and Maintenance works budget.

***A copy of the confidential attachment outlining comparison to previous tender is with attachments marked CGAM076.2/06/10 (E10/2717)***

### **Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT				
	Infrastructure			
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
		59		Interact with professional and industry bodies to keep abreast of best practice.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>SUSTAINABLE ECONOMIC GROWTH</b>				
	<b>Industry Assistance</b>			
		24	Strategy	Enter into partnership and joint venture projects that are mutually beneficial.
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>			
		1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		9		All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
		34	Measuring and Communicati ng Organisation al Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognised standards and best practice and make improvements.
	<b>Knowledge and Information</b>			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.
		49	Creating value through applying knowledge	Ensure evidence based decision making
	<b>Process Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.

**Community Consultation:**

Not required.

**Comment:**

Only two of the three tenderers submitted prices for the supply of crushed limestone.

Of the prices submitted for the supply and delivery of limestone, WA Limestone submitted the lowest prices for 19mm and 75mm limestone. It is recommended that the Tender for the Supply and Delivery of Crushed Limestone be awarded to WA Limestone.

**Voting Requirements:** Simple Majority

**OCM076/05/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer**

**That Council;**

**1. Accepts the Tender submitted by WA Limestone for the Supply & Delivery of Crushed Limestone in accordance with Tender Number 003/2010-12 for the period from 1 July 2010 to 30 June 2012.**

**CARRIED 9/0 EN BLOC**

CGAM077/06/10		TENDER 004/2010-12 SUPPLY AND PLACEMENT OF ASPHALT SERVICES (A1817)
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment off tenderer's based on Compliance and Qualitative criteria assessment and price.
Owner:	Not Applicable	
Officer:	Laurence Bresland - Manager Infrastructure and Development	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	
Previously	CGAM129/06/07	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
<b>Delegation</b>	<b>Council</b>	

**Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Supply of surfacing material to a high standard
- Tendered Price

Asphalt is used on Roads to provide a safe, quiet and efficient surfacing material. It's life can extend to 25 years.

Tenders were received from:

- Asphalt Surfaces Pty Ltd - Bibra Lake
- ROADS 2000 Pty Ltd
- Downer EDI Works Pty Ltd
- Boral Resources (WA) Limited

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM077.1/06/10 (E10/2709)***

### **Sustainability Statement**

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

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.

#### ***Use of Local, renewable or recycled Resources:***

No Regional or local suppliers submitted a tender, however there are several Regional suppliers available.

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

- Direct costs based on utilization
- Life cycle costs are cost effective

### **Statutory Requirement**

Statutory compliance with Local Government Act 1995, Serpentine Jarrahdale Shire Engineering standards and guidelines.

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

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering. Equipment supplied is mechanically sound, Council operator trained in safe use of equipment.

### **Financial Implications:**

Costs of materials are funded through Capital and Maintenance works budget.

### **Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
BUILT ENVIRONMENT				
	Infrastructure			
				To use quality material in a cost effective manner

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>			All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
		34	Measuring and Communicating Organisational Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognised standards and best practice and make improvements.
	<b>Process Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.

**Community Consultation:**

Not required.

**Comment:**

It is considered appropriate to accept the tender from Asphalt Surfaces Pty Ltd, which meet the criteria and have submitted the lowest supply and lay price.

There was no previous tender for the supply and lay of Asphalt.

**Voting Requirements:** Simple Majority

**CGAM077/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer**

**That Council;**

**1. Accepts the Tender submitted by Asphalt Surfaces Pty Ltd for the Supply and Placement of Asphalt Services in accordance with Tender Number 004/2010-12 for the period from 1 July 2010 to 30 June 2012.**

**CARRIED 9/0 EN BLOC**

CGAM078/06/10		TENDER NUMBER 005/2010-12 SUPPLY OF TRUCK MOUNTED WATER CARTS (A1818)
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment off tenderer's based on Compliance and Qualitative criteria assessment and price.
Owner:	Not Applicable	
Officer:	Uwe Striepe – Executive Manager Engineering	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	
Previously	CGAM093/06/08	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
<b>Delegation</b>	<b>Council</b>	

### **Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Ability to supply suitable equipment
- Tendered Price

This Tender will ensure that the Shire is provided with the most advantageous equipment required to complete the proposed works identified in the Forward Financial Plan and Annual Budget. By seeking the equipment externally the Shire is able to utilise best practice opportunities in the market and maximize the productivity of the funds available to provide sound and sustainable asset maintenance.

The proposed equipment will strengthen the Shire's Operations Team ensuring they have access to a wide range of equipment available at cost competitive rates.

Tenders were received from:

- Don's Water Supply
- ERS Equipment Sales & Services Pty Ltd

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM078.1/06/10 (E10/2734)***

**Sustainability Statement**

***Effect on Environment:***

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.

***Use of Local, renewable or recycled Resources:***

No Regional or local suppliers submitted a tender, however there are several Regional suppliers available.

***Economic Viability:***

- Direct costs based on utilization
- Life cycle costs are cost effective

**Statutory Requirement**

Statutory compliance with Local Government Act 1995, Serpentine Jarrahdale Shire Engineering standards and guidelines.

**Policy/Work Procedure Implications:**

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering. Equipment supplied is mechanically sound, Council operator trained in safe use of equipment.

**Financial Implications:**

Costs of materials are funded through Capital and Maintenance works budget.

***A copy of the confidential attachment outlining comparison to previous tender is with attachments marked CGAM078.2/06/10 (E10/2735)***

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>BUILT ENVIRONMENT</b>	<b>Infrastructure</b>			
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
		59		Interact with professional and industry bodies to keep abreast of best practice.
<b>SUSTAINABLE ECONOMIC GROWTH</b>				
	<b>Industry Assistance</b>			

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		24	Strategy	Enter into partnership and joint venture projects that are mutually beneficial.
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>			
		1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		9		All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
		34	Measuring and Communicating Organisational Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognised standards and best practice and make improvements.
	<b>Knowledge and Information</b>			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.
		49	Creating value through applying knowledge	Ensure evidence based decision making
	<b>Process Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.

**Community Consultation:**

Not required.

**Comment:**

It is considered appropriate to accept the tender from Don's Water Supply, which meet the criteria and have submitted the lowest supply and operating price.

**Voting Requirements:** Simple Majority

**CGAM078/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer  
That Council;**



**1. Accept the Tender submitted by Don’s Water Supply for the Supply of Truck Mounted Water Carts in accordance with Tender Number 005/2010-12 for the period from 1 July 2010 to 30 June 2012.  
CARRIED 9/0 EN BLOC**

CGAM079/06/10		TENDER 006/2010-12 SUPPLY OF TRAFFIC MANAGEMENT SERVICES (A1819)
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the “West Australian” newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment of tenderer’s based on Compliance and Qualitative criteria assessment and price.
Owner:	Not Applicable	
Officer:	Laurence Bresland - Manager Infrastructure and Development	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	
Previously	CGAM100/06/08	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
<b>Delegation</b>	<b>Council</b>	

**Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council’s requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire’s “Evaluation Panel Guide”.

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Supply quality product in accordance with Councils Engineering Standards.
- Tendered Price

The Supply Of Traffic Management Services means “A contractor who provides Traffic Management on construction and maintenance projects that deliver a safe working environment for employees of the Shire contractors, motorists and general public”

Tenders were received from:

- JAG Traffic Pty Ltd - Maddington
- Quality Traffic Management Pty Ltd - Roleystone
- New Image Traffic - Kenwick

- Warp Group Pty Ltd - Maddington
- Contraflow Pty Ltd - Maddington
- Carringtons Traffic Services - Queens Park
- Advanced Traffic Management (WA) (NT) Pty Ltd – Bellevue

All the above tenderer's comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM079.1/06/10 (E10/2714)***

### **Sustainability Statement**

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

- The built environment is improved and maintained safely.
- That construction sites are maintained in a safe and controlled environment.
- The proposal incorporates best practice and Statute Law Requirements.
- This tender supplies Council with an accredited Main Roads Accredited Traffic Management company to ensure safety and codes of practice requirements are met. There are no known local suppliers.

#### ***Worksite Traffic Management - OS&H Act & Regulations:***

Any project undertaken must consider safety as the most critical aspect of any project. Traffic Management oversee and direct traffic through the site and ensure the safety of staff and the general public through Councils construction site.

#### ***Resource Implications:***

Supply Services as required.

#### ***Use of Local, renewable or recycled Resources:***

No Regional or local Services submitted a tender.

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

- Direct costs based on utilization
- No Life cycle costs

#### ***Built Environment:***

Serpentine Jarrahdale Shire Engineering and Safety requirements are met.

#### **Statutory Requirement**

Statutory compliance with Local Government Act 1995  
Occupational Safety and Health Act 1984

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

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering.  
Council's engineering requirements are met.

#### **Financial Implications:**

Costs are met through Council's works program funded locally and Grants.

***A copy of the confidential attachment outlining comparison to previous tender is with attachments marked CGAM079.2/06/10 (E10/2726)***

#### **Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>BUILT ENVIRONMENT</b>				
	<b>Infrastructure</b>			To obtain the best quality product at best industry price.
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>			
				All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
				To ensure infrastructure is maintained in accordance with best industry practice.
	<b>Knowledge and Information</b>			
		49	Creating value through applying knowledge	Ensure evidence based decision making
	<b>Process Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.

**Community Consultation:**

Not required.

**Comment:**

While it is recognised that the value of the tender may not exceed the \$100,000 limit as required for tender under the Local Government Act, there may be difficulty in acquiring services as required regionally due to increased demand.

**Voting Requirements:** Simple Majority

**CGAM079/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer  
That Council;**

- 1. Accept the Tender from Advanced Traffic Management (WA) (NT) Pty Ltd for the Supply of Traffic Management Services in accordance with Tender Number 006/2010-12 for the period from 1 July 2010 to 30 June 2012.**
- 2. Accept the Tender from Warp Group Pty Ltd for the Supply of Traffic Management Services in accordance with Tender Number 006/2010-12 for the period from 1 July 2010 to 30 June 2012.**
- 3. Accept the Tender from JAG Traffic Pty Ltd for the Supply of Traffic Management Services in accordance with Tender Number 006/2010-12 for the period from 1 July 2010 to 30 June 2012.**

**CARRIED 9/0 EN BLOC**

CGAM080/06/10		TENDER NUMBER 008/2010-12 TRUCKS FOR BULK CARTAGE AND INDIVIDUAL TRUCKS FOR GENERAL CARTAGE (A1820)
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment off tenderer's based on Compliance and Qualitative criteria assessment and price.
Owner:	Not Applicable	
Officer:	Uwe Striepe – Executive Manager Engineering	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	
Previously	CGAM096/06/08	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

**Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Local Contractor

- Tendered Price

The Request for Tender called for Tenderers to provide tenders for both bulk cartage services and small truck services to cater for the Shire's material cartage needs. Bulk cartage is required to manage the cost of importing road construction materials, such as limestone, roadbase and gravel. Small trucks are used on an hourly hire basis where small maintenance and construction works are undertaken. The efficiency of trucks hired on an hourly basis is easily managed as the trucks are essentially under the direct control of the Shire's Operations Team. Bulk cartage efficiency is managed by making payment dependent on the mass of carted material, rather than the time taken.

Tenders were received from:

- Mayday Earthmoving
- Barak Transport
- Samek Enterprises Pty Ltd
- B & J Catalano Pty Ltd
- All Earth Group Pty Ltd

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM080.1/06/10 (E10/2677)***

### **Sustainability Statement**

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

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.

#### ***Use of Local, renewable or recycled Resources:***

No Regional or local suppliers submitted a tender, however there are several Regional suppliers available.

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

- Direct costs based on utilization
- Life cycle costs are cost effective

### **Statutory Requirement**

Statutory compliance with Local Government Act 1995, Serpentine Jarrahdale Shire Engineering standards and guidelines.

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

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering. Equipment supplied is mechanically sound, Council operator trained in safe use of equipment.

### **Financial Implications:**

Costs of materials are funded through Capital and Maintenance works budget.

***A copy of the confidential attachment outlining comparison to previous tender is with attachments marked CGAM080.2/06/10 (E10/2719)***

### **Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>BUILT ENVIRONMENT</b>	<b>Infrastructure</b>			
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
		59		Interact with professional and industry bodies to keep abreast of best practice.
<b>SUSTAINABLE ECONOMIC GROWTH</b>	<b>Industry Assistance</b>			
		24	Strategy	Enter into partnership and joint venture projects that are mutually beneficial.
<b>OUR COUNCIL AT WORK</b>	<b>Leadership</b>			
		1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		9		All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
		34	Measuring and Communicating Organisational Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognised standards and best practice and make improvements.
	<b>Knowledge and Information</b>			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.
		49	Creating value through applying knowledge	Ensure evidence based decision making
	<b>Process Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.

**Community Consultation:**

Not required.

**Comment:**

For the category of Bulk Cartage, three tenderers supplied prices, with All Earth Group Pty Ltd being marginally better priced than B & J Catalano Pty Ltd.

For the category Bulk Cartage: Truck and Dog, only two tenderers supplied prices with B & J Catalano Pty Ltd supplying the best price.

For general cartage, Mayday Earthmoving supplied the best prices, with B & J Catalano Pty Ltd a very close second.

As there is such high demand for truck services during the course of the year, it is recommended that Council accept three of the Tenders being All Earth Group Pty Ltd for Bulk Cartage, B & J Catalano Pty Ltd for Bulk Cartage: Truck and Dog, and Mayday Earthmoving for general cartage.

**Voting Requirements:** Simple Majority

**CGAM080/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer**

**That Council;**

- 1. Accept the Tender submitted by All Earth Group Pty Ltd for Bulk Cartage: Semi Tippers in accordance with Tender Number 008/2010-12 for the period from 1 July 2010 to 30 June 2012**
- 2. Accept the Tender submitted by B & J Catalano Pty Ltd for Bulk Cartage: Truck and Dog in accordance with Tender Number 008/2010-12 for the period from 1 July 2010 to 30 June 2012**
- 3. Accept the Tender submitted by Mayday Earthmoving for General Cartage: Semi Tippers - Various in accordance with Tender Number 008/2010-12 for the period from 1 July 2010 to 30 June 2012.**

**CARRIED 9/0 EN BLOC**

CGAM081/06/10		TENDER 009/2010-12 SUPPLY PLACEMENT AND FINISHING OF EXTRUDED CONCRETE KERBING (A1821)
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment of tenderer's based on Compliance and Qualitative criteria assessment and price.
Owner:	Not Applicable	
Officer:	Laurence Bresland - Manager Infrastructure and Development	
Senior Officer:	Richard Gorbunow - Director Engineering	
Date of Report	19 May 2010	
Previously	CGAM137/06/07	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

## **Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Supply quality product in accordance with Councils Engineering Standards.
- Tendered Price

The Supply Placement and Finishing of Extruded Concrete Kerbing means "*A contractor supplies and lays concrete kerbing on Councils Projects*"

Tenders were received from:

- Glenview Machine Kerbing - Kelmscott
- Downright Kerbing

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM081.1/06/10 (E10/2716)***

## **Sustainability Statement**

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

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to a high level of Built environment is met.
- The proposal incorporates best practice.
- This tender supplies Council with product as required and in accordance with the highest industry standard. This contract is better outsourced. There are no known local suppliers.

### ***Resource Implications:***

Supply product as required.

### ***Use of Local, renewable or recycled Resources:***

No regional or local equipment suppliers submitted a tender. Concrete may be sourced regionally.

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

- Direct costs based on utilization



- No Life cycle costs

**Economic Benefits:**

- Regional Concrete supplies
- No Local financial benefit.

**Built Environment:**

Serpentine Jarrahdale Shire Engineering and Safety requirements are met.

**Statutory Requirement**

Statutory compliance with Local Government Act 1995

**Policy/Work Procedure**

**Implications:**

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering.  
Council's engineering requirements are met.

**Financial Implications:**

Costs are met through Council's works program funded locally and Grants.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>BUILT ENVIRONMENT</b>				
	<b>Infrastructure</b>			To provide best practice in acquiring Services and materials
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>			
		1	Leadership throughout the organization	Elected members and staff have ownership and are accountable for decisions that are made.
		9		All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
		34	Measuring and Communicating Organisational Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognized standards and best practice and make improvements.
	<b>Knowledge and Information</b>			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.
		49	Creating value through applying knowledge	Ensure evidence based decision making
	<b>Process</b>			

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	<b>Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.

**Community Consultation:**

Not required.

**Comment:**

While it is recognized that the value of the tender will not exceed the \$100,000 limit as required for tender under the Local Government Act, there may be difficulty in acquiring services as required regionally due to increased demand. It is therefore considered prudent to accept the tender from Glenview Machine Kerbing who is the lowest tenderer in the most important section of the tender which meet the criteria and have submitted the rate. However if the tenderers are unable to supply, Council may seek alternative quotations based on its policy for quotation policy. There has not been a previous tender for this service.

**Voting Requirements:** Simple Majority

**CGAM081/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer  
That Council;**

- 1. Accepts the Tender from Glenview Machine Kerbing for the Supply Placement and Finishing of Extruded Concrete Kerbing in accordance with Tender Number 009/2010-12 for the period from 1 July 2010 to 30 June 2012**
  - 2. Accepts the Tender from Downright Kerbing for the Supply Placement and Finishing of Extruded Concrete Kerbing in accordance with Tender Number 009/2010-12 for the period from 1 July 2010 to 30 June 2012.**
- CARRIED 9/0 EN BLOC**

CGAM082/06/10		TENDER NUMBER 012/2010-12 SUPPLY OF TREE PRUNING UNDER POWER LINES (A1822)	
Proponent:	Serpentine Jarrahdale Shire	In Brief  Tenders for the Supply of Materials and Services for a 2 year period, 1 July 2010 to 30 June 2012. The call for tenders was advertised in the "West Australian" newspaper 14 April 2010, with tenders closing on the 3 May 2010. The report recommends the appointment off tenderer's based on Compliance and Qualitative criteria assessment and price.	
Owner:	Not Applicable		
Officer:	Uwe Striepe – Executive Manager Engineering		
Senior Officer:	Richard Gorbunow - Director Engineering		
Date of Report	19 May 2010		
Previously	CGAM058/02/08		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995		

<b>Delegation</b>	<b>Council</b>	
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## **Background**

In accordance with the Local Government Act 1995, tenders are called to ensure that the suppliers of materials and services comply with Council's requirements and that the best market price is received to meet the budgeted Capital and Operational works program as approved by Council.

Tenders are assessed by a panel of staff members in accordance with the Serpentine Jarrahdale Shire's "Evaluation Panel Guide".

The panel was made up of from staff experienced in tender preparation and evaluation and include;

- Executive Manager Engineering Services
- Manager Infrastructure and Development
- Acting Manager Operations and Parks
- Administration Officer, Operations
- Observer - Cadet Engineer Technical Officer

The Compliance, Qualitative and Price criteria are weighted to ensure tender and price are compared to ensure that best practice outcome and price is delivered;

- Relevant Experience
- Skills and qualifications of key personnel
- Ability to understand the required tasks
- Tendered Price

This Tender will ensure that the Shire is provided with the best service required to complete the works identified in the Forward Financial Plan and Annual Budget. By seeking the services externally the Shire is able to utilise best practice opportunities in the market and maximise the productivity of the funds available to provide sound and sustainable asset maintenance.

The service will strengthen the Shire's Operations Team by ensuring that they have access to a wide range of services at cost competitive rates.

Tenders were received from:

- Tree Care Pty Ltd
- Active Tree Service

All the above tenderers comply with Council's Evaluation Guidelines.

***A copy of the confidential attachment outlining the Comparative Price Schedule is with attachments marked CGAM082.1/06/10 (E10/2730)***

## **Sustainability Statement**

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

- The built environment is improved and maintained
- The community environment is enhanced through Council commitment to Asset preservation.
- The proposal incorporates best practice.

### ***Use of Local, renewable or recycled Resources:***

No Regional or local suppliers submitted a tender, however there are several Regional suppliers available.

**Economic Viability:**

- Direct costs based on utilization
- Life cycle costs are cost effective

**Statutory Requirement**

Statutory compliance with Local Government Act 1995, Serpentine Jarrahdale Shire Engineering standards and guidelines.

**Policy/Work Procedure**

**Implications:**

CSP2 – Procurement of Goods or Services Through Direct Purchasing and Public Tendering. Equipment supplied is mechanically sound, Council operator trained in safe use of equipment.

**Financial Implications:**

Costs of materials are funded through Capital and Maintenance works budget.

***A copy of the confidential attachment outlining comparison to previous tender is with attachments marked CGAM082.2/06/10 (E10/2731)***

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>BUILT ENVIRONMENT</b>	<b>Infrastructure</b>			
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire's vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
		59		Interact with professional and industry bodies to keep abreast of best practice.
<b>SUSTAINABLE ECONOMIC GROWTH</b>	<b>Industry Assistance</b>			
		24	Strategy	Enter into partnership and joint venture projects that are mutually beneficial.
<b>OUR COUNCIL AT WORK</b>	<b>Leadership</b>			
		1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		9		All decisions by staff and elected members are evidence based, open and transparent.
	<b>Success and Sustainability</b>			
		34	Measuring and Communicating Organisational Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognised

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				standards and best practice and make improvements.
	<b>Knowledge and Information</b>			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		46		Understand current and future costs of service delivery.
		49	Creating value through applying knowledge	Ensure evidence based decision making
	<b>Process Management, Improvement and Innovation</b>			
		94	Process Improvement and Innovation	Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.

**Community Consultation:**

Not required.

**Comment:**

Serpentine Jarrahdale Shire must ensure that contractors comply by law with the provisions of Western Power regulations, WA Occupational Health and Safety Act and the requirements of the Energy Safety Publication Code of Practice for Personnel Safety for Vegetation Control Work Near Live Power Lines.

It is considered appropriate to accept the tender from Treecare Pty Ltd, which meet the criteria and have submitted the lowest tendered prices.

**Voting Requirements:** Simple Majority

**CGAM082/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Brown, seconded Cr Hoyer**

**That Council;**

**1. Accept the Tender submitted by Treecare Pty Ltd for the Supply of Tree Pruning Under Powerlines in accordance with Tender Number 012/2010-12 for the period from 1 July 2010 to 30 June 2012.**

**CARRIED 9/0 EN BLOC**

CGAM084/06/10		REQUEST TO WAIVE LAND FOR GRAVE FEE FOR PLOT 724 JARRAHDAL CEMETERY (RS0152)
Proponent:	Seasons Funerals	In Brief
Owner:	Serpentine Jarrahdale Shire	
Author:	Claire Garner – PA to Director Engineering	Council to consider an application from Seasons Funerals to waive

Senior Officer:	Richard Gorbunow – Director Engineering	the Land for Grave Fee for the burial of the late Mario Gandossi – Plot 724 Jarrahdale Cemetery.
Date of Report	17 May 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

### **Background**

Council has received a letter from Seasons Funerals requesting Council waive the Land for Grave Fee for the burial of the late Mario Gandossi – Plot 724 Jarrahdale Cemetery.

The issue was raised when Seasons Funerals received a bill for the funeral and discovered that the client had been undercharged (relating to the charge of the \$1,035.00, being for land for grave).

The Seasons staff member who was not from the Kelmscott area and assumed the Shire was like other Metropolitan Cemeteries which take pre payment for graves. An oversight was also made on our part as a confirmation email was not sent to Seasons confirming arrangements and the applicable fees.

There were several delays in issuing of invoices and our processes have been reviewed and adjusted to ensure these delays do not occur in the future.

***A copy of the request from Seasons Funerals is with attachments marked CGAM084.1/06/10 (IN10/6494)***

### **Statutory Environment:**

Section 6.12(1)(c) of the Local Government Act 1995 Power to defer, grant discounts, waive or write off debts states:

A Local Government may write off any amount of money which is owed to the Local Government.

### **Policy/Work Procedure**

#### **Implications:**

Policy ED607 – Cemeteries: Right of Burial at Serpentine or Jarrahdale Cemeteries. This policy is utilised when assessing each burial application, it was confirmed that the deceased has a link to the Shire.

### **Financial Implications:**

There are financial implications to Council related to this application/issue. No budget allocation has been made for waiving of Cemetery fees.

### **Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
OUR COUNCIL AT WORK				
	Success and Sustainability			
		35	Measuring and Communicating	Evaluate performance against recognised standards and

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			Organisational Performance	best practice and make improvements.
	<b>Process Management, Improvement and Innovation</b>			
		91	Process Improvement and Innovation	Build staff confidence and give them the licence to drive change

**Community Consultation:**

Not applicable.

**Comment:**

The fee in question is a standard fee, and as Seasons Funerals are long standing customers they are aware of our Schedule of Fees and Charges.

It is therefore recommended that in this instance the above mentioned fee is not waived.

**Voting Requirements:** Simple Majority

**CGAM084/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Hoyer, Seconded Cr Brown  
That Council;**

- 1. Advise Seasons Funerals that the amount of \$1,035.00 for the Land for Grave (Plot 724 Jarrahdale Cemetery) for the late Mario Gandossi, is not waived.**
- 2. Request that administration review the processes in relation to issuing of Burial Permits to ensure that all fees are paid at the time of application.**

**CARRIED 8/1**

CGAM085/06/10		INFORMATION REPORT	
Proponent:	Not Applicable	In Brief  To receive the information report to 21 May 2010.	
Owner:	Not Applicable		
Author:	Various		
Senior Officer:	Alan Hart - Director Corporate Services		
Date of Report	21 May 2010		
Previously	Not Applicable		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act		
<b>Delegation</b>	<b>Council</b>		

**CGAM085.1/06/10 DELEGATED AUTHORITY (A0039-02)**

Date used	Delegated Authority Reference No.	Details	Amount	Officers Signature
20/04/2010	AF-8	Payroll	1,060.29	CM & AH
22/04/2010	AF-8	Payment of EFT 20092 - 20094	17,060.04	CM & AH

22/04/2010	AF-8	Payment of Cheque 40106-40118	47,542.86	CM & BG
22/04/2010	AF-8	Payment of EFT 20095 - 20137	206,023.59	CM & AH
29/04/2010	AF-8	Payment of EFT 20138 - 20139	21,700.66	CM & AH
29/04/2010	AF-8	Payment of Cheque 40119-40147	42,771.12	CM & AH
29/04/2010	AF-8	Payment of EFT 20138 - 20139	21,700.66	CM & AH
29/04/2010	AF-8	Payment of EFT 20140 - 20193	216,477.07	CM & AH
29/04/2010	AF-8	Payroll	175,175.65	CM & AH
30/04/2010	AF-8	Payroll	1,302.68	CM & AH
04/05/2010	AF-8	Payment of Cheque 40148 -40156	6,910.45	CM & AH
04/05/2010	AF-8	Payment of EFT 20194	6,159.90	CM & AH
04/05/2010	AF-8	Payment of EFT 20195	75.90	CM & AH
05/05/2010	AF-8	Payment of EFT 20196	85.38	CM & AH
06/05/2010	AF-8	Payment of EFT 20197 - 20237	248,157.34	CM & AH
07/05/2010	AF-8	Payment of Cheque 40157 -40160	95,869.46	BG & AH
12/05/2010	AF-8	Payment of EFT 20238	159.22	CM & AH
12/05/2010	AF-8	Payment of EFT 20239	2580.95	CM & AH
13/05/2010	AF-8	Payment of EFT 20240 - 20293	127,863.89	CM & AH
13/05/2010	AF-8	Payment of Cheque 40161 -40176	73,796.98	CM & AH
13/05/2010	AF-8	Payroll	177,183.27	CM & AH
20/05/2010	AF-8	Payment of Cheque 40177 -40190	49,320.55	CM & AH
20/05/2010	AF-8	Payment of EFT 20294 - 20295	4,961.40	CM & AH
20/05/2010	AF-8	Payment of EFT 20296 - 20373	443,517.74	CM & AH
11/05/2010	Eng 22	L439 Honeydew Pass – Crossover Subsidy	150.00	US
12/05/2010	Eng 22	L177 Benalla Cr – Crossover Subsidy	150.00	US
21/05/2010	Eng 22	L230 Bren Cl – Crossover Subsidy	150.00	US

CGAM085.2/06/10 OPERATIONS ACTIVITY REPORT (A0897/02)

***A copy of the Operations Activity Report for 14 April 2010 to 18 May 2010 is with attachments marked CGAM085.2/06/10 (E10/2745).***

CGAM085.3/06/10 ROADWISE MINUTES (A0491/01)

***A copy of the RoadWise Minutes for the meeting held on 26 May 2010 are with attachments marked CGAM085.3/06/10 (E10/2798).***

**CGAM085/06/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Hoyer, Seconded Cr Ellis  
That the Information Report to 21 May 2010 be received.  
CARRIED 9/0**



## 8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

OCM040/06/10		APPOINTMENT OF COMMITTEES, MEMBERS & DEPUTIES (A0429)
Proponent:	Serpentine Jarrahdale Shire	In Brief  To fill the vacancies that exist on Council's Standing Committees following the passing of Councillor Kevin Murphy.
Owner:	N/A	
Officer:	Suzette van Aswegen - Acting Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	21 June 2010	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

### **Background**

Following the passing of Cr Murphy, an extraordinary election was held on Friday 28<sup>th</sup> May 2010.

The following person was elected to Council to represent the North/West Ward:

Councillor Ellis

The passing of Cr Murphy resulted in vacancies on the following Standing Committees of Council:

- Sustainable Development (member)
- Corporate Governance & Asset Management (member)
- Audit Committee (member)

Council is now requested to consider the appointment of the Councillor, by resolution, to the Standing Committees, to fill the vacancies that exist.

***A copy of the Committees – Members and Deputies 2009-2011 is with attachment marked OCM040.1/06/10 (E09/6459).***

### **Sustainability Statement**

Not applicable

### **Statutory Environment:**

Local Government Act 1995, Councils Standing Order  
Local Law 2002.

S5.10 (2) "Appointment of committee members" states - *at any given time each council member is entitled to be a member of at least one committee referred to in section 5.9 (2) (a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1) (a) to at least one of those committees as the local government decides.*

S5.10 (4) “Appointment of committee members” further states – *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

**Policy/Work Procedure Implications:**

CSWP11 – Disclaimer & Terms of Reference for use of Delegation by Committee – Committee Meetings

**Financial Implications:**

Annual sitting fee allowances will be incurred by Council in relation to the members appointed and attending Committee meetings, in accordance with Local Government Act 1995.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
<b>OUR COUNCIL AT WORK</b>				
	<b>Leadership</b>	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		7		Elected members and staff have a clear understanding of their roles and responsibilities.
		23	Society, community and environmental responsibility	The elected members provide bold and visible leadership.
	<b>Success and Sustainability</b>	38	Achieving Sustainability	Ensure that elected members and staff are outcome focussed.
	<b>Knowledge and Information</b>	45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.

**Community Consultation:**

Not required.

**Comment:**

To ensure compliance with Council decision SM051/06/04, section 5.9, 5.10 and 5.11 of the Local Government Act 1995 and Part 17 of the Councils Standing Orders Local Law 2002, the membership of each committee is to be seven (7) elected members and three (3) elected members as deputies.

Council is required to consider the appointment of newly elected councillors to the various standing committees of Council.

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**Officer Recommended Resolution:**

That in accordance with Section 5.10 of the Local Government Act 1995, Council makes the following appointments to Council's Standing Committees:

Sustainability Development Committee  
Member:

Corporate Governance & Asset Management Committee  
Member: Cr Ellis

Audit Committee:  
Member:

**OCM040/06/10 COUNCIL DECISION:**

**Moved Cr Ellis, Seconded Cr Buttfield**  
That in accordance with Section 5.10 of the Local Government Act 1995, Council makes the following appointments to Council's Standing Committees:

**Sustainable Development Committee**  
Member: Cr Lowry  
Third Deputy: Cr Ellis

**Corporate Governance & Asset Management Committee**  
Member: Cr Ellis  
Member: Cr Twine

**Audit Committee**  
Member: Cr Twine  
Member: Cr Hoyer  
**CARRIED 9/0**

OCM041/06/10		APPOINTMENT OF DELEGATE TO ORGANISATIONS (A0429)
Proponent:	Serpentine Jarrahdale Shire	In Brief  To fill the delegate vacancies that exist on Council organisations following the passing of Councillor Kevin Murphy.
Owner:	N/A	
Officer:	Suzette van Aswegen - Acting Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	21 June 2010	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

**Background**

Following the passing of Cr Murphy, an extraordinary election was held on Friday 28<sup>th</sup> May, 2010. The following person was elected to Council to represent the North/West Ward:

Councillor Ellis

Councillors are appointed as delegates to other organisations. As a result of the passing of Councillor Murphy, the following vacancies occur as a Council delegate to other organisations:

- Cemeteries Management Committee (Delegate)
- Darling Downs Management Committee (Delegate)
- Jandakot Regional Park Community Advisory Committee (Delegate)
- Oakford/Oldbury Association Inc (Delegate)
- Peel Trails Group (Delegate)
- Reserves Advisory Committee (Deputy)
- Serpentine Jarrahdale Trails Association Inc (Delegate)
- South East District Planning Committee (Deputy)

Council is now requested to consider the appointment of a Council delegate, by resolution, to the organisations, to fill the vacancies that currently exist.

**Sustainability Statement:** Not Applicable

**Statutory Environment:** Not Applicable

**Policy/Work Procedure Implications:** Not Applicable

**Financial Implications:** Not Applicable

**Strategic Implications:** Not Applicable

**Community Consultation:** Not Required.

**Comment:**

The appointment of a delegate will ensure a smooth transition of representation on the various organisational bodies within the district and region that Council interacts with.

**Voting Requirements:** Simple Majority

**Officer Recommended Resolution:**

That the following appointments be made:

That Councillor ..... be appointed as Council delegate to the Cemeteries Management Committee;

That Councillor Ellis be appointed as Council delegate to the Darling Downs Management Committee;

That Councillor ..... be appointed as Council delegate to the Jandakot Regional Park Community Advisory Committee;

That Councillor Ellis be appointed as Council delegate to the Oakford/Oldbury Association Inc;

That Councillor Ellis be appointed as a Council delegate to the Peel Trails Group;

That Councillor ..... be appointed as Councils deputy to the Reserves Advisory Committee;

That Councillor Ellis be appointed as Councils delegate to the Serpentine Jarrahdale Trails Association Inc;

That Councillor ..... be appointed as Council deputy to the South East Planning Committee;

**OCM041/06/10 COUNCIL DECISION:**

**Moved Cr Ellis, seconded Cr Lowry**

- **That Councillor Ellis be appointed as Council delegate to the Darling Downs Management Committee;**
- **That Councillor Ellis be appointed as Council delegate to the Oakford/Oldbury Association Inc;**

**CARRIED 9/0**

**Council Note: Further vacancies to be filled after the next extra ordinary election on 22 July 2010.**

OCM042/06/10 LOCALITY FUNDING PROGRAM (A1631)	
Proponent:	Serpentine Jarrahdale Community Resource Centre and Serpentine Jarrahdale Shire
Owner:	Not Applicable
Officer:	Carole McKee - Manager Community Development
Senior Officer:	Suzette van Aswegen - Director Strategic Community Planning
Date of Report	23 June 2010
Previously	CGAM104/05/09; SD054/10/09; SCM010/10/09 ; OCM013/11/09
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act
<b>Delegation</b>	<b>Council</b>

In Brief  
Council is asked to amend the 2009/10 Budget to fund the Landscaping and Car park works for the Serpentine Jarrahdale Community Resource Centre from the Mundijong Community Improvement Reserve

**Background**

Council resolved through the 2008/09 and 2009/10 budget processes to allocate \$35,000 per town per annum to a reserve account to enable each community being, Jarrahdale, Mundijong, Byford, Serpentine, Oakford and Keysbrook to apply through the Locality Funding Program for townscape projects. A policy was adopted by Council in October 2009 and a related work procedure, funding guidelines and application forms developed.

This work procedure will enable the roll out of the 2010/11 first round of the Locality Funding Program. In the interim, any requests that are received for relevant projects need to be considered by Council on an as needs basis.

A request has been received during the month of June 2010, from the Serpentine Jarrahdale Community Resource Centre partnership to enable Council's contribution to the Community Resource Centre funding agreement for landscaping and car parking. This is required in order to make access to the building safe and tidy for the opening in late July 2010.

The funding requested comes to a total of \$69,000.

TOTAL funding currently available through Mundijong Community Improvement Reserve Fund is \$71,000.

A summary of the project and the Locality Funding Program Working Group recommendations is contained in the comments section of this report.

### **Sustainability Statement**

***Effect on Environment:*** In the landscaping of the site, local native WA trees and vegetation will be planted. Due to the prominence of the site in Mundijong it is considered important that landscaping be carried out in a way that enhances the current environment. The Shire's Landscape Architect is providing advice in this regard.

Removal of three Queensland Box Trees which are medium sized is supported by Environment and Sustainability Services. This will open up the entry visually and allow for redesign to accommodate safely the bus and other traffic entry and exit.

***Resource Implications:*** The design/construction of the Community Resource Centre retaining wall will use reconstituted local gravel blocks, earthy in colour. The retaining wall is required to stabilise the earthworks and ensure that storm water does not undermine the building. Down pipes will be configured to enable future water catchment through water sensitive design funding opportunities.

***Use of Local, Renewable or Recycled Resources:*** This project is and will continue to enable participation of local volunteers and use of local and recycled materials where possible.

***Economic Viability:*** This project will increase quality of life for local residents and visitors and create a bold entry statement to the Mundijong town centre.

***Economic Benefits:*** This project is likely to increase the number of visitors and locals using the area and consequently should provide additional custom for local businesses.

***Social – Quality of Life:*** This project will provide new and improved accessible facilities and visual amenity for local families and visitors.

***Social and Environmental Responsibility:*** This project is fostering a number of partnerships between the Community Resource Centre and Shire technical teams, enabling socially and environmental responsibility through landscaping and water sensitive design and enabling participation of community members in their implementation.

***Social Diversity:*** This project to be is likely to cater for all sectors of the community and not disadvantage anyone.

### **Statutory Environment:**

Local Government Act (1995) Section 6.8 (1) (b)  
6.8. Expenditure from municipal fund not included in annual budget  
(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure — (a) is incurred in a financial year before the adoption of the annual budget by the local government; (b) is authorised in advance by resolution\*; or (c) is authorised in advance by the mayor or president in an emergency.

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

Built Environment Policy No. G914 Locality Funding Program for Townscape Projects and related Work Procedure and Funding Guidelines.

**Financial Implications:**

It is proposed that these works be funded from Mundijong Community Improvement Reserve. The Mundijong Community Improvement Reserve currently has a balance of \$71,000 available for projects. After this project, the balance of the reserve account will be approx \$2,000 at the 30<sup>th</sup> June 2010.

**Strategic Implications:**

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.
	Integrated Water Cycle Management	16	Quantity	Promote and implement water conservation and reuse.
		41	Dispose	Responsibly manage waste to minimise the direct and indirect environmental impacts of waste management practices.
BUILT ENVIRONMENT	Land Use Planning	1	Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.
		14	Buildings	Encourage built form that positively contributes to streetscape amenity.
SUSTAINABLE ECONOMIC GROWTH	Industry Development	3		Encourage value adding opportunities for local industries and resources.
		24		Enter into partnership and joint venture projects that are mutually beneficial.
PEOPLE AND COMMUNITY	Places	32	Vibrant	Ensure community spaces and places are accessible and inviting.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs
OUR COUNCIL AT WORK	Leadership	92		Ensure that bureaucratic governance systems do not reduce the creative energy of staff and elected members.

**Community Consultation:**

The types of projects to be funded through the Locality Funding Program are the result of community needs that have been identified through community consultation.

**Comment:**

The Locality Funding Program Working Group have considered the recommendations of officers who have assessed this application and recommend that Council approve amendments to the 2009/10 Budget to allow the allocation of funds from the Mundijong Community Improvement Reserve for the purpose of the following project related to the Locality Funding Program:

Landscaping and car parking around Serpentine Jarrahdale Community Resource Centre – to make access to the building safe and tidy for the opening in late July 2010. This incorporates two components:

<i>Detail of Works</i>	<i>Budget Amount</i>
1. Retaining wall to stabilise earthworks, construct ramps, steps, and associated landscaping	\$35,000
2. Car park restoration*, installation of crossovers, removal of fence along Paterson Street, removal/replanting of trees**.	\$34,000
<b>TOTAL</b>	<b>\$69,000</b>

**Notes: \* Car park restoration does not include resurfacing.**

**\*\* 3 x Queensland Medium Box Trees (Iphostnenon canfertus) need to be removed to enable the reformation of the two entries which will open up the entry visually and allow vehicles and buses to enter and exit more safely and effectively.**

It is acknowledged that the full assessment criteria that will be applied to formal applications through the Locality Funding Program process in 2010/11 has not been applied to this project. It is within the spirit of supporting projects in the meantime, as we have with the hall renovations, and community projects in Jarrahdale throughout the year that Council are asked to support this application.

Council resolved at a Special Council Meeting on 10 October 2010 to consider an allocation for this project in the 2010/11 budget. This application has formed part of these deliberations which included the realisation of the timing required as the Community Resource Centre and related landscaping and car parking needs to be started by 30 June 2010 to be completed in time for the official opening in late July 2010. The Community Resource Centre and Shire Operations Team are in a position of readiness to implement the works starting 29 June 2010 pending Council approval of the funds.

**Voting Requirements:                      ABSOLUTE MAJORITY**

Cr Brown left the meeting at 9.02pm and returned at 9.05pm.

Director Engineering Services left the meeting at 9.16pm and returned at 9.18pm

Cr Geurds left the meeting at 9.18pm and returned at 9.20pm

**Officer Recommended Resolution:**

**Moved Cr Buttfield, Seconded Cr Hoyer (pro-forma)**

**That Council:**

- 1. Amend the 2009/10 Budget to fund the Landscaping and Car park works for the Serpentine Jarrahdale Community Resource Centre as detailed in this report, at a total cost of \$69,000 to be funded from the Mundijong Community Improvement Reserve.**
- 2. Advise the Serpentine Jarrahdale Community Resource Centre of Council's decision.**

**LOST 5/4 ABSOLUTE MAJORITY**

**Council Note: Revisit and restructure locality funding including equal distribution between localities. To be discussed at 2010/2011 budget deliberations.**

**Cr Harris foreshadowed that she would move a new motion if the motion under debate is defeated.**

**Cr Randall foreshadowed that she would move a new motion if the motion under debate is defeated.**

**OCM042/06/10 COUNCIL DECISION/New Motion:**

**Moved Cr Harris, seconded Cr Hoyer**

- 1. Amend the 2009/10 Budget to fund the Landscaping and Car park works for the Serpentine Jarrahdale Community Resource Centre as detailed in this report, at a total cost of \$69,000 to be funded from the Mundijong Community Improvement Reserve.**
- 2. Advise the Serpentine Jarrahdale Community Resource Centre of Council's decision.**
- 3. That Council consider as part of the 2010/11 budget reimbursing the funds into the Mundijong Community Improvement Reserve to reinstate the balance.**



4. That Council further consider the method and distribution of the locality funding program to address outstanding issues.  
**CARRIED 7/2**

**COUNCIL DECISION**

Moved Cr Brown, Seconded Cr Lowry  
That standing orders 9.5, 9.6, 10.7 and 10.13 be suspended.  
**CARRIED 9/0**

**COUNCIL DECISION**

Moved Cr Hoyer , Seconded Cr Geurds  
That standing orders 9.5, 9.6, 10.7 and 10.13 be reinstated.  
**CARRIED 9/0**

**9. CHIEF EXECUTIVE OFFICER'S REPORT**

OCM044/06/10		INFORMATION REPORT
Proponent	Suzette van Aswegen – Acting Chief Executive Officer	In Brief Information Report.
Officer	Trish Kursar - Personal Assistant to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:	Suzette van Aswegen – Acting Chief Executive Officer	
Date of Report	23 June 2010	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Council</b>	

OCM044.1/06/10 COMMON SEAL REGISTER REPORT – MAY 2010

The Common Seal Register Report for the month of May 2010 as per Council Policy G905 - Use of Shire of Serpentine Jarrahdale Common Seal is with the **attachments marked OCM044.1/06/10.**

OCM044.2/06/10 POLICY FORUM – 1 JUNE 2010

The following items were discussed at the 1 June 2010 Policy Forum:

Topic / Subject
<b>STRATEGIC PLANNING</b>
Byford Town Centre LSP
City of Rockingham / SJ Waste relationship building
<b>Presentations</b>
Rezoning Application – Lot 2 South Western Highway (Cnr Thomas Rd), Byford
<b>STATUTORY PLANNING</b>
Cellarbrations – Revised pylon sign - Byford
Hungry Jacks & Keysbrook Mineral Sands updates
Updates on various local structure plans
<b>Issues / Clearing House &amp; Report on Progress</b>
Councillor 'Ward & Delegate Update'
Council Actions

<b>Topic / Subject</b>
<ul style="list-style-type: none"><li>• Report on progress of Council and Committee Resolutions</li><li>• Report on Councillor correspondence</li></ul>
Councillors to present their learnings from WALGA training

OCM044.3/06/10 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) SOUTH EAST METROPOLITAN ZONE MINUTES – 26 MAY 2010 (A1164-02)

*In the attachments marked OCM044.3/06/10 (IN10/8110) is the minutes of the South East Metropolitan Zone Meeting held on 26 May 2010.*

OCM044.4/06/10 WALGA PEEL ZONE MINUTES – 27 MAY 2010 (A1164-02)

*In the attachments marked OCM044.4/06/10 (E10/3172) is the minutes of the Peel Zone Meeting held on 27 May 2010.*

OCM044.5/06/10 WALGA STATE COUNCIL MINUTES – 2 JUNE 2010 (A1164-02)

*In the electronic attachments is the minutes marked OCM044.5/06/10 (IN10/8584) and appendices marked OCM044.5a/06/10 of the WALGA State Council meeting held on 2 June 2010.*

**OCM044/06/10 COUNCIL DECISION/Officer Recommended Resolution:**

Moved Cr Brown, Seconded Cr Ellis  
The Information Report to 25 June 2010 is received.  
CARRIED 9/0

**10. URGENT BUSINESS:**

Nil

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

Nil

**12. CLOSURE:**

There being no further business, the meeting closed at 9.47pm.

I certify that these minutes were confirmed at the  
Ordinary Council Meeting held on 26 July 2010.

.....  
Presiding Member

.....  
Date

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

- 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.