



Shire of
Serpentine
Jarrahdale



Shire of
Serpentine
Jarrahdale

Ordinary Council Meeting Confirmed Minutes

7pm

Monday, 19 August 2024

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In Person

Shire of Serpentine Jarrahdale

6 Paterson Street, Mundijong WA 6123

Open Monday to Friday 8.30am-5pm (closed public holidays)



www.sjshire.wa.gov.au



Ordinary Council Meeting Minutes Monday, 19 August 2024

Councillor Attendance Register

In accordance with the 11 April 2022 Ordinary Council Meeting, Council Resolution OCM067/04/22, clause 1 – “That Council requests the Chief Executive Officer maintain a Councillor Attendance Register recording Councillor Attendances at Ordinary Council Meetings, Special Council Meetings, Q & A briefings for Ordinary Council Meetings, Q & A briefings for Special Council Meetings, Councillor Workshops held for Project Briefings, Councillor Workshops held for Budget Preparations and Policy Concept Forums.”

In accordance with the 12 December 2022 Ordinary Council Meeting, Council Resolution OCM313/12/22, clause 6 – “That Council requests that the Councillor Attendance Register published in the Agenda and Minutes displays attendances for the calendar year and notes that the full Councillor Attendance Register, including previous calendar years, will continue to be published on the Shire’s website.”

Council 1 January 2024 -

Date	Type	President Coales	Cr Bishop	Cr Byas	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
19/08/24	OCM	✓	✓	A	✓	✓	✓	✓
12/08/24	Q&A (OCM)	✓	A	A	✓	✓	✓	✓
05/08/24	PCF	✓	✓	A	A	✓	✓	✓
29/07/24	WORKSHOP	✓	A	A	✓	✓	✓	✓
25/07/24	SCM	✓	✓	✓	✓	✓	✓	✓
22/07/24	PCF	A	✓	A	✓	✓	✓	✓
18/07/24	Q&A (SCM)	EP	✓	✓	✓	✓	✓	✓
15/07/24	OCM	A	✓	✓	✓	✓	✓	✓
08/07/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
03/07/24	WORKSHOP	✓	✓	A	✓	✓	✓	A
26/06/24	WORKSHOP	✓	A	A	✓	LoA	✓	✓
24/06/24	PCF	✓	✓	A	✓	LoA	✓	✓
17/06/24	OCM	✓	✓	A	✓	LoA	✓	✓
17/06/24	Q&A (OCM)	✓	✓	A	✓	LoA	✓	✓
12/06/24	WORKSHOP	✓	A	A	✓	LoA	✓	✓
12/06/24	WORKSHOP	✓	A	A	✓	LoA	✓	✓



Continued

Ordinary Council Meeting Minutes Monday, 19 August 2024

Date	Type	President Coales	Cr Bishop	Cr Byas	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
10/06/24	Q&A (OCM)	✓	✓	A	✓	A	✓	✓
05/06/24	WORKSHOP	✓	✓	A	✓	✓	✓	✓
29/05/24	WORKSHOP	A	✓	A	✓	✓	✓	✓
27/05/24	PCF	✓	✓	A	✓	✓	✓	✓
20/05/24	OCM	✓	✓	✓	✓	✓	✓	✓
20/05/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
15/05/24	WORKSHOP	✓	A	✓	✓	✓	✓	A
13/05/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
06/05/24	PCF	✓	✓	A	✓	✓	✓	✓
01/05/24	WORKSHOP	✓	✓	✓	✓	✓	✓	✓
29/04/24	WOKRSHOP	✓	✓	A	✓	✓	✓	✓
22/04/24	PCF	✓	✓	✓	✓	✓	✓	✓
17/04/24	WORKSHOP	✓	✓	✓	A	A	A	✓
15/04/24	OCM	✓	✓	✓	✓	✓	✓	✓
15/04/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
08/04/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
25/03/24	PCF	✓	A	A	✓	A	✓	✓
18/03/24	OCM	✓	✓	A	✓	✓	✓	
11/03/24	WORKSHOP	✓	✓	✓	✓	✓	✓	
11/03/24	Q&A (OCM)	✓	✓	A	✓	✓	✓	
06/03/24	WORKSHOP	✓	EPNG	✓	✓	✓	✓	
06/03/24	PCF (Special)	✓	EPNG	✓	✓	✓	✓	
28/02/24	WORKSHOP	✓	A	✓	✓	A	A	
26/02/24	PCF	✓	A	A	✓	✓	✓	



Continued

Ordinary Council Meeting Minutes Monday, 19 August 2024

Date	Type	President Coales	Cr Bishop	Cr Byas	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
19/02/24	OCM	✓	A	✓	✓	✓	✓	
12/02/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	
05/02/24	PCF	✓	✓	A	✓	✓	✓	
29/01/24	PCF	✓	✓	✓	✓	✓	✓	

Key:

✓ - Attended

A – Apology

LoA – Leave of Absence

NA – Non Attendance

EPNG – Electronic Participation Not Granted

EP - Electronic Participation



Table of Contents

1. Attendances and apologies (including leave of absence):.....	8
2. Public question time:	9
2.1 Response to previous public questions taken on notice:	9
2.2 Public questions:.....	15
3. Public statement time:	20
4. Petitions and deputations:.....	22
5. President's Report:	26
6. Declaration of Elected Members and Officer's interest:	27
7. Confirmation of minutes of previous Council meeting(s):	28
7.1 Ordinary Council Meeting - 15 July 2024	28
7.2 Special Council Meeting - 25 July 2024	28
8. Receipt of minutes or reports and consideration of adoption of recommendations from Committee meetings held since the previous Council meeting:.....	28
8.1 Special CEO Employment Committee Meeting – 5 August 2024.....	29
9. Motions of which notice has been given:	30
9.1 - Notice of Motion – Australia Day 2025 (SJ4379).....	30
9.2 - Notice of Motion – Improving Council Transparency and Accountability – Q&A Sessions (SJ4379)	34
10. Chief Executive Officer reports:	37
10.1 Development Services reports:	39
10.1.1 - Proposed Road Naming Application - Lot 101 and 34 Evans Way, Lot 1 Abernethy Road, Lot 103 Bushman Glade and Lot 9001 Bushman Glade, Byford (PA24/166)	39
10.1.2 - Road Naming Application To Remove Approved Name - Lot 9013 Haywire Avenue, Whitby (PA24/296).....	52
10.1.3 - Proposed 'Telecommunications Infrastructure' - Lot 350, 445 Abernethy Road, Oakford (PA24/106).....	59
10.1.4 - Proposed Adoption of Amended Local Planning Policy 4.5 - Short Stay and Temporary Accommodation (SJ4444)	77
10.1.5 - Proposed Road Naming Application - Lot 9060 Orton Road, Byford (PA24/419).....	84
10.1.6 - Change of Use from 'Caravan Park' to 'Park Home Park' including Formation of 40 New 'Park Home' Sites and Construction of Sales Office and Lawn Bowls - Lot 820, 2489 South Western Highway, Serpentine (PA24/103).....	94
10.1.7 - Proposed 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms - Lot 9000, 658 Robertson Road, Byford (PA23/958)	129
10.1.8 - Consideration of Information Provided to Satisfy Conditions 10 and 11 of Approved 'Warehouse' (Plastic Production) at Lot 41, 17 Cardup Siding Road, Cardup (PA23/702)	159
10.1.9 - Marri Woodland Management Plan - Release for Public Comment (SJ816)	177



10.1.10 - Proposed Scheme Amendment No.5 to Local Planning Scheme No.3 - Normalisation of Byford District Structure Plan - Corner South Western Highway and Nettleton Road, Byford (PA24/474)	182
10.1.11 - Short List Options for Future Regional Level Playground Facility for the Shire of Serpentine Jarrahdale (SJ4473)	192
10.1.12 - Proposed Amendment No.2 to the Doley Road Precinct Local Structure Plan (PA24/268)	211
10.2 Infrastructure Services reports:	228
10.2.1 - Council Consent to Land Dedication – Tonkin Highway Extension and Thomas Road Upgrade (SJ3580).....	228
10.2.2 - Watkins Road Waste and Recycling Transfer Station Redesign Options (SJ2812)	241
10.3 Corporate Services reports:.....	263
10.3.1 - Confirmation of Payment of Creditors – July 2024 (SJ801).....	263
10.3.2 - Monthly Financial Report – June 2024 (SJ4229)	266
10.3.3 - Update to Delegations and Authorisations Register (SJ538-2)	277
10.3.4 - Council Policy Review - Council Policy 3.3.2 - Councillor Fees and Entitlements (SJ526-02).....	281
10.3.5 - Corporate Business Plan Performance Report - April to June 2024 and 2023- 2024 End of Year (SJ940-3)	287
10.3.6 - Long Term Financial Plan 2024-2034 and Corporate Business Plan 2024-28 (SJ940-3).....	313
10.4 Community Engagement reports:	324
10.4.1 - Department of Local Government, Sport & Cultural Industries - Club Night Lights Grant Program 2024/25 - Application Prioritisation (SJ1213).....	324
10.4.2 - Establishment of School Representative on Access and Inclusion Advisory Group (SJ3175)	330
10.4.3 - Keysbrook Fire Incident Community Debrief – Information Report (SJ4392) ...	336
10.4.4 - Endorsement of Bushfire Risk Management Plan 2024-2026 (SJ1920)	341
10.4.5 - Federal Grant Applications - Shire Election Advocacy Projects (SJ4117)	346
10.4.5 – ADDENDUM TO ITEM 10.4.5 - Federal Grant Applications - Shire Election Advocacy Projects (SJ4117)	353
10.5 Executive Services reports:.....	355
10.5.1 - Peel Regional Leaders Forum Minutes (SJ1350).....	355
10.5.2 - Waste Audit Findings and FOGO Considerations (SJ2812)	357
10.6 Confidential reports:	368
10.6.1 - CONFIDENTIAL - Prosecution Request Relating to the Shire Dust and Building Waste Local Law (SJ2384-3)	368
10.6.2 - CONFIDENTIAL - Allegation of breach of code of conduct SJ2024-2 (SJ3105)	370
11. Urgent business:	372
12. Elected Member questions of which notice has been given:	372
13. Closure:.....	372



Ordinary Council Meeting Minutes Monday, 19 August 2024

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

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

At the 20 June 2022 Ordinary Council Meeting, Council resolved that Council and Committee Meetings will be audio recorded in accordance with Council Policy. If you are asking a public question or making a statement or deputation to the meeting this will be audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.



Ordinary Council Meeting Minutes Monday, 19 August 2024

Minutes of the Ordinary Council Meeting of the Shire of Serpentine Jarrahdale held on Monday, 19 August 2024 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong.

President Coales declared the meeting open at 7pm and welcomed Councillors, Staff, and members of the gallery.

President Coales acknowledged the Noongar people of the Boodja – the land – that we gather on today. For thousands of years their connection to Country has provided knowledge, guidance, spirituality, and life. We pay our respects to this ongoing connection, as well as to their Elders past, present and emerging.

President Coales advised members of the gallery that the meeting is being audio recorded, in accordance with Council Policy. If you are asking a public question or making a statement or deputation to the meeting this will be audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.

Minutes

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

President: R Coales.....Presiding Member

Councillors: N Bishop

T Duggin

S Mack

R Jerrett

C Mazzini

Officers: Mr P Martin.....Chief Executive Officer

Mr R Najafzadeh.....Director Infrastructure Services

Mr A TrosicDirector Development Services

Ms C MortimerActing Director Corporate Services

Ms K Pitman.....Acting Director Community Engagement

Ms D Merritt.....Coordinator Governance (Minute Taker)

Leave of Absence: Nil.

Apologies: Cr Morgan Byas

Observers: 24



2. Public question time:

2.1 Response to previous public questions taken on notice:

Ordinary Council Meeting – Monday, 15 July 2024

Questions asked by **Mr Bill Denholm** at the Ordinary Council Meeting, Monday, 15 July 2024. Correspondence was sent to Mr Denholm on Friday, 19 July 2024 (OC24/13419).

Question 1

What are the total external costs i.e., consultants etc... so far to 30 June 2024 (Kiernan Street project only)?

Response (Acting Director Infrastructure Services)

Stage 1A

To date, the total external costs are:

- \$2.2mil in external consultant costs;
- \$0.51mil on ground water works on site;

Stage 1B

To date, the total external costs are:

- \$464,702 in external consultant costs

Stage 1C

To date, the total external costs are:

- \$31,170 in external consultant costs.

Question 2

What is the total internal costs, wages allocated directly to Shire Officers including relocation of BMX, 1A, 1C, so far to 30 June 2024 (Kiernan Street project only)?

Response (Acting Director Infrastructure Services)

The following internal costs have been applied as of 30 June 2024:

- Stage 1A - \$1,269,324;
- Stage 1B (BMX) - \$289,217;
- Stage 1C - \$45,698.

Question 3

What are the projected internal costs as per Q2?

Response (Acting Director Infrastructure Services)

Stage 1A

- The original project budget of \$24mil, included a provision of \$1,900,000 for internal costs. Given \$1,269,324 has been spent in the planning phase, \$630,676 allowance is remaining for the delivery phase.
- The revised estimated project budget is now \$29mil. This equates to a revised



budget provision for internal costs of \$2,030,000. Given \$1,269,324 has been spent in the planning phase, \$760,676 allowance is remaining for the delivery phase.

Stage 1B

- This is dependent on the final project scope and value. Other factors contributing to additional costs will be the time spent to manage external consultants for redocumentation of design drawings to be in accordance with the project budget.*

Stage 1C

- This project is approved for concept development only and nearing completion in coming weeks. No significant further internal costs above the figure in Q2 are expected. The outcome of the project will be presented to Council for consideration regarding funding options via upcoming election advocacy.*

Note that the above projected costs are based on an estimated allowance, therefore are not fixed and subject to change based on the time taken to delivery and finalise each item.

Questions asked by **Ms Vanessa Reynolds** at the Ordinary Council Meeting, Monday, 15 July 2024. Correspondence was sent to Ms Reynolds on Friday, 19 July 2024 (OC24/13442)

Questions regarding roundabout funding being sought from State Government regarding Kargotich/ Abernethy intersection. Data provided by Shire (Requested at June OCM) shows no fatalities, only a hospital severity crash in past 5 years. Black spot research indicates a fatality within past 5 years must be recorded.

Question 1

How was it deemed a priority to seek funding for the roundabout at Kargotich and Abernethy Road?

Response (Acting Director Infrastructure Services)

In regard to your opening statement, it is incorrect in regard to a fatal crash needing to be recorded for eligibility under the black spot program. To pre-qualify for funding under the black spot program, eligibility is based on:

- 3 casualty crashes in the latest 5 year crash data period (to December of each year), to qualify under the Federal program.*
- 5 crashes in the latest 5 year crash data period (to December of each year), to qualify under the state program.*
- Where a location does not pre-qualify, a Road Safety Audit may be undertaken, and submission made on the basis of a road safety audit.*

The pre-qualifying sites are provided by Main Roads WA each year to Local Government.



The intersection of Kargotich Road and Abernethy Road did not qualify for funding under the Black Spot Program to the period ending December 2023, as 1 casualty crash and 2 property damage crashes were recorded between January 2019 and December 2023. The qualifying criteria has been explained above.

A funding application for the construction of a roundabout at this intersection was submitted to State Government under the Metropolitan Regional Road Group – Road Improvement program. Applications were also submitted for roundabouts at the Kargotich Road intersection with Orton Road and Gossage Road under this program. These applications were submitted in May 2024.

These projects were prioritised as part of the Shires Road Upgrade Advocacy plan, with priorities based on a total score derived from crash data, traffic volumes and classification, road condition and future growth and development.

Question 2

If already submitted for funding, how far has the application progressed?

Response (Acting Director Infrastructure Services)

The funding applications will go through Main Roads WA review process. The Shire has no information as to the progress of applications; however, the Shire will be advised of the draft program proposed to be recommended for funding approval by early 2025.

Special Council Meeting, 25 July 2024

Questions asked by **Mr Bill Denholm** at the Special Council Meeting, Thursday, 25 July 2024. Correspondence was sent to Mr Denholm on Tuesday, 6 August 2024 (OC24/14262)

Question 1

Regarding page 44 of the agenda tonight; it's got the reduction downgrade of lux from 300 to 100 on the Eastern Oval. Cricket needs 300 lux because it's a small ball sport, is the Shire aware of this?

Response (Director Infrastructure Services)

Yes, the Shire is aware that small ball sports need 300 lux lighting to play at nighttime. The design specifications currently are for the provision of lighting to 200 lux. There is the capacity to increase the lux levels to 300 to allow for use by cricket at nighttime if required in the future.



Questions asked by **Mrs Michelle Rich** at the Special Council Meeting, Thursday, 25 July 2024. Correspondence was sent to Mrs Rich on Tuesday, 6 August 2024 (OC24/14387)

Question 1

During Budget workshops for the 2024/2025 budget, did Council provide direction to the Shire staff regarding what was to be included in the budget and what was to be removed from the budget regarding the CRM's that had been submitted by community members and will these community members be provided with written notification that the Council did or did not fund there CRM requests through the budget workshop process?

Response (Chief Executive Officer)

All budget workshops were conducted as per Policy 1.1.14 which states that a general record should be kept of workshops noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received or adopted at a later date.

Officers are developing a process regarding the unfunded CRM's and whether they are captured in improved maintenance schedules, forward capital works plans, referred to future budget processes or if the customer submitting the CRM is advised that Council is not able to fund the request.

Question 2

Once the Traffic Management Plan, District Water Management Strategy, Bush Fire Management Plan and Activity Centres reviews have been completed for the Mundijong F1 Precinct Structure Plan, please detail what planning works will still need to be completed for the WAPC to approve the structure plan and will the \$11,345 proposed remaining funds be enough to cover this work?

Response (Director Development Services)

As reported to Council in November 2023, the Mundijong F1 Precinct Structure Plan will be formulated according to the structure planning framework set out by the WAPC. The intent is to complete the major portion of this work utilising Shire staff resources. At this stage, it is not possible to advise the final budget that may be required. This will be ascertained once the project management plan has been developed. If additional funds are required, the matter will be presented to Council for consideration.

Questions asked by **Ms Vanessa Reynolds** at the Special Council Meeting, Thursday, 25 July 2024. Correspondence was sent to Ms Reynolds on Thursday, 8 August 2024 (OC24/14263)

Question 1

It was indicated that there was 5,560 hours of Officer time spent on the Keirnan Street project. Given that was also documented as being a \$1.6 million cost, has anyone stopped to look at that as equating to \$288 an hour charged to the project? Where are the costs coming from? Please give a detailed itemised breakdown along with the consultancy costs.



Response (Director Corporate Services)

For the planning and enabling works phase of \$73m worth of projects to be located at Keirnan Park site (including Stage 1A, BMX relocation and Netball Courts), the Shire has spent \$1.6m of internal cost over the last 4 years;

Of which:

\$946,343 are costs directly attributable to the Major projects team and including administration:

\$657,897 are indirect/internal activity-based costs. These costs are made up of portions of the following business unit that provide support to the Major Projects team:

- *Office Accommodation Cost*
- *CEO*
- *Director Infrastructure*
- *Director Corporate*
- *Director Community*
- *ICT and Records*
- *People and Culture*
- *Customer Service*
- *Governance, Procurement and Project Management Office*
- *Financial Services*
- *Communications*

\$2,837,240.05 has been spent until 30 June 2024 on consultancy costs on Keirnan Park (including Stage 1A, BMX and Netball Courts).

It is important to note that this expenditure has been chiefly funded from external sources, not rates.

Question 2

Tonight's agenda (page 49 / 53) states that Design Documentation Stage 1B represents a design that is beyond the scope of the CIDCP and the facility that it is intended to replace and that this creates the need for re-engagement with stakeholders to bring the project to it's original CIDCP scope intent. If achieved the CIDCP is capable of funding the whole project after a further five years of residential lot creation and Shire Contribution. The CIDCP allows for \$8,634,054 and the pretender estimate (June 23) was \$11m. Significant work is required to bring the project back within CIDCP scope.

If this is the case and it was determined 12 months ago (June 2023) that the design is beyond the CIDCP scope, and the estimated costs far exceeded those allowed for the Stage 1B, why was the final design documentation completed and closed out in Dec 2023 and not resolved prior to close out?



Response (Director Infrastructure Services)

Officers focus at the time and to date has been to resolve all of the regulatory approvals, value management and funding required to deliver Keirnan Park Stage 1A.

Now that Keirnan Park Stage 1A matters have been resolved, a report will be presented to Council in September for them to consider issues relating to scope, timing and funding for Stage 1B BMX.

Question 3

In regards to the budget, I would like some more information as to why there is almost \$7 million allocated in the budget allocated for the construction of a roundabout at the intersection Abernethy and Kargotich roads when there has actually only been one accident there in the past 5 years that required hospital treatment, no fatalities. Other intersections in the Shire are of much greater importance due to fatalities occurring in the past 5 years. I ask this question especially as there has been approval of development application, where a condition of approval was that the applicant be solely responsible for the construction of such roundabout at their own cost due to their establishment being the sole need for the additional infrastructure, with a 1000 additional vehicles expected accessing the intersection twice a day.

Response (Director Infrastructure Services)

You will note from the response to you dated 26 July 2024 to your Question taken on notice at the 15 July 2024 OCM, that the funding application for this roundabout was through the Metropolitan Regional Road Group Road Improvement program. This project has been prioritised for advocacy and funding based on total scores derived from crash data, traffic volumes and classification, road condition and future growth and development.

The fact that a development application has been approved with the condition imposed, is in no form a guarantee or certainty that development will necessarily proceed, in which case the condition will not be satisfied. The Shire will therefore continue to advocate for funding of upgrading it's road network from sources available to it, for the upgrade and efficient operation of it's road network.

Questions asked by **Mrs Lee Bond** at the Special Council Meeting, Thursday, 25 July 2024. Correspondence was sent to Mrs Bond on Tuesday, 6 August 2024 (OC24/14681)

Question 1

Why can't the 11 per cent interest on unpaid rates be removed or reduced to two per cent for those ratepayers who find themselves in this situation for the first time and as long as they enter an agreed payment suitable to both them and Council?

Response (Director Corporate Services)

Penalty interest charges provide an incentive for people to pay rates.

Question 2

Why is there an admin charge if a ratepayer pays by two or four instalments?



Response (Director Corporate Services)

The administration charge goes towards the management costs of the instalment arrangement.

Question 3

Why are those on Rural Residential charged excessive rates when they receive nothing from Council and why were they moved from GRV Residential to Rural Residential, did you ask any of us if we liked the idea?

Response (Director Corporate Services)

To Officers knowledge no properties have been moved from GRV Residential to Rural Residential.

2.2 Public questions:

Public question time commenced at 7.01pm.

Bob Munro, Serpentine, 6125

Question 1

The 150 or so residents of the park are the most affected by this development but were not advised or consulted. Will the Applicant and/or the Council meet with these residents to explain how the development will affect them and answer questions?

Response (Director Development Services)

The planning framework identifies the manner in which advertising of development applications takes place. In this regard, the owner of the park submitted the application, and the planning framework required referral to surrounding landowners, which was undertaken. The planning framework doesn't provide for referral of applications to the tenants of an owner's property.

An owner would always be encouraged to ensure their tenants are kept informed as to matters that may affect the property.

Question 2

The Summary of Submissions shows that Water Corporation states the existing water scheme does not currently have the capacity to serve the additional homes proposed during peak demand. They plan to provide a booster pump at the end of 2028. On this fact alone, why is the proposal still being considered?

Response (Director Development Services)

Water Corporation have provided advice pertaining to the reticulated water supply for the site. Officers have provided this advice to the applicant. This will be a matter for the applicant to demonstrate how they have addressed water matters to the satisfaction of the Water Corporation.

Question 3

The proposal envisages the demolition of the managers' residence and office building with no replacement shown. Will there be staff on site to process rent payments and handle emergencies such as the regular power and water failures that residents currently experience?



Response (Director Development Services)

This is a question that the applicant is best placed to address, however, it is a requirement that they comply with any provisions for Park Home Parks under the Caravan Parks and Camping Grounds Act 1995.

Eileen June Stelmach, Serpentine, 6125

Question 1

Pedestrian Connectivity P92-3

Residents will be very pleased with your recommendations regarding pathways between our satellite village and the township. This winter has done a fair amount of damage to the path. We are hopeful that the speed limit between Summerville Road and the park entry can fall in line with Nth Dandalup and Byford and be reduced to at least 60km/hr.

Our question is – What timeline can we expect this work to be done as the situation is worsening?

Response (Director Development Services)

Proposed condition 11 of the Officer's recommendation identifies a timeframe of 90 days to submit plans for the pathway upgrades to the Shire for assessment and approval. Further, the pathway upgrade is conditioned to be required prior to the first park home being brought to site.

This matter is subject to Council consideration this evening. Decisions are also able to be appealed to the State Administrative Tribunal, and therefore a definitive timeframe cannot be provided at this time.

Question 2

Dust

Once again, your recommendations were well received by the residents.

We have a number of persons with moderate to severe lung and heart conditions. One person had a lung transplant 18 months ago. These people may need to be evacuated on days that dust levels increase as cannot be avoided. Where can these people be evacuated to and who pays? (Probably not in your remit). How can we be assured that notification is timely and that all residents are aware in advance?

Response (Director Development Services)

Condition 8 is recommended as part of the Officer recommendation pertaining to the management of dust and other activities associated with construction. This construction management plan is required to be submitted and approved prior to commencement of any works, and will be used to monitor compliance with the Shire's local laws.

A standard requirement of a construction management plan includes notifying all potentially effected residents prior to works being undertaken that have the potential to generate dust. You are encouraged to speak with the Park operator in terms of requests for preventative measures.



Paul Byl, Byford, 6122

Question 1

We had a number of months where we rarely smelt the plastics factory, and if we did, the odour was mild. However, the last number of weeks we have been smelling strong melted plastic odours again numerous times a week, particularly when there is a low cloud cover, westerly winds, south westerly winds, and in summer during warm weather.

Why has there been a distinct change in the frequency of smelling? It is back to how it has always been since operation began.

Response (Director Development Services)

I understand you have raised a formal complaint on 15 August, pertaining to odour concerns for the prior four days. Shire Officers will be investigating this as per normal procedures.

I cannot therefore comment further at this time, given the recency of your complaint and the need for investigations to occur. This matter brings back the conditions imposed by Council in its approval last year.

Question 2

Why were we not notified of this meeting? We have had objections to the plastics factory over the years since it commenced operation, and as a duty of care to rate payers, we should have been notified.

Response (Director Development Services)

The nature of the matter on tonight's agenda is not a development application which is subject to community consultation.

Rather, the matter deals with conditions 10 and 11 imposed as part of Council's previous decision to approve extended operating hours and remove limits on production of the plastics factory.

These conditions provided for a 12-month re-assessment of operations, specifically on whether the extended operating hours and uncapped production had been done satisfactorily.

Such assessment has been undertaken by expert reporting, pertaining to noise and air emissions. These studies have been independently reviewed by separate experts sourced by the Shire, and form the basis of the report tonight.

Question 3

What has the Shire done to rectify this problem since day one? It has been a recurring problem. We have not seen health department reports or records or EPA's reports. Why have we received no confirmation that anything is being done to resolve the issue?



Response (Director Development Services)

Officers have managed each complaint in accordance with Council's Compliance and Enforcement Policy. DWER Pollution Response have also investigated complaints made. Information provided by Officers is that complaints have been attended to; complainants kept informed; and outcomes communicated per the CRM system.

OCM203/08/24

COUNCIL RESOLUTION

Moved Cr Duggin, seconded Cr Bishop

Council APPROVES an extension to public question time by 15 minutes at 7.14pm

CARRIED UNANIMOUSLY 6/0

The Presiding Member asked if there were any public questions from the floor.

Mrs Bond, Armadale, 6112

Question 1

Why has no attempt been made to remove the Telstra monopole in Richardson Street, Serpentine as it does not meet the standards of distance required from homes and why was I told in writing by the CEO it was permitted because it was built many years ago. Are you claiming that less than 10 metres from homes is an acceptable level of radiation for not only adults but children living beneath this tower, and what is the safe distance to live from a monopole?

Response (Presiding Member)

The Presiding Member advised the question will be taken on notice. In accordance with Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting, a written response will be provided.

Question 2

What right does this Council have to not advise all affected people when a monopole application is put to Council and what gives this Council the right to ignore submissions and conveniently keep protest submissions against these radiation towers secret and who on Council has bothered to fully investigate the repercussions of these towers on the health of people and animals?

Response (Presiding Member)

The Presiding Member advised the question will be taken on notice. In accordance with Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting, a written response will be provided.

Question 3

Isn't it time that the indemnity clause protecting councillors is revisited and reviewed with regard to stopping abuse of this clause and making Councillors responsible for deliberate instigated behaviour and isn't it time the CEO made sure both legitimate gallery members and targeted councillors and council staff are protected from elements of bad behaviour by particular gallery members or councillors?



Response (Presiding Member)

The Presiding Member advised the question will be taken on notice. In accordance with Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting, a written response will be provided.

Garry Tomlinson, Jarrahdale, 6124

Question 1

When will the rates notices be sent out and what is the due date on them?

Response (Presiding Member)

The Presiding Member advised the question will be taken on notice. In accordance with Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting, a written response will be provided.

The Presiding Member asked if there were any further public questions from the floor.

Denelle Kennedy, Darling Downs, 6122

Question 1

Why does the Shire of Serpentine Jarrahdale not have a Reconciliation Action Plan (RAP)?

Response (Director Community Engagement)

The Shire is in the process of developing a Reconciliation Action Plan and 'Inspire' is the first step. We are currently liaising with Indigenous groups to make sure that we get that right, then we do further work. It is certainly in progress.

Vanessa Reynolds, Oakford, 6121

Question 1

At the OCM on 20 May 2024, President Coales stated that in relation to the Hypergrowth Road Advocacy there was some science behind the priority roads, they haven't been "plucked", there is sense in the advocacy and road crash data to back it up. To date very little evidence of the so called science used to support this priority list has been provided to the community. The road crash data freely available does not support the order in your priority list. For example, the Kargotich and Abernethy Road intersection isn't even in the top 20 for crash injury or frequency. So how does it get listed as the number 1 priority. How has that not been plucked? Can Council provide the methodology used to produce this list?

Response (Presiding Member)

The Director Infrastructure Services advised the question will be taken on notice. In accordance with Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting, a written response will be provided.



Question 2

With regard to the lack of drainage in the Shire – what has the Shire done to rectify this and what is the future plan to address this on-going issue as we are seeing the continuous approval of high density housing estates and application approvals for establishments are permitted to raise ground levels well above road level?

Response (Presiding Member)

The Presiding Member advised the question will be taken on notice. In accordance with Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting, a written response will be provided.

Paul Byl, Byford, 6122

Question 1

Regarding plastics factory – what has been done to rectify the odour coming over homes?

Response (Director Development Services)

The Shire notes the complaint and will need time to look into it. The report tonight does deal with reports by expert consultants addressing noise and air emissions. These have also been subject to an independent peer review, which is included in the report tonight. The decision last year still retains conditions 7,8 and 9, which refer to annual reporting.

The Presiding Member asked if there were any further public questions from the floor. No further public questions were asked.

Public question time concluded at 7.25pm.

3. Public statement time:

Public statement time commenced at 7.26pm.

Paul Byl, Byford, 6122

Public statement made regarding item 10.1.8 - Consideration of Information Provided to Satisfy Conditions 10 and 11 of Approved 'Warehouse' (Plastic Production) at Lot 41, 17 Cardup Siding Road, Cardup (PA23/702)

Why hasn't the Council listened to ratepayers on this issue before? They have not done an environmental assessment that we have been made aware of and we have not received a report from the Health Department.

The Shire has not listened to the ratepayers as this has been a long-standing issue, the impact on the environmental side of it, not only for us, but others in the surrounding areas. There is no communication between Shire Officers and ratepayers.

The Councillors and Shire Officers are working for the ratepayers. They have a duty of care to their ratepayers. We have been lodging complaints since the plastic factory has been operating with no reports from anyone back to us. How is the Shire going to resolve this issue?

The Presiding Member asked if there were any public statements from the floor.



Vanessa Reynolds, Oakford, 6121

Made a statement regarding the BMX track and its need for repairs.

The Presiding Member asked if there were any further public statements from the floor.

Mrs Bond, 6112

This Shire is going to become known as monopole country because of all the unsightly radiation causing monopoles being erected on properties because of greed. The telecommunications in this Shire has not improved at all but the destruction of wildlife has and human health has suffered. Is it okay for people with medical implants such as pacemakers be put at risk because of these cancer causing horrors.

I have asked questions regarding one of these horrors in Richardson Street, Serpentine for the second time tonight because I was not satisfied with the lame excuse given to me previously. Did I forget to mention that I was approached by someone while I was taking a photo of this radiation tower, did I also forget to mention that we had a very interesting discussion about this tower. This is only one reason I am angry and will not accept that lame excuse for the erection of this pole over the top of people. The rules are not there to be exploited for self interested parties. Get this pole removed now and the cost is the responsibility of the proponent not council. An Israeli study gave the relative risk for cancer at four times greater within 350 metres of a monopole. A quarter of a mile was considered the minimum safety distance. The cancer council states the same distance for health and safety. A German study reported people living within 400 metres of these monopoles had over three times the normal rate for new cancers (2004). People with hypersensitivity or other serious health issues may want to consider a half a mile or more distance. Michael Neuerts MA BSME has studied electromagnetics for 28 years.

In 2019, one of these poles was rejected and rightly so on the grounds that it was likely to "adversely impact on the rural lifestyle of surrounding residents which is contradictory to the rural policy area under the rural strategy review 2013" the photo of the intended site has no housing and sparse bush and yet it was claimed to be an unsuitable site". How then can Councillors and Council Officers recommend the intrusion of this application on a bush forever site containing plenty of wildlife, rare flora and residential homes in a rural area. Travelling along Tonkin Highway you can see all the radiation towers blighting the skyline. One tower can cover 40km and up to 72+ km. Your distance announced between the tower on the corner Charolais Court and Hopkinson Rd to 445 Abernethy Rd Oakford is a total joke. You must have gone the long way round to state it is 1.53km. I think it is closer to 1000m as the crow flies. You would have to stand under these poles to get reception and when an application is being sought the lack of service appears to be greatly enhanced than at other times. This monopole is far more intrusive than the one refused on Orton Rd. Deceptive photos are a sleazy attempt to make this intrusive eyesore look a part of the surroundings.

Stop pandering to buddies who need the money and don't give a damn about us or our environment. Read your policy on telecommunications infrastructure. It is part of your policy to "ensure that mobile phone towers/monopoles are developed in a manner which is compatible with the surrounding environment and not adversely impact the amenity of the area".



When people have to sell up because you have put their health at risk you should be ashamed of yourself. Your policy also states “carriers must co-locate onto existing towers/monopoles. Other parts of the world are now removing these cancer causing eyesores. Why are you still promoting them? Well what do you have to say now?

The Presiding Member asked if there were any further public statements from the floor.

Mrs Lisa Brazier, Mundijong, 6123

Made a statement regarding the inclusion of BMX in the advocacy project.

The Presiding Member asked if there were any further public statements from the floor.

Fiona Lowe, Oakford, 6121

Made a statement regarding transparency in decision making.

The Presiding Member asked if there were any further public statements from the floor.

As there was no further public statements, Public Statement time concluded at 7.40pm.

4. Petitions and deputations:

Mr Shane Wormall, regarding item 10.1.8 – Consideration of Information Provided to Satisfy Conditions 10 and 11 of Approved ‘Warehouse’ (Plastic Production) at Lot 41, 17 Cardup Siding Road, Cardup (PA23/702)

Good evening Mr President and Elected Members.

I’m here to speak with you this evening regarding Item 10.1.8, the recommended approval of unrestricted operations at Smartstream’s plastics facility in Cardup.

My name’s Shane Wormall, and I’m joined by Darren Cooper who chairs our Group Advisory Board – Darren addressed you on this item one year ago when our conditional approval for unrestricted operations was granted.

As one of the largest employers in the Shire, my family business Wormall Group has operated from our current Cadrup location since 2016. From our Cardup base, we provide civil construction services and deliver approximately half of Perth’s new residential lots, in addition to supplying important concrete and plastic components used in those subdivisions.

Our recently-published Group Environmental Social and Governance Plan – or ESG Plan – sets out the measures we use to be the best corporate citizen we can possibly be, and includes a strategy to continually improve over time and update that ESG plan every 3 years.

This evening’s item concerns our plastic operations, where we manufacture a range of sewer pits, maintenance shafts and other underground items.

As many of you would be aware, our innovative plastic products were invented by me personally a number of years ago, and are direct alternatives or replacements for in-ground concrete products. They have much lower carbon inputs, are lighter and therefore safer



to work with on active construction sites or in replacement scenarios, and have significantly longer lifespans than their traditional concrete alternatives.

These advantages are recognised by the market, and from our humble operations in Cardup we export our plastic underground products to the east coast of Australia, and over the past few years to a rapidly-growing market in the USA – and particularly Florida and Texas. We are currently exploring options for in-country manufacturing to service the US market as our sales volumes there continue to grow.

It's inevitable that a business like ours will generate some level of noise, odour and other impacts such as truck movements – and so we were supportive of the Shire's position a year ago to allow us to operate our plastics facility without volume or time limits for a one-year period, subject to more intensive noise and odour monitoring.

We have always been respectful of our neighbours, and have strived to minimise any noise, odour or other amenity impacts as much as possible.

We maintain robust systems and processes around mitigation and management of odour and noise in particular, and our Group Work Health Safety Quality & Environment Manager maintains a Complaints Register to ensure we can quickly address any issues that arise.

In the extensive odour and noise monitoring we've undertaken over the past 12 months, and in the Shire's own review of those reports, we're pleased to see that those efforts have been effective, and that we've been able to mitigate any impacts from our unrestricted plastics operation on our surrounding neighbours.

We are also required to submit odour and noise reports to the Shire by 1 December each year, and this is an appropriate measure to ensure ongoing amenity impacts are minimised. However, as you can appreciate, these noise and odour reports are comprehensive and extensive - they require significant management time from us to coordinate, and they come at a significant cost. Our only request would be that, having just been through this exercise now, and with December now only 14 weeks away, that our next round of reporting be submitted in December 2025.

In closing, can I thank the officers for the co-operative working relationship and diligence they have shown in this process. Mr President I'm happy to take any questions the Elected Members may have, and I thank you all for your time this evening.

Ms Amanda Butterworth, Associate Director, Allering and Associates regarding item 10.1.6 – Change of Use from 'Caravan Park' to 'Park Home Park' including Formation of 40 New 'Park Home' Sites and Construction of Sales Office and Lawn Bowls – Lot 820, 2489 South Western Highway, Serpentine (PA24/103)

Deputation for Item 10.1.6 being the Change of Use from 'Caravan Park' to 'Park Home Park' including the formation of 40 New 'Park Home' Sites and construction of a Sales Office and Lawn Bowls green at Lot 820, 2489 South Western Highway, Serpentine.

Serpentine Village has operated since 1987 and is presently owned and managed by Tasman.

Serpentine Village presently accommodates 104 park home sites and some caravan and tourist accommodation sites. The application seeks approval for the site to operate as a Park Home Park land use with an additional 40 homesites for new park homes and a temporary sales office.

Park homes provide an affordable housing option for the over 55 population.



The location of the proposed park home sites are at the north-west corner, where 37 sites are proposed and three new sites to the south-western corner. The north-western area includes a minor modification to the road layout. The Southwest corner includes sealing of an existing gravel road.

The park home sites range in size with the largest being 352m². There are no specific home designs provided in this application as each park home is tailor-made in accordance with the residents requirements, and will be selected from park home designs from varying park home manufacturers, such as Modular WA and Fleetwood. Each Park Home will be subject to a building permit, ensuring the design is to the satisfaction of the Shire prior to its construction.

We have emailed Councillors images of typical park home designs and we assure you that the image in Figure 4 of the agenda report does not reflect the type of park home that is proposed to be accommodated on site. In our opinion, the image in figure 4 depicts a 'Tiny Home' rather than a Park Home.

A benefit of the site operating as a Park Home Park entirely is that residents will feel a greater sense of place, community and security, by removing a transient population.

We thank the officers for their thorough report and we support the officers recommendation to approve the application, however there are a number of changes to conditions for which we seek Council support:

Condition 1 – we seek correction to the date of the Bushfire Management Plan from 2023 to 2024.

There are a number of conditions which require lodgement of documents within 90 days. We seek removal of the requirement to comply with conditions within 90 days. However, we highlight that the Applicant accepts the need to comply with the conditions prior to any park homes being brought onto the site. There is a substantial amount of work to be done to satisfy these conditions and to require this within 90 days for all of these conditions would likely mean that we would be in non compliance with the approval and we want to make the development happen.

Our request to delete the reference to 90 days and require compliance either prior to any park homes being brought onto the site or prior to the issue of a building permit relates to:

- Condition 3: Bushfire Management Plan
- Condition 4: Public Art
- Condition 6: Stormwater Management Plan
- Condition 7: Civil Engineering Plan
- Condition 8: Construction Management Plan
- Condition 9: Wastewater Management Plan
- Condition 12: Landscape Plan

We also seek modification to other conditions as well.



Condition 5 requires lodgement of a Noise Management Plan. We have lodged a noise intrusion report and that is also referred to in what is presently condition 14.

Based upon the findings of the noise intrusion report, we consider that there is no need for a noise management plan.

In regard to part b of condition 5, the noise intrusion report does not recommend the use of a noise wall or noise bund. The introduction of a noise bund would result in a reduction in the area alongside South Western Highway that would be available for landscaping and the pedestrian path. Alternatively a noise wall would result in the site having a solid wall along South Western Highway, which is not considered to be a desirable outcome, particularly given the pleasant outlook presently, which is proposed to be improved with more landscaping.

The applicant requests consideration of a modified condition to simply comply with the recommendations of the noise intrusion report and therefore we request deletion of the recommended condition and a replacement condition as follows

Pursuant to State Planning Policy 5.4, quiet house design packages shall be implemented and other requirements implemented as detailed in the stamped Acoustic Assessment to the satisfaction of the Shire of Serpentine Jarrahdale for the life of the development.

Condition 10 requires removal of the Land Sales Office within 2 years.

Because the land sales office may not be introduced on site for a number of months and possible more than a year, we seek modification to this condition to allow the Land Sales Office to be **on site** for up to two years, rather than 2 years from the date of approval, and we support removal upon sale of all lots within the property.

We accept parts a) – c) of condition 10 but requests consideration modifying the first part of Condition 10 to read as follows:

The Land Sales Office and any associated bitumen/hardstand areas for the Land Sales Office shall be removed within a time period of four (4) years from the date of approval, or upon sale of all sites within the property, whichever is the lesser. The Land Sales Office shall comply with the following standards of the Shire's Local Planning Policy 4.8 – Land Sales Offices, unless otherwise approved by the Shire of Serpentine Jarrahdale:

Condition 11 requires construction, drainage and lighting of a dual use path from Serpentine Village to Serpentine Town Centre, which we calculate to be in the vicinity of 1.5km.

We note that in June 2023 the Shire sought to impose a condition on a JDAP approval for Piara Waters Lifestyle Village and a child care centre in Byford that was to require a footpath to be constructed beyond the boundaries of the lots subject of those developments. In determining those applications, the JDAP considered that the footpath requirement was too onerous and not considered appropriate in the context of those developments. We consider that the same applies here.

We consider that a proposal for 40 park home sites does not generate the need for a 1.5 kilometre path through a rural area. Tasman would accept a condition to construct a



footpath on the Subject Site as shown on the current landscape plan that provides access from the new 37 park home sites to the adjacent café and service station.

Condition 13 requires the establishment of a water point and effluent dump point for travelling caravans and RVs.

This application seeks approval for Serpentine Village to be a Park Home Park and there will be no travelling caravans or RVs on site other than those that may be parked on site when not being used by the residents.

The proposal for 40 park home sites does not generate the need for an effluent dump point or water point. As the application does not generate the need for these services, the condition is not considered reasonable and therefore we request that condition 13 be deleted.

We did provide to all Councillors a copy of the amendments to the conditions for which we seek your support.

We consider that this development will be an asset to the Shire of Serpentine Jarrahdale in that it will create opportunities for more affordable housing for an aging population, and such affordable housing is needed given the cost of living crisis we are presently enduring.

Thank you for your time and Alan Burgess, on behalf of Tasman, and I are available to answer any questions you may have.

5. President's Report:

Good evening Elected Members, residents, and ratepayers. Welcome to the August 2024 Ordinary Council Meeting.

This year's Shire budget was presented at July's Special Council Meeting—my first as Shire President.

The budget reflects our commitment to delivering responsive services that enhance our community's liveability.

Most notably, it shows we've listened to our residents and ratepayers, and that we're a Shire that cares.

We've allocated \$83 million towards crucial projects and capital works, including playgrounds, community facilities, roads, and amenities.

This budget balances community expectations with responsible financial management.

I enjoyed speaking with residents at the Budget Breakfast Briefing, where our directors detailed the 2024/25 budget.

Feedback was positive, and we're considering changes to the event timing to enable more people to attend next year.

Meeting the infrastructure needs of our growing population is a priority.

The resolution passed by Council at the July Special Council Meeting confirms our commitment to the Keirnan Park Recreation Precinct project.

We are adjusting the budget and timeline to address unforeseen challenges and deliver high-quality facilities for our community.



As the 2025 State and Federal elections approach, we're intensifying advocacy for Council-endorsed projects. The Shire CEO and I will meet with MPs and cabinet members to advocate for:

- Keirnan Park netball courts
- Expansion of the SJ Community Recreation Centre
- Jarrahdale Trails Centre
- Maintenance of nine priority local roads
- Upgrades to Shire fire stations

We're developing a comprehensive advocacy strategy, and recently met with Matt Keogh MP, Shadow Minister for Veterans' Affairs and Defence Personnel.

It was a productive discussion, and we appreciate his insights.

Finally, last month, we hosted Acting Premier Rita Saffioti at our Building Tomorrow Together breakfast with the Peel Chamber of Commerce and Industry.

The event was valuable, with the Acting Premier's understanding of regional challenges being particularly positive.

We also valued the support of Hugh Jones MLA, Member for Darling Range, who spoke at the breakfast.

We look forward to strengthening our relationships with all levels of government to achieve the best outcomes for our growing community.

Thank you.

6. Declaration of Elected Members and Officer's interest:

Chief Executive Officer, Paul Martin, declared a Financial Interest in Item 8.1 – Special CEO Employment Committee Meeting. The nature of the interest is the item is considering the recommendations from the CEO Employment Committee. The extent of the interest is the recommendation relates to my annual performance review and remuneration.



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

7.1 Ordinary Council Meeting - 15 July 2024

Officer Recommendation

That the minutes of the Ordinary Council Meeting held on 15 July 2024 be CONFIRMED (E24/10071)

OCM204/08/24

COUNCIL RESOLUTION

Moved Cr Mack, seconded President Coales

- 1. That the minutes of the Ordinary Council Meeting held on 15 July 2024 be CONFIRMED (E24/10071)**
- 2. That in accordance with regulation 29A(2)(c) of the *Local Government (Administration) Regulations 1996*, Council RESOLVES that all lost motions for item 10.7.1 which was closed under section 5.23 of the *Local Government Act 1995*, is made available for inspection.**

CARRIED UNANIMOUSLY 6/0

Reason for difference:

In light of legal advice, it is suggested the minutes can be published in full.

7.2 Special Council Meeting - 25 July 2024

OCM205/08/24

COUNCIL RESOLUTION

Moved Cr Duggin, seconded Cr Mazzini

That the minutes of the Special Council Meeting held on 25 July 2024 be CONFIRMED (E24/10604)

CARRIED UNANIMOUSLY 6/0

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

The Chief Executive Officer, Mr Paul Martin, declared a Financial Interest in Item 8.1 and left the meeting at 8.04pm prior to this item being discussed.

The Director Development Services, Mr Andrew Trosic, assumed the Chair of Chief Executive Officer at 8.04pm.



8.1 Special CEO Employment Committee Meeting – 5 August 2024

Attachments (available under separate cover)

- Attachment 1 – Special CEO Employment Committee Meeting Minutes – 5 August 2024 (E24/11325)

Voting Requirements: Absolute Majority

OCM206/08/24

COUNCIL RESOLUTION

Moved Cr Duggin, seconded Cr Jerrett

That Council:

1. RECEIVES the Unconfirmed Minutes of the CEO Special Employment Committee Meeting held on 5 August 2024 (E24/11325)
2. ADOPTS CEO Employment Committee Resolution CEO005/08/24 and:
 1. RECEIVES and ENDORSES the Annual Performance Review 2023-24 in CONFIDENTIAL attachment 1.
 2. RECEIVES and ENDORSES recommendations 1 and 2 to Council contained in the Summary Report to Council in CONFIDENTIAL attachment 2.
 3. REQUESTS that the Shire President write to Mr Paul Martin to INFORM Mr Martin of the outcome of the review.
3. ADOPTS CEO Employment Committee Resolution CEO006/08/24 and:
 1. APPROVES the outcome of the Annual Remuneration Review in accordance with CONFIDENTIAL attachment 2, point 3b.
 2. REQUESTS that the Shire President write to Mr Paul Martin to INFORM Mr Martin of the outcome of the review.
4. ADOPTS CEO Employment Committee Resolution CEO007/08/24 and:
 1. AGREES to the Chief Executive Officer Key Performance Indicators as stated in 'Attachment 1: Proposed CEO Performance Criteria (KPIs) for 2024-25' as contained in CONFIDENTIAL attachment 1.
 2. REQUESTS that the Shire President write to Mr Paul Martin, Chief Executive Officer, informing the Chief Executive Officer of Council's resolution.
 3. RESOLVES that the Key Performance Indicators agreed by Council and the CEO in CONFIDENTIAL attachment 1 become publicly available in accordance with Regulation 21 of the *Local Government (Model Code of Conduct) Regulations 2021*.

CARRIED UNANIMOUSLY 6/0

Mr Martin returned to the meeting at 8.05pm and resumed the Chair of Chief Executive Officer.

Presiding Member, President Coales, advised Mr Martin of the Council Resolution for item 8.1.

**9. Motions of which notice has been given:**

9.1 - Notice of Motion – Australia Day 2025 (SJ4379)	
Elected Member	President Coales
Disclosure of Officers Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Notice of Motion

A Notice of Motion was received from President Coales via email on Monday, 12 August 2024.

The Notice of Motion is:

“That Council:

- 1. NOTES due to impacts of the trainline expansion and upgrades the City of Armadale are not delivering Australia Day events in 2025, including the fireworks, which many Serpentine Jarrahdale residents have previously attended.*
- 2. REQUESTS the Chief Executive Officer to plan and deliver an evening community event on 26 January 2025, including family activities, live music and food trucks, in an expanded format similar to that delivered on 26 January 2023.*
- 3. REQUESTS the Chief Executive Officer to plan and deliver the Australia Day Awards and Citizenship Ceremony on 26 January 2025 in the same format as previous years, with a late afternoon timeslot so that attendees may join the community event at the conclusion of the Ceremony.*
- 4. DOES NOT PROCEED with the proposed music events in February 2025.*
- 5. APPROVES the following budget variation:*

Account Number	Type	Account Description	Debit \$	Credit \$
4300-15701-6131-000	Increase Expenditure	Australia Day – Program Activities	7,000	
4300-15701-6392-000	Increase Expenditure	Australia Day – External Contractors	18,000	
4300-15707-6131-0000	Decrease Expenditure	Music Events – Program Activities		7,000
4300-15707-6392-0000	Decrease Expenditure	Music Events – External Contractors		18,000
Reason: To facilitate a larger scale evening Australia Day community event on 26 January 2025 using funds from the proposed music events in February 2025, which will no longer be going ahead.				

**Relevant Previous Decisions of Council**

Ordinary Council Meeting - 19 June 2023 – OCM153/06/23 – COUNCIL RESOLUTION - extract

That Council:

2. *ENDORSES the 2023/2024 draft Community Events and Activities Calendar as contained in attachment 2 with the following amendments:*

- a) INCLUDING an indoor Community Breakfast prior to the Australia Day Civic Event (open to all of community) and increasing the 2023/2024 draft Budget allocation for the Australia Day Civic event by \$3,000.*
- b) AMENDING the Food Truck Fiesta series to be the following events and reducing the 2023/2024 draft budget allocation by \$53,000:*

<i>October</i>	<i>Food Truck Fiesta – Community Safety</i>	<i>\$10,000</i>
<i>November</i>	<i>Food Truck Fiesta – Movie Night</i>	<i>\$11,500</i>
<i>December</i>	<i>Food Truck Fiesta - Christmas Street Party</i>	<i>\$30,000</i>
<i>February</i>	<i>Food Truck Fiesta – Movie Night</i>	<i>\$11,500</i>
<i>March</i>	<i>Food Truck Fiesta - Harmony Week</i>	<i>\$24,000</i>
<i>TOTAL</i>		<i>\$87,000</i>

Ordinary Council Meeting - 22 June 2022 – OCM147/06/22 – COUNCIL RESOLUTION / Officer Recommendation - extract

That Council:

3. *ENDORSES changes to the Australia Day Event as follows:*

- a) Continuation of breakfast with volunteer groups for Australia Day Ceremony participants only; and*
- b) Delivery of the community Australia Day components (including community cricket match) as part of an evening Food Truck Fiesta event in Byford;*

Officer Comment

The expansion of the Armadale train line and subsequent Metronet works have resulted in the City of Armadale making the decision to not host their traditional Australia Day events in 2025, including the evening fireworks display. This may present an opportunity for the Shire to deliver an expanded Australia Day event on 26 January 2025.

Current plans for Australia Day include:

- an Indoor Community Breakfast held at the SJ Community Recreation Centre on 26 January with live acoustic music and family friendly entertainment, and
- a morning Australia Day Awards and Citizenship Ceremony on 26 January

However, these plans could be changed to include an evening event on Briggs Oval, Byford. Previous night time Australia Day events have been well received by the community, with great attendance and feedback and in the absence of the City of Armadale event, it is expected that a 2025 event hosted by the Shire would be well attended.



In keeping with Council direction, in addition to the Australia Day events, the current budgeted Major Event series for 2025 includes;

- a whole of community Summer Splash event in January (inflatable amusements with water elements suitable for all ages)
- Family Friendly Music event series in February (a series of smaller music events at various locations).

It is important to note that in the planning of the Major Events series, Officers carefully consider a schedule that includes location diversity to allow accessibility and inclusion for as many people as possible to attend Shire events.

The proposed family-friendly music events scheduled for February were designed to be held in smaller parks across the Shire (e.g. Serpentine, Jarrahdale, Whitby etc) to allow increased accessibility for all residents. Reallocating budget from the music event series to fund the expanded Australia Day program will impact location diversity in the 2024-2025 season. If supported, it is likely the Summer Splash event, proposed for Briggs Park in January, would be relocated to an alternate location (possibly Clem Kentish Reserve, Serpentine) to continue hosting events in a variety of locations.

Due to capacity, Officers are not able to deliver the Summer Splash event (proposed 17/18 January), an expanded Australia Day event and the February music series within a one month period. If Council would like to deliver the revised Australia Day event format, and retain the music series, an external contractor would need to be engaged.

Given the tight timeframe for preparation it is important for suppliers and entertainment to be locked in as soon as possible to deliver a successful Australia Day event. Costs associated with an outdoor live band, which requires a stage and additional infrastructure, are also significantly higher than those of an indoor event with single acoustic musician. Therefore the reallocation of funding from an alternate event, or another source, will be required as soon as possible.

Officers do not have staffing capacity to deliver a morning Citizenship Ceremony and an evening Australia Day community event in 2025. However, to leverage the change to the City of Armadale's event and introduce an evening Shire event, Officers support changing the timing of the Citizenship Ceremony to the afternoon, with the evening community event commencing at the conclusion of that ceremony.

Post event evaluation could be used to inform the success of the event and whether the format of this proposed event is one Council would like to deliver in future years.

Voting Requirements: Simple Majority

OCM207/08/24

Elected Member Recommendation

Moved President Coales, seconded Cr Duggin

That Council:

1. **NOTES due to impacts of the trainline expansion and upgrades the City of Armadale are not delivering Australia Day events in 2025, including the fireworks, which many Serpentine Jarrahdale residents have previously attended.**



2. **REQUESTS** the Chief Executive Officer to plan and deliver an evening community event on 26 January 2025, including family activities, live music and food trucks, in an expanded format similar to that delivered on 26 January 2023.
3. **REQUESTS** the Chief Executive Officer to plan and deliver the Australia Day Awards and Citizenship Ceremony on 26 January 2025 in the same format as previous years, with a late afternoon timeslot so that attendees may join the community event at the conclusion of the Ceremony.
4. **DOES NOT PROCEED** with the proposed music events in February 2025.
5. **APPROVES** the following budget variation:

Account Number	Type	Account Description	Debit \$	Credit \$
4300-15701-6131-000	Increase Expenditure	Australia Day – Program Activities	7,000	
4300-15701-6392-000	Increase Expenditure	Australia Day – External Contractors	18,000	
4300-15707-6131-0000	Decrease Expenditure	Music Events – Program Activities		7,000
4300-15707-6392-0000	Decrease Expenditure	Music Events – External Contractors		18,000

Reason: To facilitate a larger scale evening Australia Day community event on 26 January 2025 using funds from the proposed music events in February 2025, which will no longer be going ahead.

CARRIED UNANIMOUSLY 6/0

**9.2 - Notice of Motion – Improving Council Transparency and Accountability – Q&A Sessions (SJ4379)****Elected Member**

Councillor Byas

Disclosure of Officers Interest:

No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the *Local Government Act 1995*.

Notice of Motion

A Notice of Motion was received from Councillor Byas on 12 August 2024.

The Notice of Motion is:

“That Council:

1. REQUESTS that the Chief Executive Officer AMENDS Council Policy 1.1.14 – Forums of Council – Policy Concept Forums, Question and Answer Agenda Forums and Workshops to open Question and Answer sessions to the public by:

- i) DELETING paragraph:

“QAAF’s shall not be open to the public and therefore no debate on the items shall be entered into during the QAAF’s there shall be no opportunity for a collective Council decision or implied decision that binds the local government. Fundamental to this decision is that any debate shall be held at Council meetings so as to ensure the public in attendance at a Council meeting can see and hear the decisions and debate around Council decisions.”

and INSERTING:

“QAAFs shall be open to the public but no debate of items shall be entered into to ensure the integrity of the Council Meeting as the decision-making forum of Council prescribed in legislation.”

2. REQUESTS that the Chief Executive Officer AMENDS Council Policy 3.3.11 - Recording of in-person Council and Committee Meetings:

- a) to record, and publish the recordings of all Question and Answer sessions;
 - b) by AMENDING Policy 3.3.11 from:

“The audio of the proceedings of all Council and Committee meetings within the scope of this policy are to be recorded.”

to read:

“The audio of the proceedings of all Council and Committee meetings, and Question and Answer sessions are to be recorded and published. If the Presiding Member has decided that part or all of Question and Answer sessions are to be closed to the public, then no recording will be made or published.”

**Relevant Previous Decisions of Council**

Ordinary Council Meeting – 15 April 2024 – OCM070/04/24 – COUNCIL RESOLUTION

That Council RESOLVES to:

- 1. open Question and Answer sessions to the public for a trial period of three months only, being the May, June, and July 2024 Council Meetings. No debate of items shall be entered into to ensure the integrity of the Council Meeting as the decision-making forum of Council, as prescribed in legislation. Meetings shall be closed to the public by the Presiding Member when discussing matters under the provisions of section 5.23 of the Local Government Act 1995. No public presentations or questions are permitted to take place during the Question and Answer session.*
- 2. review the trial with a PCF item and survey of councillors at the conclusion of the three month period to determine whether Council Policy 1.1.14 - Forums of Council - Policy Concept Forums, Question and Answer Agenda Forums and Workshops should be amended to open all ongoing Question and Answer sessions to the public.*

Officer Comment

The notice of motion proposes the following:

- opening Question and Answer (Q&A) session to the public; and
- recording the proceedings of Q&A sessions on the Shire's website.

In April 2024, Council agreed to trial open Q&A sessions for a period of three months. As per the recommendation, at the conclusion of the trial, a survey of Elected Members was undertaken to determine whether Council Policy 1.1.4 – Forums of Council – Policy Concept Forums, Question and Answer Agenda Forums and Workshops, should be amended to open all ongoing Q&A sessions to the public.

Following the trial, a survey was distributed to all Elected Members. A summary of the feedback is provided below:

For	Against
<ul style="list-style-type: none">• enabled the community to hear the questions asked on each item, especially with en bloc voting at Council meetings• no cost to the Shire• demonstrates Council's commitment to transparency• opportunity for the public to attend if they choose	<ul style="list-style-type: none">• resulted in less informed elected members as less questions were asked in the public forum• politicised a valuable forum for elected members to gain an understanding of items on the agenda• little interest from the community• the sessions became more formalised• has harmed, rather than helped, how Council is perceived as the public were not able to ask questions

Elected members have now experienced both Q&A sessions that are open to the public and closed and appreciate the pros and cons of each option.



Attachments (available under separate cover)

Nil.

Voting Requirements: Simple Majority

Elected Member Recommendation

That Council:

1. REQUESTS that the Chief Executive Officer AMENDS Council Policy 1.1.14 – Forums of Council – Policy Concept Forums, Question and Answer Agenda Forums and Workshops to open Question and Answer sessions to the public by:
 - i) DELETING paragraph:

“QAAF’s shall not be open to the public and therefore no debate on the items shall be entered into during the QAAF’s there shall be no opportunity for a collective Council decision or implied decision that binds the local government. Fundamental to this decision is that any debate shall be held at Council meetings so as to ensure the public in attendance at a Council meeting can see and hear the decisions and debate around Council decisions.”
 - and INSERTING:

“QAAFs shall be open to the public but no debate of items shall be entered into to ensure the integrity of the Council Meeting as the decision-making forum of Council prescribed in legislation.”
2. REQUESTS that the Chief Executive Officer AMENDS Council Policy 3.3.11 - Recording of in-person Council and Committee Meetings:
 - a) to record, and publish the recordings of all Question and Answer sessions;
 - b) by AMENDING Policy 3.3.11 from:

“The audio of the proceedings of all Council and Committee meetings within the scope of this policy are to be recorded.”
 - to read:

“The audio of the proceedings of all Council and Committee meetings, and Question and Answer sessions are to be recorded and published. If the Presiding Member has decided that part or all of Question and Answer sessions are to be closed to the public, then no recording will be made or published.

Motion lapsed due to Councillor Byas being an apology for the meeting.

**10. Chief Executive Officer reports:****EN BLOC**

As part of the Shire's efforts to ensure the efficiency and effectiveness of meetings, tonight's meeting included the opportunity for matters to be considered by Council en bloc.

Matters not to be included in en bloc decisions are those which require:

- Absolute Majority;
- Matters to be determined behind closed doors;
- Declared Interests made in relation to the item; and
- Deputations or Statements made in relation to the item.

Before commencing the process, the Presiding Member provided a brief explanation of the 'en bloc' method of decision making, for the benefit of any members of the public in the gallery.

The Presiding Member introduced the recommendations by reading the heading for each item. This allowed members and the public to follow the business of the meeting.

The Presiding Member invited Elected Members to identify any matters they wished to be removed from en bloc consideration.

No further items were identified to be removed from en bloc consideration.

The following reports were identified to be considered by voting en bloc:

Report number	Report Title
10.1.1	Proposed Road Naming Application – Lot 101 and 34 Evans Way, Lot 1 Abernethy Road, Lot 103 Bushman Glade and Lot 9001 Bushman Glade, Byford (PA24/166)
10.1.2	Road Naming Application To Remove Approved Name – Lot 9013 Haywire Avenue, Whitby (PA24/296)
10.1.4	Proposed Adoption of Amended Local Planning Policy 4.5 – Short Stay and Temporary Accommodation (SJ4444)
10.1.5	Proposed Road Naming Application – Lot 9060 Orton Road, Byford (PA24/419)
10.1.7	Proposed 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms' – Lot 9000, 658 Robertson Road, Byford (PA23/958)
10.1.9	Marri Woodland Management Plan – Release for Public Comment (SJ816)
10.1.10	Proposed Scheme Amendment No.5 to Local Planning Scheme No.3 – Normalisation of Byford District Structure Plan – Corner South Western Highway and Nettleton Road, Byford (PA24/474)
10.3.1	Confirmation of Payment of Creditors – July 2024 (SJ801)



Report number	Report Title
10.3.2	Monthly Financial Report – June 2024 (SJ4229)
10.3.5	Corporate Business Plan Performance Report – April to June 2024 and 2023 – 2024 End of Year (SJ940-3)
10.4.1	Department of Local Government, Sport & Cultural Industries – Club Night Lights Grant Program 2024/25 – Application Prioritisation (SJ1213)
10.4.2	Establishment of School Representative on Access and Inclusion Advisory Group (SJ3175)
10.4.3	Keysbrook Fire Incident Community Debrief – Information Report (SJ4392)
10.4.4	Endorsement of Bushfire Risk Management Plan 2024 – 2026 (SJ1920)
10.5.1	Peel Regional Leaders Forum Minutes (SJ1350)

OCM208/08/24**COUNCIL RESOLUTION****Moved Cr Mazzini, seconded Cr Jerrett**

That the Officer Recommendations contained in Officer Reports 10.1.1, 10.1.2, 10.1.4, 10.1.5, 10.1.7, 10.1.9, 10.1.10, 10.3.1, 10.3.2, 10.3.5, 10.4.1, 10.4.2, 10.4.3, 10.4.4, 10.5.1 be ADOPTED en bloc at 8.10pm.

CARRIED UNANIMOUSLY 6/0

**10.1 Development Services reports:**

10.1.1 - Proposed Road Naming Application - Lot 101 and 34 Evans Way, Lot 1 Abernethy Road, Lot 103 Bushman Glade and Lot 9001 Bushman Glade, Byford (PA24/166)	
Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent: MetConnx Alliance

Owner: Shire of Serpentine Jarrahdale (L103), Public Transport Authority WA (L101 and 34), ARD No.5 Pty Ltd (L1)

Date of Receipt: 21 February 2024

Local Planning Scheme No. 3 Zoning: 'Urban Development'

Metropolitan Region Scheme Zoning: 'Urban' with 'Planning Control Area 164'

Report Purpose

The purpose of this report is for Council to consider endorsing a road naming proposal as contained within **attachment 1**. The proposal has concluded community consultation and is presented to Council to endorse the road names which would then be forwarded to Landgate for final approval.

This proposal has come about as a result of the construction of the new Byford Rail Extension Project, which includes a number of associated modifications to road environments that result from the project.

This proposal therefore seeks to provide new road names and amendments to existing road names, generally located within the Byford Town Centre area and surrounds. In summary the proposal includes:

- The naming of three new roads in the Town Centre (Hammermill, Furnace, and Kaolin).
- The renaming of the southern extent of George Street to Belmont Street.



- The renaming of a small section of Evans Way to Pugh Way, on the east side of the rail line.
- The extension of the name Pitman Way.
- The extension of the name Sansimeon Boulevard to the first new roundabout.
- The renaming of a small section of Larsen Road to Flux Way, on the east side of the rail line.

Officers recommend that Council endorse the road naming proposal based on compliance with the Policies and Standards for Geographical Naming in Western Australia (Landgate Policy) and Local Planning Policy 1.7 - Road Naming (LPP 1.7).

Relevant Previous Decisions of Council

Ordinary Council Meeting - 15 April 2024 - OCM073/04/24 - COUNCIL RESOLUTION

That Council:

1.ENDORSES the following proposed road names and the realignment of road names for the purposes of community consultation as contained within attachment 1; and REQUESTS the Chief Executive Officer provide a future report upon the conclusion of consultation for Council's final consideration:

- Furnace*
- Kaolin*
- Pugh*
- Sansimeon*
- Pitman*
- Belmount*
- Hammermill*
- Flux*

Background

The subject site is zoned 'Urban Development' under Local Planning Scheme No.3 (LPS3) and is approximately 27.75ha in area.



Figure 1: Aerial Image of Subject Site Area

The site falls within Planning Control Area (PCA) No.164, which was established on 22 June 2022 under section 112 of the *Planning and Development Act 2005*. The purpose of the PCA is to facilitate development of land for Railways and related public purposes. This is identified following:

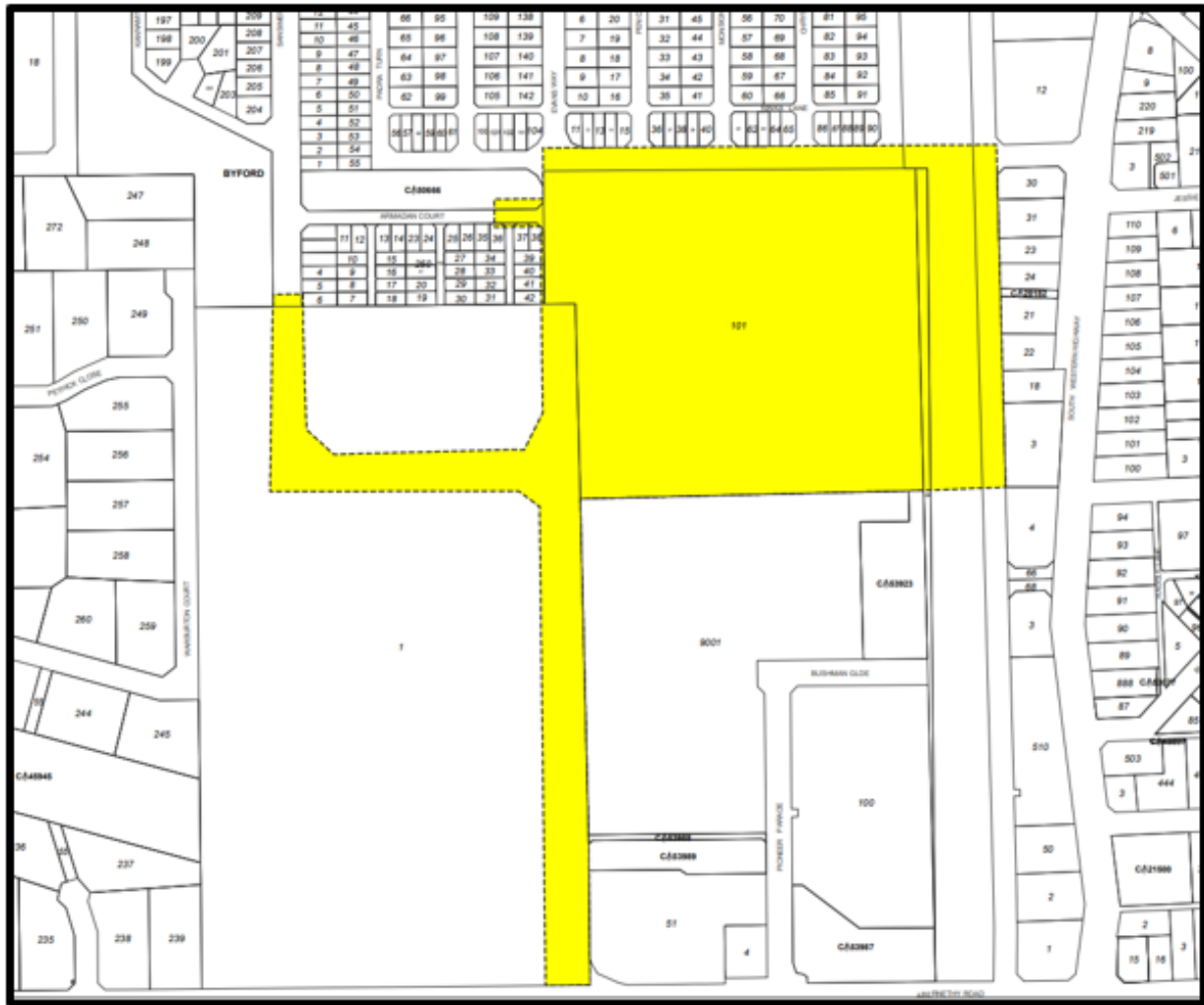


Figure 2: Plan depicting Planning Control Area No.164

The subject site within the Town Centre features the Byford Metronet project which is currently under construction. The development application for the station precinct was presented to Council at its Ordinary Council Meeting of 18 September 2023 and subsequently approved by the Western Australian Planning Commission (WAPC) on the 6 December 2023. As part of this development, the applicant was required to create and extend several roads within the Town Centre. This application proposes road names for the ultimate road layout that will occur upon completion of the station project.

This proposal was initially presented to Council at its Ordinary Council Meeting of 15 April 2024 where Council resolved to endorse the road names for the purpose of community consultation, which has now been undertaken.

Roads created by subdivision are required to be named in accordance with Clause 26A of the *Land Administration Act 1997*. The naming process requires the relevant Local Government to endorse names for roads created. Those names endorsed by the Local Government must then be forwarded to Landgate for final approval. Landgate has delegated authority from the responsible Minister to grant final approval for road names.



Proposal

The subject application proposes the following new and amended road names for the site. These are summarised below and can be viewed in the figures following:

- The naming of three new roads in the town centre. The names of 'Hammermill' (brown), 'Furnace' (green) and 'Kaolin' (orange) are recommended.
- The renaming of a small section of Evans Way, on the east side of the rail line. The name of 'Pugh' is recommended (yellow).
- The extension of the name Sansimeon Boulevard (light blue) to the first new roundabout.
- The extension of the name Pitman Way (pink).
- The renaming of the southern extent of George Street. The name of 'Belmount' is recommended (purple).
- The renaming of a small section of Larsen Road to Flux Way, on the east side of the rail line.

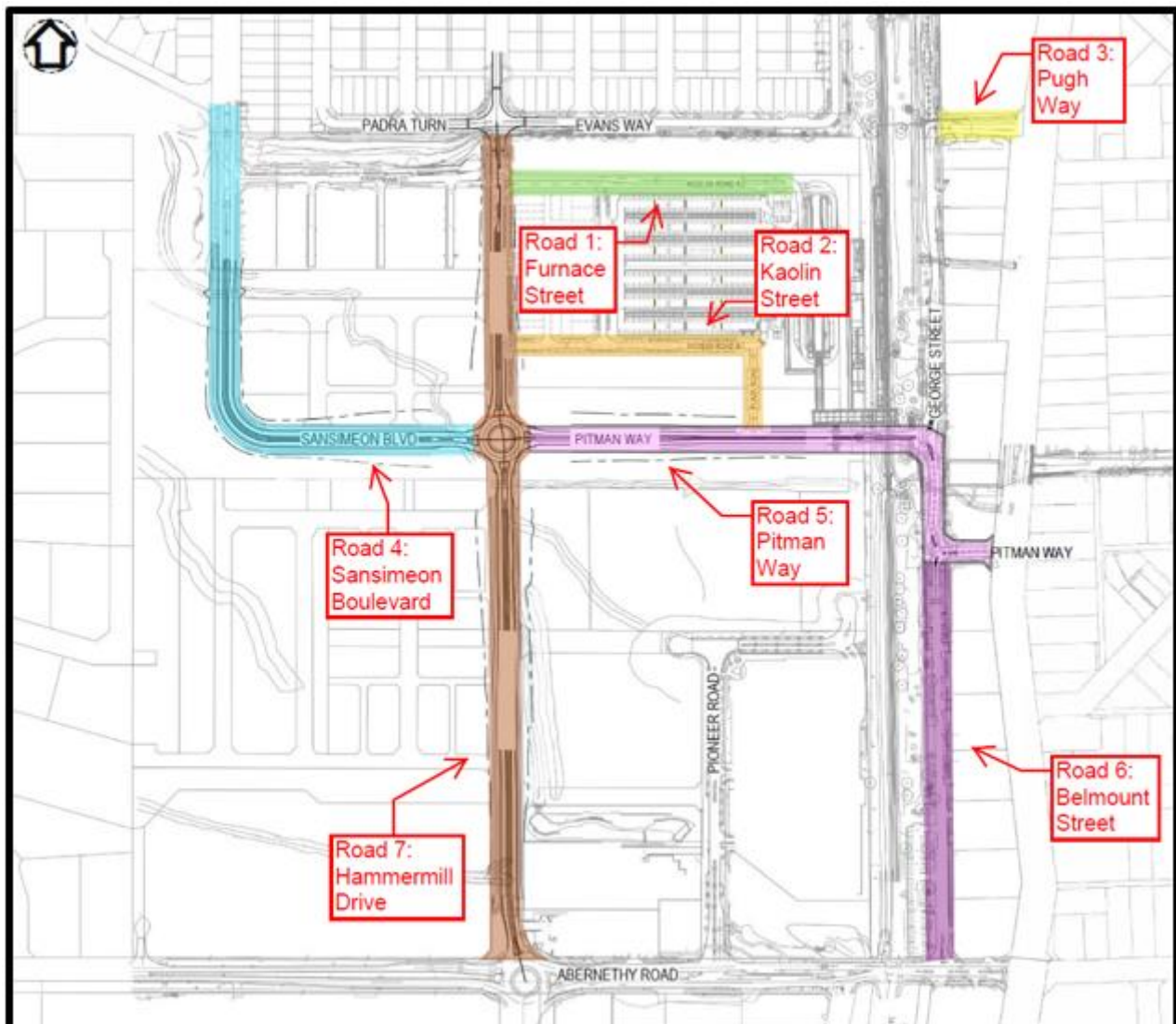


Figure 3: Proposed Road Name Layout



Figure 4 (northern section): Proposed Road Name Layout

Landgate's Policy indicates that road names are applied with the intention of being enduring and renaming is generally discouraged, unless for good reason. Section 2.4 of Landgate's Policy states that "*redesign of a road layout*" is one such reason road renaming can be considered. Section 2 also states, "*A road name shall not be applied in a way that is ambiguous or could cause confusion for road users*". The adjustment to roads created as a result of the Byford Metronet Project, is considered justification to apply a road renaming exercise in order to limit ambiguity and confusion that will otherwise occur if names are not updated.


With regard to the new names, Local Planning Policy 1.7 - Road Naming Policy (LPP1.7) indicates where more than four road names are proposed, a theme should be submitted to Council for approval. As such, the selected theme is based upon the location within the historic heart of Byford Town Centre, and the history of this important centre of the community. The names align with a 'local heritage' theme, consistent with existing road names and themes within in the Shire. For example, the road name 'Pioneer Road' is established within the Town Centre, which is also of a 'local heritage' theme.

The proposed names along with their description are detailed in the following table. 'Sansimeon' and 'Pitman' have not been included in the table as these are existing approved names only being extended or realigned.

Road Name Table	
Proposed Preferred Names	Background
Road 1: Furnace Street	A Furnace is a structure used to create and fire bricks. This relates to the historical brickworks operating in Byford.



Ordinary Council Meeting Minutes Monday, 19 August 2024

Road Name Table	
Proposed Preferred Names	Background
Road 2: Kaolin Street	Kaolin is a soft white clay that is an essential ingredient in the manufacture of bricks. This relates to the historical brickworks operating in Byford.
Road 3: Pugh Way	'Pugh' refers to the Pugh family, who owned and operated a bakehouse at 28 Beenyup Road, Byford in the 1930s.
Road 4 and 5 (pre-existing names)	
Road 6: Belmont Street	<p>'Belmont' refers to Belmont House, which is a house listed on the Shire's Local Heritage Survey and located at 14 Mead Street, Byford. Belmont House was constructed by Mr James Kershaw who worked at the Cardup Brickworks and was the first brick construct house in Byford. Belmont House is located approximately 500m from the road extent and therefore the naming is considered appropriate.</p> 
	<i>Image of Belmont House</i>
Road 7: Hammermill Drive	A Hammermill is a device or instrument used in the brick making process, used to crush or pulverize raw materials for brick making. This relates to the historical brickworks operating in Byford.
Road 8: Flux Way	'Flux' refers to that which is used in the brick making process. It is applied to materials to reduce the melting or softening temperature of materials, so they can be more efficiently mixed when forming bricks.

**Community / Stakeholder Consultation**

The road naming proposal was advertised pursuant to Clause 1.8.1 of the Landgate Policy for a period of 30 days, from 6 May 2024 to 5 June 2024. Letters were sent to affected businesses and landowners as shown following, and notice of the proposal was published on the Shire's website for the same period:




Figure 5: Map of impacted residents and/or businesses along new road names (hatched)

One submission was received during this period. The full submission can be viewed in **attachment 2**. The submission raised several concerns in relation to the renaming of 'Evans Way' to 'Pugh Way'. The concerns are detailed and addressed in the table following:

Objections	Officer Comment
<ul style="list-style-type: none"><i>"My view of this renaming to Pugh Way give more consideration to the Byford Metronet Station than the business owners, land owners, whose</i>	<p>The renaming of this portion of Evans Way is not considered to be to the benefit of Metronet. The name 'Pugh' refers to the Pugh family, who owned and operated a bakehouse in Byford in the 1930s. Renaming is required as the two existing portions of the road are no longer planned to be connected given, they will be intersected by the railway line.</p> <p>The portion of Evans Way to be renamed will not affect any current addresses of existing properties, as the adjoining properties are</p>



Objections	Officer Comment
<p><i>street address is synonymous to their recognition of existence."</i></p> <ul style="list-style-type: none"> Paraphrase: Given the landowner contributed to the construction of this portion of Evans Way, then consideration should be given to the retention of the name. 	<p>addressed to South Western Highway and George Street, seen as follows:</p>  <p>The existing residences that are addressed to Evans Way on the west side of the railway line are not considered to be affected by this proposal.</p>
<ul style="list-style-type: none"> Paraphrase: The name could have negative connotations associated with it, given some common use of it. Also, it is a family name which may not be appropriate. 	<p>The Landgate Policy allows for surnames to be used for the naming of roads. In this case, it is considered that the name reflects the local Byford history. Members of the Pugh family owned and operated a local bakehouse in the 1930's. The Shire's LPP1.7 states that names of pioneers of the local area are supported naming themes. The GNC naming policy also states that commemorative use of surnames for road names can be supported where it is applied posthumously, which is the case in this instance. Officers consider the road name of 'Pugh Way' should be supported based on the legislation.</p> <p>In terms of the word itself, a negative association is that defined in the Collins Dictionary, which describes 'Pugh' as an American English association to exclaim disgust at an offensive odour.</p> <p>This however is not the intended use here, given the family name and its important association with the history of Byford.</p>

Statutory Environment

Legislation

- Land Administration Act 1997

State Government Policies

- Policies and Standards for Geographical naming in Western Australia (Landgate Policy)



Local Planning Framework

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

Planning Assessment

An assessment of the proposed road names against the provisions of LPP 1.7 is detailed in the table below:

Policy Assessment	
Policy Requirement	Officer Comment
Consideration of current and future street names	The proposed road names are not currently in use within the Shire area and have not been proposed to be used in the future for any other estates within the Shire. No duplicates in surrounding Local Government areas within 10km have been identified.
Consideration shall be given to current and future street numbering to ensure numbering is sequential, easy to follow and considers future density increases	Officers consider the proposal to be acceptable in light of the existing and future street numbering for the area.
The origin of each name shall be clearly stated and subsequently recorded	The origin and background of the proposed and reserve road names have been documented in the road name table, earlier in this report. Officers consider the road names appropriate, given they align with a 'local heritage' theme of the Byford area.
Names shall not be offensive or likely to given offence, incongruous or commercial in nature	<p>The proposed and reserve names are not considered to be offensive, incongruous, or commercial in nature. As mentioned, a negative association is that defined in the Collins Dictionary, which describes 'Pugh' as an American English association to exclaim disgust at an offensive odour.</p> <p>This however is not the intended use here, given the family name and its important association with the history of Byford.</p>
Names shall be easy to read, spell and pronounce in order to assist emergency services, service providers and the travelling public	In terms of easiness to read, spell and pronounce, the names relate to scientific descriptions of local native vegetation. The preferred names are simple to read or pronounce, and so would not cause complexities for emergency services, service providers or the travelling public.
Unduly long names and names that comprise of two or more words should generally be avoided	The preferred names comprise of no more than ten letters in length and are no more than one word.



Policy Assessment	
Policy Requirement	Officer Comment
Proposals for road names shall include an appropriate road type suffix	<p>The proposed suffixes are considered to be appropriate and consistent with suffix definitions under the Landgate policy.</p> <p>Street (St) – Public roadway in a town, city, or urban area, especially a paved thoroughfare with footpaths and buildings along one or both sides.</p> <p>Way (Way) – Roadway affording passage from one place to another. Usually not as straight as an avenue or street.</p> <p>Drive (Dr) – Wide thoroughfare allowing a steady flow of traffic without many cross-streets.</p> <p>The proposed suffixes are considered suitable as they generally are reflective of the proposed carriageway.</p>
Practical application of road names to maps and plans shall be considered such as the long street names should not be allocated to short roads	As shown on the road name plan earlier in this report, the road names are commensurate with the length of the road and are practical.

Officers consider that, notwithstanding the single objection received, the road naming proposal is consistent with LPP1.7 and it is therefore recommended that Council endorse the names for final approval from Landgate.

Options

That Council:

1. ENDORSES the following road names in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the proposed road names as contained within **attachment 1** to Landgate for final approval:
 - a. Furnace
 - b. Kaolin
 - c. Pugh
 - d. Sansimeon
 - e. Pitman
 - f. Belmount
 - g. Hammermill
 - h. Flux



Option 2

That Council REFUSES TO ENDORSE the proposed road names and REQUESTS additional road names to be presented to Council at a future Ordinary Council Meeting.

Option 1 is recommended.

Conclusion

Council endorsement is sought for new road names and realignment of road names, created through the development approval for the Byford Metronet Station. The names have undergone a process of community consultation. Notwithstanding the one objection received, it is considered that the names are consistent with the requirements of LPP1.7 and Landgate's road naming policy. It is recommended that Council endorse the road naming proposal.

Attachments

- **10.1.1 - attachment 1** - Road Layout Plan (E24/3394)
- **10.1.1 - attachment 2** - Summary of Submissions (E24/8765)

Alignment with our Council Plan 2023-2033

Liveable
2. Improve maintenance and investment in roads and paths

Financial Implications

Nil.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1.	There is no noted risk with the consideration of Option 1.						
2.	Council not supporting the names causing a delay in the application, which could delay road renaming requirements due to the Byford Rail Station Project.	Policies and Standards for Geographical naming in Western Australia and Local Planning Policy 1.7 - Road Naming.	Social Community Outcomes /	Possible	Moderate	MODERATE	Give reasons for decision.

Voting Requirements: Simple Majority

OCM209/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

1. **ENDORSES** the following road names in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the proposed road name as contained within attachment 1 to Landgate for final approval:
 - a. Furnace
 - b. Kaolin
 - c. Pugh
 - d. Sansimeon
 - e. Pitman
 - f. Belmont
 - g. Hammermill
 - h. Flux

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0



10.1.2 - Road Naming Application To Remove Approved Name - Lot 9013 Haywire Avenue, Whitby (PA24/296)	
Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent:	MNG Survey
Owner:	Gold Fusion Pty Ltd
Date of Receipt:	21 May 2024
Lot Area:	36.95ha
Local Planning Scheme No 3 Zoning:	'Urban Development'
Metropolitan Region Scheme Zoning:	'Urban'

Report Purpose

The purpose of this report is for Council to consider a road naming proposal associated with an amendment to an approved subdivision at Lot 9013 Haywire Avenue, Whitby. At its Ordinary Council Meeting of 16 October 2023, Council endorsed a road naming proposal for a modified subdivision layout for Whitby Estate Stage 3D which was subsequently approved by Landgate. The subject proposal seeks to remove one of these approved road names ('Gauged Lane').

The need for the removal is due to the modification of the road layout, as part of the subdivision design being finalised. This is shown in **attachment 1**.

In accordance Clause 26A of the *Land Administration Act 1997*, Council is required to support the amendments to approved road names, prior to forwarding the application to Landgate for final approval to remove. There is no delegated authority available for Officers to endorse the proposal.

Officers recommend that Council endorse the proposal based on compliance with the Policies and Standards for Geographical Naming in Western Australia (Landgate Policy) and the Shire's Local Planning Policy 1.7 - Road Naming (LPP 1.7).



Relevant Previous Decisions of Council

*Ordinary Council Meeting - 16 October 2023 - OCM248/10/23 - COUNCIL RESOLUTION
That Council ENDORSES the relocation of the following road names in accordance with section 26A(3) of the Land Administration Act 1997:*

- a. Gauged Lane;*
- b. Faller Lane;*
- c. Knot Way; and*
- d. Wanigan Lane.*

ENDORSES the extension of the following road names in accordance with section 26A(3) of the Land Administration Act 1997:

- e. Haulback Boulevard; and*
- f. Heartwood Boulevard.*

ENDORSES the removal of the following road name in accordance with section 26A(3) of the Land Administration Act 1997:

- g. Stumpage Road.*

Council forwards these road names as contained within attachment 1 to Landgate for final approval.

*Ordinary Council Meeting - 10 November 2014 - OCM080/11/14 - COUNCIL RESOLUTION
That Council approve the theme "Timber Milling" for the Whitby Town estate, Keirnan Street, Whitby.*

Background

The proposed amendment relates to the subdivision of the subject site within the Whitby Estate Stage 3D. Road names of the subdivision were endorsed by Landgate previously, based on the last approved subdivision layout as depicted following:

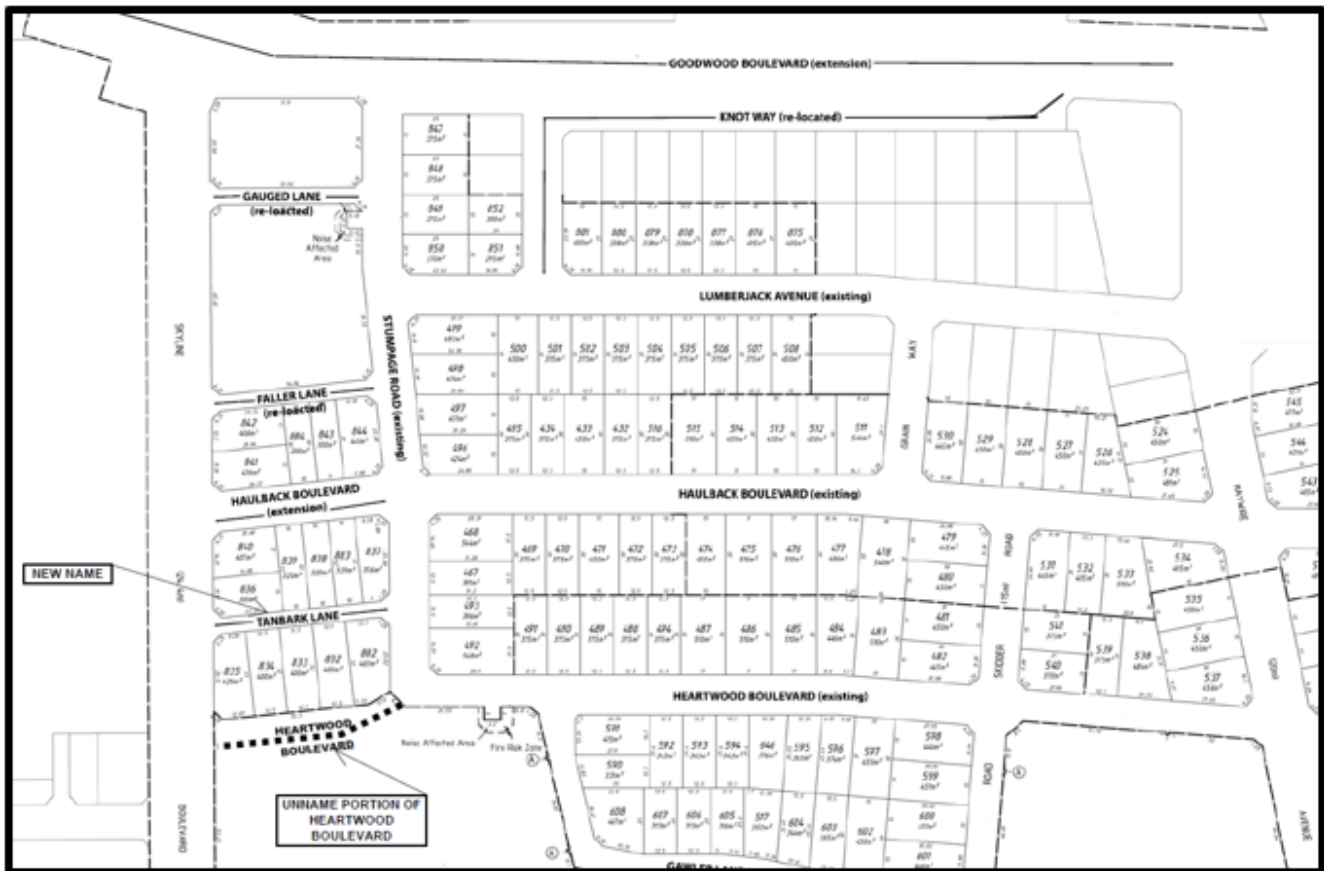


Figure 1: Approved Road Name Layout

Since this approval, the developer has undertaken modification of the approved subdivision layout. The amended subdivision layout plan can be viewed within **attachment 2**. The purpose of the modification is to amalgamate the two 'Commercial' zoned lots in the north-west corner of the subdivision area. As such, an amended road naming application is required to remove the name of 'Gauged Lane' which is no longer required.

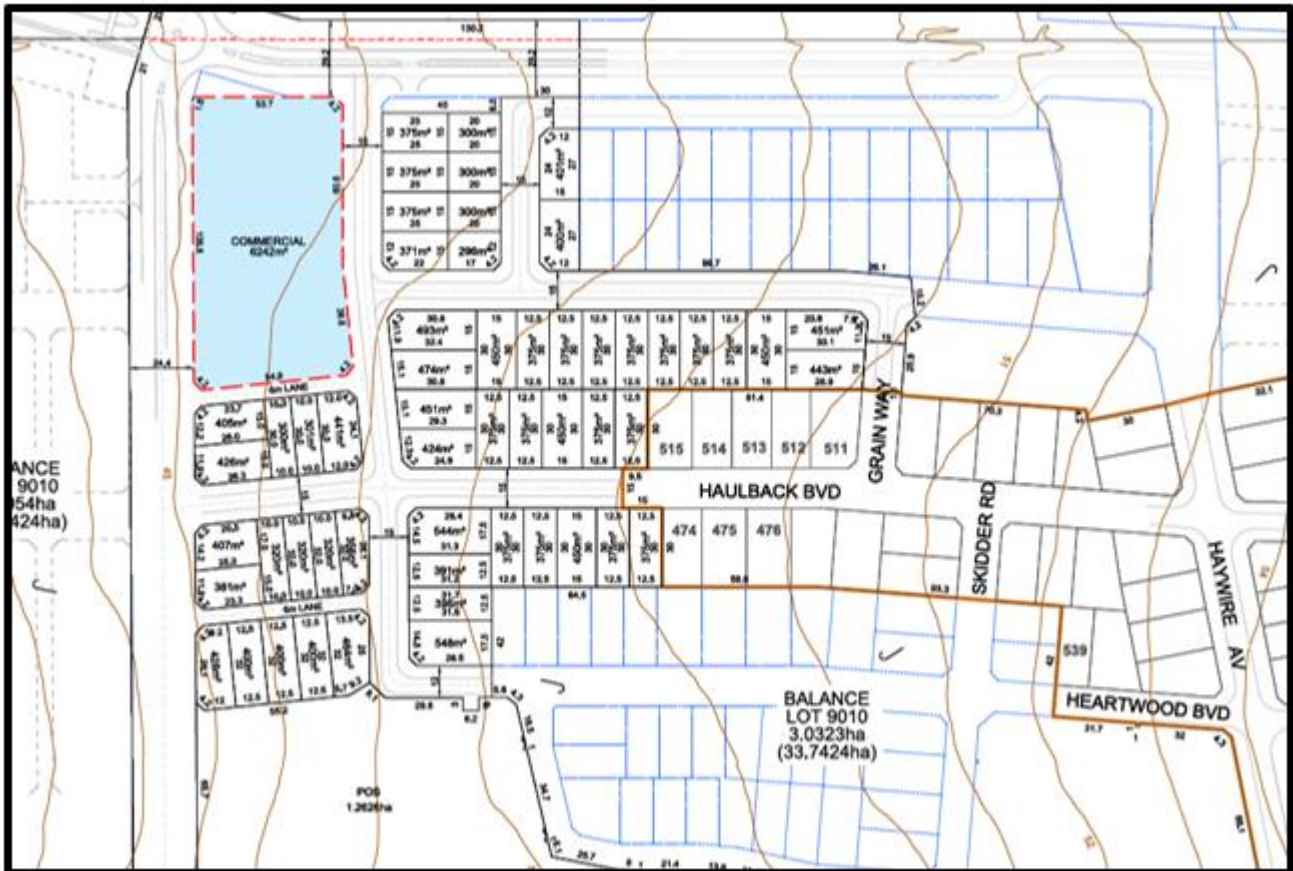


Figure 2: Amended subdivision plan, with amalgamated lots proposed in the north west corner (shaded blue)

The modification is in the final stages of WAPC consideration and has been assessed by Officers to be consistent with orderly and proper planning through enabling a more consolidated commercial development outcome to occur. A letter supporting the modification has also been provided (**attachment 3**). Based on this, Officers are satisfied the removal of the name is not premature and can be actioned concurrently with the subdivision application.

Road naming proposals are required to be named in accordance with Clause 26A of the *Land Administration Act 1997*. The naming process also requires modifications to be subject to further approval, via a recommendation from the relevant Local Government.

Proposal

The application proposes the removal of the name 'Gauged Lane' as shown following:

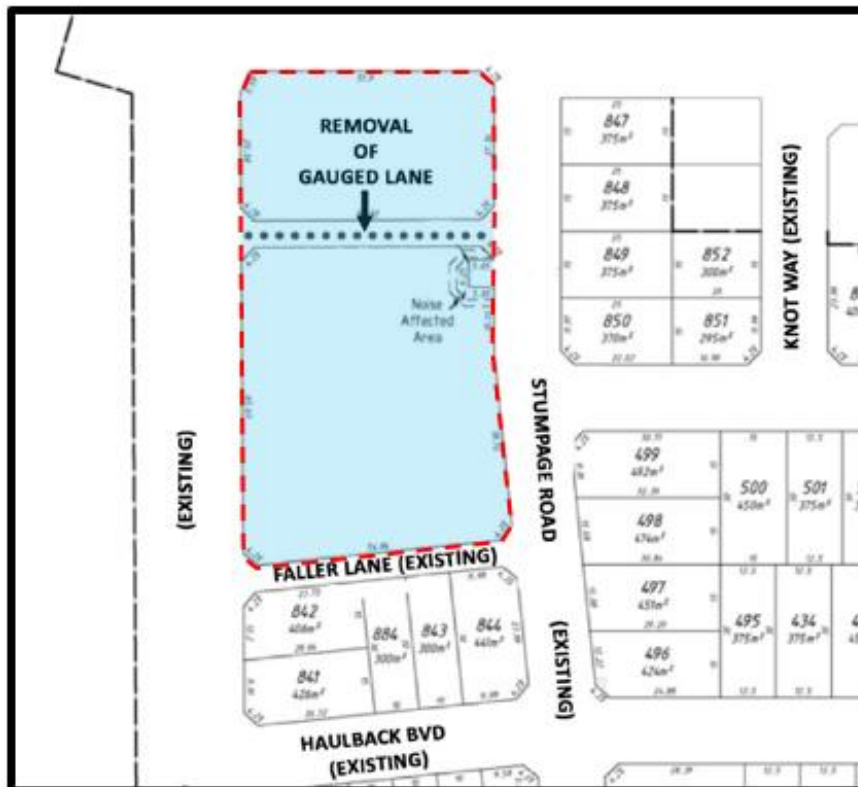


Figure 3: Proposed removal of 'Gauged Lane', with proposed amalgamated lots (shaded blue)

A road layout plan providing the location of the road name is contained within **attachment 1**.

Community / Stakeholder Consultation

No consultation is required in accordance with Shire and Landgate policy.

Statutory Environment

Legislation

- *Land Administration Act 1997*

State Government Policies

- Policies and Standards for Geographical naming in Western Australia (Landgate Policy)

Local Planning Framework

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

Planning Assessment

The name 'Gauged Lane' was originally endorsed by Council at its Ordinary Council Meeting of 16 October 2023. The name 'Gauged' relates to a process of measurement, associated with the timber milling industry. The timber milling road name theme was established in Whitby by Council at its Ordinary Meeting of 10 November 2014.

While Officers recommend that the name be removed as it is no longer required, it will be able to be considered for a future road name within the estate, commensurate with the endorsed theme.



Options

Option 1

That Council:

1. ENDORSES the removal of Gauged Lane in accordance with section 26A (3) of the *Land Administration Act 1997* and forwards the decision to Landgate for final approval.
2. REQUESTS the applicant consider using the name for other roads to be created within the estate.

Option 2

That Council ENDORSES the removal of Gauged Lane in accordance with section 26A (3) of the *Land Administration Act 1997* and forwards the decision to Landgate for final approval.

Option 1 is recommended.

Conclusion

The proposal seeks to remove and archive the name Gauged Lane due to the change in the subdivision layout. It is considered consistent with the requirements of LPP1.7 and Landgate's road naming policy. It is recommended that Council endorse the proposal, which is to be then forwarded to Landgate for final approval.

Attachments

- **10.1.2 - attachment 1** - Amended Road Layout Plan (E24/9400)
- **10.1.2 - attachment 2** - Amended Subdivision Layout Plan (E24/9394)
- **10.1.2 - attachment 3** - WAPC Acceptance Letter of Amended Subdivision Layout Plan (E24/9396)

Alignment with our Council Plan 2023-2033

Liveable
2. Improve maintenance and investment in roads and paths

Financial Implications

Nil.



Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no risks associated with this option.						
2.	Council not requesting re-use of the name could result in the name being lost from the future estate.	Policies and Standards for Geographical naming in Western Australia and Local Planning Policy 1.7 - Road Naming.	Social Community Outcomes /	Possible	Minor	LOW	Accept Option 1.

Voting Requirements: Simple Majority

OCM210/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

1. **ENDORSES** the removal of Gauged Lane in accordance with section 26A (3) of the *Land Administration Act 1997* and forwards the decision to Landgate for final approval.
2. **REQUESTS** the applicant consider using the name for other roads to be created within the estate.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0



10.1.3 - Proposed 'Telecommunications Infrastructure' - Lot 350, 445 Abernethy Road, Oakford (PA24/106)	
Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent: Service Stream Limited

Owner: West Walmsley

Date of Receipt: 6 March 2024

Lot Area: 7981m²

Local Planning Scheme No 3 Zoning: 'Rural Residential'

Metropolitan Region Scheme Zoning: 'Rural'

Report Purpose

The purpose of this report is for Council to consider a development application for 'Telecommunications Infrastructure' to include a 35m high monopole at Lot 350, 445 Abernethy Road, Oakford.

The application is presented to Council as 12 objections were received during the community consultation process. Officers do not have delegated authority to determine development applications where three or more objections are received that cannot be satisfied through amendments or imposition of conditions, in accordance with Delegated Authority 12.1.1 - Determination of Development Applications.

The proposal is considered to provide a balance in delivering telecommunication infrastructure whilst managing amenity impacts. For the reasons detailed in the report, Officers consider the proposal is consistent with the objectives of the planning framework and recommend that Council approve the application, subject to conditions.



Relevant Previous Decisions of Council

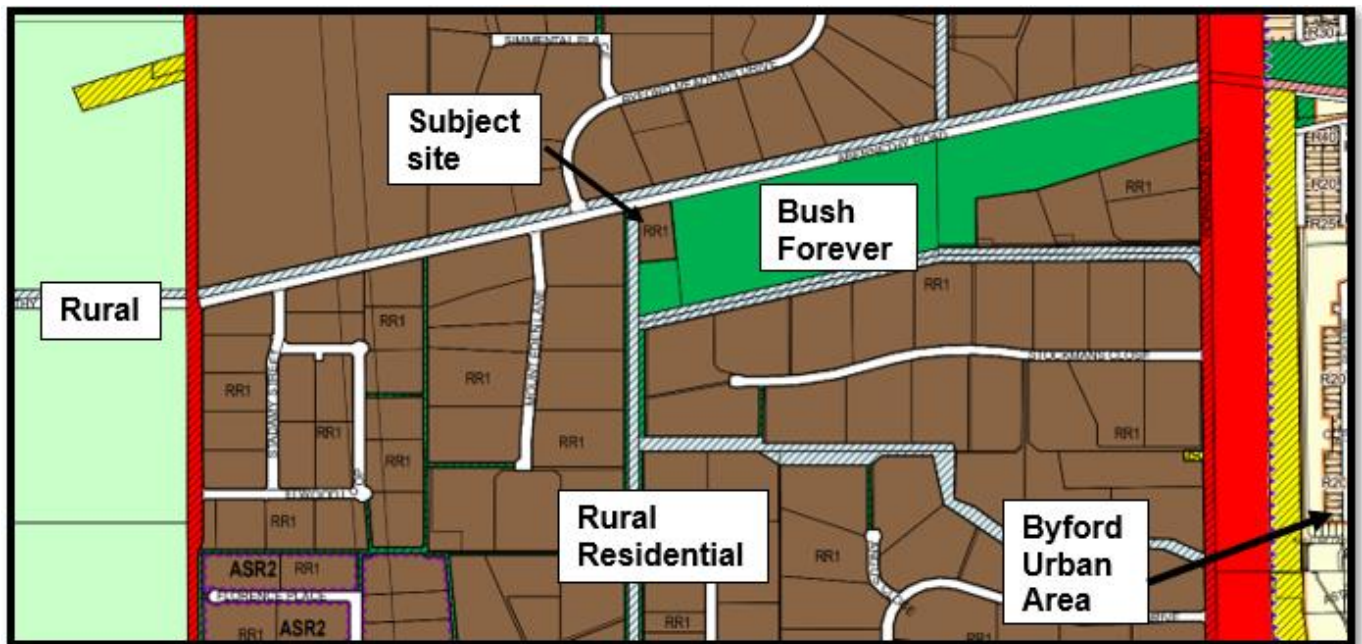
There are no previous Council decisions relating to this application.

Background

The subject site is located in a rural residential area comprising of lots with an approximate area of 2ha on both the north and south sides of Abernethy Road. The northern boundary of the site abuts Abernethy Road while the western boundary abuts crown land, set aside for drainage purposes. To the south and east, the site abuts a bushland reserve that is reserved as 'Parks and Recreation' under the Metropolitan Region Scheme (MRS), and protected as Bush Forever. Overall, the local area is rural residential in character featuring long cul-de-sacs with tree canopy coverage. An aerial image of the locality and the zoning map is shown following, with particular relevance to separation buffers formed through the mentioned Crown land features:



Figure 1: Aerial Image

**Figure 2: Zoning Context Plan**

The subject site is developed with a single house and associated outbuilding, located in the northern portion of the site. The majority of the site has been cleared of vegetation although there are some trees within the frontage and along the western boundary.

Proposed Development

The application seeks approval for 'Telecommunications Infrastructure' comprising of the following:

- One 35m high monopole located within an 8m x 12m compound area located to the rear of the site;
- A triangular headframe mounted to the monopole to accommodate the necessary telecommunications equipment, with a maximum finished height of 37.3m;
- Six Vodafone panel antennas (including three 4G/5G panel antennas) and three Optus 4G/5G panel antennas mounted to the headframe at the top of the tower;
- Other ancillary equipment including remote radio units, combiners and feeders;
- An equipment shelter measuring 3.15m x 2.38m in area and 2.94m in height adjacent to the monopole;
- A 2.4m high chain mesh fence surrounding the compound;
- Fencing surrounding the telecommunication facility compound setback 3m from the southern boundary and 12m from the eastern boundary.

The application details that the proposal forms part of the Vodafone and Optus 4G, 4GX and 5G network solution primarily for the Oakford area.

The application explains that the consequences of the proposal not proceeding would be:

- *"Poor quality telecommunications services in the Oakford area, including poor reception (particularly indoors), interference, and unexpected call dropouts."*



- Lack of capacity for improvements in the most up-to-date mobile network services, including mobile broadband, 4G and 5G, for example; and
- Reduced competition in the telecommunications industry, potentially resulting in uncompetitive practices, increased costs to consumers and reduced levels of service to customers.”

Full details of the proposal are contained within **attachment 1**. The proposed site plan, compound plan and elevation plan are depicted following:

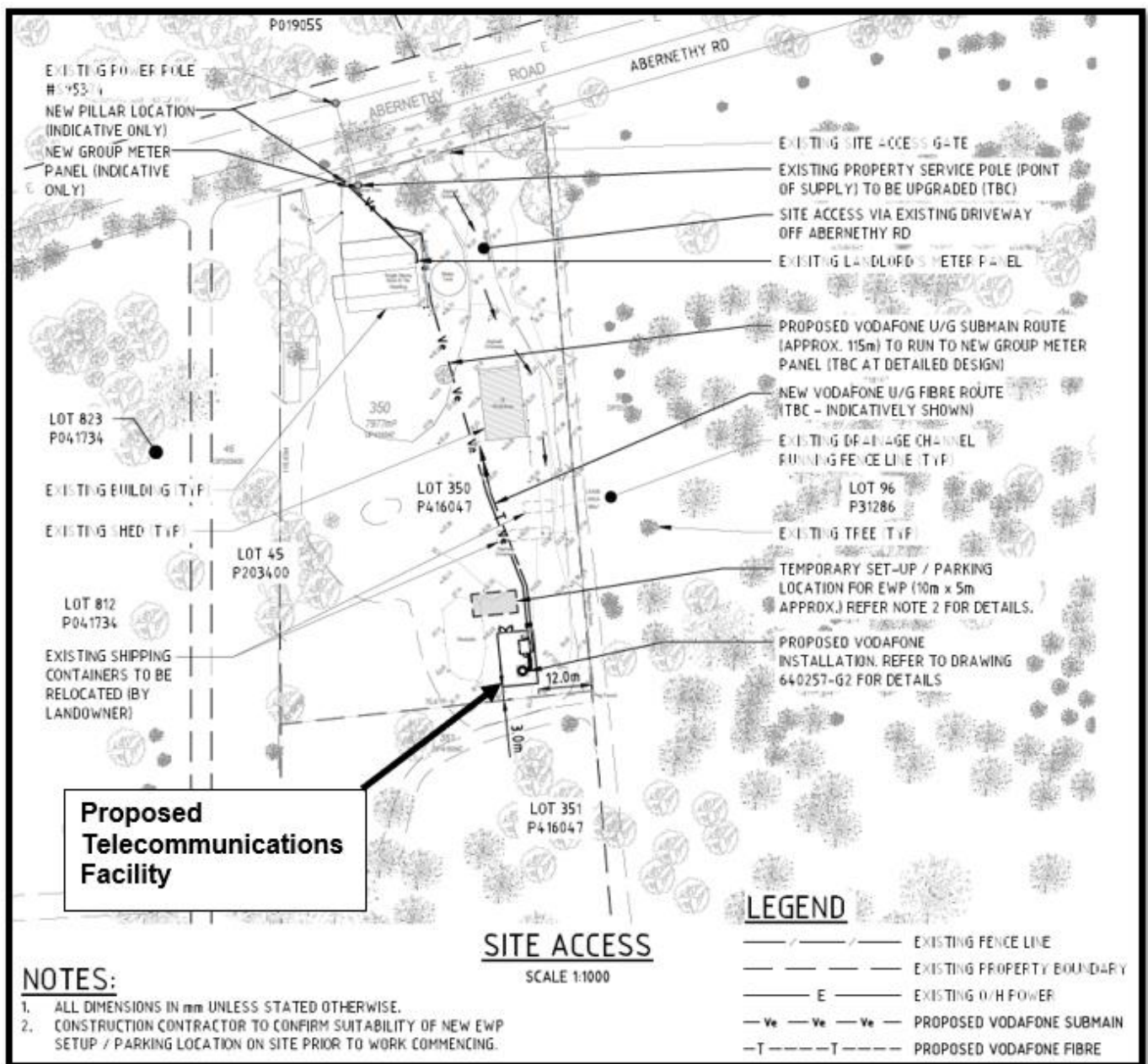


Figure 3: Site Plan

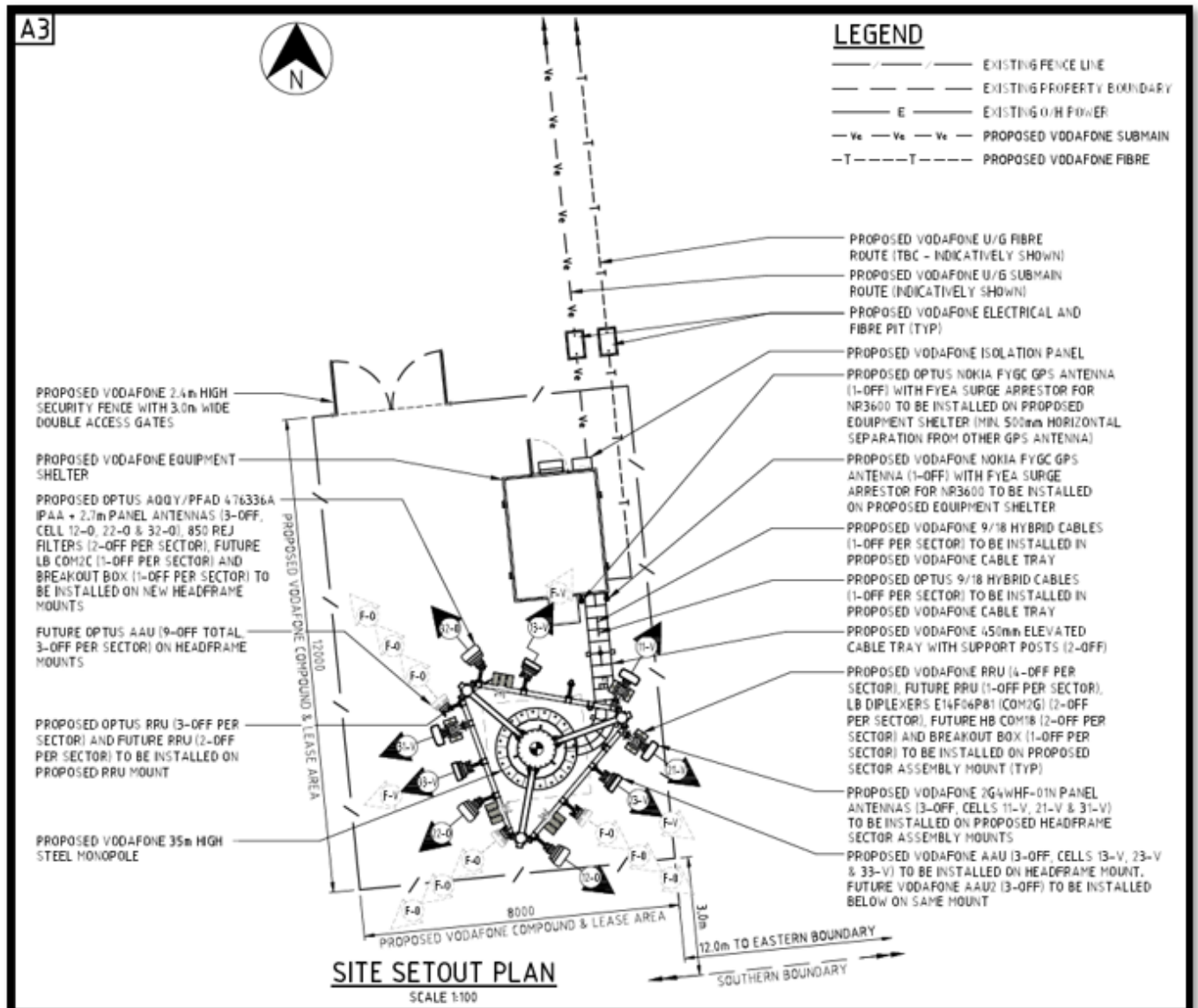


Figure 4: Compound Plan

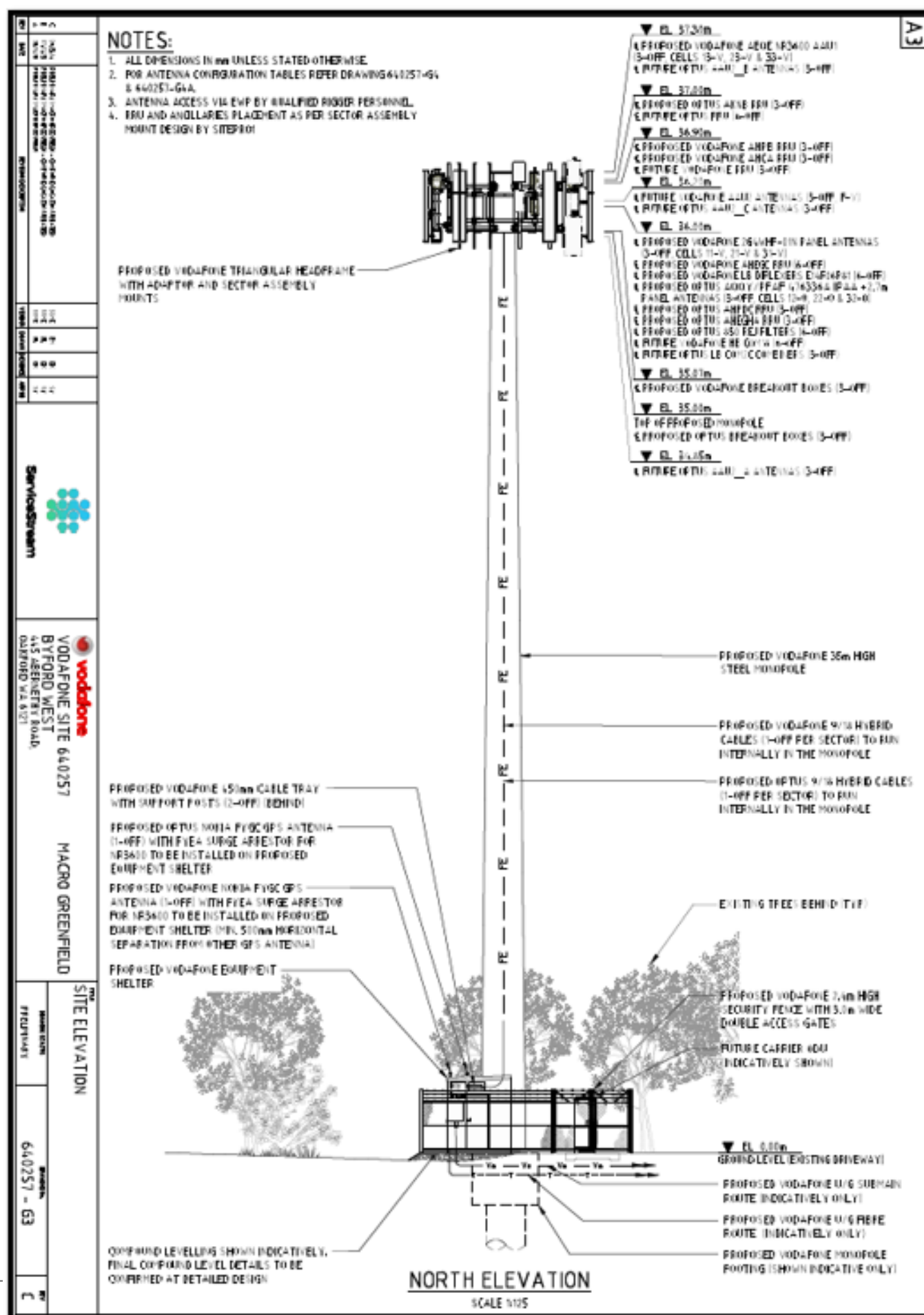


Figure 5: Elevation Plan



Community / Stakeholder Consultation

The application was advertised to surrounding landowners within a 500m radius of the site for a period of 28 days, from 11 March 2024 and 8 April 2024, in accordance with LPP1.4 – Advertising Development Applications. Details of the application were published on the Shire's website and a sign was displayed on site for the same period.

During the consultation period, 17 submissions were received, 12 objecting to the proposal and five in support. A full copy of the submissions together with the Officers comments are contained within **attachment 2** and are summarised following:

- Health impacts;
- Visual impact;
- Opportunity for colocation with existing facilities; and
- Not enough people received a submission form.

Officer Comment:

The concerns raised are addressed under the relevant headings of the report. With regard to those who received a submission form, advertising was actually undertaken above the minimum 200m distance provided under LPP1.4 (500m). Furthermore, the display of a sign on site and the details being published on the website allowed for community members not within 500m, to also participate by providing a submission.

Consultation with Government Agencies**Department of Biodiversity, Conservation and Attractions (DBCA)****Government Agency Response:**

The Department of Biodiversity Conservation and Attractions - Swan Region Office has no comments on the application.

Officer Comments:

Comment noted.

Department of Planning, Lands and Heritage (DPLH)**Government Agency Response:**

Thank you for referring Shire of Serpentine-Jarrahdale Development Approval application PA24/106 for Lot 350 Abernethy Road, Oakford.

The monopole proposed is adjacent to Bush Forever area 65 – Abernethy Road, Bushland. It abuts Lot 351 to the south and Lot 96 to the east, these Lots contain areas mapped as regionally significant bushland (within Bush Forever area 65) in accordance with State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region. Lot 350 no longer occurs within the boundaries of Bush Forever area 65 as it was removed from Bush Forever as part of the Metropolitan Region Scheme Amendment 1335/57.

It is understood based on the drawings provided showing the location of the proposed monopole, no vegetation clearing will be required to support the development, as the location is already cleared and void of vegetation. Lot 350 and adjoining land form part of the Armadale Palusplain wetland and Lot 350 is within 55-60m of Conservation category wetland (Abernethy Road, Bushland) occurring within Bush Forever area 65 on adjacent Lot 96. It is also



understood the Oaklands Main Drain abuts Lot 350 to the west and no modifications to drainage are proposed as part of this development.

The following conditions are recommended should development approval be granted.

- No regionally significant bushland within Bush Forever area 65 is to be removed or disturbed.*
- No building materials, rubbish or any other deleterious matter shall be deposited in Bush Forever area 65.*
- The development, including construction, access and ongoing maintenance, shall not result in disturbance of existing native vegetation within Bush Forever area 65.*

Any adverse impacts during construction such as interference with pre-development hydrology, weed infestations, spread of dieback and dust to bushland associated with Bush Forever area 65 should be avoided and/or adequately managed.

Officer Comment:

Comments noted and the recommended conditions are recommended as advice notes within the Officer Recommendation.

Water Corporation

Government Agency Response:

Thank you for your letter dated 11th March 2024 requesting comment on the proposed development at 445 Abernethy Rd, Oakford. The proposal does not affect any Water Corporation Assets. Water Corporation has no objection.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

Officer Comment:

Comments noted.

Statutory Environment

Legislation

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

State Government Policies

- State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2)*

Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Scheme No.3 (LPS3)*
- Shire of Serpentine Jarrahdale Local Planning Strategy (LPS)*
- Local Planning Policy 4.6 - Telecommunications Infrastructure (LPP4.6)*



Planning Assessment

A comprehensive assessment has been undertaken in accordance with clause 67 of the Deemed Provisions (**attachment 3**). For the purpose of this report, discussion is confined to the areas of community concern or where Council is required to exercise discretion.

Land Use:

The proposal falls within the land use of 'Telecommunications Infrastructure', which is defined under LPS3 as "*premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.*"

The land use 'Telecommunications Infrastructure' is an 'A' use in the 'Rural Residential' zone, a discretionary use requiring advertising.

State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2):

SPP5.2 seeks to balance the need for infrastructure with the potential amenity impacts generally associated with this type of development. It states that such development should be located to avoid detracting from a significant view of a heritage item or place, a landmark, streetscape, vista or panorama. SPP5.2 sets out requirements in relation to visual impact, location/co-location, siting and design and the need for services. In this regard, the subject site is surrounded by rural residential development and a bushland reserve to the south and east. The nearest residential area to the compound is located over 1.1km to the east, beyond Hopkinson Road and the road reserve for the proposed Tonkin Highway extension. Further to the substantial separation distance from urban areas, screening provided by surrounding bushland and onsite vegetation will provide filtered views of the development, thus further ensuring acceptable amenity outcomes. The development is considered to be consistent with SPP5.2.

Local Planning Policy 4.6 - Telecommunications Infrastructure (LPP4.6):

In addition to SPP5.2, LPP4.6 supplements the SPP and seeks to protect the character and amenity of areas within the Shire and ensure telecommunications infrastructure is located appropriately and with minimal impact. The development is considered to align with the LPP, which is explained following:

Co-location:

LPP4.6 states that, "*Carriers must co-locate onto existing towers/monopoles, other existing structures or replace existing structures where possible. If there is an existing facility in the locality and the Carrier chooses not to co-locate with that facility, the applicant will be required to demonstrate that the proposal cannot be co-located for technical/structural reasons*". The plan following shows the proposed facility (H) as well as other existing facilities in the red line coverage area.

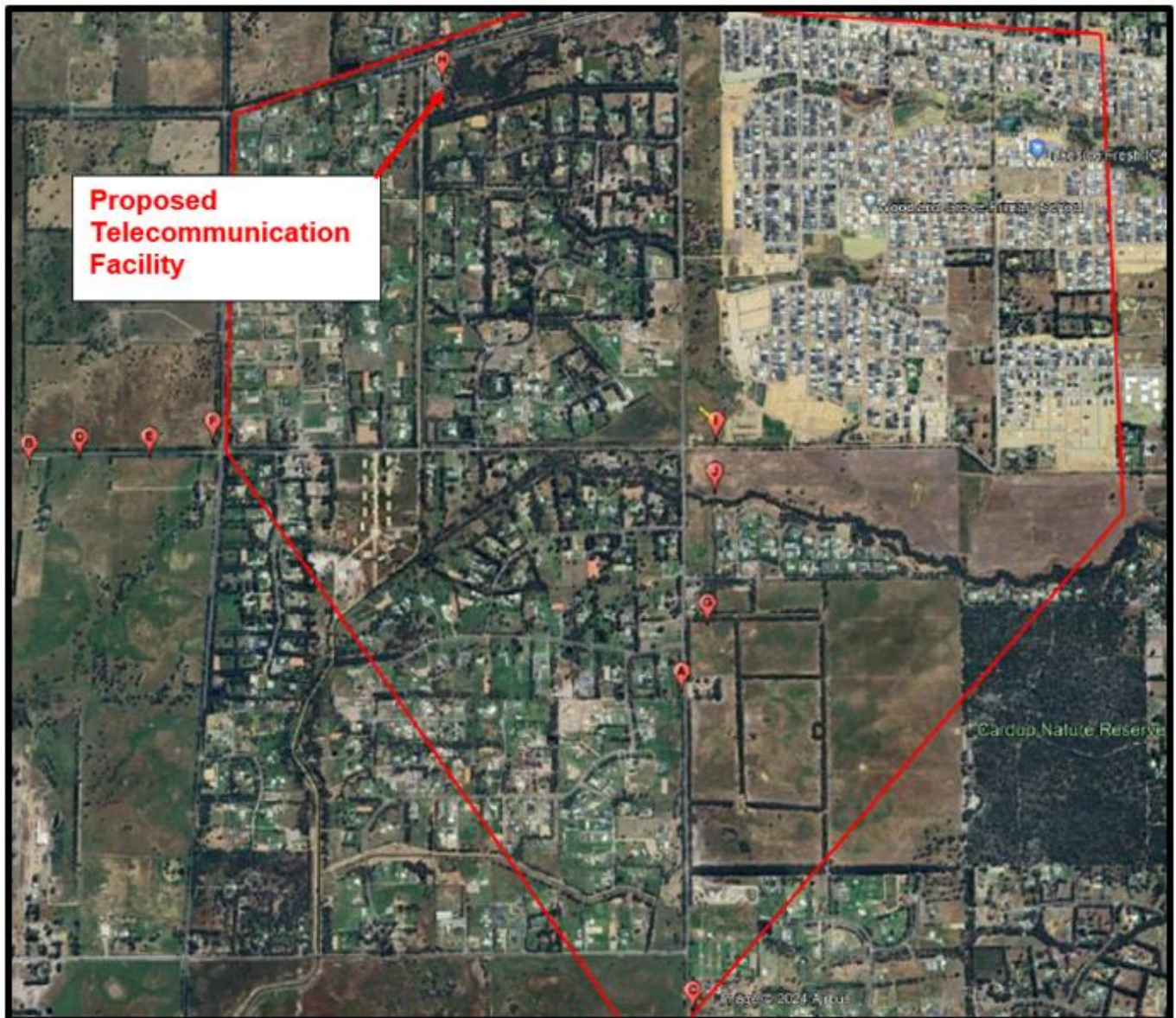


Figure 6: Location of Existing Telecommunications Facilities

The application details that co-location was not viable for this proposal. An investigation of alternative candidate sites, according to the application, determined that there were no existing telecommunication facilities that could meet the radio frequency objectives. This was a key issue carefully assessed as part of the proposal.

In this regard, LPP4.6 states *“all applications for development approval which include a technical study purporting to conclude that co-location options are not possible, is to have such technical study subject to independent peer review by a suitably qualified consultant, at full cost of the applicant.”*

In order to undertake this, Officers engaged ‘Overland Team’ to undertake a peer review (**attachment 4**) of the information provided by the applicant in this regard.

The peer review identifies the adjacent co-location options as shown in the table following with the closest co-location option being the NBN owned 45m high monopole located 1.35km from the proposed facility and sees an increase in elevation of 20m.



Adjacent co-location options				
Nearby Site Address	RFNSA Ref	Distance from Proposed Site	Carriers onsite	Status
400 Kargotich Road, Oakford	6121002	1.35km	NBN	On Air
10 Charolais Court, Oakford	6121006	1.53km	Optus	On Air
928 Orton Road, Oldbury	6121005	2.26km	Telstra	On Air
82 Malarkey Road, Byford	6122009	2.67km	Optus	Proposed
1099 Nicholson Road, Oakford	6121001	3.79km	Optus, Telstra, Vodafone	On Air

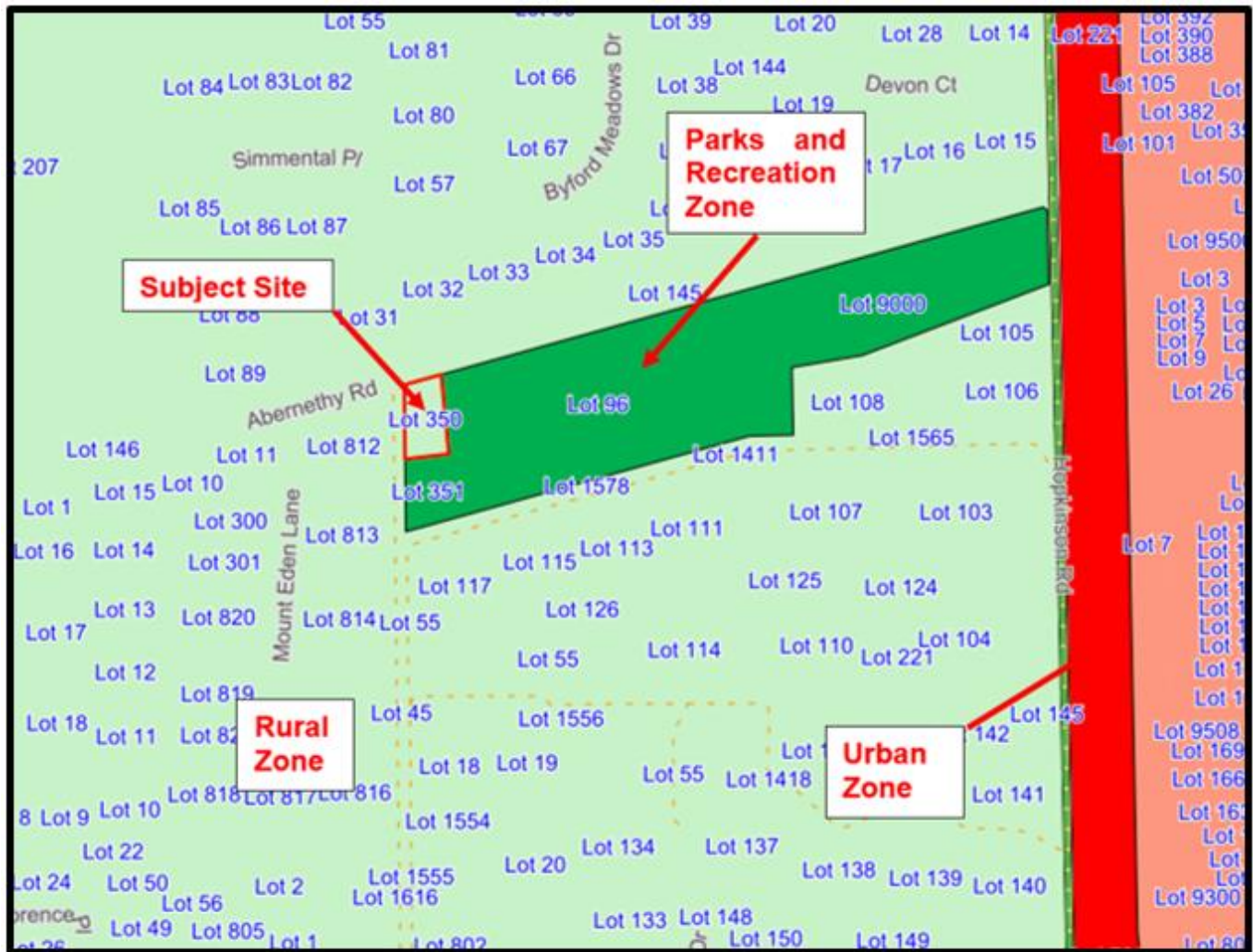
Figure 7: Adjacent Co-Location Options

The peer review acknowledges that the introduction of 5G technologies into the carrier networks and the uptake of usage from customers has necessitated the requirement for additional infill mobile phone facilities. The need for mobile sites (or base stations) with 5G compared to 4G primarily stems from the technical characteristics and requirements of the 5G technology including higher frequencies, capacity requirements and network architecture. Further, the uptake of 5G has been steadily increasing since its initial roll out, driven by network availability, speed and performance, device compatibility, industry applications, and awareness and education.

Further to LPP4.6, the *Telecommunications Code of Practice 2021* ('The Code') places similar obligations in terms of co-location. In this instance, the carrier investigations are evidenced from the candidate summary report in the applicant's development application. The peer review assessment considers all existing adjacent sites in proximity to the proposed telecommunications facility and concluded that a viable co-location option does not currently exist. The proposal therefore has met the co-location requirements of the LPP.

Location:

LPP4.6 states that this type of development "*should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme*" (MRS), unless there are special circumstances such as a physical buffer between the development and the residential area. As previously stated, the subject site is located more than 1.1km from the nearest residential area (Urban under the MRS), consistent with LPP4.6.

**Figure 8: Metropolitan Region Scheme (MRS) Zoning MAP****Visual Impact:**

The policy framework acknowledges that telecommunication infrastructure is generally located in prominent positions where they are more likely to be visible to the public in order for them to be effective. However, SPP5.2 states that telecommunication infrastructure should be sited and designed to “*minimise visual impact*” and where possible be located where such will not detract from a streetscape where viewed from public or private land, under provision 5.1.1(11)(b).

As stated previously, the proposed location of the development is substantially separated from residential development to the east. Further, the telecommunications tower is sited to the rear of the lot and therefore substantially well set back from Abernethy Road. Views from the road will be mostly screened by onsite vegetation and buildings. Views from the south and east will be obscured by the bushland reserve while the western boundary abuts a drainage reserve and vegetation will help screen views from the property to the west. No vegetation removal is required. The position and site can be viewed in the following figures.



Figure 9: View from the North East of the Subject Site



Figure 10: View from the North of the Subject Site

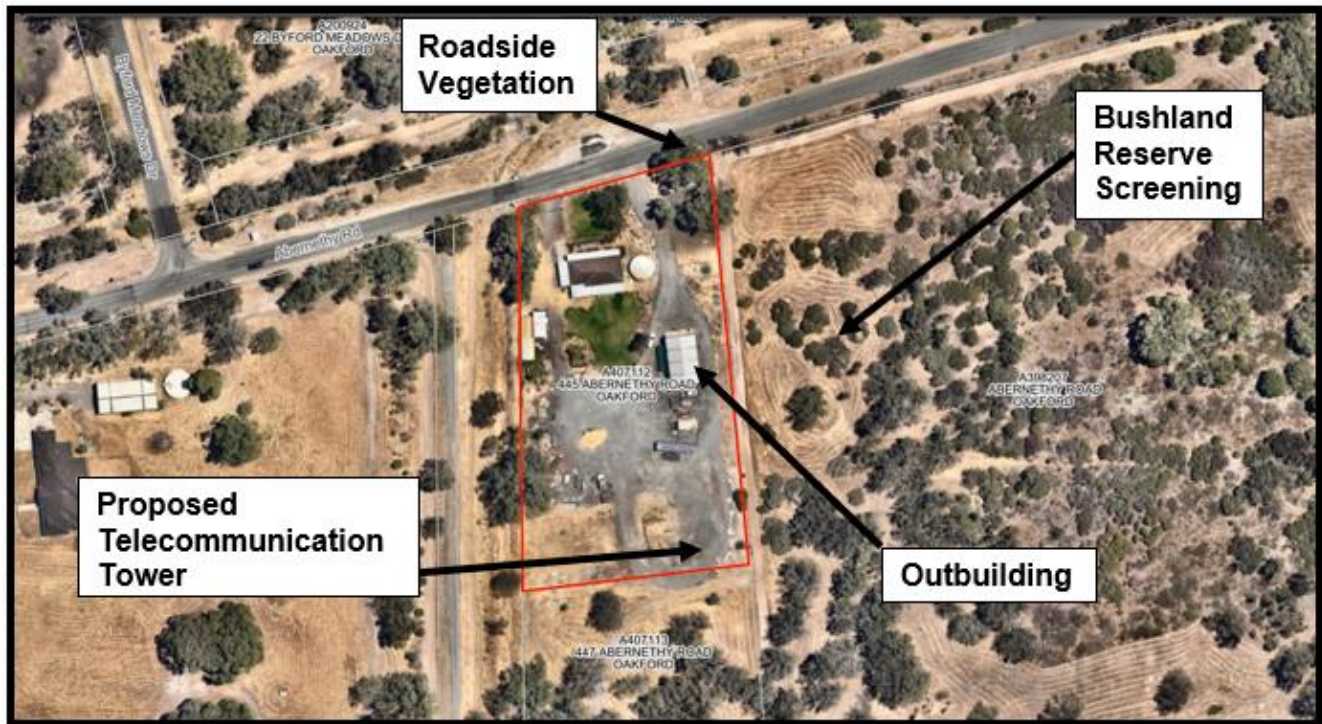


Figure 11: Building and Vegetation Screening

It is considered that the proposal balances both the need for infrastructure within the locality and potential amenity impacts. The proposal is considered to meet the objectives of the planning framework and provide critical infrastructure for the growing community.

Officers also consider that having an adequate mobile telecommunications network that interfaces between rural and urban areas is important in managing the risk of bushfire. Being able to communicate and activate early warning systems, for example, from central aspects to both preparedness and response. This is an important risk to be addressed by this proposed development.

Health and Safety:

It is noted that a number of residents raised objections in relation to the impact of telecommunications infrastructure on human health. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) provide standards for limits of exposure which must be complied with by all installations. The limits for electromagnetic energy (EME) exposure given in the standard are intended to provide protection for people of all ages and medical conditions when exposed 24 hours a day 7 days a week. A report has been provided as part of the application detailing information in relation to levels of radiofrequency (RF) and EME. The report shows that the highest EME exposure level of the tower is 2.12% of the ARPANSA standard exposure limit. This is considered very low and represents a nil risk.

Options and Implications

Option 1

That Council APPROVES the development application for the proposed 'Telecommunications Infrastructure' at Lot 350, 445 Abernethy Road, Oakford, as contained within **attachment 5**, subject to the following conditions:



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

Plans and Specifications	P1-P3 received at the Shire's Offices on the 12 June 2024
--------------------------	---

- b. The land being filled, stabilised, drained and/or graded as required to ensure that finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/ or proposed finished ground levels of the land abutting.

Advice Notes

- a. *No regionally significant bushland within Bush Forever area 65 is to be removed or disturbed.*
- b. *No building materials, rubbish or any other deleterious matter shall be deposited in Bush Forever area 65.*
- c. *The development, including construction, access and ongoing maintenance, shall not result in disturbance of existing native vegetation within Bush Forever area 65.*
- d. *Any adverse impacts during construction such as interference with pre-development hydrology, weed infestations, spread of dieback and dust to bushland associated with Bush Forever area 65 should be avoided and/or adequately managed.*

Option 2

That Council REFUSES the development application, as contained in **attachment 5**, for proposed telecommunications tower with associated infrastructure at Lot 350, 445 Abernethy Road, Oakford for the following reasons:

- a. The development is considered to pose an unacceptable visual amenity impact on the surrounding locality, by virtue of having elements that will only be partially screen by onsite and nearby vegetation.

Option 1 is recommended.

Conclusion

The proposal seeks approval for 'Telecommunications Infrastructure' to include a 35m high monopole and associated infrastructure. In balancing the services provided by the infrastructure and the impact on the character and amenity of the area, it is considered that the proposed location and siting would minimise the visual impact of the development, consistent with the planning framework. The application is therefore recommended for approval.

Attachments (available under separate cover)

- **10.1.3 - attachment 1** - Development Plans and Report (E24/8568)
- **10.1.3 - attachment 2** - Summary of Submissions (E24/4365)
- **10.1.3 - attachment 3** - Clause 67 Checklist (E24/8569)
- **10.1.3 - attachment 4** - Peer Review of Co-Location (E24/9058)
- **10.1.3 - attachment 5** - Development Plans (E24/9184)



Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
Liveable
4. Invest in facilities and amenities to meet current and future needs
Connected
2. Contribute to a well-connected, accessible and health community

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Option 1 is considered the lowest risk option.						
2	Council refusing the application, which may result in reducing levels of mobile phone coverage, which increases the vulnerability of communicating in times of an emergency, for example during bushfire.	There are no apparent controls that Council has before it to address this risk.	Physical or Psychological	Possible	Major	SIGNIFICANT	Nil.
2	That Council refuses the application, and an appeal is lodged with the State Administrative Tribunal, which requires independent planning representation in order to defend the decision of	Reasons for refusal reflecting valid planning concerns or variations.	Financial	Possible	Minor	LOW	Nil.



	Council which differs from the Officer recommendation, causing costs to be incurred.						
--	--	--	--	--	--	--	--

Voting Requirements: Simple Majority

Officer Recommendation

That Council APPROVES the development application for the proposed 'Telecommunications Infrastructure' at Lot 350, 445 Abernethy Road, Oakford, as contained within attachment 5, subject to the following conditions:

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

Plans and Specifications	P1-P3 received at the Shire's Offices on the 12 June 2024
--------------------------	---

- b. The land being filled, stabilised, drained and/or graded as required to ensure that finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/ or proposed finished ground levels of the land abutting.

Advice Notes

- a. *No regionally significant bushland within Bush Forever area 65 is to be removed or disturbed.*
- b. *No building materials, rubbish or any other deleterious matter shall be deposited in Bush Forever area 65.*
- c. *The development, including construction, access and ongoing maintenance, shall not result in disturbance of existing native vegetation within Bush Forever area 65.*
- d. *Any adverse impacts during construction such as interference with pre-development hydrology, weed infestations, spread of dieback and dust to bushland associated with Bush Forever area 65 should be avoided and/or adequately managed.*

OCM211/08/24

COUNCIL RESOLUTION

Moved President Coales, seconded Cr Duggin

That Council APPROVES the development application for the proposed 'Telecommunications Infrastructure' at Lot 350, 445 Abernethy Road, Oakford, as contained within attachment 5, subject to the following conditions:

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

Plans and Specifications	P1-P3 received at the Shire's Offices on the 12 June 2024
---------------------------------	--

- b. The land being filled, stabilised, drained and/or graded as required to ensure that finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/ or proposed finished ground levels of the land abutting.**



- c. Prior to submission of a building permit, a landscaping plan shall be prepared by the applicant and submitted to the Shire of Serpentine Jarrahdale for assessment and approval. The plan shall demonstrate:
- the provision of a landscape area of minimum depth of 10m on the north and west sides of the development compound, and 7.5m on the east side (with this reduced width to retain a 5m firebreak corridor);
 - such landscape area shall comprise of a mix of advanced plantings, comprising tall trees intermixed with medium and ground cover species, in order to provide a filtered screen of the development;
 - the selection of tall trees is to comprise heights at maturity which will provide opportunities for line of sight screening from the adjoining bush forever and trails / drainage route, which adjoin the subject land.

Upon approval of the plan, landscaping is to be established by the beginning of the 2025 planting season, and thereafter maintained to the satisfaction of the Shire of Serpentine Jarrahdale.

Advice Notes

- a. *No regionally significant bushland within Bush Forever area 65 is to be removed or disturbed.*
- b. *No building materials, rubbish or any other deleterious matter shall be deposited in Bush Forever area 65.*
- c. *The development, including construction, access and ongoing maintenance, shall not result in disturbance of existing native vegetation within Bush Forever area 65.*
- d. *Any adverse impacts during construction such as interference with pre-development hydrology, weed infestations, spread of dieback and dust to bushland associated with Bush Forever area 65 should be avoided and/or adequately managed.*

CARRIED UNANIMOUSLY 6/0

Reason for difference:

To allay amenity concerns as raised.

**10.1.4 - Proposed Adoption of Amended Local Planning Policy 4.5 - Short Stay and Temporary Accommodation (SJ4444)**

Responsible Officer:	Manager Statutory Planning and Compliance Manager Economic Development
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Legislative	Includes adopting local laws, local planning schemes and policies.
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Report Purpose

The purpose of this report is for Council to consider the adoption of amended Local Planning Policy 4.5 - Short Stay and Temporary Accommodation (LPP4.5), formally Local Planning Policy 4.5 - Temporary Accommodation. The amended LPP4.5 was prepared in accordance with Clause 4 of the Deemed Provisions.

The policy has been revised in response to the *Short-Term Rental Accommodation Bill 2024* which was introduced into State Parliament on 21 February 2024. The amendments include a new set of Short Stay Accommodation management provisions, in order to assist any landowners who propose to operate Short Term Rental Accommodation (STRA) development. The Policy also retains the existing temporary accommodation provisions. The draft Policy will ultimately replace the current LPP4.5 (**attachment 1**) should it be adopted by Council.

The revised LPP4.5 was advertised in accordance with Clause 4 of the Deemed Provisions and three submissions of support were received. Officers recommend Council adopt LPP4.5 (**attachment 2**) without modifications in accordance with Clause 4(3)(4) of the Deemed Provisions. If Council adopts the LPP, Officers will publish notice of the amended policy in accordance with Clause 87 of the Deemed Provisions.

Relevant Previous Decisions of Council

Ordinary Council Meeting - 20 May 2024 - OCM119/05/24 - COUNCIL RESOLUTION/ Officer Recommendation

That Council ADOPTS, for the purposes of advertising, the revised Draft Local Planning Policy 4.5 (Short Term and Temporary Accommodation) in accordance with Clause 4(1) of the Deemed Provisions.

Background

The Shire initially adopted LPP4.5 at its Ordinary Council Meeting of 16 May 2022. The LPP provided guidance for landowners that are constructing a residence in relation to temporary accommodation on-site through an on-site caravan located within an outbuilding. These provisions have not been amended as part of this revision.



By way of background to the amendments, in February 2024 the Short-Term Rental Accommodation Bill was introduced to Parliament. The Bill sought to provide a set of requirements for the State to monitor and standardise the use of property for STRA purposes.

Under the new regulations, owners must register their STRA properties before they can advertise and take bookings, including on online booking platforms.

The STRA Register is proposed to be operated by Department of Mining, Industry Regulation and Safety (DMIRS) and is expected to come into effect in mid-2024. All properties, whether hosted or un-hosted, will be required to be registered by 1 January 2025. Hosted properties are those where the host lives on-site, while un-hosted properties are where guests have exclusive use of an entire house, unit or apartment. In addition, property owners will have until 1 January 2026 to provide evidence of compliance with local planning requirements to remain registered.

The STRA Register will also collect information on the short-term rental accommodation sector to assist the State Government to make more informed policy and regulatory decisions. The register will also provide information to the community about what STRA exists in an area.

Associated with these reforms are changes to planning requirements. In the Perth metropolitan area, un-hosted STRA property owners will need to obtain development approval if the property is rented out for more than 90 nights within any 12-month period.

To effectively guide considerations as to the appropriate locations for un-hosted accommodation, LPP4.5 was amended to take account of the relevant planning matters and amenity issues which are relevant to this form of development. The LPP includes provisions to enable the Shire to provide guidance to landowners wishing to propose short-term rental accommodation.

The amended LPP was previously presented to Council at its Ordinary Council Meeting of 20 May 2024 where Council adopted it for the purposes of advertising. Advertising has now been undertaken and three submissions were received providing support for the LPP.

Community / Stakeholder Consultation

The LPP was advertised in accordance with Clause 87 of the Deemed Provisions for 21 days from 6 June 2024 to 28 June 2024. A notice was published in the Examiner newspaper and the amendments were also advertised on the Shire's website. As previously stated, three submissions were received in support of the LPP. These submissions are contained within **attachment 3**.

Statutory Environment

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Environmental Protection (Noise) Regulations 1997*

State Government Policies:

- State Planning Policy 3.7 - Planning in Bushfire Prone Areas
- Planning Bulletin 111/2016 - Planning for Bushfire Prone Areas
- Position Statement: Planning for Tourism and Short-term Rental Accommodation

Local Planning Framework:

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3



Planning Assessment

The changes to the *Planning and Development Regulations 2015* (Regulations), through the introduction of the new STRA Bill, will aim to achieve the following measures:

Hosted STRA

- Hosted STRA will be exempt from the requirement to obtain development approval as the primary owner or occupier of the residence remains on-site for the duration of a guest's stay. This means they can manage any issues that may arise, such as noise or parking, and is therefore considered to have very minimal impact on residential amenity and housing. It is worth noting that Local Planning Policy 1.5 already contains a provision for exempting such development.

Un-hosted STRA

- The changes to the planning framework will include a consistent set of development approval requirements for un-hosted STRA across the Perth metropolitan area and provide a mechanism for Local Governments to determine the most appropriate requirements for STRA properties in their locality.
- An exemption from the requirement to obtain development approval will be in place where an un-hosted STRA owner does not intend to rent their property out for more than 90-nights within a 12-month period. Proposals that do intend to rent out the property for more than 90-nights will require development approval from the Local Government prior to registration and operation.
- This single set of rules for Perth will ensure greater consistency across the metropolitan area and will allow the Local Government to assess higher-impact proposals on a case-by-case basis, allowing for consultation to occur where necessary.
- The 90-night exemption caters for property owners who wish to let out their primary residence for un-hosted STRA on a temporary basis (e.g., when on holidays) without needing development approval.

The State Government, upon the introduction of the bill, expect Local Governments to commence amendments to include STRA into Local Planning Schemes, thus a future report will be prepared to Council to include changes to the LPS3 zoning table to alter existing STRA land uses to be consistent with the updated definitions of STRA land uses. To assist with this transition, the Western Australian Planning Commission (WAPC) has formed a position that all Scheme amendments which propose to replace superseded land uses with new STRA land uses, without changes to permissibility, can be processed as 'basic' amendments.

Land Use

Land uses which are commonly within the Policy scope are targeted at un-hosted STRA. The provisions also identify other land uses where management plans would need to be considered given the potential size and ability to host an extended number of persons on-site.

Management

Draft LPP4.5 introduces a requirement for all Un-hosted STRA to provide a management plan accompanying a development application. These provisions are as follows:

- Details of the local property manager who will be contactable 24 hours a day. The manager (or a nominated representative) should reside no greater than a 30 minute drive from the site;



- A code of conduct for guests, which should list what is considered acceptable and unacceptable behaviour and identify repercussions for breaches;
- Details of the minimum number of stays which are required by any guests;
- Details of a bond if taken for any damages or for any other requirements;
- A mitigation plan to identify how anti-social behaviour, noise and any potential conflict will be controlled and details as to how the amenity of adjoining landowners will be maintained;
- Complaints management procedure - it is expected that the manager is available to be contacted 24 hours a day in relation to a complaint, and the manager (or their nominated representative) visits the property within two hours of receipt of the complaint;
- Details of how the premises will be managed on a day-to-day basis; including check in and check out procedures etc;
- Statement on the management and provision of car parking. On-site parking provision should align with the parking requirements detailed in this policy. The management plan should also detail whether the site has boat/trailer parking;
- Fire management/emergency response plans for visitors and managing risks for visitors;
- Waste management plan specifying the requirements of general waste and recycling, bin collection days and location of bins for collection.

Number of Guests

The amount of guests residing within an un-hosted STRA where such comprises a single, grouped or multiple dwelling is to comply with the following standards:

- A maximum of 12 persons at any time, subject to the following:
 - 4m² per person in each bedroom utilising beds; and
 - 2.5m² per person in each bedroom utilising bunks.

The maximum number of guests will be given consideration as a factor in assessing, determining, and mitigating any amenity, waste disposal, septic capacity, or parking matters.

If approval for more than 12 persons are sought, the proposal will be considered a “Residential Building” under the Local Planning Scheme.

Car Parking

Car parking for any un-hosted STRA where such comprises a single, grouped or multiple dwelling should be provided in the following manner:

- In accordance with Clause 4.3 (2) of Local Planning Scheme No. 3:

Where parking standards are not specified or the relevant land use is not contained within the Table below, the local government shall determine the number of required bays with regard to the following:

- a. Nature of the proposed development;
- b. Number of employees, other persons and/or visitors likely to be associated with the proposed development; and
- c. The parking requirements of similar land uses contained within the Table below (See Table 4 of LPS3)



- All car parking should be contained entirely on-site, and no verge area will generally be permitted to be used for car parking.

Vulnerable Land Use

Un-hosted STRA (where such comprises a single, grouped or multiple dwelling) proposed in a Bushfire Prone Area will require a Bushfire Attack Level Assessment, Bushfire Management Plan or Statement and a Bushfire Emergency Evacuation Plan, as outlined under *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP3.7) and associated Guidelines. At a minimum, this should include:

- A Simple Form Bushfire Management Plan (BMP) and;
- Bushfire Emergency Evacuation Plan (BEEP).

These documents should be prepared by a suitably qualified bushfire practitioner.

Where the Bushfire Attack Level Assessment returns a rating of BAL-40 or FZ, approval is unlikely to be granted unless the BAL-rating can be reduced through vegetation thinning/clearance within lot boundaries. This needs to also be balanced against the landscape impact of such clearing.

A short-term rental accommodation within a single, grouped or multiple dwelling within a Residential area, may be exempt from the requirement to provide a BMP and BEEP given the proposal is considered through Planning Bulletin 111/2016 Planning in Bushfire Prone Areas as not resulting in an intensification of the existing development. Exemptions also apply to any lot under 1,100m².

Registration

All STRA land uses shall seek registration from DMIRS. Where a development application is proposed, an advice note will be provided to the applicant to seek registration, as required.

Temporary Accommodation

The Policy retains the existing provisions within LPP4.5 which provide the Shire discretion to consider granting a temporary approval for any persons wishing to reside on their property whilst a single dwelling is being constructed. This is only applicable for lots 1ha in size or greater. The provisions require the construction of an outbuilding and associated septic systems and for the caravan to be wholly located inside the outbuilding. These provisions are not proposed to be changed.

Options

Option 1

That Council ADOPTS amended Local Planning Policy 4.5 - Short Term and Temporary Accommodation, as contained in **attachment 2**, in accordance with Clause 4(3)(b)(i) of the Deemed Provisions and publishes notice of the policy in accordance with Clause 87 of the Deemed Provisions.

Option 2

That Council REFUSES to ADOPT revised Local Planning Policy 4.5 - Short Term and Temporary Accommodation.

Option 1 is recommended.



Conclusion

The report is presented to Council recommending that LPP4.5 is adopted in accordance with Clause 4(3)(b)(i) of the Deemed Provisions following community consultation.

It is considered that once adopted, LPP4.5 will assist applicants and Officers to guide STRA development within the Shire by providing adequate management, parking, and risk measures. The Policy aligns with the new STRA Bill introduced by Parliament in February 2024.

Attachments (available under separate cover)

- **10.1.4 - attachment 1** Existing Local Planning Policy 4.5 - Temporary Accommodation. (E21/12072)
- **10.1.4 - attachment 2** Revised Local Planning Policy 4.5 - Short Term and Temporary Accommodation. (E24/5917)
- **10.1.4 – attachment 3** Schedule of Submissions - Local Planning Policy 4.5 - Short Term and Temporary Accommodation (E24/9204)

Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

Financial Implications

Nil.



Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Option 1 is considered the lowest strategic risk.						
2	If Council resolves not to adopt the Draft Policy, any STRA development may have no guidance on management and development requirements which could lead to amenity impacts or development in high-risk areas without such risk being managed	Planning Framework	Social Community Outcomes /	Possible	Moderate	MODERATE	Accept Option 1.

Voting Requirements: Simple Majority

OCM212/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council **ADOPTS** amended Local Planning Policy 4.5 - Short Term and Temporary Accommodation, as contained in attachment 2, in accordance with Clause 4(3)(b)(i) of the Deemed Provisions and publishes notice of the policy in accordance with Clause 87 of the Deemed Provisions.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0



10.1.5 - Proposed Road Naming Application - Lot 9060 Orton Road, Byford (PA24/419)	
Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent: McMullen Nolan Group Pty Ltd

Owner: LWP Byford Syndicate Pty Ltd

Date of Receipt: 2 July 2024

Lot Area: 31ha

Local Planning Scheme No.3 Zoning: 'Urban Development'

Metropolitan Region Scheme Zoning: 'Urban'

Report Purpose

The purpose of this report is for Council to consider a proposal for thirteen road names associated with a subdivision of Lot 9060 Orton Road, Byford. Eleven new road names and two extensions of existing names are proposed as part of this application. Six alternative names are also presented to Council for endorsement in the instance Landgate do not support the preferred names.

This road naming proposal is presented to Council for endorsement as this function is not able to be delegated in accordance with the legislative framework of the *Land Administration Act 1997*. Officers consider that the proposed road names are consistent with the new theme of Western Australian Reptiles, Lizards and Amphibians. Cardup is a local Indigenous name said to mean 'place of the racehorse goanna,' which is a large lizard species native to Western Australia. The proposed theme expands on this concept with the inclusion of reptiles and amphibians native to Western Australia.

Officers recommend that Council endorse the proposed road names based on compliance with the Policies and Standards for Geographical Naming in Western Australia (Landgate Policy) and Local Planning Policy 1.7 - Road Naming (LPP 1.7).



Relevant Previous Decisions of Council

Nil.

Background

The subject site is bound by Bookleaf Street to the north and public open space to the south. The site is within an 'Urban Development' zoned area of Byford, forming part of the Cardup Brook precinct. The subject site is depicted following:



Figure 1 - Aerial image of the subject site

Approval for the subdivision of the site was granted by the Western Australian Planning Commission (WAPC) on 13 July 2023, however the conditions have not yet all been cleared. The approved subdivision layout can be viewed following:



Figure 2 - Approved subdivision plan

Roads created by subdivision are required to be named in accordance with Clause 26A of the *Land Administration Act 1997*. The naming process requires the relevant Local Government to endorse names for roads created as part of subdivision. Those names endorsed by the Local Government must then be forwarded to Landgate for final approval. Landgate has delegated authority from the responsible Minister to grant final approval for road names.

Proposal

The subject application (**attachment 1**) proposes the naming of thirteen roads:

- Kokoda (extension)
- Doley (extension)
- Morelia
- Stimson
- Crinia
- Delma
- Pogona
- Rugosa
- Gidgee
- Pallida
- Elapid
- Spiny
- Mulga



The applicant has also submitted six names to be endorsed as second preference names in the instance that Landgate does not accept the preferred names:

- Banjo
- Egernia
- Spilota
- Morethia
- Crassa
- Gwardar

The roads and proposed names are shown in the following plan:

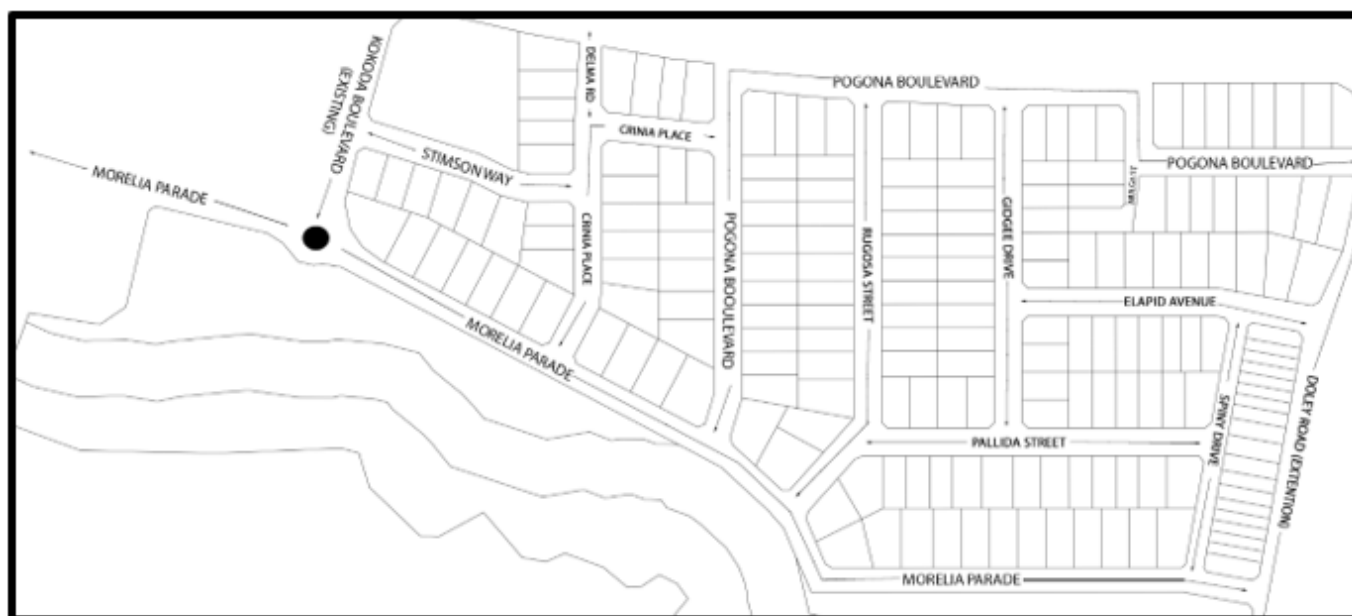


Figure 3 - Proposed Road Name Layout

Local Planning Policy 1.7 - Road Naming Policy (LPP1.7) indicates where more than four road names are proposed then a theme should be submitted to Council for approval. As such, a road name theme is required for this proposal. The proposed road names are in keeping with the theme of Western Australian Reptiles, Lizards and Amphibians. The proposed names 'Kokoda' and 'Doley' are extensions of existing approved road names in the subdivision to the north of this site.

The proposed and backup names along with their description as provided by the applicant are detailed in the following table:

Road Name Table	
Proposed Preferred Names	Background
Road 1: Kokoda Boulevard	This is an extension to an existing approved road name.
Road 2: Doley Road	This is an extension to an existing approved road name.
Road 3: Morelia Parade	Also known as the Carpet Python, the <i>Morelia spilota imbricata</i> is the largest python species found in Perth and can grow up to 4m in size.



Road Name Table	
Proposed Preferred Names	Background
Road 4: Stimson Way	Stimson's Python are commonly sighted along the Darling Scarp. They shelter in large hollow trees and constructed nest boxes.
Road 5: Crinia Place	These small frogs are very common in the Australian tropics, but almost never seen owing to their shy nature and shelter in rock crevices.
Road 6: Delma Road	Also known as Gray's legless lizard, <i>Delma grayii</i> is a limbless lizard found in forest and shrubland. The species is endemic to Australia.
Road 7: Pogona Boulevard	Pogona comes from the Greek 'pogon', meaning beard and refers to a flap of skin below their jaws that they push forward and 'puff up' when threatened.
Road 8: Rugosa Street	Also known as the shingleback skink or bobtail lizard, <i>Tiliqua rugosa</i> is a species of blue-tongued skink endemic to Australia. Three of its four recognised subspecies are found in Western Australia
Road 9: Gidgee Drive	The Gidgee Skink has a widespread distribution across semi-arid Australia, from the south-western interior of Western Australia to several islands off the west coast.
Road 10: Pallida Street	A medium-sized ground-dwelling frog found across the Kimberley region. It has an elongate, angled head with thin fingers and small discs with webbing at the base.
Road 11: Elapid Avenue	The Elapid family are front fanged snakes and includes the Australian dangerous land snakes as well as the Cobras found overseas.
Road 12: Spiny Drive	Native shrubs and trees provide perfect habitat for a Soft Spiny-tailed Gecko. They dwell on branches and shrubs during the day and can grow up to 14cm in size.
Road 13: Mulga Street	Also known as the King Brown Snake, the Mulga Snake is one of the 140 known land species of snake in Australia.

Reserve Names	Background
Banjo	The Western Banjo Frog is the largest frog commonly encountered in the home garden. They signify that the local environment is healthy.
Egernia	Also known as King's skink, <i>Egernia kingii</i> live in large family groups and enjoy hiding in hollows, burrows, and thick leaf litter. The species is endemic to Australia.



Reserve Names	Background
Spilota	Also known as the Carpet Python, the <i>Morelia spilota imbricata</i> is the largest python species found in Perth and can grow up to 4m.
Morethia	Shrubland Morethia Skinks are common along coastal suburbs and will readily visit a resident wildlife garden with plenty of hiding spaces.
Crassa	Also known as Fat Toadlet, <i>Uperoleia crassa</i> is a small species of frog with a rotund body shape. It is found in the subtropical grasslands and freshwater marshes across the Kimberley region.
Gwardar	Gwardar is a venomous snake often encountered further away from Perth, but are spotted in the hills, large reserves, and coastal environments.

Community / Stakeholder Consultation

No consultation is required in accordance with Shire and Landgate policy.

Statutory EnvironmentLegislation

- *Land Administration Act 1997*

State Government Policies

- Policies and Standards for Geographical naming in Western Australia (Landgate Policy)

Local Planning Framework

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

Planning Assessment

An assessment of the proposed road names against the provisions of LPP 1.7 is as follows:

Policy Assessment	
Policy Requirement	Officer Comment
Consideration of current and future street names	The proposed road names are not currently in use within the Shire area and have not been proposed to be used in the future for any other estates within the Shire. No duplicates in surrounding Local Government areas within 10km have been identified.
Consideration shall be given to current and future street numbering to ensure numbering is sequential, easy to follow and considers future density increases	Officers consider the proposal to be acceptable in light of the existing and future street numbering for the area.



Ordinary Council Meeting Minutes Monday, 19 August 2024

Policy Assessment	
Policy Requirement	Officer Comment
The origin of each name shall be clearly stated and subsequently recorded	The origin and background of the proposed and reserve road names have been documented in the road name table earlier in this report.
Names shall not be offensive or likely to given offence, incongruous or commercial in nature	The proposed and reserve names are not considered to be offensive, incongruous, or commercial in nature.
Names shall be easy to read, spell and pronounce in order to assist emergency services, service providers and the travelling public	In terms of easiness to read, spell and pronounce, the names are simple to read or pronounce, and so would not cause complexities for emergency services, service providers or the travelling public.
Unduly long names and names that comprise of two or more words should generally be avoided	The proposed preferred names comprise of no more than seven letters in length and are no more than one word.
Proposals for road names shall include an appropriate road type suffix	<p>The proposed suffixes are considered appropriate and consistent with suffix definitions under the Landgate policy.</p> <p>Avenue (Av) - Broad roadway, usually planted on each side with trees.</p> <p>Boulevard (Bvd) - Wide roadway, well paved, usually ornamented with trees and grass plots.</p> <p>Drive (Dr) - Wide thoroughfare allowing a steady flow of traffic without many cross-streets.</p> <p>Parade (Pde) - Public promenade or roadway that has good pedestrian facilities along the side.</p> <p>Place (Pl) - Short, sometimes narrow, enclosed roadway.</p> <p>Road (Rd) - Open way or public passage primarily for vehicles.</p> <p>Street (St) - Public roadway in a town, city or urban area, especially a paved thoroughfare with footpaths and buildings along one or both sides.</p> <p>Way (Way) - Roadway affording passage from one place to another. Usually not as straight as an avenue or street.</p> <p>The proposed suffixes are considered suitable as they generally are reflective of the proposed carriageway.</p>



Policy Assessment	
Policy Requirement	Officer Comment
Practical application of road names to maps and plans shall be considered such as the long street names should not be allocated to short roads	As shown on the road name plan earlier in this report, the road names are commensurate with the length of the road and are considered practical.

Based on the above, the recommended names are considered appropriate.

Options

Option 1

That Council:

1. ENDORSES the following road names in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the proposed road name as contained within **attachment 1** to Landgate for final approval:
 - a. Kokoda Boulevard
 - b. Doley Road
 - c. Morelia Parade
 - d. Stimson Way
 - e. Crinia Place
 - f. Delma Road
 - g. Pogona Boulevard
 - h. Rugosa Street
 - i. Gidgee Drive
 - j. Pallida Street
 - k. Elapid Avenue
 - l. Spiny Drive
 - m. Mulga Street
2. ENDORSES the following second preference road names in accordance with section 26A(3) of the *Land Administration Act 1997*; to be used in the event that the first preference names are not deemed acceptable by Landgate:
 - a. Banjo
 - b. Egernia
 - c. Spilota
 - d. Morethia
 - e. Crassa
 - f. Gwardar

**Option 2**

That Council REFUSES TO ENDORSE the proposed road names and REQUESTS the applicant to consider different naming options.

Option 1 is recommended.

Conclusion

Council endorsement is sought for twelve proposed road names to be used within the approved subdivision at the subject site. The proposed names are considered consistent with the requirements of LPP1.7 and Landgate's road naming policy. It is therefore recommended that Council endorse the proposed names.

Attachments

- **10.1.5 - attachment 1** - Road Layout Plan (E24/9880)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no risks associated with this option.						
2	Council not supporting the names causing a delay in the application, which could delay lot creation and residential land supply within the Shire.	Policies and Standards for Geographical naming in Western Australia Local Planning Policy 1.7 - Road Naming	Social Community Outcomes /	Possible	Moderate	MODERATE	Give reasons for decision



Voting Requirements: Simple Majority

OCM213/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

- 1. ENDORSES the following road names in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the proposed road name as contained within attachment 1 to Landgate for final approval:**
 - a. Kokoda Boulevard**
 - b. Doley Road**
 - c. Morelia Parade**
 - d. Stimson Way**
 - e. Crinia Place**
 - f. Delma Road**
 - g. Pogona Boulevard**
 - h. Rugosa Street**
 - i. Gidgee Drive**
 - j. Pallida Street**
 - k. Elapid Avenue**
 - l. Spiny Drive**
 - m. Mulga Street**
- 2. ENDORSES the following second preference road names in accordance with section 26A(3) of the *Land Administration Act 1997*; to be used in the event that the first preference names are not deemed acceptable by Landgate:**
 - a. Banjo**
 - b. Egernia**
 - c. Spilota**
 - d. Morethia**
 - e. Crassa**
 - f. Gwardar**

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.1.6 - Change of Use from 'Caravan Park' to 'Park Home Park' including Formation of 40 New 'Park Home' Sites and Construction of Sales Office and Lawn Bowls - Lot 820, 2489 South Western Highway, Serpentine (PA24/103)**

Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent:	Allerding and Associates
Owner:	Tasman Tourism Property Pty Ltd
Date of Receipt:	19 March 2024
Lot Area:	11.73 hectares
Local Planning Scheme No. 3 Zoning:	'Rural'
Metropolitan Region Scheme Zoning:	'Rural'

Report Purpose

The purpose of this report is for Council to consider a development application for a change of use of a 'Caravan Park' to a 'Park Home Park' including the provision of 40 new park home sites, a temporary sales office and a bowling green at the subject site. If approved, the site would no longer be able to accommodate any caravan or camping sites for tourism purposes, instead it would provide permanent residential accommodation.

The application is presented to Council as eight submissions were received during the consultation process either objecting or raising concerns with the development. Officers do not have delegated authority to determine development applications where three or more objections are received, in accordance with Delegated Authority 12.1.1 - Determination of Development Applications.

It is considered that the proposal is generally consistent with the objectives of the planning framework and that the objections can be appropriately addressed.



There are however a number of essential infrastructure upgrades that are caused directly by the development, and these need to be appropriately provided for in order to ensure the development is consistent with the planning framework.

Such infrastructure is associated with safe footpath connectivity to Serpentine townsite, in order to provide connectivity to services and facilities that are required to be accessed by what becomes a residential park. Incidental conditions are recommended to deal with these infrastructure issues plus a variety of other aspects, and subject to these, the development is considered capable of approval.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this application.

Background

Existing Development

The subject site of 11.73ha is located at the intersection of South Western Highway and Falls Road in Serpentine. It is located approximately 1.1km to the east of the Serpentine Townsite and 1km west of Serpentine Falls. Currently, the site is developed with residential units and caravan or camping sites, used for both permanent accommodation and holiday accommodation. There is a club house, swimming pool, site administration office located centrally, and an effluent pond located to the east of the site.

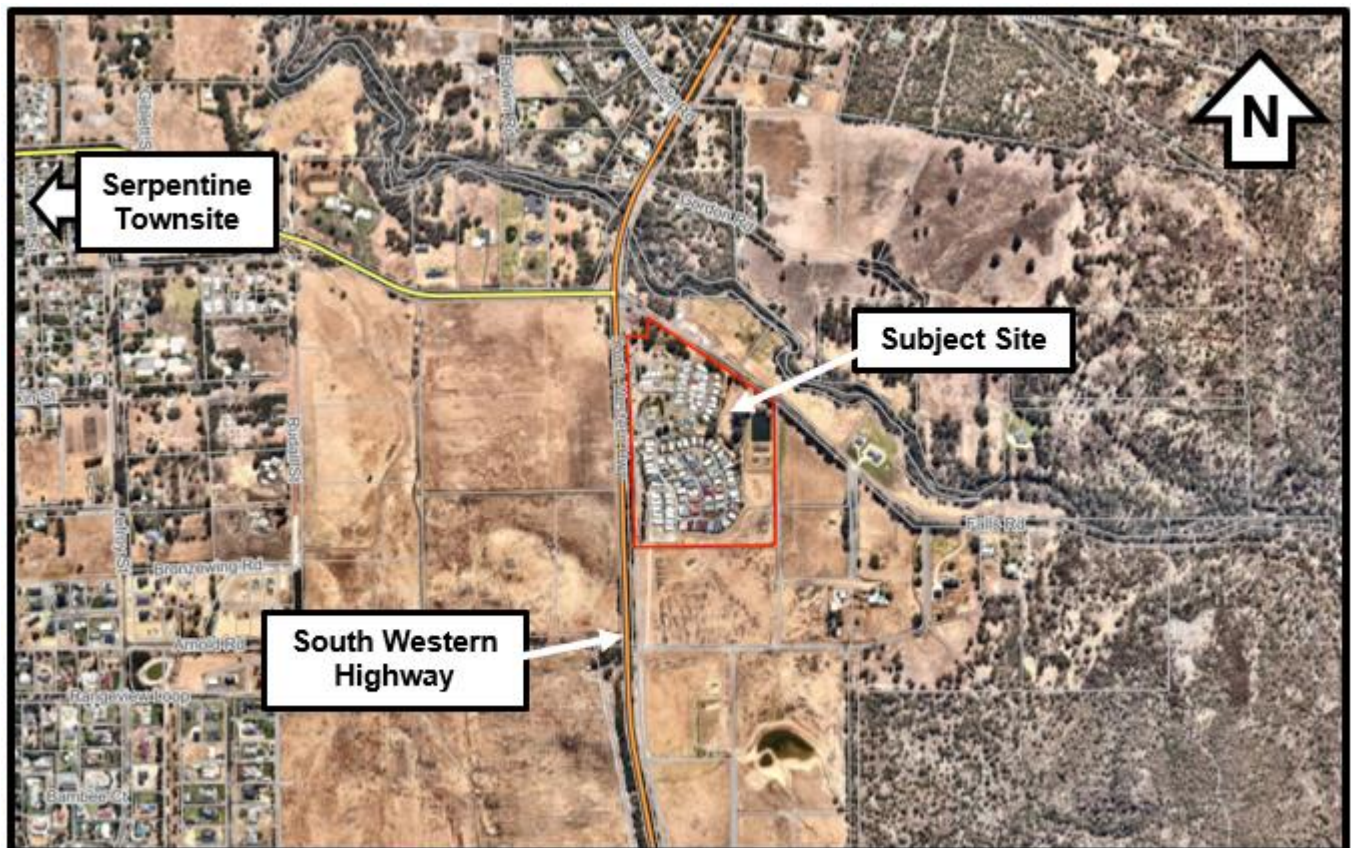


Figure 1: Aerial Image of the Site



History of Approvals and Legislative Requirements:

Approval for the 'Caravan Park' was initially granted in 1988. The 'Caravan Park' has since expanded incrementally and currently includes sites for both permanent accommodation and holiday accommodation in the form of caravans, campsites and cabin type developments.

The existing permanent accommodation sites were approved historically as 'park home' sites under the *Caravan Parks and Camping Grounds Act 1995* (the CPCG Act). However, as part of the assessment process, it was identified that these existing structures do not meet the current definition of a 'park home'. Under the CPCG Act a 'park home' is defined as:

"a vehicle.....that is fitted or designed for habitation".

The majority of the existing structures are either constructed on concrete pads or built on axles without wheels, and therefore are not 'vehicles' and in turn cannot be classified as a 'park home' under the current definition.

The issue of existing 'park homes' to meet the current definition is not uncommon and is a recognised legacy issue in many caravan parks across Western Australia. This was identified by the State Administrative Tribunal (SAT) in *Henville v City of Armadale [2018] WASAT 18*. It was this SAT decision that concluded that 'park homes' must be vehicles (axled and wheeled) and must meet certain vehicle safety standards according to the CPCG legislation. The vehicles must also be able to be moved under their own weight without the need of specialised machinery. In response to this SAT decision, Section 40A was introduced into the *Caravan Parks and Camping Grounds Regulations 1997* (CPCG Regulations) on 3 March 2020. This section created a new classification of accommodation called a 'manufactured home' defined as *"a structure that-*

- i) is not a vehicle, train, vessel or aircraft; and*
- ii) is movable or capable of movement; and*
- iii) is fitted or designed for habitation; and*
- iv) immediately prior to 1 July 2019 was located at a place with purported approval"...*

With the new definition in place, the type of structures at the subject site currently used for permanent accommodation that do not meet the new definition of a 'park home' (i.e. a vehicle) can remain at a 'Park Home Park' where they meet the definition of a 'manufactured home'. Officers consider the existing structures all to be suitably classified as either a 'manufactured home' or a 'park home' which can be located within a 'Park Home Park' under Section 40A of the CPCG Regulations. This is worth noting to ensure that any approval would not result in development already on site being inconsistent with the land use definition. Should the application be approved, any new 'park homes' brought to the site must constitute a 'vehicle' to be considered as such.

With regard to the future 'park homes' that would be located on site, as per the SAT decision discussed previously, a 'park home' is required to meet the following in accordance with the CPCG legislation:

- "(a) A Park Home must be a means of transport to be a conveyance and therefore a vehicle as defined;*
- (b) A Park Home must be a vehicle of a class or description as provided for by the Regulations; and*
- (c) A Park Home must be fitted or designed for habitation"*



As a vehicle, the park home is not required to provide its own means of propulsion, but it must be capable of being drawn by another vehicle. Schedule 5 of the CPCG Regulations also provides specific standards that apply to park homes, which are as follows:

- To be one storey;
- To have a chassis, wheels, a draw bar and tie down points on it at all times;
- To be stabilised and secured on site; and
- To be designed with corrosion resistant materials.

The CPCG Regulations only permit a park home to be brought to a site once approval is gained from the facility and the Local Government. Prior to any new 'park home' being brought to the subject site, the owner of the 'park home' is required, under the CPCG Regulations, to provide the Local Government with a certificate demonstrating that the 'park home' complies with the Building Code of Australia. Whilst this is not enforced under either the planning or building legislation, it provides a mechanism for each park home to be screened for compliance prior to it being located on its site as well as consideration of the design.

Proposed Development

The application seeks approval to change the use of the existing 'Caravan Park' to a 'Park Home Park' and also includes the following:

- 40 new park home sites; 37 to the north-west of the lot and three to the south-west;
- The new sites would range from 248m² to 347m² in area;
- The 'park homes' are intended to cater for older persons, in the form of an over 45's lifestyle village;
- The construction of a sales office (transportable building 12m x 3m) to assist with the sale of the new park home sites. This would be removed once the sites are sold;
- A lawn bowls area (30m x 10m);
- Removal of 23 trees and existing caravan and camping sites to accommodate the new park home sites; and
- No further holiday accommodation would be facilitated.

Full details of the proposal are contained within **attachment 1**. The proposed site plan and elevations of a 'manufactured home' and a 'park home' are shown following:



Figure 2: Proposed additional park home sites



Figure 3: Example of a 'manufactured home'



Figure 4: An Example of a 'park home'

Community / Stakeholder Consultation

The application was advertised for a period of 35 days (to account for the public holiday exclusion period) between 28 March 2024 and 2 May 2024. It was advertised to surrounding landowners within a 200m radius of the subject site, in accordance with LPP1.4 - Consultation for Planning Matters and Draft LPP1.4 - Advertising Development Applications (prior to adoption). The application was also advertised on the Shire's website for the same period. At the conclusion of the consultation, eight submissions were received objecting to or raising concerns with aspects of the proposal.



A full copy of the submissions with the applicant's response and Officer comment is contained within **attachment 2**. Several objections relate to the lack of amenities and services offered to the tenants. The applicant has provided a response to this however, this is not a matter required to be considered under Clause 67 of the Deemed Provisions. There are however planning concerns raised in submissions, which are addressed within the report and relate to the following relevant matters:

- Noise;
- Bushfire;
- Dust;
- Traffic, car parking and pedestrian safety;
- Removal of vegetation;
- Waste and wastewater management; and
- Stormwater and drainage.

Government Agency Referrals

Main Roads Western Australia (MRWA)

Government Agency Response:

MRWA provided two submissions that raised no objections to the development in principle. However, the location of the new sites within the State Planning Policy 5.4 - Road and Rail Noise (SPP5.4) area was identified as a matter to be addressed. MRWA recommended that the applicant revise the Acoustic Assessment in several areas through conditions. This would also ensure the Acoustic Assessment recommendations were implemented.

Officer Comment:

Both submissions of MRWA were provided to the applicant. Officers have recommended a condition as per MRWA's submission.

Department of Water and Environmental Regulation (DWER)

Government Agency Response:

DWER raised no objections to the development in principle. DWER did provide advice to the applicant regarding removal of vegetation, wastewater management and the Government Sewerage Policy.

Officer Comment:

The advice of DWER was forwarded to the applicant.

**Department of Fire and Emergency Services (DFES)****Government Agency Response:**

DFES advised that modifications to the Bushfire Management Plan (BMP) were required in relation to Element 1 (Location) and Element 2 (Siting and Design) of State Planning Policy 3.7 - Planning in Bushfire Prone Areas Guidelines.

Officer Comment:

The modifications generally relate to how the vegetation was classified as part of the assessment. Officers are satisfied that the requested modifications would not impact on the ability of the development to meet the requirements of SPP3.7 and therefore can be dealt with by the imposition of a condition.

Department of Health (DoH)**Government Agency Response:**

DoH raised no objections to the proposal and provided advice on the process that is required for the on-site wastewater treatment process.

Officer Comment:

This advice was provided to the applicant.

Water Corporation**Government Agency Response:**

Water Corporation provided a submission with no objection to the proposal, though advice regarding limitations around water supply, water connection and further approval requirements separate to this application.

Officer Comment:

This advice was provided to the applicant.

Statutory EnvironmentLegislation

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *Environmental Protection (Noise) Regulations 1997;*
- *Caravan Parks and Camping Grounds Act 1995 (CPCG Act);*
- *Caravan Parks and Camping Grounds Regulations 1997 (CPCG Regulations);*

State Government Policies

- South Metropolitan Peel Sub-Regional Framework Towards Perth and Peel 3.5 Million;
- State Planning Policy 2.5 - Rural Planning (SPP2.5);
- State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7);



- State Planning Policy 5.4 - Road and Rail Noise (SPP5.4);

Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 (LPS3);
- Shire of Serpentine Jarrahdale Local Planning Strategy (LPS);
- Local Planning Policy 4.8 - Land Sales Offices (LPP4.8);
- Local Planning Policy 4.16 - Tree Retention and Planting (LPP4.16).

Planning Assessment

Local Planning Scheme No.3 (LPS3) and Land Use

The definitions of 'Caravan Park' and 'Park Home Park' under LPS3 both derive their meaning from the CPCG Act and CPCG Regulations respectively. These definitions are detailed following:

- ***Caravan Park*** means an area of land on which caravans, or caravans and camps, are situated for habitation; and
- ***Park Home Park*** means a caravan park at which park homes, but not any other caravans or camps, are situated for habitation.

The subject site is zoned 'Rural' under Local Planning Scheme No. 3 (LPS3). LPS3 applies additional uses (A14) to the subject site of 'Park Home Park' and 'Office'. As such, whilst these land uses are not permitted under the Zoning Table of LPS3 within the 'Rural' zone, they are discretionary (A) uses for the subject site. This means that the uses are not permitted unless the Local Government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the *Deemed Provisions*. Given the proposed land use has specifically been included as an additional use for the subject site, the proposed land use is considered consistent with LPS3.

Form of Development

The sales office would be in the form of a transportable building measuring 12m x 3m and would utilise an existing parking area. The lawn bowls area would be an area of astroturf measuring 30m x 10m. This development is proposed to be located centrally to the site as shown following:



Figure 5: Location of Sales Office and Bowling Green

The subject site falls within Special Control Area 1 of LPS3 which relates to the Darling Scarp Landscape Protection Area. The objectives of this SCA are:

- To preserve the amenity deriving from the scenic value of the Darling Scarp.
- To protect and enhance the landscape, scenic and townscape values.
- To maintain the integrity of landscapes in the line of sight view corridor along scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses.

This SCA is supplemented by LPP4.3 - Landscape Protection Area Policy, which requires consideration to be given to the 'seen area' of the development from the coastal plain, major roads, tourist routes and major recreation areas as well as the visual intrusiveness of the development, use of materials and colour schemes.



Also, of importance in the SCA, is the enhancement of natural features and vegetation which is discussed under the relevant section of the report.

The subject site is located at the foot of the Scarp on a relatively flat area. It is not elevated or located on a ridgeline. Whilst the development is visible along South Western Highway, views are filtered due to existing vegetation along the western boundary. The works component of this application, the sales office and the lawn bowls area, given their location and scale would not be visually prominent within the context of the Darling Scarp. It is however important to ensure that the extension of the 'park home' sites do not detract from views from South Western Highway.

The application includes the removal of several trees to facilitate the additional 'park home' sites and as such a condition requiring these trees to be replaced is recommended. It is considered that further landscaping, in particular to the west of the site, would ensure that views from South Western Highway remain filtered and would ensure the development does not have an adverse visual impact on the locality or the wider context of the Darling Scarp.

Elevations of the transportable building have not been provided as part of the application. Given the structure is light weight in nature, as well as its location and scale, it is considered that it would not have an adverse impact on the character or amenity of the site or surrounding locality. It is however recommended that a condition is imposed to require details of this development prior to its construction as part of the building permit process.

With regard to the new park homes, Officers recommend a condition is imposed requiring a schedule of colours and materials to be provided upon lodgement of the certificate, as discussed earlier, to ensure that any new 'park home' by way of its appearance would not adversely impact upon the visual amenity of the locality.

Removal of Vegetation

The application proposes the removal of 23 trees to facilitate the new 'park home' sites. The proposed clearing would affect a mixture of local native and non-native species. The trees proposed for removal are outlined in red on the following plan, scattered amongst the proposed sites.



Figure 6: Location of trees proposed for removal

Removal and replacement of vegetation within the Shire is considered against Local Planning Policy 4.16 - Tree Retention and Planting (LPP4.16) as follows:

LPP4.16 Requirement	Complies	Officer Comment
1.3 The Shire will consider the following matters in respect of a development or subdivision involving tree removal:		
1.3.1 The existing environmental assets, character and amenity of the area;	Y	Despite the removal of the 23 trees, there is significant vegetation retained to the north and west of the site, also within the adjoining road reserves. The trees proposed for removal are also mostly smaller trees or saplings scattered



LPP4.16 Requirement	Complies	Officer Comment
1.3.2 The level of environmental value and amenity provided by the tree/s to be removed and the impact of their removal;		throughout the caravan and camping sites. The largest trees on site are to the northern boundary and are to be retained through this development. With the largest trees and dense vegetation retained towards the streetscape, the proposal will not adversely impact the existing environmental assets, character and amenity of the area. While some local native species are identified for removal, it is noted that these trees are not mature or large. Therefore, provision can be made to offset their environmental value loss through replanting. The applicant has provided a landscaping plan which provides for suitable replanting of local native species within the western and northern setback areas of the site. Officers consider this will both offset the loss of vegetation proposed, but also ensure that the landscape values of the Darling Scarp are maintained, with further visual screening to the adjoining streetscapes.
1.3.3 Whether suitable replacement planting is proposed to offset the impact of the tree removal;		
1.3.4 Whether the tree/s provide a habitat or support to a threatened or endangered species;		
1.3.5 Whether the tree is locally native, introduced or a weed.		
1.4 Generally tree removal will not be supported, unless suitably replaced, where the tree/s proposed to be removed:		
1.4.1 Are visually prominent within the streetscape and/or landscape;	Y	The 23 trees proposed for removal are not significant or prominent in the landscape. The trees are currently scattered among the existing camping and caravan sites, away from the streetscape. As such, there are larger and more significant vegetation that will be retained towards the streets, ensuring the character of the area is not adversely impacted.
1.4.2 Contribute significantly to the character and amenity of the locality; and/or		
1.4.3 Would result in an area deficient of tree coverage as determined by the Urban and Rural Forest Strategy.	Y	The Urban and Rural Forest Strategy indicates that in Rural zoned areas an average of 21.5% canopy coverage exists. Once the removal would occur, the site would have approximately 11% tree canopy coverage. While this is reduced, the proposal includes a landscaping masterplan that would result in the replanting of 86 trees along the west lot boundary frontage. Officers consider that this would result in an increase to vegetation coverage of the site, consistent with the intent of the Urban and Rural Forest Strategy.
1.4.4 Would provide environmental or biodiversity services including habitats	Y	As mentioned, some of the 23 trees to be removed are local native species. Though these trees are not significant, such as those being retained. The



LPP4.16 Requirement	Complies	Officer Comment
for threatened or endangered species		landscaping plan includes proposals for 86 new trees of local native species, which improve biodiversity and environmental values for the site.

Officers consider the proposal is consistent with the requirements of LPP4.16.

Amenity

Noise:

Whilst the subject development is not considered noise generating, the site is located in close proximity to South Western Highway, which is designated as a 'Primary Regional Road' under the MRWA hierarchy. As such, it is important to ensure that traffic noise from the highway does not adversely impact upon the amenity of the occupants of the site.

State Planning Policy 5.4 - Road and Rail Noise (SPP5.4) seeks to ensure that the community is protected from unreasonable levels of transport noise. Table 1 of SPP5.4 sets out distances between a road carriageway and a development site to determine whether an assessment against the policy is required. In this case, the distance is 300m and the site lies within this distance, as depicted following:

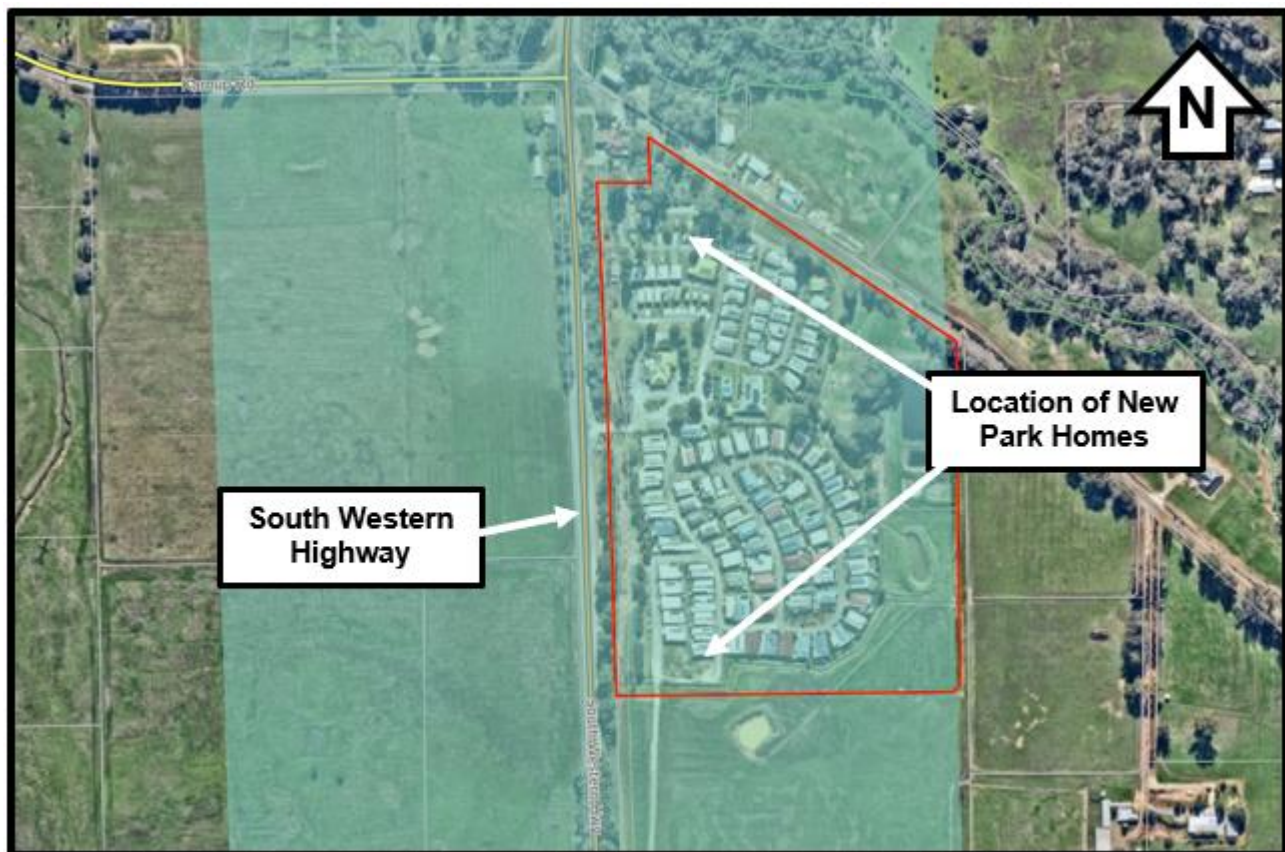


Figure 7: Image depicting the site falling within the SPP5.4 300m buffer area

To support the proposal and ensure consistency with SPP5.4, an Acoustic Assessment has been provided with the application. SPP5.4 sets out noise targets to be achieved for both within the homes and on land external to the homes. Acceptable noise levels identified by the Acoustic Assessment are as follows:

- Day period indoor noise levels - 40dB;



- Night period indoor noise levels - 35dB;
- Day period outdoor noise levels - 55dB; and
- Night period outdoor noise levels - 50dB.

The following noise modelling was provided within the Acoustic Assessment:

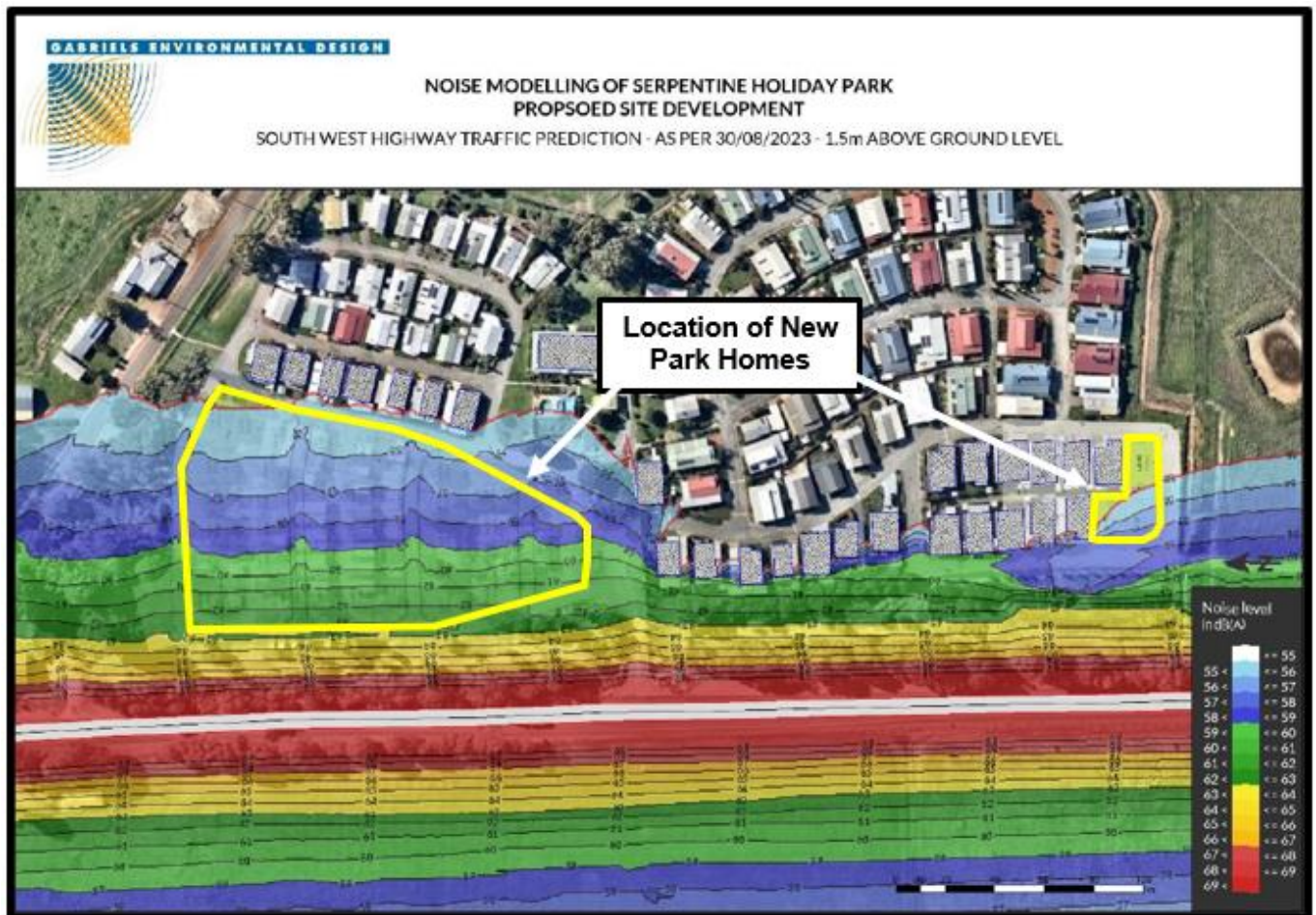


Figure 8: Modelling of noise generated from traffic on South Western Highway

The Acoustic Assessment details that due to the location of the new sites, the park homes will be required to be designed with noise attenuation packages to ensure compliance with SPP5.4. This includes providing noise mitigating materials for walls, windows, doors, ceilings and roofs.

The Acoustic Assessment also identifies that noise levels are exceeded for outdoor living areas surrounding the new park homes. As such, it is recommended that these should be located to the east of the individual sites to ensure shielding of the outdoor living area by the structure. Additionally, Officers consider that to ensure outdoor noise levels are appropriate, a noise wall or other attenuation method such as an earthen bund should be considered along the western boundary of the site. There is an existing earthen bund separating the existing park home sites from South Western Highway, this could be continued so long as it avoids conflicting with the Western Power easement in that area. Officers recommend a condition requiring a Noise Management Plan to be provided to demonstrate how the findings of the Acoustic Assessment will be implemented and how outdoor noise will be managed in perpetuity, with specific reference to either an earth bund or noise wall.



Dust

Concerns raised during the consultation period relate to dust generated during the construction or establishment of the new park home sites. Whilst the proposal itself is not considered dust generating, it is important that works associated with the construction of any development does not result in adverse amenity impacts by way of dust. Given the scale of the development it is considered that dust can be appropriately managed. Any works are required to comply with the Dust and Building Waste Local Law 2017 which states as follows:

PART 2—GENERAL CONTROL MEASURES

2.1 Dust, sand and sand drift control measures

An owner or occupier of land must take effective measures to—

- (a) stabilise dust and sand on the land;
- (b) ensure that no dust, sand or sand drift is released or escapes from the land whether by means of wind, water or any other cause; and
- (c) notify the owners or occupiers of adjoining land in writing 48 hours prior to the commencement of any activity that has the potential to cause the release or escape of dust or sand from the land giving details of—
 - (i) the nature of the activity;
 - (ii) the proposed time and location of the activity; and
 - (iii) the name of the person responsible for carrying out the activity and how and where that person may be contacted.

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

The subject site lies within a bushfire prone area and as such the provisions of SPP3.7 apply. This SPP seeks to “*avoid any increase in the threat of bushfire to people, property and infrastructure*” through a balanced risk-based approach. A Bushfire Management Plan (BMP) was submitted with the application including an assessment against the criteria within the *Guidelines for Planning in Bushfire Prone Areas*. (Guidelines). The proposal is considered consistent with all four elements of the Guideline; Location, Siting and Design, Vehicular Access and Water.

The BMP demonstrates that the worst-case scenario bushfire attack level (BAL) rating for the park home sites would be BAL-19, consistent with the requirements of SPP3.7. The respective BAL ratings of the new park home sites are depicted following:

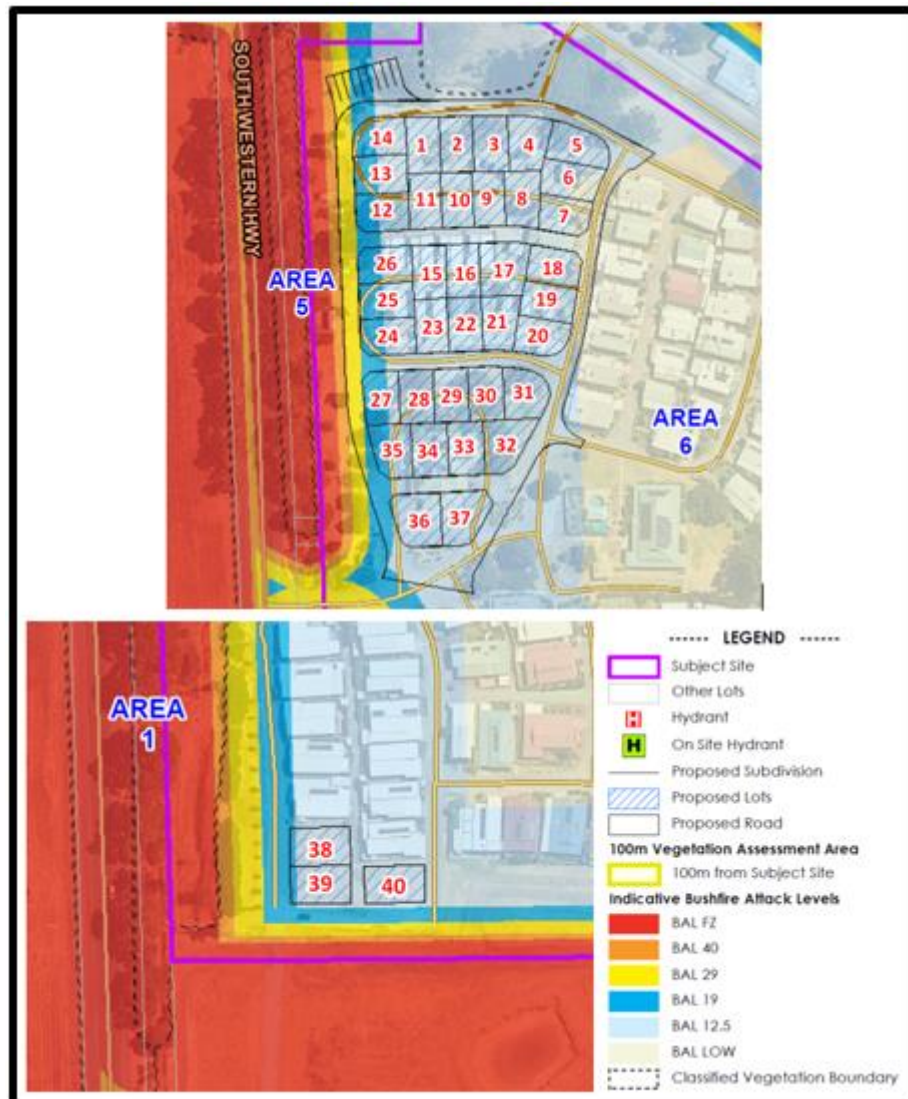


Figure 9: BAL Rating Map extracted from the BMP

Nevertheless, DFES have queried the classification of the vegetation that informs the BMP with particular reference to Area 2, as well as the vegetation within the road reserves of Falls Road and South Western Highway, as shown following:

**Figure 10: Classification of vegetation**

With regard to Area 2, DFES consider that the photographs provided are not sufficient to demonstrate that the vegetation can be excluded. However, Officers are satisfied that as this area is within the lot boundaries of the site, it can be managed accordingly to achieve consistency with SPP3.7. It is considered that further photographic evidence will satisfy the comments made by DFES.

The vegetation along South Western Highway and Falls Road reserves were also 'excluded' as part of the classification within the BMP. DFES commented that no evidence has been provided to demonstrate that this land is managed appropriately, and the decision maker should be satisfied that this is the case prior to determination. Officers note that should the land not be managed to a low threat, the vegetation would be classified as 'woodland'.



Notwithstanding this classification, the vegetation is located a sufficient distance from the 'park homes' to ensure it would not increase the BAL rating to an unacceptable level i.e. BAL 40 or Flame Zone. A condition is recommended to ensure that an updated BMP is provided to provide clarification on these matters raised by DFES.

Traffic and Access

Clause 67 of the *Deemed Provisions*, specifically (s) and (t) relate to the ability of the development to manage access and egress arrangements, and whether the traffic generated by the proposal would be suitable considering the local road network. A Traffic Impact Statement (TIS) was submitted as part of the application.

The category of the vehicles associated with the proposed development will predominantly comprise of resident passenger vehicles and waste collection vehicles. Access to the site is via South Western Highway along the western lot boundary. South Western Highway is a 'Primary Regional Distributor' which has the capacity to accommodate between 25,000 and 30,000 vehicles per day (vpd). It currently experiences a volume of 5,175 vpd and between 300-500 vehicles during peak hours.

The TIS models that the proposal would generate an additional 80 vpd and eight vehicles during the peak hour period. The WAPC Transport Impact Guidelines state, "*As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may.*" Therefore, the road network is considered capable of facilitating the additional traffic generated by the development.

Car Parking:

There are no car parking requirements for the 'Park Home Park' land use under LPS3. Where there are no such requirements, Schedule 4.3 of LPS3 states that the Shire should have regard to the following matters.

"(a) nature of the proposed development;

(b) number of employees, other persons and/or visitors likely to be associated with the proposed development; and

(c) the parking requirements of similar land uses..."

The proposal would provide for permanent long term residential accommodation. Similarly, a Single House is required to have two parking bays. The application details that each park home would include a car port or covered parking area to accommodate one to two vehicles. Nine new visitor car parking bays will also be provided to the north-east corner of the site, adjacent to the new park home sites. Recognising the scale of the 'park homes' in comparison to a standard four bedroom dwelling, it is considered that each 'park home' site has the capacity to accommodate appropriate parking facilities.

Wastewater Management

The existing onsite wastewater treatment system comprises of the following elements:

- Three primary treatment (septic) tanks;
- Two pump stations;
- A caravan dump point;
- Gravity sewer lines and sewer rising mains; and



- Secondary and tertiary treatment pond.

A Wastewater Management Plan (WMP) was provided as part of the application detailing that the current system is operating efficiently and has the capacity to manage the additional load of the proposed expansion. Nevertheless, the WMP outlines the following improvements proposed to the system:

- *“Tertiary and Secondary Ponds to be cleaned / excavated and clay lined to prevent infiltration of effluent.*
- *Overflow pond to be cleaned and extended to increase storage capacity.*
- *Review if lining of overflow point would be required, subject to a risk assessment of effluent quality.*
- *Installation of a new Chlorination unit and effluent irrigation field approx. 6,000m²*
- *Realign existing development stormwater basin and bunding to provide buffers and clearances to waterways.*
- *Secondary Lagoon (Pond 1) & Tertiary Lagoon (Pond 2) to be clay lined to prevent infiltration disposal within ponds.*
- *Overflow Pond (Pond 3) to be expanded to maximise area and capacity. Pond to allow infiltration subject to being approved by the appropriate responsible authority/s.*
- *Stormwater drainage basin to be reconfigured to provide space for additional irrigation area.*
- *Installation of Chlorination disinfection tank and spray field irrigation above ground with bunded wall to divert stormwater away from irrigation area.”*

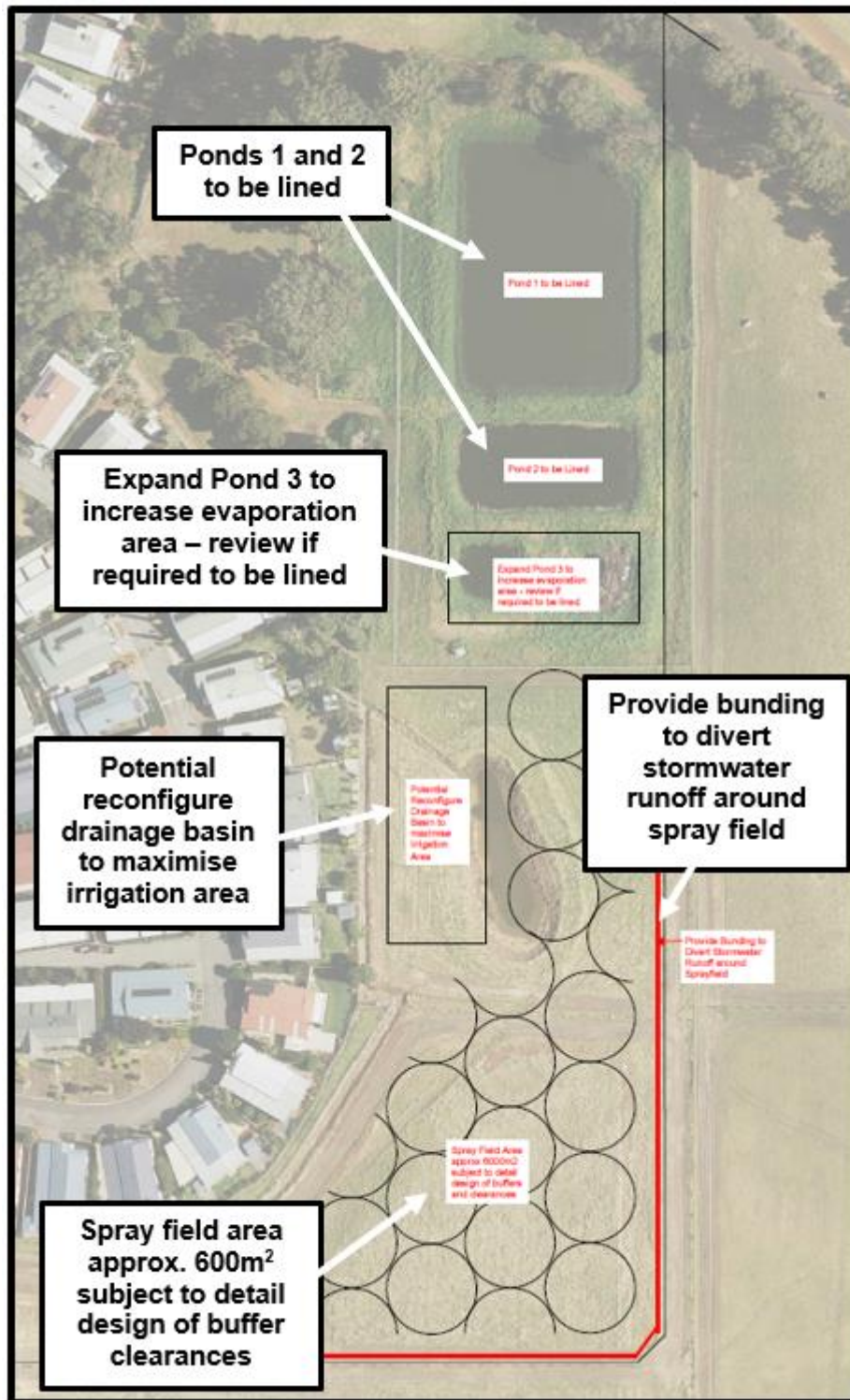


Figure 11: Map of recommended changes to wastewater system

Separate approval is required for the wastewater system upgrades through an ‘application for an effluent disposal system’. However, the amendments proposed by the applicant are generally considered to improve the existing system subject to the following:

- Fitting the existing pump with an audio-visual alarm;



- Consideration of hydraulic loading rates to each septic tank system as per the number of park homes serviced by each system and any necessary upgrades; and
- Provision of a management plan for any unlined lagoons to manage nutrient leaching.

A Condition is recommended to require an updated WMP to address these matters.

Submissions also raised concerns in relation to waste generated by the site. The application details that all park home sites will be provided with a general waste and recycling bin. The bins will be emptied by the Shire's waste collection service. Officers are satisfied that both wastewater and waste can be appropriately managed.

Officers have also assessed the impact of the loss of tourism related services associated with this development. With respect to the current caravan park classification, this provides visitors with access to services and facilities that supports the travelling public to visit, pass through and return to the Shire. Such infrastructure that enables this is particularly drinking water and effluent dump points. It is not insignificant that the reclassification to Park Home Park, is likely to cause a reduction in the capacity of the visiting public to be supported by essential infrastructure like this.

In order to avoid this impact, it is recommended that a condition be imposed that requires the developer to reconfigure existing infrastructure for travelling caravans and RVs, such as to provide a suitable water point and dump point along the Falls Road reserve frontage.

This is consistent with the planning framework, considering Clause 67 of the Deemed Provisions which lists the requirement to have regard for the following matter in determining this development application:

the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;

The addition of an incidental condition which adds a water source and dump point, on the external Falls Road reserve, will ensure an acceptable base level of infrastructure protection.

Local Planning Policy 4.8 - Land Sales Offices (LPP4.8)

The application proposes a temporary sales office to be located centrally on the site, next to the existing club house. LPP4.8 guides the development of land sales offices through an 'acceptable development' and 'performance based' classification system. The proposal generally meets these requirements. However, there are several requirements that should be included as a condition of approval to ensure the proposal is consistent with LPP4.8, these are:

- Not more than two employees are permanently engaged in the operation of the use at any one time;
- The land sales office operates between the hours of 8am and 6pm on any given day;
- Lighting associated with the sales office shall not negatively impact or distract adjoining residents; and
- The removal of the Land Sales Office and any bitumen/hardstand areas within a time period of two years from the date of approval, or upon sale of all lots within the subdivision, whichever is the lesser.

Pedestrian connectivity

One of the key areas of concern held by Officers is the lack of pedestrian connectivity and thus minimum infrastructure to meet what will be expanded needs of the park home park (if approved).



Through the change of use to make the whole site a park home park, and through the additional park home developments, it is necessary from a planning perspective, to assess the current state of infrastructure, versus the future demand that this development will place on such infrastructure. In this regard, Officers note that:

- The residential park is reliant upon services and facilities provided within the nearby Serpentine townsite;
- Such services and facilities include allied health and medical, as well as social and community based services;
- There is the lack of an acceptable footpath connection between the park and the townsite, particularly due to the nature of the infrastructure being a bitumen path that is insufficient in width and also not reflective of a concrete construction standard.

In respect of planning assessment, it is considered a normal requirement that residential development connect with acceptable infrastructure to the network of nearby footpath infrastructure, in order to provide pedestrian access to services and facilities. This is particularly important in areas where households are likely to have people who do not have access to private motor vehicles.

Based on this assessment, Officers are of the view that regard must be given to the following relevant matters in terms of infrastructure provision:

The availability and adequacy for the development of the following -

- (i) public transport services;*
- (ii) public utility services;*
- (iii) storage, management and collection of waste;*
- (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
- (v) access by older people and people with disability;*

Based on careful assessment of this matter, Officers recommend that a condition be imposed to require the developer to undertake a full upgrade of the footpath infrastructure between the site and Serpentine town centre, including full upgrade of the crossing of South Western Highway. This is considered a minimum condition, that reflects that the proposal is only consistent with orderly and proper planning and the planning framework broadly, if acceptable infrastructure is provided. The relevant provision as quoted previously, mentions access by older people and people with a disability, both of which Officers consider are not catered for by the current level of infrastructure. In order to support the development, the planning framework, in the opinion of Officers, identifies the need for infrastructure improvement by the development.

The condition is deemed reasonable on the basis that the proposed expansion and intensification of development at the site, and the proposed permanent change to a park home park, makes the development the direct cause for the current infrastructure to be upgraded to a minimum safe standard. The assessment of reasonableness also recognises that the only users of the pathway will be now permanent residents of the park, as opposed to tourists, given this proposal removes all tourism sites from the area. There are no further linkages from the pathway east of the park, and given the evidence of complaints from park residents as to the standard of this infrastructure, further intensification can only be supported if infrastructure is upgraded to a safe minimum level.

A condition has been imposed to this affect.



Removal of short stay tourism elements

The Shire's premier tourist attraction, being Serpentine Falls, has for many years been a major attractor of tourists within the Shire. This would include travelling tourists, and the previously approved caravan park operating on the site has been a basis of accommodating such tourism visitation. The Shire's Local Planning Strategy identifies strategies including:

- a. Identify locally distinctive natural and environmental assets, unique features and characteristic settlements within the Shire to generate tourism.

Whereas the site is located strategically to the natural and environmental assets nearby, the ability for it to accommodate tourist use will be removed by the development taking place. Officers note that this application needs to be assessed on its merits, and that it would not be relevant to consider factors like the proposal needing to be better in respect of its tourism orientation. It will be important for future planning to consider what new or additional short stay tourism can be provided to make good the loss of local tourism provision, if this does occur.

Options

Option 1

That Council APPROVES the development application for the change of use from 'Caravan Park' to 'Park Home Park', 40 new park home sites and sales office at Lot 820, 2489 South Western Highway, Serpentine as contained in **attachment 1**, subject to the following conditions:

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

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2. Upon submission of a Park Home Certificate, details demonstrating that Colours and Materials are sympathetic to the rural and natural characteristics of Serpentine shall be submitted to and approved by the Shire.
3. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), the applicant shall provide an amended Bushfire Management Plan addressing the requirements from DFES in relation to Element 1 and 2 of the State Planning Policy 3.7 - Planning in Bushfire Prone Areas Guidelines. The amended Bushfire Management Plan shall be prepared to the satisfaction of the Shire of Serpentine Jarrahdale,



on the advice of the Department of Fire and Emergency Services. The development shall be maintained in accordance with the stamped Bushfire Management Plan in perpetuity.

4. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), the applicant shall provide an artwork concept for consideration and approval, which reflects the Local Planning Policy 1.6 - Public Art for Major Development, to the satisfaction of the Shire of Serpentine Jarrahdale. Once approved, Public Art shall be displayed prior to any new park home being brought to the site.
5. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), the applicant shall submit a Noise Management Plan to the satisfaction of the Shire of Serpentine Jarrahdale. The Noise Management Plan must demonstrate the following:
 - a. the quiet house design packages and other requirements as per the stamped Acoustic Assessment; and
 - b. the construction of a noise wall or noise bund along the South Western Highway frontage for the full extent of the new section of park homes, in order to demonstrate the reduction of noise to comply with the Environmental Protection (Noise) Regulations.

Once approved, the Noise Management Plan shall be adhered to at all times. In terms of part (b), the noise wall or noise bund must be built prior to any new park home being brought to the site.

6. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), a Stormwater Management Plan shall be provided to and approved by the Shire of Serpentine Jarrahdale. The Stormwater Management Plan shall address the following:
 - a. Stormwater management for the new roads that will be constructed;
 - b. Demonstrate that stormwater can discharge into the existing basin and the existing basin is adequate for the additional catchment area;
 - c. Demonstrate the calculation for up to 1% AEP; and
 - d. That discharge road reserve drainage shall be restricted to 20% AEP predevelopment flow rate.
7. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), Civil Engineering Plans shall be provided to and approved by the Shire of Serpentine Jarrahdale. The Civil Engineering plans shall address the following:
 - a. the levels and dimension of internal roads and car parking bays in accordance with AS2890.1; and
 - b. roads being sealed with asphalt as a minimum (brick paving and concrete are acceptable).
8. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), a Construction Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Construction Management Plan shall address the management of dust and other emissions generated during the construction process.
9. Within 90 days of the date of approval and prior to the lodgement of an Application for an Effluent Disposal System (whichever is the lesser), an amended Wastewater Management



Plan shall be provided to and approved by the Shire of Serpentine Jarrahdale. The Wastewater Management Plan shall address the following:

- a. Fitting the existing pump with an audio-visual alarm;
- b. Consideration of hydraulic loading rates to each septic tank system as per the number of park homes serviced by each system and any necessary upgrades; and
- c. Provision of a management plan for any unlined lagoons to manage nutrient leaching.

Once approved, the requirements must be developed before the first park home is brought to site.

10. The Land Sales Office shall be removed and any bitumen/hardstand areas within a time period of two years from the date of approval, or upon sale of all lots within the property, whichever is the lesser. The Land Sales Office shall comply with the following standards of the Shire's Local Planning Policy 4.8 – Land Sales Offices, unless otherwise approved by the Shire of Serpentine Jarrahdale:
 - a. Not have more than two employees are permanently engaged in the operation of the use at any one time;
 - b. Operates between the hours of 8am and 6pm on any given day; and
 - c. Not negatively impact or distract adjoining residents by way of lighting.
11. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), plans are to be submitted to the Shire of Serpentine Jarrahdale demonstrating the provision of a minimum standard of shared path between the site and Serpentine town centre. This is to include details of minimum width, drainage, lighting, marking, signage and any associated landscaping, in order to create an acceptable pathway connection between the site and the Serpentine town centre. The shared path must be installed prior to the first park home being brought to site.
12. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), a new Landscape Plan is to be submitted to the Shire of Serpentine Jarrahdale demonstrating the provision of additional screen landscaping for the full extent of the new section of park home frontage to South Western Highway. This is to demonstrate the utilisation of advanced native tree species and irrigation, in order to establish screening to ensure landscape compatibility of the development with its setting. The landscaping must be installed prior to the first park home being brought to site, and thereafter maintained.
13. Within 90 days of the date of approval and prior to any park homes being brought to the site (whichever is the lesser), the applicant shall establish a suitable water point and effluent dump point for travelling caravans and RVs to access, in a suitable location along the Falls Road reserve frontage of the development.

Main Roads Western Australia Conditions

14. The acoustic report (Architectural Acoustics - State Planning Policy 5.4) dated 29 April 2024 (Revision B), prepared by Gabriels Hearne Farrell is to be updated to address the following:
 - a. References to noise target, limit and margin in Section 2.1 of the noise report must be removed as these terms are associated with a superseded version of SPP 5.4.
 - b. Noise modelling must include as inputs current and future vehicle counts, heavy vehicle percentages, vehicle speeds and road surfaces, in accordance with the latest version of SPP 5.4 and its Guidelines. These parameters must be included in the noise report. These



parameters apply to existing roads. The conditions contributing to the measured noise from an existing road need to be known so that any future changes in these conditions can be compared to allow more accurate future noise predictions to be made.

- c. Contact Main Roads Transport Modelling Section to obtain the most up-to-date modelled traffic projections, to be used in the noise modelling, citing the contact name, reference number and date in the noise report. Use of assumed, default values of predicted traffic growth and associated future noise increases is not as reliable as using Main Roads' modelling data, does not take into account any future changes in road configuration, and is not acceptable.
- d. Noise modelling and treatment recommendations must be presented for 2044, compliant with the latest SPP 5.4 requirement for a 20-year planning horizon. This requires interpolating Main Roads' 2041 and 2046 traffic data to obtain a 2044 value.
- e. It is stated in Section 5.1 that "properties to the left of the red line are shown to exceed this 55 dB(A) criteria". Given the orientation of Image 03 in the report this must be corrected to "Properties beneath the red line are shown to exceed this 55 dB(A) criteria".
- f. Recommended Quiet House Packages do not match those in the SPP 5.4 Guidelines - this must be corrected:
 - Quiet House Package A applies to noise exceeding the target by 1-3 dB, not 1-4 dB as shown in Sections 5.2 and 5.3 of the noise report.
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 - The amended acoustic report is to be to the satisfaction of the Shire and implemented at all times for the duration of the development.

The amended acoustic report is to be to the satisfaction of the Shire and implemented at all times for the duration of the development.

15. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the Certificate(s) of Title of the proposed development. The notification is to state:

"The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise."

Option 2

That Council REFUSES the development application for the change of use from 'Caravan Park' to 'Park Home Park', 40 new park home sites, sales office and bowling green at Lot 820, 2489 South Western Highway, Serpentine as contained in **attachment 1**, for the following reasons:

1. The development does not provide for an acceptable level of infrastructure to service the needs of the community, and specifically vulnerable residents of the park;
2. The development does not demonstrate adequate management of noise, by virtue of not including any details of noise walls or noise bunds;
3. The development does not demonstrate adequate landscaping in order to address the landscape protection provisions that relate to the land.

Option 1 is recommended.



Conclusion

The application seeks approval for a change of use from 'Caravan Park' to 'Park Home Park', 40 new park home sites, sales office and bowling green. Officers consider that the development is consistent with the planning framework, subject to a range of condition that address incidental but essential elements of the planning framework. It is therefore recommended that Council approve the application subject to conditions.

Attachments (available under separate cover)

- **10.1.6 - attachment 1** - Development Plans (E24/9955)
- **10.1.6 - attachment 2** - Summary of Submissions (E24/4717)
- **10.1.6 - attachment 3** - Clause 67 Checklist (E24/7536)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
Liveable
4. Invest in facilities and amenities to meet current and future needs
Connected
2. Contribute to a well-connected, accessible and health community

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	This is considered the lowest risk option possible						
2	That Council REFUSES the development application, causing an appeal to the SAT which requires staff to attend.	Planning Framework	Reputation	Possible	Minor	MODERATE	Clear reasons for refusal.

Voting Requirements: Simple Majority

**Officer Recommendation**

That Council APPROVES the development application for the change of use from 'Caravan Park' to 'Park Home Park', 40 new park home sites and sales office at Lot 820, 2489 South Western Highway, Serpentine as contained in **attachment 1**, subject to the following conditions:

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

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"The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise."

OCM214/08/24

COUNCIL RESOLUTION

Moved Cr Duggin, seconded Cr Jerrett

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10. The Land Sales Office is to remain as a permanent structure as a point of contact for residents. While in use as a Land Sales Office, the Land Sales Office shall comply with the following standards of the Shire's Local Planning Policy 4.8 – Land Sales Offices, unless otherwise approved by the Shire of Serpentine Jarrahdale:
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CARRIED UNANIMOUSLY 6/0

Reason for Difference:

To allow suitable time for the processes required by the proponent to be completed properly, and secondly, to ensure adequate resident representation between proponent and the Shire.



10.1.7 - Proposed 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms' - Lot 9000, 658 Robertson Road, Byford (PA23/958)	
Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent:	MW Urban
Owner:	Byford Project 2018 Pty Ltd
Date of Receipt:	13 March 2024
Lot Area:	1.74ha
Local Planning Scheme No. 3 Zoning:	'Service Commercial'
Metropolitan Region Scheme Zoning:	'Urban'

Report Purpose

The purpose of this report is for Council to consider a development application for a 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms' at Lot 9000, 658 Robertson Road, Byford.

The application is presented to Council as four submissions were received during the consultation process either objecting to or raising concerns with the development. Officers do not have delegated authority to determine development applications where three or more objections are received, in accordance with Delegated Authority 12.1.1 - Determination of Development Applications.

It is considered that the proposal is consistent with the objectives of the planning framework and that the objections can be appropriately addressed. It is therefore recommended that Council approve the development application, subject to Conditions.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this application.



Background

Existing Development

The site is bound by Robertson Road and the rail corridor to the west, South Western Highway to the east, vacant land to south and a 'Warehouse', 'Light Industry' and 'Showroom' development currently under construction on land to the north. Figure 1 following shows the location of the development in the context of its surroundings.



Figure 1: Location Plan



Development to the north, is shown following:



Figure 2: Previously approved development in the 'Service Commercial' area

Proposed Development

The application seeks approval for the construction of eight commercial tenancies. A 15m wide portion of the site to the south will be reserved for the future Orton Road extension. The applicant proposes to undertake a landscaping regime within this area as part of this application. As such, the development area associated with this proposal is 1.18ha of the total 1.74ha (68%) of the site. The proposal includes the following details:

- One 'Medical Centre' that would include five medical professionals and another five staff members;
- One 'Motor Vehicle Repair' business employing five staff members;
- Seven 'Bulky Goods Showroom' tenancies;
- Site access via Robertson Road;
- 153 parking bays;
- Landscaping and paved carparking areas within the site;
 - Incorporation of the septic system inside the landscaped areas.



- Bin storage areas; and
- Landscaping to the south of the site within the future Orton Road reserve.

The hours of operation are proposed as shown following:

	Medical Centre	Bulky Goods Showrooms	Motor Vehicle Repair
Monday	7am - 6pm	9am - 5pm	7am - 5pm
Tuesday	7am - 6pm	9am - 5pm	7am - 5pm
Wednesday	7am - 6pm	9am - 5pm	7am - 5pm
Thursday	7am - 6pm	9am - 9pm	7am - 5pm
Friday	7am - 6pm	9am - 5pm	7am - 5pm
Saturday	7am - 5pm	9am - 5pm	7am - 2pm
Sunday	Closed	11am - 5pm	Closed

Full details of the proposal are contained within **attachment 1**. The proposed site plan and a perspective of the development is shown following:



Figure 3: Site plan

**Figure 4: Development perspective**

Community / Stakeholder Consultation

The application was advertised to surrounding landowners for a period of 28 days from 21 March 2024 to 26 April 2024. Letters were sent to surrounding landowners within a 200m radius of the site, in accordance with Local Planning Policy 1.4 - Public Consultation for Planning Matters (LPP1.4) and Draft Local Planning Policy 1.4 - Advertising Development Applications (prior to adoption). The application details were displayed on the Shire's website for the same period. During this period, four submissions were received either objecting to or raising concerns with the proposal.

A full copy of the submissions with the applicant's response and Officer comment is contained within **attachment 2**. Concerns raised in relation to the impact on other businesses and economic competition are generally not relevant planning matters. In this regard, there can be a relevant planning consideration to focus on a community, and whether the introduction of a trade competitor would result in a loss of amenity to the community by reason of a loss of facilities that is not made good by the proposal itself.

To explain this in planning terms, if (for example), shopping facilities presently enjoyed by a community or planned for it in the future are put in jeopardy by some proposed development, whether that jeopardy be due to physical or financial causes, and if the resultant community detriment will not be made good by a proposed development itself, such is a consideration proper to be taken into account. This proposal does not reflect such facts. It is noted that the Shire suffers from a significant under provision of commercial (non-food based) provision, and as a result, sees significant economic spending on these goods and services occurring outside of the district. This leads to low levels of employment capacity and economic activity, and thus development like such proposed which reflects the zoning of the land, does not pose a relevant planning consideration in respect of business threat of competition.



Other planning concerns are addressed within the report and relate to the following:

- Land use suitability;
- Noise impacts;
- Visual amenity and design.

Consultation with Government Agencies:**Water Corporation****Government Agency Response:**

Water Corporation raised no objections to the application. Advice was provided in relation to water and wastewater servicing, and further approvals required for the proposal.

Officer Comment:

Officers note the advice of the Water Corporation and have forwarded it to the applicant.

Department of Fire and Emergency Services (DFES)**Government Agency Response:**

- *The decision maker has confirmed this to be an intensification of development with a vulnerable land use for a medical centre and the application of SPP 3.7 is triggered.*
- *The BMP has been prepared to support subdivision of the site and development on the northern portion of the site. It is noted that the current proposal relates to development of the southern area, not specifically addressed in the BMP.*
- *The BMP has not been prepared with regard to the development including for a vulnerable land use. Depending on the nature of the proposed uses, the decision maker may wish to require an Emergency Evacuation Plan however the presence of medical use does not necessarily mean the users are considered to be vulnerable.*
- *If the decision maker does deem the use vulnerable, the referral should include a Bushfire Emergency Evacuation Plan as required in accordance with SPP3.7 clause 6.6.1.*
- *The BMP contains an administrative error in relation to the inputs used in the BAL calculation table and their alignment with Table 2.5 in AS3959. Plots 9 and 10 describe a distance to vegetation of 27 - <50m for Scrub D for BAL12.5; AS3959 has a distance of 27 - <100m for BAL12.5.*
- *Further clarification is required within the BMP of the requirements of SPP 3.7, and the supporting Guidelines as outlined in our assessment below.*

**1. Policy Measure 6.5 a) (i) Preparation of a BAL contour map**

Issue	Assessment	Action
Vegetation Exclusion	<p>Evidence to support the exclusion of Plot 12 (Robertson Road reserve), Plot 17 (Future Orton Road Reserve/EAW) and Plot 18 (South Western Highway road reserve widening) as managed to low threat in accordance with AS3959 is required.</p> <p>A Landscaping Plan has been submitted showing the Future Orton Road Reserve/EAW (Plot 17) to be revegetated to the standard of what could be considered Class A Forest. This is expected (as per the Transport Impact Assessment) <i>'with a medium to longer term design/time frame...'</i>. The supporting information provided with the BMP does not support its classification as low threat vegetation.</p> <p>Alternatively, the vegetation should be classified as per AS3959, or the resultant BAL ratings may be inaccurate.</p>	Modification to the BMP is required.

2. Policy Measure 6.5 c) Compliance with the Bushfire Protection Criteria

Element	Assessment	Action
Location, and Siting & Design	<p>A1.1 & A2.1 – not demonstrated</p> <p>The BAL ratings cannot be validated, as the vegetation classification inputs require modification as per the above table.</p> <p>In addition, as the Medical Centre is a class of building not covered by AS3959:2018, it is suggested that the building be constructed to utilise all of the aspects of AS3959 that apply to the appropriate Bushfire Attack Level (BAL). This is consistent with Clause 78E(1) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> which requires the local government to have regard to the bushfire construction requirements of the Building Code of Australia. In addition, Clause 5.8.3 of <i>Applying SPP 3.7</i> in the Guidelines reads as follows:</p> <p><i>The bushfire construction provisions of the Building Code of Australia do not apply to Class 4 to Class 9 buildings. In these instances the applicant has the discretion to utilise any or all of the elements of AS3959 in the construction of the building that they deem appropriate.</i></p>	Modification to the BMP is required.



	Although BAL construction standards do not guarantee the survival of the occupants or building, DFES does support the improved bushfire resilience provided by AS3959 construction.	
Vehicular Access	<p>A3.1 – not demonstrated</p> <p>The decision maker to be satisfied that Robertson Road meets the technical standards for a public road and is developed in a timely manner with commencement of development on site.</p> <p>A3.2a & b, A3.3 – not demonstrated</p> <p>Access in two different directions to two different destinations, in accordance with the acceptable solution, is not available until approximately 250 metres from the development site to the intersection of the South Western Highway. This exceeds the acceptable maximum length of 200 metres for a no-through road.</p> <p>The balance of the no-through road, that is greater than 200m from the subject site, has not been demonstrated to be wholly within BAL LOW in order to demonstrate compliance with A3.2a.</p> <p>The BMP states that compliance can be achieved through development of the 'Future Orton Road Extension/EAW'. However, evidence has not been provided to demonstrate MRWA support to the access/egress onto the South Western Highway. If this connection is to be relied upon to demonstrate compliance with the Acceptable Solutions, then sufficient evidence must be provided that Robertson Road will be constructed to an appropriate standard and that it will connect to the South Western Highway.</p>	Modification to the BMP is required. Please demonstrate compliance or provide substantiated evidence of a performance principle-based solution.

3. Policy Measure 6.6.1 Vulnerable land uses

Issue	Assessment	Action
Bushfire Emergency Evacuation Plan (BEEP)	The referral has not included a ' <i>Bushfire Emergency Evacuation Plan</i> ' for the purposes of addressing the policy requirements. Consideration should be given to the Guidelines Section 5.5.4 'Developing a Bushfire Emergency Evacuation Plan'. This contains detail regarding what should be included in a BEEP and will ensure the	Comment only.



	appropriate content is detailed when finalising the BEEP to the satisfaction of the Shire.	
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Recommendation - compliance with acceptable solutions not demonstrated - modifications required

It is critical the bushfire management measures within the BMP are refined to ensure they are accurate and can be implemented to reduce the vulnerability of the development to bushfire. The BMP has not demonstrated compliance to the following:

1. Element 1: Location,
Element 2: Siting and Design, and
Element 3: Vehicular Access

It is noted that the Guidelines allow for a decision maker to consider approval of proposals on “legacy lots” where compliance with SPP3.7 cannot be achieved where the BMP addresses the requirements set out in section 2.7. DFES’ comments above would remain the same if the decision maker believes this is an appropriate pathway to pursue.

Officer Comment:

Following this submission, a revised BMP was submitted satisfying the comments raised by DFES to the satisfaction of the Shire.

Main Roads Western Australia (MRWA)**Government Agency Response:**

In response to correspondence received on 19 March 2024 and additional information received on 16 April 2024, pertaining to SIDRA files, please be advised Main Roads has no objections to the development proposal subject to the following Conditions being imposed:

Conditions

1. Prior to occupation of the building Robertson Road must be constructed.
Justification for Condition
Robertson Road must be upgraded to accommodate vehicle traffic to the location prior.
2. All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation.
3. Any proposed illumination of the signs must not exceed 300 cd/m² (candela per square metre) between sunset and sunrise.
4. The signs must not flash, pulsate or chase.
5. Signage shall not be electronic / digital format.
6. The signs must not contain fluorescent, reflective or retro-reflective colours or materials.
7. Vegetation within the road reserve shall not be removed or trimmed to improve the visibility of proposed signs.



8. No works are permitted within the road reserve unless a Working on Roads Permit has been issued by Main Roads.
9. Stormwater shall not be discharged to the South Western Highway Road Reserve or the widened road reservation.

Justification for Condition

Public safety and protection of the Primary Regional Road Reservation.

10. The future Orton Road as nominated on the development plans does not form part of this approval.

Justification for Condition

The placement of this public road is inconsistent with the Structure Plan applicable to the subject site. This connection to South Western Highway is not currently supported by Main Roads due to the close proximity exiting connection. Such a proposal may undermine the ultimate design, safety and operation of South Western Highway. Grade separation is likely to be required and it is uncertain as to how this will be achieved.

11. No vehicle access shall be permitted onto the South Western Highway primary regional road reserve. All vehicle access shall be via Robertson Road.

Justification for Condition

Emergency Access Way (Bushfire Emergency) and future Orton Road (as shown on development plans) are not supported by Main Roads. No vehicular access or interconnecting access ways and/or roads are permitted to South Western Highway.

12. No development and/or improvements shall be permitted on the land as shown required for future road purposes on the enclosed Main Roads Land Protections Plans 201232-0008 and 201232-0009.

Justification for Condition

Protection of the State Road network and public safety.

13. The landowner/applicant shall make good any damage to the existing verge within the South Western Highway road reserve.
14. No earthworks shall encroach into the South Western Highway road reserve.

Justification for Condition

Protection of the State Road network and public safety.

Advice

- a) Regarding the Bushfire Management Plan (BMP) as prepared by Emerge Associates, reference Project No: EP19-002(02), Version B dated May 2022, the following advice is provided:
 - i. Section 4 – the future Orton Road is not supported.
 - ii. Table 4: *Summary of Bushfire Protection and Compliance Statement – Vehicular Access* - Main Roads does not support Robertson Road connecting to South Western Highway via Orton Road (as depicted on the plans). Reference to future Orton Road should be removed from the BMP.



iii. Table 5: *Responsibilities for the implementation of this BMP* – main Roads does not support Robertson Road connecting to South Western Highway for the purpose of an emergency access way.

- b) The project for the upgrading/widening of South Western Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.
- c) The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

Officer Comment:

Noted - The Conditions recommended by MRWA are reflected in the Officer recommendation.

Statutory EnvironmentLegislation

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- *Environmental Protection (Noise) Regulations 1997*;

State Government Policies

- State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7);
- Environmental Protection Authority Environmental Assessment Guideline for Separation Distances Between Industrial and Sensitive Land Uses;

Local Planning Framework

- Local Planning Scheme No. 3 (LPS3);
- Local Planning Strategy (LPS);
- Lots 1, 3 and 128 South Western Highway Local Structure Plan (LSP);
- Local Planning Policy 1.4 - Public Consultation for Planning Matters (LPP1.4);
- Draft Local Planning Policy 1.4 - Advertising Development Applications (LPP1.4)
- Local Planning Policy 1.6 - Public Art for Major Developments (LPP1.6);
- Local Planning Policy 2.4 - Water Sensitive Design (LPP2.4);
- Local Planning Policy 4.15 - Bicycle Facilities Policy (LPP4.15); and
- Local Planning Policy 4.16 - Tree Retention and Planting (LPP4.16).

Planning Assessment

A comprehensive assessment has been undertaken in accordance with clause 67 of the Deemed Provisions. The assessment can be viewed as part of **attachment 3**. For the purposes of this report, the objections resulting in the proposal being presented to Council are discussed as well as where Council is required to exercise discretion.



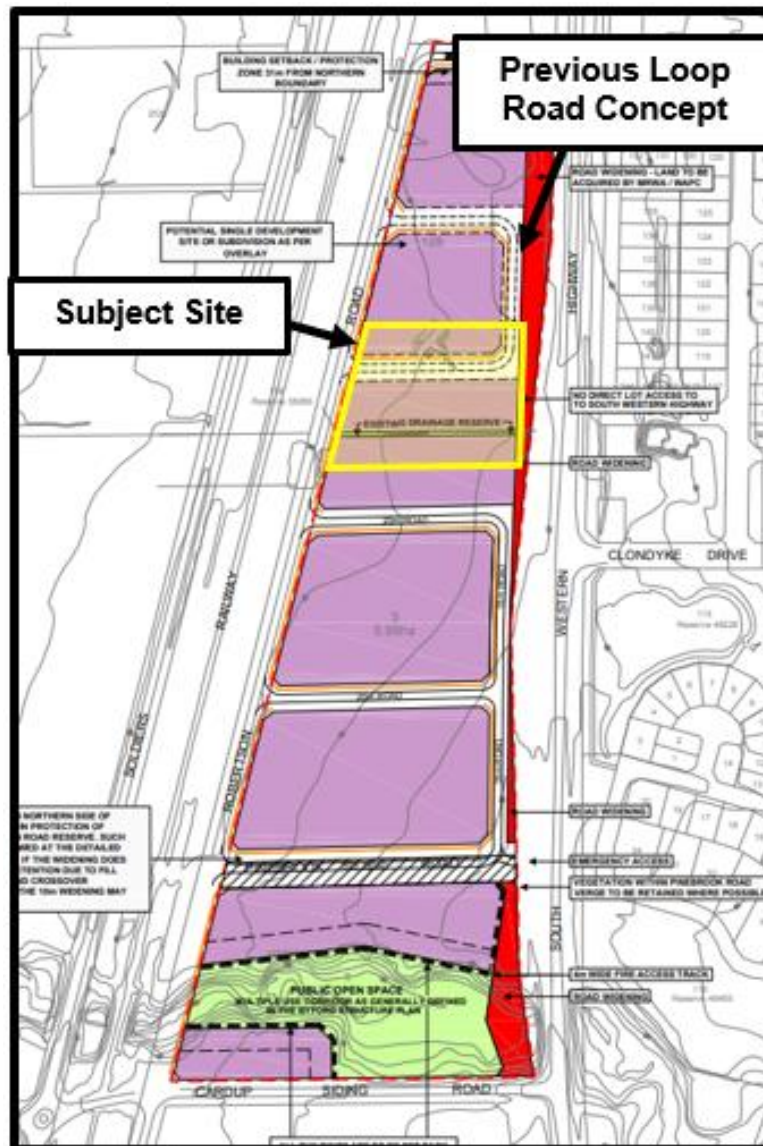
Land Use

The subject site is zoned 'Service Commercial' under Local Planning Scheme No.3 (LPS3). The following table provides the land use permissibility within the zone:

Proposed Land Use	Zoning Permissibility
Medical Centre	"D" - not permitted unless the local government has exercised its discretion by granting development approval;
Bulky Goods Showroom	"P" - permitted if it complies with any relevant development standards and requirements of the Scheme;
Motor Vehicle Repair	"A" - not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions

Lots 1, 3 and 128 South Western Highway Local Structure Plan (LSP)

The subject lot falls within the Lots 1, 3 and 123 South Western Highway Local Structure Plan (LSP). The Structure Plan designates the site as 'Mixed Business' and provides requirements for the development of the area. The LSP is featured following:

**Figure 5: Local Structure Plan**

The northern most part of the LSP area has been developed in association with a range of uses in accordance with the LSP. Due to the larger developments that have taken place, and the associated larger allotments, the northern 'loop' road that partially extended through the site was not required. Therefore, the proposed development will maintain a frontage to both South Western Highway to the east and Robertson Road to the west.

Robertson Road has been constructed to service the existing developments. Upgrades to the South Western Highway/Robertson Road intersection have already been undertaken as anticipated by the LSP. Officers consider the development is generally compliant with the LSP.

Local Planning Scheme No.3 (LPS3)

The objectives of the 'Service Commercial' zone are:

- *"To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites."*



- *To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.”*

The development would provide a mix of commercial activities and showrooms that generally require large sites and good vehicle access. The uses are considered appropriate in this zone. The proposal is therefore considered consistent with the LPS3 objectives of the zone.

Schedule 4 of LPS3 contains development standards, including specific provisions for the ‘Service Commercial’ zone, as detailed following:

LPS3 Section 4.2 Assessment		
Requirement	Standard	Proposed
Landscaping	10% in total	14.1% (excluding landscaping in the future Orton Road extension)
	5% in front setback	2.62%
Max Site Coverage	75%	57.5%
Max Plot Ratio	1.0	0.575
Front Setback (Robertson Road - West)	12m	0m
Side/Rear Setback	6m	North: 0m East: 2.1m South: 0m

The proposed development seeks to vary the setback requirements of LPS3 as well as the amount of landscaping within the front setback area. The development is however compliant with the requirements for overall landscaping, site coverage and plot ratio. The variations are discussed following:

The development proposes a reduced setback to the front boundary (Robertson Road). Due to the angle of the lot, a portion of the building would have a nil setback, however, most of the development would be set back further. The northern building would be set back between nil and 5.2m and the southern building would be set back between 0.5m to 9.2m. The development also proposes a nil setback to the northern and southern boundaries, and it would be 2.1m from the eastern (South Western Highway) boundary at its closest point.

Prescribed setbacks set the character of a streetscape and contribute towards uniformity. Setbacks also allow spaces for soft landscaping to contribute to the visual amenity of the locality and to soften the appearance of building bulk. In this case, the proposed setbacks are consistent with the established development to the north and would not impede the ability to provide soft landscaping. The setbacks of existing development are shown following:



Figure 6: South Western Highway frontage

It is considered that the proposed setback variations are consistent with the surrounding character, provide an element of visual interest and enable landscaping to be planted. Furthermore, design treatments and awnings provide articulation to the buildings. The design incorporates wood panel attachments and a mixture of colours, this is shown following:



Figure 7: Development perspective from Robertson Road

Specifically in relation to the large building façade facing the future Orton Road extension, the elevation includes a wood panelling treatment across this façade and building corners appropriate for future public art. Additionally, a landscaping regime is proposed in the road reserve. A significant row of large trees will be able to be retained when the carriageway of the road is eventually constructed (see the Figure below). These measures combined would ensure the development façade to the south provides an appropriate interface between the development and the future road.

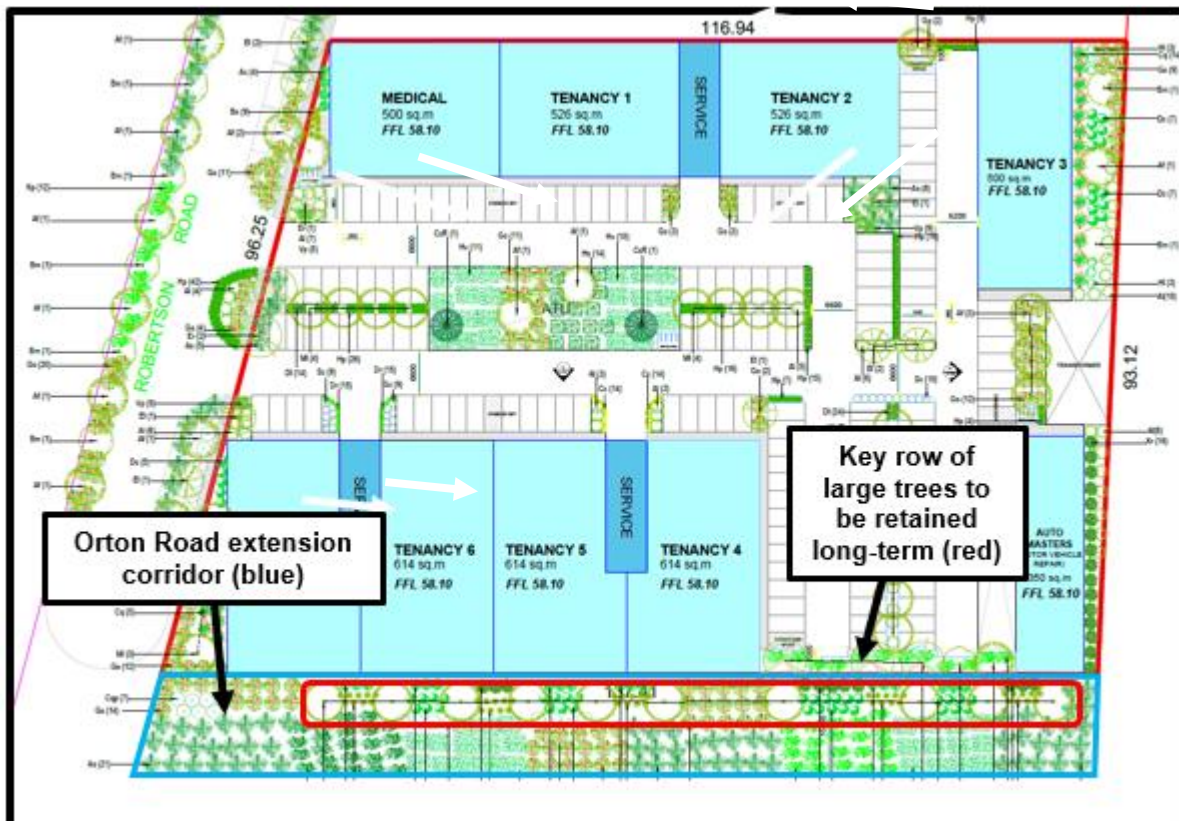


Figure 8: Landscaping proposal



Figure 9: Perspective image of the south façade from future Orton Road

Bicycle Facilities:

LPS3 sets out requirements for bicycle parking bays and end of trip facilities. Based on the proposed land uses the development would require seven bicycle bays and one shower facility. The development provides eight bicycle parking bays and a single end of trip facility including a shower, toilet, changeroom and storage area, consistent with LPS3.

Landscaping:

A Landscaping Masterplan has been provided to support the shortfall of landscaping within the front setback area. The plan incorporates landscaping within the site and in the future Orton Road reserve to the south. Whilst the provision of landscaping in the front setback area falls short of the LPS3 requirement, landscaping across the site covers 14.1% which is in excess of the 10% requirement under LPS3. It is considered that, on balance, the development proposes sufficient landscaping to soften the bulk of the development and contribute to the visual amenity of the locality.

A Condition is recommended requiring a detailed Landscaping Plan to be provided prior to the commencement of the development. Landscaping, in particular within the Orton Road reserve, will be required to be adequately maintained to manage the risk of bushfire.

Car Parking

Section 4.3 of LPS3 details specific car parking requirements for different land uses. The proposal is compliant with parking requirements as detailed following:



LPS3 Car Parking Assessment			
Land Use	Required		Proposed
Bulky Goods Showroom: 1 bay per 40m ² of NLA	Total of 4,008m ² of NLA requires 101 bays	Total: 138 bays	153 bays provided. Compliant
Medical Centre: Four bays per consulting room or professional person and one bay for each other employee	Five consulting rooms and five other employees requires 25 bays		
Motor Vehicle Repair: One bay per 50m ² NLA and one bay per employee	350m ² of NLA and 5 employees requires 12 bays		

Traffic and Access

A Transport Impact Assessment (TIA) was submitted as part of the application which analyses traffic impacts resulting from the development as well as the safety of the intersection. The development proposes two 6.8m wide crossovers onto Robertson Road. This access arrangement is consistent with the LSP. The crossover width is considered capable of accommodating the vehicles associated with the development.

Robertson Road, adjacent to the site, currently experiences low volumes of traffic as the LSP area is yet to be fully developed. The design of this new portion of Robertson Road was informed by a TIA provided as part of the LSP. This estimated that development within the LSP area would generate 832 vehicle trips during the peak hour and 4,160 vehicles per day (vpd).

The TIA estimates the proposed development would result in an additional 1,293 vehicular trips per day (inbound and outbound trips). It estimates the generation of 117 trips during the AM peak hour period and 166 trips during the PM peak hour period. The TIA considers that the projected traffic volumes are conservative given it includes traffic generated for each tenancy individually and does not account for customers visiting multiple tenancies which would see a reduction in trip generation. Based on this, the road network is considered to have an appropriate capacity to accommodate the vehicle trips generated by the development.

It is also worth noting that the other approved land uses within the LSP area i.e. the 'Storage Facility' and 'Place of Worship' would generate lesser peak period traffic, or otherwise have their peak hours at different times to the subject development. The particular unique nature of these developments is such that adaptation over time is unlikely due to the very unique functions and forms that such self-storage and places of worship take.

The TIA includes a SIDRA analysis of the intersection of Robertson Road and South Western Highway. SIDRA is an intersection modelling tool commonly used by traffic engineers for all types of intersections. SIDRA outputs are presented in the form of Degree of Saturation, Level of Service, Average Delay and Queuing. The analysis demonstrates that the intersection would generally operate at a service level of 'A'. However, during the AM peak period there would be slight delays for vehicles exiting the site on Robertson Road to turn right onto South Western Highway.



Worst case scenario, there could be a wait time of 25.4 seconds, although the queue would only be one car length (6.6m). The short queuing distance taken with the frequency of this movement within the peak hour is considered to not result in an adverse traffic safety outcome.

Amenity

During the consultation period, objections were raised regarding the noise generated by the development and its potential to impact on nearby residences. An Acoustic Assessment was submitted as part of the development application providing an assessment against the *Environmental Protection (Noise) Regulations 1997*.

The Environmental Protection Authority Guidance Statement Note 3 - Separation Distances between Industrial and Sensitive Land Uses (Guidance Statement) provides guidance on generic separation distances between industries and sensitive land uses (dwellings). The purpose of these separation distances is to avoid or minimise the potential for land use conflicts. None of the proposed uses, in particular the 'Motor Vehicle Repair' business, are included in the Guidance Statement and therefore a merits-based assessment is required to assess potential noise impacts.

The nearest sensitive receptors are the residences to the east of South Western Highway, approximately 75m from the site as shown following:



Figure 10: Sensitive Receptors

The main noise generating activities on site would be from the 'Motor Vehicle Repair' business, including noise from vehicle hoists, air compressors, blowers, and rattle guns. It was identified that noise from external fixtures (air conditioning units) and the other tenancies should also be considered at the detailed design stage of the development.



The assessment also identifies that noise generated by the tenancies would be worst when the roller doors were opened, though a degree of noise reduction would result from the concrete buildings on site, acting as noise barriers. The Acoustic Assessment considers two worst case scenarios for noise generation as follows:

- Scenario 1 - All tenancies and the vehicle repair business operating between 7:00am to 5:00pm Monday to Saturday.
- Scenario 2 - All tenancies operating on Sundays and Public holidays excluding the vehicle repair business as this would not be operating on these days.

The findings of these two scenarios are shown in the tables following:

TABLE 8.3 – ASSESSMENT OF NOISE LEVELS SCENARIO 1 ALL COMMERCIAL AND VEHICLE SERVICE CENTRE				
Receiver	Noise Assessable Noise Level dB(A)	Time of Day	Assigned Level (dB)	Compliance
R1	41	0700 - 1900 hours Monday to Saturday (Day)	46	Complies
R2	41			Complies
R3	47			Complies
R4	47		49	Complies
R5	46			Complies
R6	46			Complies
R7	46			Complies
R8	45			Complies
R9	44			Complies
R10	43			Complies

TABLE 8.4 – ASSESSMENT OF NOISE LEVELS SCENARIO 2 ALL COMMERCIAL NO VEHICLE SERVICE CENTRE				
Receiver	Noise Assessable Noise Level dB(A)	Time of Day	Assigned Level (dB)	Compliance
R1	37	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	41	Complies
R2	37			Complies
R3	38			Complies
R4	38		44	Complies
R5	39			Complies
R6	39			Complies
R7	39			Complies
R8	38			Complies
R9	38			Complies
R10	37			Complies

Figure 11: Extract of noise generation from the Acoustic Assessment



The Figure following details the noise contours for Scenario 1 to display the decibel levels spatially:

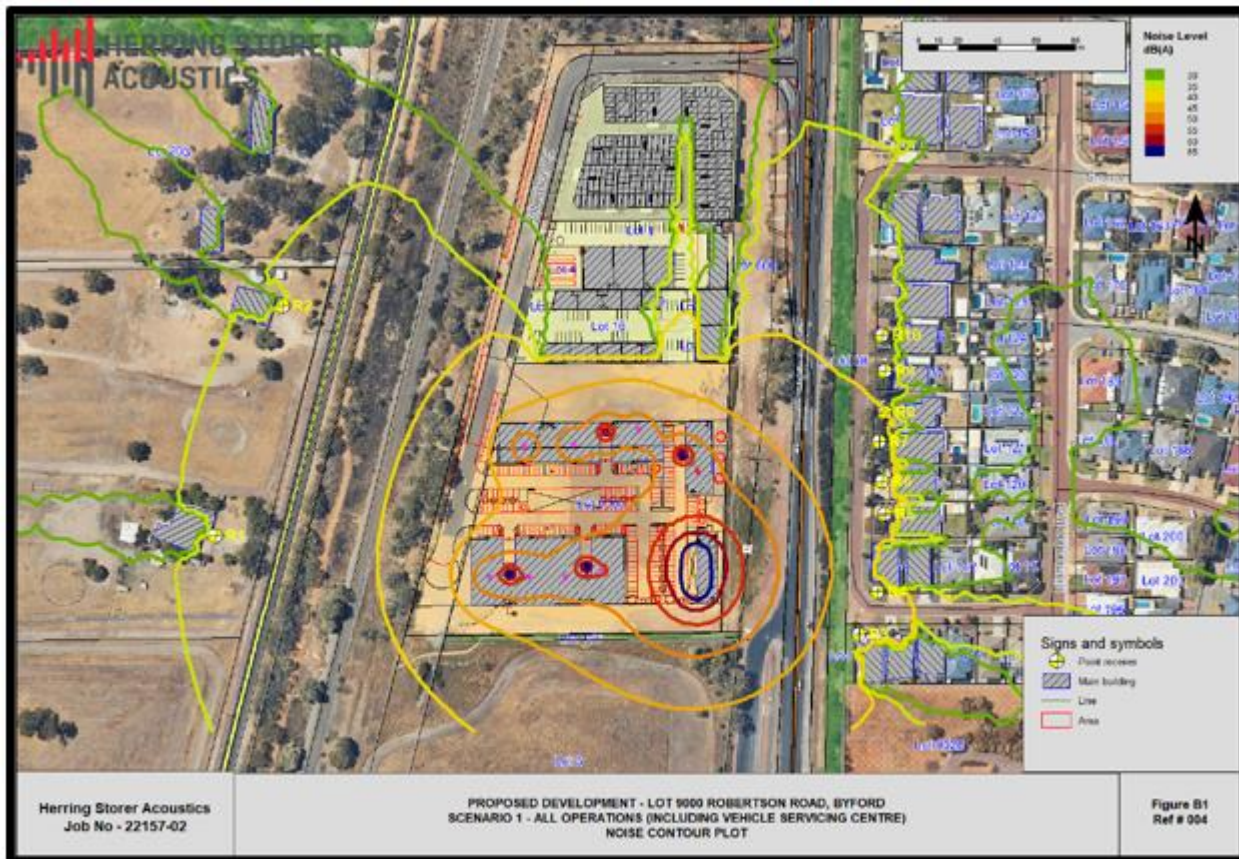


Figure 12: Acoustic contour mapping

As detailed above, the Acoustic Assessment demonstrates that noise generated from the development is compliant with the Noise Regulations at all times.

Whilst Officers are satisfied that the development would not adversely impact the amenity of the locality by way of noise, the Acoustic Assessment does not model noise generated by vehicles for example reversing beepers, engines, or car doors being closed as well as external fixtures as stated previously. To ensure noise is managed appropriately in perpetuity, a Condition is recommended for a Noise Management Plan to be provided to address how management of all noise sources will be managed.

Stormwater Management

The application proposes a subsurface drainage system which seeks to manage stormwater generated on site, rather than discharging into the road reserves or adjoining properties. Whilst this concept is appropriate, it is considered that further details should be provided in relation to the following:

- Managing the first 15mm of rainfall generated from car parking areas and internal roads on the site.
- Managing stormwater during a 1% Annal Exceedance Possibility rainfall event. Managing runoff so it does not discharge onto neighbouring properties during this event.
- Managing discharge rates from the site to ensure compliance with pre-development rates.



- Whether approval is required from the Water Corporation or the Department of Water and Environmental Regulation for discharge into their infrastructure.
- To ensure sufficient capacity of subsurface storage to ensure car parks are not flooded during rain events.
- Consideration of the maintenance of the drain in the south of the property.

A Condition is recommended in this regard.

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

The subject site is located within a Bushfire Prone Area and therefore the provisions of SPP3.7 apply. The intent of the SPP is to *“implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure”*. A Bushfire Management Plan (BMP) was submitted which includes an assessment against the criteria within the Guidelines for Planning in Bushfire Prone Areas (the Guidelines), consistent with SPP3.7.

Location, Siting and Design;

The BMP identifies that the development would be located in an area which would achieve a BAL rating of BAL-29 or less, consistent with the requirements of SPP3.7. The contour mapping is shown following:

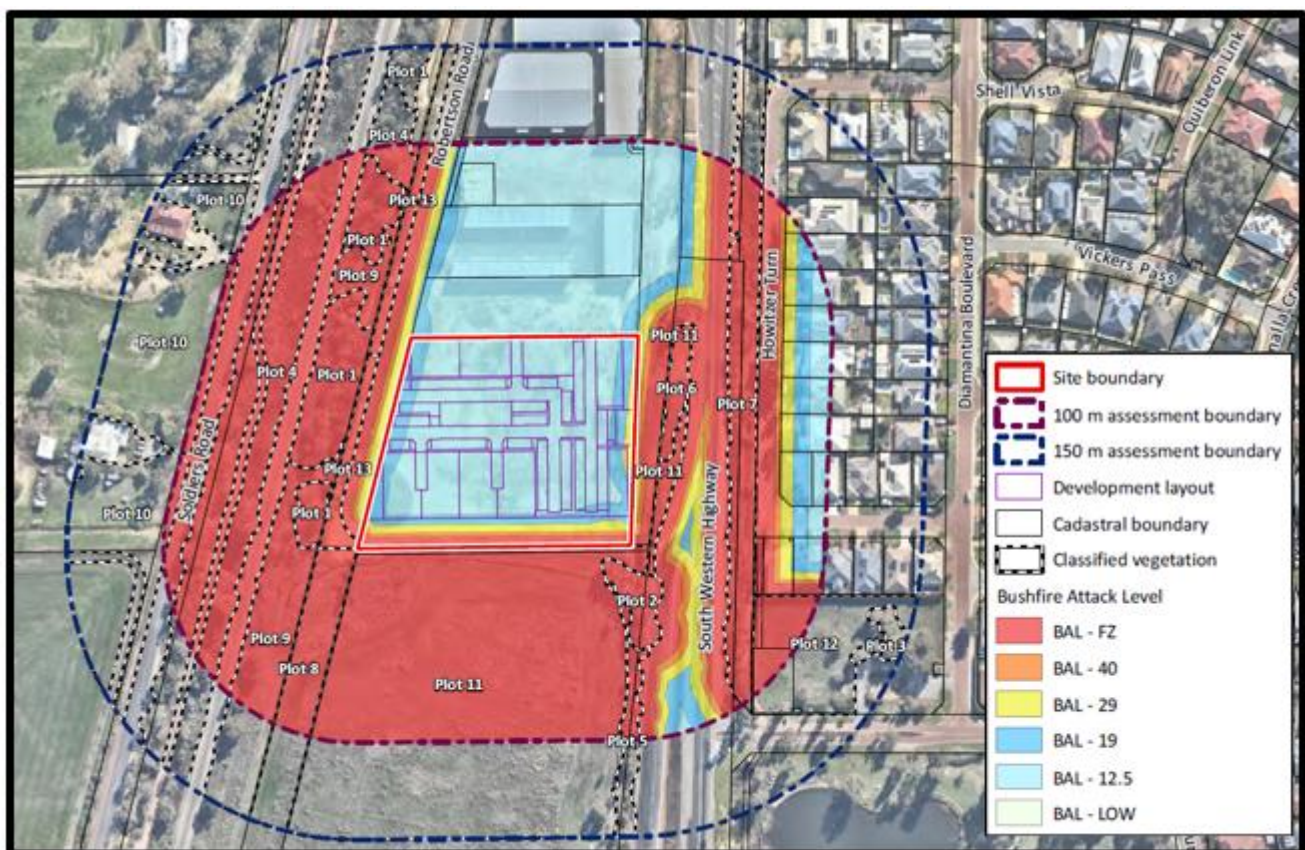


Figure 13: BAL contour mapping

As previously stated, DFES requested modifications to the BMP to clarify how the vegetation classifications were considered in determining the BAL ratings, specifically regarding the adjoining road reserves of Robertson Road, South Western Highway, and the future Orton Road.



In response, the applicant revised the BMP to clarify how the classifications were determined and confirmed that the road reserves are 'non-vegetated areas.' Officers consider this classification appropriate since there is currently no vegetation in those areas, minimising potential fire risk and ensuring accurate BAL ratings.

Regarding the future Orton Road reserve, it is acknowledged that this area is to be landscaped as part of this development. The BMP identifies that this vegetation is to be managed to a 'low threat state' so as to not increase bushfire risk unacceptably. Officers will require, as part of the Landscaping Plan, for it to be demonstrated that the vegetation and its management will achieve a BAL rating consistent with the BMP.

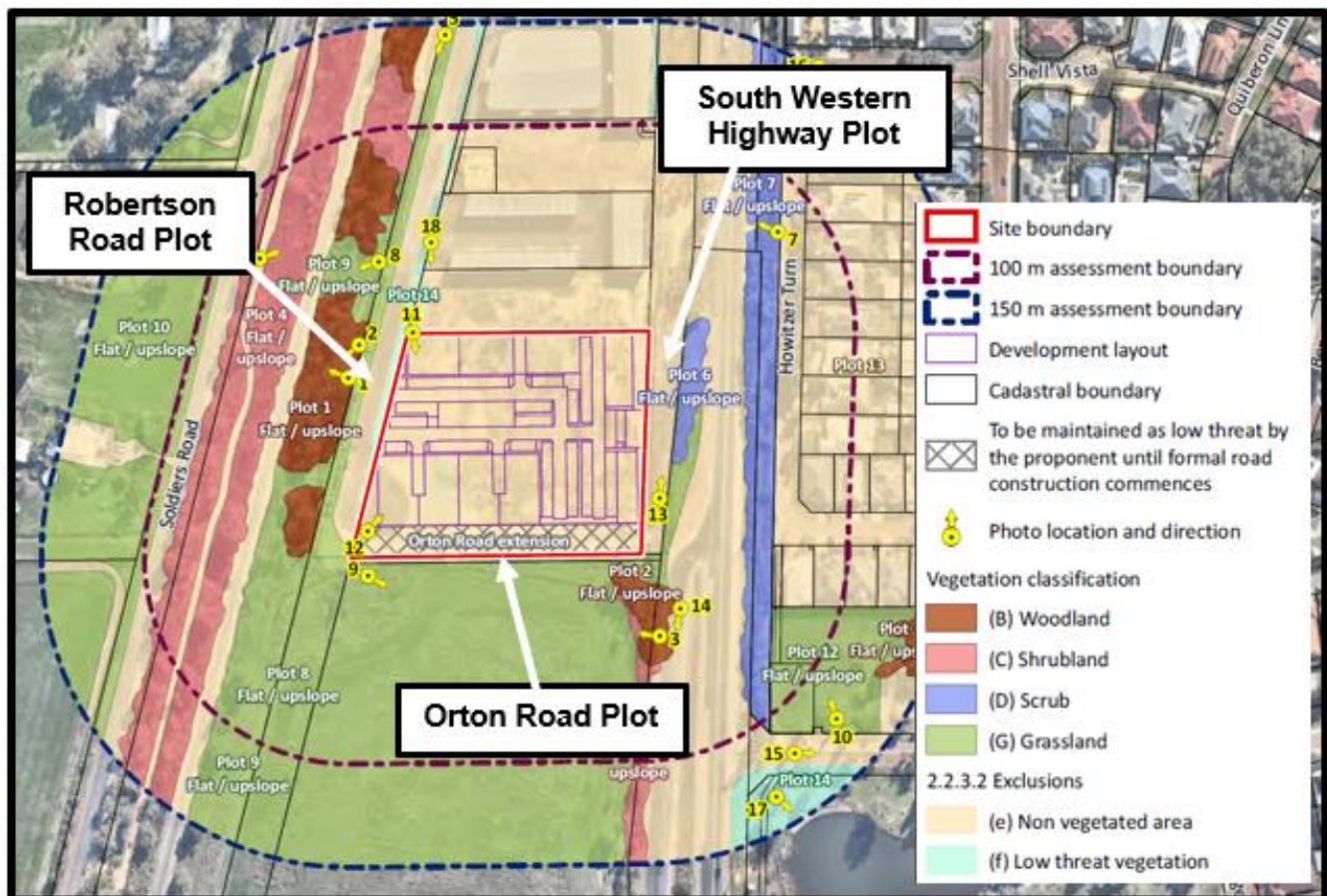


Figure 14: Vegetation assessment

Vehicular Access:

The Guidelines require development to have two-way access from a site in the case of a bushfire or where this is not achieved a no through road should have a length of no more than 200m and comply with relevant construction requirements as set out in the Guidelines. The subject development does not currently comply with the Acceptable Solutions, as Robertson Road is the only connection point to South Western Highway and is greater than 200m from the site entry and exit point.

Officers consider that the existing Emergency Access Way (EAW) which was required for a previous stage of development within the estate should remain and ensure the development is compliant. A Condition has therefore been recommended to require a modification to the BMP that retains the EAW until such time as the construction of Orton Road to the south of this site occurs.



Once the full extent of Robertson Road has been constructed and connected through to the future Orton Road, the development would achieve compliance with SPP3.7. However, there is no certainty on the delivery of Orton Road to the south of the site at this time.

Water

The BMP identifies that the site will be serviced with mains water and hydrants will be placed in accordance with the relevant requirements, consistent with SPP3.7.

Vulnerable Use:

DFES identified in their submission that the 'Medical Centre' classified as a 'Vulnerable Use' under SPP3.7 and therefore requires a Bushfire Emergency Evacuation Plan (BEEP). Officers agree with this classification and therefore a Condition is recommended in this regard.

Local Planning Policy 1.6 - Public Art

LPP1.6 requires any major development over a \$1million threshold to contribute to public art. The proposed development is estimated to be \$4.5m in value, and thus falls within the requirements of the policy. No public art has been proposed at this stage of the development, therefore a Condition requiring public art to be provided in accordance with the LPP is recommended.

Local Planning Policy 4.11 - Advertising Policy (LPP4.11)

The proposed development provides future wall sign locations on the individual tenancies. As no tenants have been identified, full details of the signage were not provided. Wall signs are a permissible sign type in the 'Service Commercial' zone according to LPP4.11. However, the total area of the signs would exceed the acceptable sizes under LPP4.11. A Condition is therefore recommended requiring a signage strategy to be provided to ensure signage is consistent with LPP4.11.

Waste Management

A Waste Management Plan (WMP) was submitted as part of the application detailing how waste produced from the site would be managed. The WMP is to the satisfaction of the Officers subject to:

- Demonstration that adequately sized bin areas are provided to manage anticipated waste volumes based on the frequency of collection.
- Demonstration that suitable private contractual arrangements are in place for waste and recycling collections.
- A Condition is recommended in this regard.

Options

Option 1

That Council APPROVES the development application for a 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms' as contained within **attachment 1** at Lot 9000, 658 Robertson Road, Byford subject to the following Conditions:

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

Plans and Specifications	Development Plans (P1-P6) dated 6 June 2024. Landscaping Plan (P7) dated 10 November 2023.
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	Waste Management Plan (P8) dated 25 January 2024. Environmental Acoustic Assessment (P9) dated July 2024. Bushfire Management Plan (P10) dated July 2024. Drainage Strategy (P11) dated 17 November 2023. Traffic Impact Assessment (P12) dated November 2023.
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2. The hours of operation of the development are limited in accordance with the following table:

	Medical Centre	Bulky Goods Showrooms	Motor Repair	Vehicle
Monday	7am - 7pm	9am - 6pm	7am - 7pm	
Tuesday	7am - 7pm	9am - 6pm	7am - 7pm	
Wednesday	7am - 7pm	9am - 6pm	7am - 7pm	
Thursday	7am - 7pm	9am - 9pm	7am - 7pm	
Friday	7am - 9pm	9am - 6pm	7am - 7pm	
Saturday	7am - 5pm	9am - 5pm	7am - 2pm	
Sunday	Closed	11am - 5pm	Closed	

3. Prior to lodgement of a Building Permit, engineering drawings shall be submitted to and approved by the Shire for the extension of Robertson Road as shown on the approved plans. Robertson Road must be constructed to an appropriate urban standard for the full frontage of the land, to the satisfaction of the Shire. Once approved, the works shall be undertaken in accordance with the approved plans prior to occupation, to the satisfaction of the Shire of Serpentine Jarrahdale.
4. Prior to lodgement of a Building Permit, plans detailing public art shall be submitted to and approved by the Shire of Serpentine Jarrahdale, in accordance with Local Planning Policy 1.6 - Public Art. Such art is to be established prior to occupation of the development.
5. Prior to the lodgement of a Building Permit, a Stormwater Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Stormwater shall not be discharged to the South Western Highway Road Reserve or the widened road reservation. Once approved development shall be in accordance with the approved Stormwater Management Plan.
6. Prior to the lodgement of a Building Permit, a Noise Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Noise Management Plan shall be implemented and adhered to at all times to the satisfaction of the Shire of Serpentine Jarrahdale.
7. Prior to the lodgement of a Building Permit, an amended Bushfire Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The amended Bushfire Management Plan shall demonstrate the inclusion of an Emergency Access Way, in accordance with SPP3.7 and the Guidelines. Once approved, the Bushfire Management Plan shall be implemented and adhered to at all times to the satisfaction of the Shire of Serpentine Jarrahdale.



8. Prior to the lodgement of a Building Permit, a Bushfire Emergency Evacuation Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale.
9. Prior to the lodgement of a Building Permit, Landscaping Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Landscaping Plan shall provide suitable local native species of vegetation to the satisfaction of the Shire. The Landscaping Plan shall also demonstrate that vegetation within the future Orton Road reserve can be managed to a 'low threat state'.
10. Prior to the lodgement of a Building Permit, an amended Waste Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The amended Waste Management Plan shall:
 - a. Demonstrate that adequately sized bin areas are provided to manage anticipated waste volumes based on the frequency of collection.
 - b. Demonstrate that suitable private contractual arrangements are in place for waste and recycling collections.Once approved, waste shall be managed in accordance with the approved Waste Management Plan.
11. Prior to the occupation of individual tenancies, a Signage Strategy shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Signage Strategy shall comply with the requirements of Local Planning Policy 4.11 - Advertising to the satisfaction of the Shire of Serpentine Jarrahdale. Once approved, signage shall be displayed in accordance with the approved Signage Strategy.
12. The carpark must be constructed, sealed, kerbed, drained, line marked, and have lighting installed prior to the occupation of the development, to the satisfaction of the Shire of Serpentine Jarrahdale.

Main Roads Conditions

13. All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation. Any proposed illumination of the signs must not exceed 300 cd/m² (candela per square metre) between sunset and sunrise. Signage must not flash, pulsate or chase. Signage shall not be electronic / digital format. Signage must not contain fluorescent, reflective or retro-reflective colours or materials.
14. Vegetation within the road reserve shall not be removed or trimmed to improve the visibility of proposed signs.
15. No works are permitted within the road reserve unless a Working on Roads Permit has been issued by Main Roads.
16. The future construction of Orton Road as nominated on the development plans does not form part of this approval.
17. No vehicle access shall be permitted onto the South Western Highway primary regional road reserve. All vehicle access shall be via Robertson Road.
18. No development and/or improvements shall be permitted on the land as shown required for future road purposes on the enclosed Main Roads Land Protections Plans 201232-0008 and 201232-0009.
19. The landowner/applicant shall make good any damage to the existing verge within the South Western Highway road reserve.



20. No earthworks shall encroach into the South Western Highway road reserve.

Option 2

That Council REFUSES the development application for a 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms' as contained within **attachment 1** at Lot 9000, 658 Robertson Road, Byford due to the following reason:

1. The development may create adverse noise and traffic impacts on the locality, which may detract from the amenity of the area.

Option 1 is recommended.

Conclusion

The application seeks approval for a 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms'. It is considered that the proposal is consistent with the planning framework and objections received can be appropriately managed. It is therefore recommended that Council approve the application subject to Conditions.

Attachments (available under separate cover)

- **10.1.7 - attachment 1** - Development Plans (E24/9900)
- **10.1.7 - attachment 2** - Summary of Submissions (E24/9956)
- **10.1.7 - attachment 3** - Clause 67 Checklist (E24/10195)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment

Financial Implications

Nil.



Risk Implications

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this Option.						
2	That the development is refused, and the decision is appealed to the SAT, which impacts costs of the Shire.	Planning framework.	Financial	Possible	Moderate	MODERATE	Ensuring reasons for refusal are valid planning reasons.

Voting Requirements: Simple Majority

OCM215/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council **APPROVES** the development application for a 'Medical Centre', 'Motor Vehicle Repair' shop and seven 'Bulky Goods Showrooms' as contained within attachment 1 at Lot 9000, 658 Robertson Road, Byford subject to the following Conditions:

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

Plans and Specifications	<p>Development Plans (P1-P6) dated 6 June 2024.</p> <p>Landscaping Plan (P7) dated 10 November 2023.</p> <p>Waste Management Plan (P8) dated 25 January 2024.</p> <p>Environmental Acoustic Assessment (P9) dated July 2024.</p> <p>Bushfire Management Plan (P10) dated July 2024.</p> <p>Drainage Strategy (P11) dated 17 November 2023.</p> <p>Traffic Impact Assessment (P12) dated November 2023.</p>
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- The hours of operation of the development are limited in accordance with the following table:



	Medical Centre	Bulky Goods Showrooms	Motor Repair	Vehicle
Monday	7am - 7pm	9am - 6pm	7am - 7pm	
Tuesday	7am - 7pm	9am - 6pm	7am - 7pm	
Wednesday	7am - 7pm	9am - 6pm	7am - 7pm	
Thursday	7am - 7pm	9am - 9pm	7am - 7pm	
Friday	7am - 9pm	9am - 6pm	7am - 7pm	
Saturday	7am - 5pm	9am - 5pm	7am - 2pm	
Sunday	Closed	11am - 5pm	Closed	

3. Prior to lodgement of a Building Permit, engineering drawings shall be submitted to and approved by the Shire for the extension of Robertson Road as shown on the approved plans. Robertson Road must be constructed to an appropriate urban standard for the full frontage of the land, to the satisfaction of the Shire. Once approved, the works shall be undertaken in accordance with the approved plans prior to occupation, to the satisfaction of the Shire of Serpentine Jarrahdale.
4. Prior to lodgement of a Building Permit, plans detailing public art shall be submitted to and approved by the Shire of Serpentine Jarrahdale, in accordance with Local Planning Policy 1.6 - Public Art. Such art is to be established prior to occupation of the development.
5. Prior to the lodgement of a Building Permit, a Stormwater Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Stormwater shall not be discharged to the South Western Highway Road Reserve or the widened road reservation. Once approved development shall be in accordance with the approved Stormwater Management Plan.
6. Prior to the lodgement of a Building Permit, a Noise Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Noise Management Plan shall be implemented and adhered to at all times to the satisfaction of the Shire of Serpentine Jarrahdale.
7. Prior to the lodgement of a Building Permit, an amended Bushfire Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The amended Bushfire Management Plan shall demonstrate the inclusion of an Emergency Access Way, in accordance with SPP3.7 and the Guidelines. Once approved, the Bushfire Management Plan shall be implemented and adhered to at all times to the satisfaction of the Shire of Serpentine Jarrahdale.
8. Prior to the lodgement of a Building Permit, a Bushfire Emergency Evacuation Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale.
9. Prior to the lodgement of a Building Permit, Landscaping Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Landscaping Plan shall provide suitable local native species of vegetation to the satisfaction of the Shire. The Landscaping Plan shall also demonstrate that vegetation within the future Orton Road reserve can be managed to a 'low threat state'.



10. Prior to the lodgement of a Building Permit, an amended Waste Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The amended Waste Management Plan shall:
 - a. Demonstrate that adequately sized bin areas are provided to manage anticipated waste volumes based on the frequency of collection.
 - b. Demonstrate that suitable private contractual arrangements are in place for waste and recycling collections.Once approved, waste shall be managed in accordance with the approved Waste Management Plan.
11. Prior to the occupation of individual tenancies, a Signage Strategy shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Signage Strategy shall comply with the requirements of Local Planning Policy 4.11 - Advertising to the satisfaction of the Shire of Serpentine Jarrahdale. Once approved, signage shall be displayed in accordance with the approved Signage Strategy.
12. The carpark must be constructed, sealed, kerbed, drained, line marked, and have lighting installed prior to the occupation of the development, to the satisfaction of the Shire of Serpentine Jarrahdale.

Main Roads Conditions

13. All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation. Any proposed illumination of the signs must not exceed 300 cd/m² (candela per square metre) between sunset and sunrise. Signage must not flash, pulsate or chase. Signage shall not be electronic / digital format. Signage must not contain fluorescent, reflective or retro-reflective colours or materials.
14. Vegetation within the road reserve shall not be removed or trimmed to improve the visibility of proposed signs.
15. No works are permitted within the road reserve unless a Working on Roads Permit has been issued by Main Roads.
16. The future construction of Orton Road as nominated on the development plans does not form part of this approval.
17. No vehicle access shall be permitted onto the South Western Highway primary regional road reserve. All vehicle access shall be via Robertson Road.
18. No development and/or improvements shall be permitted on the land as shown required for future road purposes on the enclosed Main Roads Land Protections Plans 201232-0008 and 201232-0009.
19. The landowner/applicant shall make good any damage to the existing verge within the South Western Highway road reserve.
20. No earthworks shall encroach into the South Western Highway road reserve.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.1.8 - Consideration of Information Provided to Satisfy Conditions 10 and 11 of Approved 'Warehouse' (Plastic Production) at Lot 41, 17 Cardup Siding Road, Cardup (PA23/702)**

Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent:	Shane Wormall
Owner:	As Proponent
Date of Receipt:	9 December 2021
Lot Area:	4.71ha
Local Planning Scheme No. 3 Zoning:	'Industrial Development'
Metropolitan Region Scheme Zoning:	'Industrial'

Report Purpose

The purpose of this report is for Council to consider information provided to satisfy conditions imposed on an approved 'Plastic Production Workshop and Warehouse' at Lot 41, 17 Cardup Siding Road, Cardup. The conditions imposed allowed for the development to be undertaken for a period of one year unrestricted in terms of production volume and hours of operation. The conditions required that following one year, restrictions in relation to hours of operation and limits on level of production would be imposed unless satisfactory outcomes were demonstrated in relation to noise, air emissions and odour.

The report is presented to Council as the conditions were imposed by Council at an Ordinary Council Meeting. Officers have engaged independent experts to peer review the information provided by the applicant to assist in decision making.

Officer consider, that based on the Peer Reviews, it is has been satisfactorily demonstrated that noise, air emissions and odour have been managed appropriately over the last 12 months. It is recommended that Council resolve that the operations are permitted to continue to operate unrestricted by way of production volumes and hours of operation.

**Relevant Previous Decisions of Council**

*Ordinary Council Meeting - 21 August 2023 - OCM195/08/23 - COUNCIL RESOLUTION / Officer Recommendation - **extract***

That Council APPROVES IN PART the application to amend the existing approval for the 'Plastic Production Workshop and Warehouse' at Lot 41, 17 Cardup Siding Road, Cardup, as indicated in the following manner:

<i>Current Condition</i>	<i>Amended Condition</i>
<i>10. The development is restricted to the production of a total of 1,500 plastic units a year.</i>	<i>The development is unrestricted in terms of total production for a period of 1 year, following which: a. the production is to return to no more than 1500 plastic units per year due to unsatisfactory outcomes associated with noise, air emissions and odour impacts; or b. the production is to remain unrestricted due to satisfactory outcomes associated with noise, air emissions and odour impacts.</i>
<i>11. Operating hours are restricted to 7:00am to 5:30pm Monday to Friday and 7:00am to 1:00pm Saturdays.</i>	<i>The development is unrestricted in terms of hours of operation for a period of 1 year, following which: a. the hours of operation are to return to 7am to 5:30pm Monday - Friday and 7am to 1pm Saturday, due to unsatisfactory outcomes associated with noise; or b. the hours of operation are to remain unrestricted due to satisfactory outcomes associated with noise.</i>

Background**Existing Development**

The subject site is 4.72ha in area and has frontage to Cardup Siding Road. The site is located within the Cardup Business Park, which is located south of Byford. The site is within close proximity to rural residential development to the west and residential development to the north-east. The subject site has been developed since 2014 and comprises of the uses shown following:



On 23 April 2018, approval was granted on the site for a Plastic Production Workshop and Warehouse subject to a number of conditions. The conditions relevant to this report are Conditions 10 and 11. As part of the initial approval in 2018 these conditions stated:

“10. The development is restricted to the production of a total of 1,500 plastic units a year.”

11. Operating hours are restricted to 7:00am to 5:30pm Monday to Friday and 7:00am to 1:00pm Saturdays.”

Subsequently, an application was received seeking approval to amend or delete nine of the conditions of approval including the deletion of Condition 10 and amendment to Condition 11 as stated above. The proposal was presented in order to meet growing demand for products in both local and international markets. The application proposed for the facility to operate 24 hours a day Monday to Friday and 7:00am to 1:00pm on Saturday. It also proposed that there was no restriction on the amount of products that could be produced.

At its Ordinary Council Meeting of 21 August 2023, Council approved this application in part. Specifically, Conditions 10 and 11 were amended as follows:

“10 The development is unrestricted in terms of total production for a period of 1 year, following which:

- a. the production is to return to no more than 1500 plastic units per year due to unsatisfactory outcomes associated with noise, air emissions and odour impacts; or*
- b. the production is to remain unrestricted due to satisfactory outcomes associated with noise, air emissions and odour impacts.*

11. The development is unrestricted in terms of hours of operation for a period of 1 year, following which:

- a. the hours of operation are to return to 7am to 5:30pm Monday - Friday and 7am to 1pm Saturday, due to unsatisfactory outcomes associated with noise; or*



b. the hours of operation are to remain unrestricted due to satisfactory outcomes associated with noise.”

Proposed Development

Following a one-year period since the last approval, the applicant has submitted an Environmental Noise Assessment (ENA) as contained within **attachment 1**, a Stack Emission Testing Report as well as a Technical Report - Air Quality Impact Assessment as contained within **attachment 2**. The purpose of this information is to demonstrate satisfactory outcomes in relation to noise, air emissions and odour in order for development to continue unrestricted by way of hours of operation and production limit.

A Peer Review of the ENA was undertaken (**attachment 3**) and subsequently an updated ENA was provided (**attachment 4**). No further Peer Review was undertaken of the updated ENA as Officers are satisfied that the comments have been addressed. A Peer Review of the Air Emissions and Odour Report was also undertaken, and this is contained within **attachment 5**.

Should Council consider such emissions are satisfactory, production levels and the hours of operation could continue unrestricted for the life of the development, as per part (b) of Conditions 10 and 11, as shown following:

- b. the production is to remain unrestricted due to satisfactory outcomes associated with noise, air emissions and odour impacts.*
- b. the hours of operation are to remain unrestricted due to satisfactory outcomes associated with noise.”*

Community / Stakeholder Consultation

There is no requirement to advertise such information. Officers have referred the information for an independent peer review to seek specialist comments. This reflects the conditions imposed on the 21 August 2023 Council approval.

Statutory Environment

Legislation

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *Environmental Protection (Noise) Regulations 1997;*

State Government Policies

- South Metropolitan Peel Sub-Regional Framework Towards Perth and Peel 3.5 Million;
- Environmental Protection Authority Draft Environmental Assessment Guideline for Separation Distances Between Industrial and Sensitive Land Uses;

Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3;
- Local Planning Strategy



Planning Assessment

An assessment of the information provided to satisfy the conditions as well as the comments provided as part of the peer review is detailed following:

Noise:

The submitted ENA includes a noise survey carried out on 21 May 2024 between 6:00am and 9:00am to determine whether the operations achieve compliance with the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

The ENA firstly determines the assigned noise levels which is the baseline noise level that should be applied. There are different levels depending on the nature of the noise being;

- LA10 (generally applicable to “steady-state” noise sources present for 10% of the representative assessment period of 4 hours);
- LA1 (for short-term noise sources present for less than 10% and more than 1% of the time) and;
- LAMax (incidental noise sources present for less than 1% of the time).

The ENA details the baseline assigned levels shown following:

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	45 + influencing factor	55 + influencing factor	65 + influencing factor
	0900 to 1900 hours Sunday and public holidays (Sunday)	40 + influencing factor	50 + influencing factor	65 + influencing factor
	1900 to 2200 hours all days (Evening)	40 + influencing factor	50 + influencing factor	55 + influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	35 + influencing factor	45 + influencing factor	55 + influencing factor
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial Premises	All hours	60	75	80
Industrial and Utility Premises	All hours	65	80	90

1. *highly sensitive area* means that area (if any) of noise sensitive premises comprising —
(a) a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
(b) any other part of the premises within 15 metres of that building or that part of the building.

It is worth noting that these baseline levels are taken directly from the Noise Regulations.

An ‘influencing factor’ is then calculated. This relates to an increase to the assigned level on the basis of the existence of significant roads, commercial or industrial zoned land within an inner circle (100 metre radius) and an outer circle (450 metre radius) of noise sensitive premises. For the purposes of the ENA, noise sensitive premises have been grouped into four areas:



- a. Multiple Residences along Soldiers Road, Cardup;
- b. Single Residence at 15 Pinebrook Road, Byford and boundary position;
- c. Multiple Residences at Coulterhand Circle, Byford; and
- d. Single Residence at 1047 South Western Hwy, Byford and boundary position.

Residences A and B were given an influencing factor of +6dB due to the percentage of 'industrial land' within the inner and outer circles. Residences C and D were given an influencing factor of +2dB due to the lower percentage of 'industrial land' within the outer circle. This is identified within the figure following:



The other considerations that influence the measure of noise against assigned levels is whether noise is tonal in nature or if noise is likely to significantly contribute to cumulative noise in the measured area. In respect of whether noise significantly contributes to cumulative noise (either current or future), it is deemed satisfactory if each individual noise industry is 5dB below the assigned level at a sensitive receptor.

The ENA defines the assigned levels, taking into account all these factors, in the table following:



Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
+6 dB IF (Residences A and B) Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	51	61	71
	0900 to 1900 hours Sunday and public holidays (Sunday)	46	56	71
	1900 to 2200 hours all days (Evening)	46	56	61
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	41	51	61
+2 dB IF (Residences C and D) Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	47	57	67
	0900 to 1900 hours Sunday and public holidays (Sunday)	42	52	67
	1900 to 2200 hours all days (Evening)	42	52	57
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	37	47	57

The ENA details that as part of the noise survey, noise measurements were taken at the nearest point of Residence A, B and D. Measurements were recorded every second for a total of approximately 15 minutes and then filtered to minimise the presence of background noise, in particular traffic and wildlife. At area C it was determined that noise from the operations were inaudible.

The results of the night and day period noise levels are detailed in the tables following:

Table 4-1: Night Measured Noise Levels, dB L_{A10}

Location	Predicted Level, dB L _{A10}	Measured Level, dB L _{A10}	Measured Level, dB L _{A1}	Measured Level, dB L _{Amax}	Day Assigned Level, dB L _{A10}	Assessment	Observations
Residence A	30	50*	50	50	41	+9 dB	Noise dominated by traffic noise, site noise barely audible
Residence B Boundary	29	49	49	49	60	Complies	
Residence A	25	Inaudible	Inaudible	Inaudible	Inaudible	Complies	
Residence D Boundary	35	53	54	54	60	Complies	

*Measurement is significantly affected by background traffic noise, with the subject sight barely audible at times.



Table 4-2: Day Measured Noise Levels, dB L_{A10}

Location	Predicted Level, dB L _{A10}	Measured Level, dB L _{A10}	Measured Level, dB L _{A1}	Measured Level, dB L _{Amax}	Day Assigned Level, dB L _{A10}	Assessment	Observations
Residence A	30	55*	55	55	51	+4 dB	Noise dominated by traffic noise, site noise barely audible
Residence B Boundary	29	49	50	50	60	Complies	
Residence A	25	Inaudible	Inaudible	Inaudible	Inaudible	Complies	
Residence D Boundary	35	53	53	53	60	Complies	

*Measurement is significantly affected by background traffic noise, with the subject sight barely audible at times.

The ENA details that noise emissions during both periods are compliant at all times except for at Residence A where the report considers that this was due to the level of background noise (traffic from South Western Highway leading to the Cardup Road / Soldiers Road roundabout and navigating this). The ENA states that “noise from the actual operations was barely audible.”

The ENA also details that following the survey a site visit was undertaken to the operations and it was observed that “One of the four roller doors was observed to be open at the concrete mouldings warehouse, with drilling and hammering noise coming from inside. For the plastic moulding warehouses, the roller doors facing east were also observed to be open. Forklifts and other light vehicles were observed moving around the site.”

The ENA concludes that although the noise measurements measured above the assigned levels at Residence A, noise from the actual operations at this site was largely inaudible which “indicates that this level is likely just from the background noise”. The ENA concludes that the site has been assessed as compliant.

Peer Review:

As previously stated, Officers engaged a suitably qualified expert to peer review the ENA. A summary of the Peer Review and Officer Comments are detailed following:

Peer Review - Assigned Levels:

- the correct influencing factor to be applied at Residence A should be +2dB and not +6dB.
- a lower influencing factor would result in an assigned level of 4dB lower than what is detailed in the ENA for Residence A.

Officer Comment - Assigned Levels:

Following the Peer Review, an updated ENA was provided (**attachment 4**). This ENA includes amended influencing factors, consistent with the recommendation of the Peer Review. The ENA has also been updated to show the influencing factor calculation.



Peer Review - Allowable Noise Emissions:

- The ENA acknowledges that noise from an industrial park is not to significantly contribute to noise emissions and this can be considered as satisfied where noise is 5dB below the assigned level. However, this has not been taken into account in the results tables of the ENA.

Officer Comment - Allowable Noise Emissions:

The updated ENA clarifies that at the time the noise measurements were taken, noise from other industrial sites was inaudible and as such reducing the assigned levels by 5dB to account for significant contributions was not applicable. It is also worth noting that where noise was audible at the boundary of residences B and D, the measured noise was compliant by more than 5dB.

Peer Review - Methodology:

- The noise measurements informing the ENA were undertaken at a time when traffic volumes were high and therefore noise from the operations were difficult to determine.
- Noise has not been assessed at the houses of B, C and D only at the boundary. The report states they did not have access to the house, it appears that no attempt was made to forecast levels based on measurements.

Officer Comment - Methodology:

The Acoustic Assessor has clarified that *“Two site visits were undertaken between the most critical time between 6.00am and 7.00am, with the site visit with lower background levels used in the assessment.”* The updated ENA details that the other facility on site (Transport Depot) operates primarily between 6:00am and 8:00pm Monday to Saturday with the operations prior to 7:00am only including trucks departing from the site and light vehicles on the site. For this reason, the noise survey was conducted between 6:00am and 7:00am when the noise levels would be worst case scenario.

The updated ENA clarifies that noise measurements were taken from within 15m of the dwelling for residence A and access was not possible for residences B and D. Noise was not audible from Residence C. Whilst access to the dwellings was not possible, this is reflected in the assigned levels e.g., the night assigned level for Residence A is 39dB and for Residence B and D is 60dB. As previously stated, Officers are satisfied with the calculation of the assigned levels and consistency with the Noise Regulations. It is considered that noise measured during the survey is likely to be more accurate than forecasted levels at the dwelling.

Additional discrepancies:

- The Tables reference Residence A twice and do not reference Residence C.
- Table 4.1 – Night Measured Noise Levels under the headings lists ‘Day Assigned Level’.
- At the end of Section 2 on page 5 of the report, it says that *“the assessment was based on a 4 hour RAP”* but in Section 3.1 it says that *“Noise measurements were recorded every second for a total of approximately 15 minutes”*

Officer Comment - Additional discrepancies:

The updated ENA has satisfactorily clarified and updated the additional discrepancies to the satisfaction of Officers.

It is considered that the information provided has demonstrated that noise from the 24 hour operation poses a low risk of adversely impacting upon the amenity of surrounding residents.



It is worth noting that within the last 12 months, no complaints have been received by the Shire in relation to noise from the premises. Furthermore Condition 8 of the current approval requires an Environmental Noise Report to be provided to the Shire annually as detailed following:

“By 1 December each year, the operator shall submit an annual Environmental Noise Report routinely testing and monitoring noise. This must be reported by a suitably qualified independent expert, together with the expert’s recommendations for how the operation must improve or change, as the case may be, based on the results. The independent expert review is to specifically assess, based on the monitoring results, whether the operation is or is not having an adverse amenity or environmental impact on any residents in any direction surrounding the subject land. In the event that the independent expert determines that an adverse amenity or environmental impact is occurring, the operation is to cease and not recommence until such time that remedial action to avoid such adverse amenity impacts, has been implemented to the Shire’s satisfaction, on advice of the Department of Water and Environmental Regulation.”

This condition provides a mechanism to ensure noise is appropriately managed for the life of the development. It is therefore recommended that Council allow the operations to continue unrestricted in terms of hours of operation.

Air Quality

The purpose of the Air Quality Assessment is to analyse air pollutants and odour at the source (the stack) as well as ground concentrations and compares these with the relevant air quality criteria as required by the Department of Water and Environmental Regulations Guidelines. The assessment lists the targeted pollutants associated with the operations in the table following:

Table 2-1: Targeted Airborne Pollutants

Pollutant	DWER Exposure Criteria µg/m ³ @ 25°C
Nitrogen oxides (NO _x) as NO ₂	226 (1-hr), 56 (Annual)
Sulphur dioxide (SO ₂)	524 (1-hr), 210 (24-hrs), 52 (Annual)
Carbon monoxide (CO)	30,000 (1-hr), 10,000 (8-hrs)
Total Volatile Organic Compounds (VOCs)	n/a
Formaldehyde	20 (1-hr)
Acetaldehyde	1,830 (24-hrs), 46 (Annual)
Acetone	22,000 (1-hr)
Acrolein	0.42 (1-hr), 0.074 (24-hrs)
Propionaldehyde	1,830 (24-hrs), 46 (Annual)
Valeraldehyde	1,830 (24-hrs), 46 (Annual)
Methyl ethyl ketone (MEK - 2-butanone)	445,000 (8-hr) – Safe Work Australia
n-Butyraldehyde	1,830 (24-hrs), 46 (Annual)
Hexaldehyde	1,830 (24-hrs), 46 (Annual)

* Where individual aldehyde species have no exposure criteria, the criteria for Acetaldehyde has been adopted.



The assessment provides tables of the measured pollutants and emission rates from each source as well as cumulatively from both stacks. The assessment also provides a comparison of the 2024 emission rates against the rates measured in 2022.

Table 3-2: Concentration Results of Measured Pollutants & Mass Emission Rates

Analyte (Chemical Species)	Stack West		Stack East	
	Conc'n (ou.m ³)	Emission Rate	Conc'n (ou.m ³)	Emission Rate
Odour	1,400	-	570	
Analyte (Chemical Species)	Conc'n (mg/m ³)	g/s	Conc'n (mg/m ³)	g/s
Nitrogen oxides (NO _x)	49	0.0139	15	0.0095
Sulphur dioxide (SO ₂)	^A < 6	< 0.0017	^A < 6	< 0.0038
Carbon monoxide (CO)	28	0.0079	6.6	0.0042
Total VOCs	1.3	0.0004	6.3	0.0040
Formaldehyde	0.2	0.0001	0.42	0.0003
Acetaldehyde	0.23	0.0001	0.17	0.0001
Acetone	2.5	0.000708	4.4	0.0028
Acrolein	< 0.03	< 0.000009	< 0.04	< 0.000025
Propionaldehyde	< 0.03	< 0.000009	< 0.04	< 0.000025
Valeraldehyde	< 0.03	< 0.000009	< 0.04	< 0.000025
MEK (2-butanone)	< 0.03	< 0.000009	< 0.04	< 0.000025
n-Butyraldehyde	< 0.03	< 0.000009	< 0.04	< 0.000025
Hexaldehyde	< 0.03	< 0.000009	< 0.04	< 0.000025

^A < " refers to a concentration less than the analytical detection limit.

Table 3-3: Concentration & Mass Emissions of Cumulative Measured Pollutants

Analyte (Chemical Species)	Conc'n (ou.m ³)	Emission Rate
Odour	1,970	-
Analyte (Chemical Species)	Conc'n (mg/m ³)	g/s
Nitrogen oxides (NO _x)	64	0.0234
Sulphur dioxide (SO ₂)	< 12	0.0055
Carbon monoxide (CO)	34.6	0.0121
Total VOCs	7.6	0.0044
Formaldehyde	0.62	0.0003
Acetaldehyde	0.4	0.0002
Acetone	6.9	0.0035
Acrolein	< 0.07	0.000034
Propionaldehyde	< 0.07	0.000034
Valeraldehyde	< 0.07	0.000034
MEK (2-butanone)	< 0.07	0.000034
n-Butyraldehyde	< 0.07	0.000034
Hexaldehyde	< 0.07	0.000034



Table 3-4: Concentration & Mass Emissions of Cumulative Measured Pollutants

Analyte (Chemical Species)	2022 Measured Value (ou.m ³)	Modelled Ground Level Conc'n (GLC)	% of Criteria	2024 Measured Value (ou.m ³)	% ↑ ↓ on 2022 Results	Adjusted for % of Criteria
Odour	1,100	0.1911	19%	1,970	79%	34%
Analyte (Chemical Species)	2022 Measured Value (mg/m ³)	Model GLC	% of Criteria	2024 Measured Value (mg/m ³)	% ↑ ↓ on 2022 Results	Adjusted for % of Criteria
Nitrogen oxides (NO _x)	13	1.2376	0.548%	64	392%	2.698%
Sulphur dioxide (SO ₂)	< 6 (modelled as 6)	0.5681	0.108%	(2 x < 6) 12	100%	0.216%
Carbon monoxide (CO)	41	3.8752	0.013%	34.6	-16%	0.011%
Total VOCs	< 0.3	n/a	n/a	7.6	n/a	n/a
Formaldehyde	2.9	0.2840	1.420%	0.62	-79%	0.304%
Acetaldehyde	0.22	0.0203	0.001%	0.4	82%	0.002%
Acetone	2.5	^B 0.2840	0.001%	6.9	176%	0.003%
Acrolein	< 0.007	<	n/a	< 0.07	< n/a	n/a
Propionaldehyde	≤ 0.025	<	n/a	< 0.07	< n/a	n/a
Valeraldehyde	< 0.007	<	n/a	< 0.07	< n/a	n/a
MEK (2-butanone)	< 0.007	<	n/a	< 0.07	< n/a	n/a
n-Butyraldehyde	0.065	^B 0.2840	0.016%	< 0.07	< n/a	n/a
Hexaldehyde	0.021	^B 0.2840	n/a	< 0.07	< n/a	n/a

^B Analyte Modelled against Formaldehyde Concentration.

The assessment concludes that:

- The concentrations (g/s) listed in Table 3-4 show that the 2024 mass emission rates for all chemical species are very low; and
- The emission rates listed in Table 3-4, when compared and subsequently adjusted against the most recent 2022 modelled ground level concentrations (column 7) shows that ground level concentrations of these key pollutants do not exceed regulatory guidelines.

The assessment states that *“the measured concentrations of airborne pollutants from the Rotomoulding process are very low and hence the risk of an adverse impact at the nearest sensitive receptor is also low. Based on the Assessment findings, the emission plume from Smartstream’s Rotomoulding process poses a negligible risk for causing adverse impacts at the nearest sensitive receptor.”*

Peer Review:

The comments in the Peer Review are detailed following

- The emission source and estimation approach are considered appropriate.
- The predicted concentrations have only been provided at the nearest sensitive receptor, it is assumed predicted concentrations at the remaining four receptors are lower.
- The predicted concentrations do not result in exceedance against any of the assessment criteria.



- The previous stack testing (2022) was taken from one stack only whereas the recent results are from both stacks.
- *“Reviewing the stack characteristics, Stack West is likely to have a plume with less buoyancy (due to lower stack temperature) and less plume momentum (due to much lower exit velocity) and hence higher predicted concentrations than that modelled initially (as presented in Table 3-4, column 3).”*
- *Stack East is likely to have a plume with slightly lower buoyancy (due to lower stack temperature) and slightly higher plume momentum (due to higher exit velocity). As the higher plume momentum will likely offset the lower plume buoyancy, predicted concentrations are likely to be similar to those modelled initially (as presented in Table 3-4, column 3).*
- *In reviewing measured concentrations for Stack West, higher measured concentrations for odour (1,400 vs 570 ou.m3), nitrogen oxides (49 vs 15 mg/m3), carbon monoxide (28 vs 6.6 mg/m3) and acetaldehyde (0.23 vs 0.17 mg/m3) are present for Stack West, which has reduced plume dispersion. Therefore, the predicted concentrations and percentage of criteria (Table 3-4, column 7) may be slightly higher than predicted if dispersion modelling was repeated to include both stacks.*
- *In reviewing measured concentrations for Stack East, higher measured concentrations for total VOCs (6.3 vs 1.3 mg/m3), formaldehyde (0.42 vs 0.20 mg/m3) and acetone (4.4 vs 2.5 mg/m3) are present for Stack East, which has similar plume dispersion to that of the previous assessment.*
- *Therefore, the predicted concentrations and percentage of criteria (Table 3-4, column 7) may be slightly higher than predicted if dispersion modelling was repeated to include both stacks for nitrogen oxides, carbon monoxide and acetaldehyde. However, given the comfortable margin of compliance, with nitrogen oxides having the highest percentage of the criterion at 2.69 percent, it is highly unlikely that remodelled concentrations would be materially higher than those calculated in Table 3-4.*
- The assessment report (Page 6) states “Odour impacts are evaluated based on odour field assessment (OFA) techniques, not dispersion modelling; where the OFAs have been undertaken and reported by Ektimo and therefore not represented or discussed herein.”
- The OFAs have not been provided for review as part of this technical review. Such OFAs should be requested and provided for review.”

“The key findings for improvement are outlined below:

- **Emission estimation** - *Using the results from stack testing by Ektimo to determine emissions gives credibility to emission rates.*
- **Assessment of results** - *The predicted concentrations appear to have been factored using the change observed in measured concentrations to adjust the percentage of criteria.*

Reviewing the stack characteristics, Stack West is likely to have a plume with less buoyancy (due to lower stack temperature) and less plume momentum (due to much lower exit velocity) and hence higher predicted concentrations than that modelled initially. Stack East is likely to have a plume with slightly lower buoyancy (due to lower stack temperature) and slightly higher



plume momentum (due to higher exit velocity). As the higher plume momentum will likely offset the lower plume buoyancy, predicted concentrations are likely to be similar to those modelled initially.

Higher measured concentrations for odour, nitrogen oxides, carbon monoxide and acetaldehyde are present for Stack West. Therefore, the predicted concentrations and percentage of criteria may be slightly higher than predicted if dispersion modelling was repeated to include both stacks. For Stack East, higher measured concentrations for total VOCs, formaldehyde and acetone are present for Stack East, which has similar plume dispersion to that of the previous assessment.

Therefore, the predicted concentrations and percentage of criteria may be slightly higher than predicted if dispersion modelling was repeated to include both stacks for nitrogen oxides, carbon monoxide and acetaldehyde. However, given the comfortable margin of compliance, with nitrogen oxides having the highest percentage of the criterion at 2.69 percent, it is highly unlikely that remodelled concentrations would be materially higher than those presented.

The OFAs have not been provided for review as part of this technical review. Such OFAs should be requested and provided for review.”

The Peer Review concludes that the assessment provided meets the necessary requirements to meet the Conditions of the development approval. It also recommends that an air dispersion modelling assessment is not required annually due to low predicted concentrations and hence low risk to air quality; however, continued annual stack testing of criteria pollutants, aldehydes, ketones and odour to demonstrate ongoing compliance is recommended.

Officer Comment:

Based on the Peer Review, Officers are satisfied that odour and air emissions have been managed effectively over the last 12 months. It is considered that operations should be allowed to continue unrestricted in terms of production volume. Existing Conditions on the approval that require annual monitoring of amenity impacts are considered to be sufficient to ensure that impacts are management in perpetuity and gives the Shire a mechanism for future monitoring. These include:

7. *“By 1 December each year, the operator shall submit an annual report documenting routine Emissions Testing and Monitoring for the development. This must be reported by a suitably qualified independent expert, together with the expert’s recommendations for how the operation must improve or change, as the case may be, based on the results. The independent expert review is to specifically assess, based on the monitoring results, whether the operation is or is not having an adverse amenity or environmental impact on any residents in any direction surrounding the subject land. In the event that the independent expert determines that an adverse amenity or environmental impact is occurring, the operation is to cease and not recommence until such time that remedial action to avoid such adverse amenity impacts, has been implemented to the Shire’s satisfaction.”*
9. *“By 1 December each year, the operator shall submit an annual report documenting routine Odour Impact Testing and Monitoring for the development. This must be reported by a suitably qualified independent expert, together with the expert’s recommendations for how the operation must improve or change, as the case may be, based on the results. The independent expert review is to specifically assess, based on the monitoring results,*



whether the operation is or is not having an adverse amenity or environmental impact on any residents in any direction surrounding the subject land. In the event that the independent expert determines that an adverse amenity or environmental impact is occurring, the operation is to cease and not recommence until such time that remedial action to avoid such adverse amenity impacts, has been implemented to the Shire's satisfaction, on advice of the Department of Water and Environmental Regulation."

It is worth noting that since the approval, two complaints have been received regarding odour emissions during the morning on the following dates:

- 18 September 2023
- 18 January 2024

Investigation showed this to be related to one incident that was addressed. Since then, no further complaints have been received.

Options

Option 1

That Council:

1. NOTES the satisfactory performance of conditions 10 and 11.
2. In reference to condition 10, APPROVES the production to remain unrestricted due to satisfactory outcome associated with noise, air emissions and odour impacts.
3. In reference to condition 11, APPROVES the hours of operation to remain unrestricted due to satisfactory outcomes associated with noise.

Option 2

That Council:

1. REFUSES to allow the production the production to remain unrestricted and REQUIRE it to return to no more than 1,500 plastic units per year due to unsatisfactory outcomes associated with noise, air emissions and odour impacts.
2. REFUSES the hours of operation to remain unrestricted and REQUIRES the hours of operation to return to 7:00am to 5:30pm Monday to Friday and 7:00am to 1:00pm Saturday due to unsatisfactory outcomes associated with noise.

Option 1 is recommended.

Conclusion

This report discusses the findings of the 12 month trial of extended operating hours and uncapped production limits for the development associated with the plastics production facility. Based on the justification submitted by the applicant and the findings of the independent peer review of that information, Officers consider that the development is appropriately managing impacts and can remain operating according to the conditions. The safeguards set through annual reporting will remain, and based on this, Officers recommend that council support the ongoing operations remaining as provided for, in terms of extended hours and production.



Attachments (available under separate cover)

- **10.1.8 - attachment 1** - Environmental Noise Assessment dated 28 May 2024 (E24/10267)
- **10.1.8 - attachment 2** - Stack Emission Testing Report and Technical Report - Air Quality Impact Assessment (E24/10268)
- **10.1.8 - attachment 3** - Peer Review of Environmental Noise Assessment dated 28 May 2024(E24/10269)
- **10.1.8 - attachment 4** - Updated Environmental Noise Assessment dated 22 July 2024 (E24/10317)
- **10.1.8 - attachment 5** - Peer Review of Stack Emission Testing Report and Technical Report - Air Quality Impact Assessment (E24/10318)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale

Financial Implications

Nil. The cost of the peer review will be borne by the Applicant.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Approval will result in the production limits and hours of operation to remain unrestricted	Existing conditions requiring monitoring Planning framework	Reputation	Unlikely	Minor	LOW	Ensuring the conditions of approval are enforced effectively
2	Refusal would result in the hours of operation and production limits to remain unrestricted, and could result in a review being requested by the SAT costing both financial and human resources of the Shire	Planning framework	Reputation	Possible	Moderate	MODERATE	Ensure robust reasons are in place for refusal

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. NOTES the satisfactory performance of conditions 10 and 11.
2. In reference to condition 10, APPROVES the production to remain unrestricted due to satisfactory outcome associated with noise, air emissions and odour impacts.
3. In reference to condition 11, APPROVES the hours of operation to remain unrestricted due to satisfactory outcomes associated with noise.



OCM216/08/24

COUNCIL RESOLUTION

Moved Cr Duggin, seconded President Coales

That Council:

- 1. NOTES the satisfactory performance of conditions 10 and 11.**
- 2. In reference to condition 10, APPROVES the production to remain unrestricted due to satisfactory outcome associated with air emissions and odour impacts SUBJECT TO a 24 / 7 / 365 contact number being made available on the company's website, which is clearly specified as the number which residents can call to report any air emissions and/or odour impacts they detect, in order for such to be recorded and addressed as part of annual reporting required by Conditions 7 and 9.**
- 3. In reference to condition 11, APPROVES the hours of operation to remain unrestricted due to satisfactory outcomes associated with noise, SUBJECT TO a 24 / 7 / 365 contact number being made available on the company's website, which is clearly specified as the number which residents can call to report any noise impacts they detect, in order for such to be recorded and addressed as part of annual reporting required by Condition 8.**

CARRIED 5/1

In accordance with section 5.21(4) of the Local Government Act 1995, the individual vote of each member of the Council was as follows:

*President Coales, Councillors Bishop, Duggin, Mazzini and Jerrett voted FOR the motion.
Cr Mack voted AGAINST the motion.*

Reason for difference:

To allow accurate and immediate reporting of residents' concerns.



10.1.9 - Marri Woodland Management Plan - Release for Public Comment (SJ816)	
Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to request Council to consider releasing the draft Marri Woodland Management Plan (**attachment 1**) for public comment. The draft Management Plan contains information relevant to managing any area of Marri woodland, plus Action Plans for the twelve Shire reserves which contain Marri woodland. If endorsed for community consultation, it is proposed this be for 28 days and include a 'Your Say SJ' page and written feedback. Comments and feedback received will then be presented to Council, along with any recommended changes to the draft Management Plan, for consideration for final endorsement.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this matter.

Background

The Shire has a number of individual management plans for natural area reserves, published on its website. Many of these management plans are more than ten years old, and the actions within the plans require updating. In the meantime, the best practice style for a management plan has also changed.

The draft Marri Woodland Management Plan is the second in a series presenting a new style for managing the Shire's natural reserves. The reserves are grouped according to vegetation complex into four management plans, for Banksia woodland, Marri woodland, scarp/plateau forest, and clay-based wetlands. The draft Banksia Woodland Management Plan was the first produced and is currently out for public comment.

The draft Marri Woodland Management Plan contains information relevant to managing any area of Marri woodland, plus Action Plans for the twelve Shire reserves which contain Marri woodland. These reserves are:

- Brickwood Reserve (Briggs Park), Byford
- Serpentine Cemetery Reserve, Serpentine
- Serpentine Sports Reserve (Paul Robinson Reserve), Serpentine



- Mundijong Oval Reserve, Mundijong
- Myara Brook Reserve, Keysbrook
- Oscar Bruns Reserve, Darling Downs
- Rainforest Reserve, Byford
- Wattle Road Nature Reserve, Serpentine
- Clem Kentish Reserve, Serpentine
- Yangedi Airfield Reserve, Hopeland
- King Road Pony Club Reserve, Oldbury
- Craghill Way Reserve, Oakford

Community / Stakeholder Consultation

The draft Marri Woodland Management Plan has been produced in consultation with internal staff and is proposed to be advertised for public comment on Your Say SJ for not less than 28 days and promoted on social media.

Statutory Environment

Nil

Comment

Five Shire natural area reserves which contain Marri woodland have had individual management plans prepared and adopted by Council: Brickwood Reserve (second edition 2016), Serpentine Cemetery Reserve (2016), Serpentine Sports Reserve (second edition 2021), Yangedi Airfield Reserve (2011) and King Road Pony Club Reserve (2011). The reserve management plans are written in an outdated style, going into great detail on the reserve's characteristics, threats, history and uses, and containing many detailed actions that mostly address balancing competing priorities for the use of the reserve.

The current best practice format for reserve management plans is to group together all of the reserves in one area under a single management plan. This format is used by the Department of Biodiversity, Conservation and Attractions, and is proposed to be used for the Shire's natural area reserves.

The Shire's natural area reserves are proposed to be grouped according to vegetation complex into four management plans, for Banksia woodland, Marri woodland, scarp/plateau forest, and clay-based wetlands. The draft Marri Woodland Management Plan is the second to be produced, with the Banksia Woodland Management Plan currently out for public comment and the others proposed for later this year.

Some of these reserves (Brickwood Reserve, Serpentine Sports Reserve, Myara Brook Reserve, Yangedi Airfield Reserve, King Road Pony Club Reserve and Craghill Way Reserve) contain more than one vegetation type. The draft Marri Woodland Management Plan will address the areas of Marri woodland, while the other vegetation types in these reserves (Banksia woodland and/or clay-based wetlands) will be covered under other management plans.

The draft Marri Woodland Management Plan contains information relevant to managing any area of Marri woodland, plus Action Plans for the twelve Shire reserves which contain Marri woodland.



The concept is that the first part of the draft Management Plan can be used by anyone wishing to manage an area of Marri woodland, while the twelve Action Plans are brief enough to be easily used by Shire staff responsible for managing the reserve and user groups. The draft Management Plan is intended as an environmental management plan for the natural areas of each reserve, as other uses of the reserves are managed by leases, licences and/or memoranda of understanding with the user groups.

The section of the draft Marri Woodland Management Plan that can be used for any area of Marri woodland covers the characteristics of Marri woodland and the threats and pressures that apply. This is followed by a brief description of the Shire reserves that contain Marri woodland and an Action Plan that is applicable to any area of Marri woodland. Appendices contain lists of flora and fauna found in the Marri woodland reserves, and a general fire management strategy for Marri woodland.

The individual reserve Action Plans contain several maps detailing the reserve's location, management zones, soils, biodiversity and water resources, lists specific threats and pressures, and details the reserve's user groups and infrastructure. This is followed by an Action Plan specific to the reserve and a fire management strategy.

With respect to the fire management strategy, each action plan summarises the respective tasks which have been documented in the past reserve specific management plans, and set out actions according to the following categories:

Conservation Zone (green) - works exclusion; avoid disturbance.

Vegetation Management Zone (red) - fuel load management if deemed appropriate and necessary by weed control and/or control burning followed by weed control.

Dieback - present in some areas.

Weeds - control required following disturbance.

Firebreaks - present along boundaries.

Community input is essential for the protection and conservation of the Shire's natural area reserves. While Marri woodland is protected under Federal and State legislation, many reserves have areas under lease or licence to user groups with an interest in the management of the reserve. Input from the user groups and community will ensure that stakeholders are engaged in the management of an important natural asset.

Options

Option 1

That Council:

1. RESOLVES to release the draft Marri Woodland Management Plan for public comment for a period of 28 days.
2. REQUESTS that, following the public comment period, the revised Marri Woodland Management Plan be presented back to Council (inclusive of recommended changes emanating from community consultation) for endorsement.

Option 2

That Council does not release the draft Marri Woodland Management Plan for public comment.

Option 1 is recommended.



Conclusion

The draft Marri Woodland Management Plan contains information relevant to managing any area of Marri woodland, plus Action Plans for the twelve Shire reserves which contain Marri woodland. While Marri woodland is protected under Federal and State legislation, many reserves have areas under lease or licence to user groups with an interest in the management of the reserve. Input from the user groups and community will ensure that stakeholders are engaged in the management of an important natural asset.

Attachments (available under separate cover)

- **10.1.9 - attachment 1** - Marri Woodland Management Plan (E24/10024)

Alignment with our Council Plan 2023-2033

Liveable
3. Preserve and enhance our natural places, parks, trails and reserves
4. Invest in facilities and amenities to meet current and future needs
Connected
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

Financial Implications

The public comment period will have no direct financial implications for the Shire.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Council receives negative comments regarding the draft Marri Woodland Management Plan from a section of the community.	Council has existing management plans for five of the twelve reserves which will continue to represent Council's position.	Reputation	Unlikely	Insignificant	LOW	Public engagement designed to garner community support.
2	Council does not agree to release the draft Marri Woodland Management Plan for public comment, delaying best practice management of the nine natural area reserves.	Council has existing management plans for five of the twelve reserves which will continue to represent Council's position.	Organisational Performance	Unlikely	Minor	LOW	Implement the existing management plans.

Voting Requirements: Simple Majority

OCM217/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

- 1. RESOLVES** to release the draft Marri Woodland Management Plan for public comment for a period of 28 days.
- 2. REQUESTS** that, following the public comment period, the revised Marri Woodland Management Plan be presented back to Council (inclusive of recommended changes emanating from community consultation) for endorsement.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.1.10 - Proposed Scheme Amendment No.5 to Local Planning Scheme No.3 - Normalisation of Byford District Structure Plan - Corner South Western Highway and Nettleton Road, Byford (PA24/474)**

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Legislative	Includes adopting local laws, local planning schemes and policies.
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Proponent: Shire of Serpentine Jarrahdale

Owner: Various

Local Planning Scheme No. 3 Zoning: Urban Development

Metropolitan Region Scheme Zoning: Urban

Report Purpose

The purpose of this report is to consider Proposed Scheme Amendment No.5 to Local Planning Scheme No.3 to normalise a portion of land located within the Byford District Structure Plan into the Shire's Local Planning Scheme No. 3 by rezoning the land from the Urban Development zone to the Light Industry zone, pursuant to Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). Council is also requested to determine whether the amendment is a 'basic', 'standard' or 'complex' amendment pursuant to Regulation 34 of the Regulations.

Officers recommend that Council adopt the Proposed Scheme Amendment as a 'basic' amendment and recommend that the Proposed Scheme Amendment be approved.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this matter.

Background

The subject land is located at the corner of South Western Highway and Nettleton Road in Byford and currently accommodates a mix of existing light industrial land uses. These light industrial land uses have operated at the site for a number of years, with development of the industrial land uses occurring in the 1980s. The area includes the existing Byford Flour Mill, which was established in 1988. The subject site also contains a service station, various automotive industries, storage and warehousing facilities, industry - service businesses, transport depots and a metal fabrication business. The subject site has continued to develop as a light industrial estate under the guidance of the Byford Townsite Local Development Plan, which identified the land as Light Industry.



More recently, the Shire's Byford District Structure Plan, which was approved by the Western Australian Planning Commission on 30 May 2023, identified the subject site as Light Industrial. The Proposed Scheme Amendment seeks to normalise this land within Local Planning Scheme No.3 by rezoning the land from the Urban Development zone to the Light Industry zone.

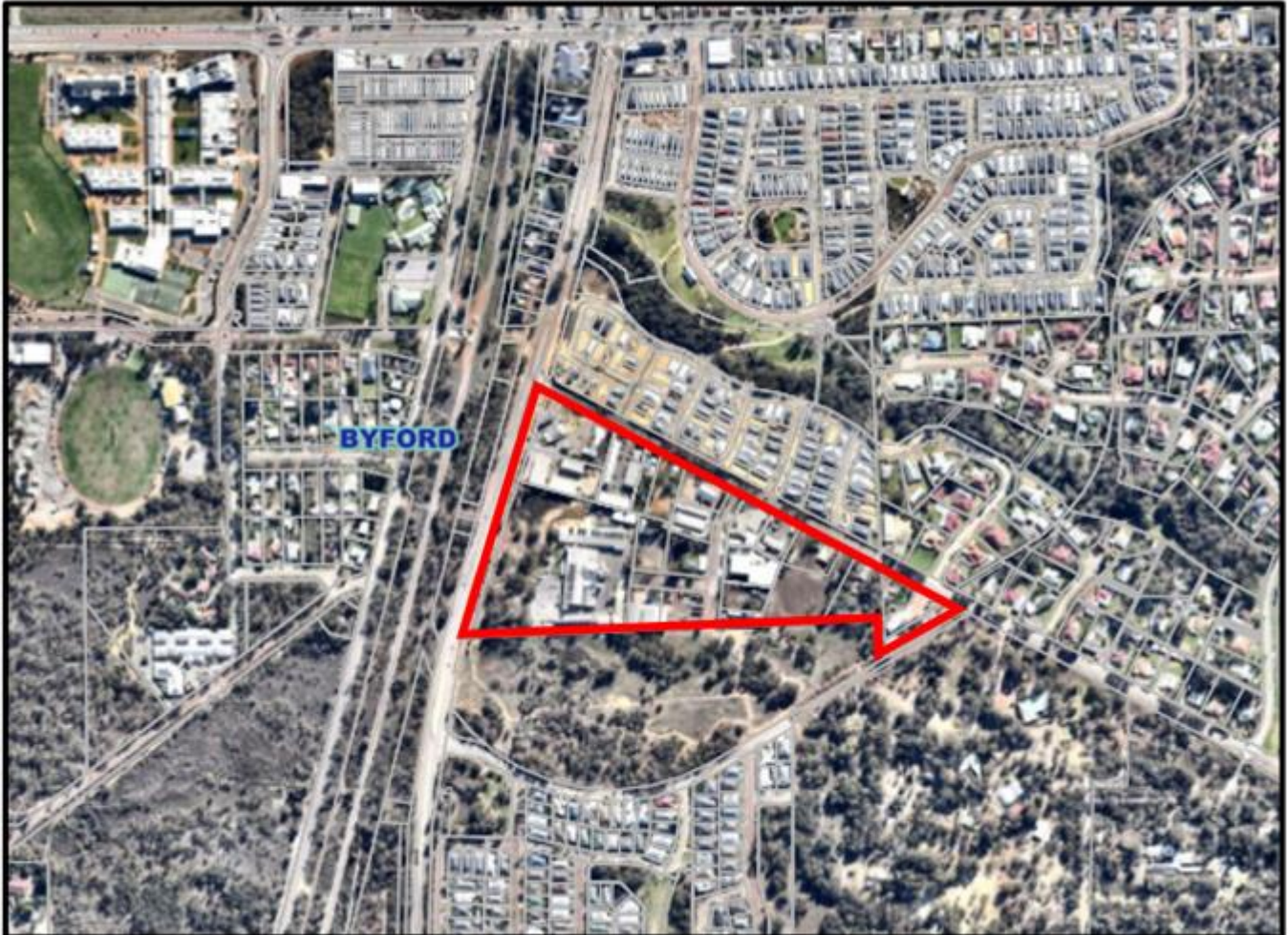


Figure 1: Subject Site

Community / Stakeholder Consultation

As the Proposed Scheme Amendment is considered by Officers to be a 'basic' amendment, advertising is not required to be undertaken in accordance with Part 5 Division 4 Regulation 57 of the Regulations.

Statutory Environment

Legislation

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

State Government Policies

- Perth and Peel @ 3.5 Million - South Metropolitan Peel Sub-Regional Planning Framework



- State Planning Policy suite

Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Strategy
- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Byford District Structure Plan
- Byford Townsite Local Development Plan

Planning Assessment

Classification of Proposed Scheme Amendment

The Proposed Scheme Amendment seeks to rezone the subject land as Light Industry, consistent with the WAPC approved Byford District Structure Plan. Therefore, the Proposed Scheme Amendment meets the definition of a basic amendment under Part 5 Division 1 Regulation 34 of the Regulations and is classified as a basic amendment for the following reason:

- (vii) *“an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all the types that are outlined in the plan.”*

Planning Framework

Perth and Peel @ 3.5 Million – South Metropolitan Peel Sub-Regional Planning Framework

The subject site is identified as Urban under the South Metropolitan Peel Sub-Regional Planning Framework. The Framework defines Urban as land identified for urban use, such as residential and associated activity and bulky goods/light industry employment centres, recreation and open space. The proposed Scheme Amendment to rezone land from Urban Development to Light Industry is consistent with the Urban designation under the Framework.

Local Planning Strategy

The Shire's Local Planning Strategy was approved by the Western Australian Planning Commission on 18 March 2022. The subject site is identified as Urban Settlements under the Local Planning Strategy. The Local Planning Strategy contains overarching objectives to ensure employment areas are located in areas that are well planned and connected. Further detailed planning for the area identified as Urban Settlements in Byford is undertaken within the Byford District Structure Plan.

Metropolitan Region Scheme

The subject site is zoned as Urban under the Metropolitan Region Scheme (MRS). An Urban zoned area under the MRS refers to an area in which a range of activities are undertaken, including residential, commercial, recreational, and light industry. The proposed Scheme Amendment to rezone land from Urban Development to Light Industry is consistent with the Urban zoning under the MRS.

Shire of Serpentine Jarrahdale Local Planning Scheme No. 3

The Shire's Local Planning Scheme No.3 was approved by the Western Australian Planning Commission and gazetted on 22 September 2023. The subject site is currently zoned as Urban Development under Local Planning Scheme No.3.



This Urban Development zoning was intended as an interim zoning pending the approval of the Byford District Structure Plan 2023, which identified the site as Light Industrial.

Byford District Structure Plan

The Shire's Byford District Structure Plan was approved by the Western Australian Planning Commission on 30 May 2023. The subject site is identified as Light Industrial under the Byford District Structure Plan, which states that the area will continue to play a role in the fabric of Byford for the foreseeable future. The Byford District Structure Plan did not identify the need for any further local structure planning at the subject site, given the existing, established nature of the industrial development present at the site. The proposed Scheme Amendment to rezone land from Urban Development to Light Industry is consistent with the Light Industrial designation under the Byford District Structure Plan.

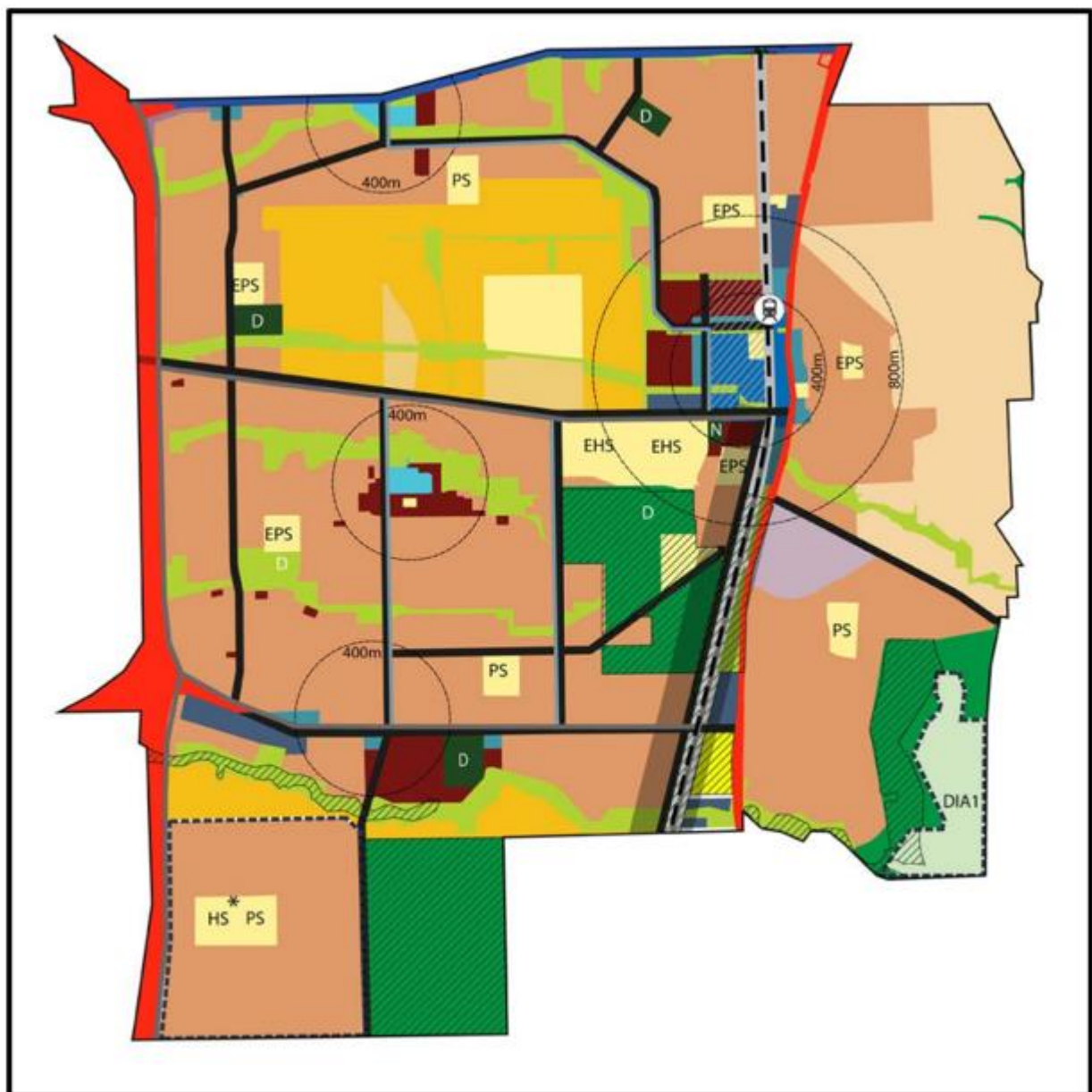


Figure 2: Byford District Structure Plan



Byford Townsite Local Development Plan

The Byford Townsite Local Development Plan recognised the existing industrial area located at the subject site at the corner of South Western Highway and Nettleton Road and established guidelines for light industrial development to continue to occur at the site. The subject site is identified as Character Area 'K' - Light Industry under the Byford Townsite Local Development Plan. The plan contains industrial area objectives relating to this portion of land, which include the following:

- *'1.1 To encourage opportunities for a range of industrial development.'*
- *1.2 To facilitate subdivision and development to high aesthetic standards.*
- *1.3 To achieve safety and efficiency in traffic circulation.*
- *1.4 To minimise the visual impact of the industrial area on the South Western Highway and surrounding residential areas.'*

State Planning Policy 3.7 Planning in Bushfire Prone Areas

A portion of the subject site is identified as a Bushfire Prone Area. Bushfire hazard was considered as part of the Byford District Structure Plan. Detailed bushfire attack level (BAL) assessments and bushfire management plans will need to be conducted for future subdivision and development applications in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the Guidelines. The Proposed Scheme Amendment seeks to normalise the zoning identified for the subject site under the Byford District Structure Plan, and therefore does not propose an intensification of the land further to that approved under the Byford District Structure Plan.

State Planning Policy 4.1 Industrial Interface

State Planning Policy 4.1 Industrial Interface (SPP4.1) seeks to prevent conflict and encroachment between industrial and sensitive land uses. The Light Industry zone is considered to be a compatible zone to adjoin sensitive land uses under Section 6.1.3 of SPP4.1. Light Industry zones that adjoin sensitive land uses should be designed to ensure any emission and risk impacts do not exceed the site boundary and provide a high level of amenity to complement the land use transition. Consideration to avoid, mitigate or manage impacts on adjoining land will therefore be given at the future subdivision and development stages.

Under Local Planning Scheme No.3, residential land uses are not permitted within the Light Industry zone, consistent with SPP4.1 which states there is a general presumption against land uses with a residential purpose within the Light Industry zone. As such, the Proposed Scheme Amendment will result in residential land uses being not permitted within the subject area. This will result in a few existing residential dwellings within the subject area becoming non-conforming land uses.

Proposed Scheme Amendment

The proposed Scheme Amendment to Local Planning Scheme No. 3 seeks to rezone a portion of land located at the corner of South Western Highway and Nettleton Road in Byford from the Urban Development zone to the Light Industry zone. This rezoning represents the normalisation of a portion of the Byford District Structure Plan into Local Planning Scheme No. 3.

The Byford District Structure Plan identifies the subject site as Light Industrial. The proposed Scheme Amendment seeks to incorporate this structure plan designation within the Local Planning Scheme No.3 zoning.



The proposed Scheme Amendment is consistent with the WAPC approved Byford District Structure Plan. Normalising this portion of the Byford District Structure Plan into the Scheme would enable the land use permissibility and development controls for the Light Industry zone within the Scheme to apply to this area.

The subject site accommodates various existing light industry land uses, which have been operating at the site for a number of years. Lot 9 Michael Street, Byford accommodates a flour mill, which has operated at the site since 1988. A service station is located at the corner of South Western Highway and Nettleton Road. The subject site also contains various automotive industries including premises for automotive repairs, sales, wrecking and motor vehicle wash. There are also various storage and warehousing facilities at the subject site, with some of these facilities also operating industry – light land uses. Some other existing land uses at the subject site include units for industry – service businesses, transport depots and a metal fabrication business.



Figure 3: Industries at the Subject Site

The proposed Scheme Amendment proposes to zone the subject land as Light Industry, consistent with the WAPC approved Byford District Structure Plan, which identifies the land for this purpose. The proposed Light Industry zoning is also reflective of the existing development at the subject site, which has been approved and operating at the site for many years. The proposed Scheme Amendment to normalise this portion of the Byford District Structure Plan into Local Planning Scheme No.3 will finalise the planning framework as intended.



EXISTING ZONING



LOCAL SCHEME RESERVES

- Civic and Community
- Cultural Facilities
- Social Care Facilities
- Drainage/Waterway
- Public Purposes
- Cemetery
- Education
- Government Services
- Infrastructure Services
- Recreational
- Primary Distributor Road
- District Distributor Road
- Local Distributor Road
- Local Road
- Public Open Space
- Railways

LOCAL SCHEME ZONES

- DC District Centre
- Environmental Conservation
- Industrial Development
- Mixed Use
- NC Neighbourhood Centre
- Private Clubs, Institutions and Place of Worship
- Residential
- Rural
- Rural Residential
- Rural Smallholdings
- Rural Townsite
- Service Commercial
- Special Use
- Urban Development
- Light Industry

PROPOSED ZONING



0 50 100 150 200 m



Figure 4: Proposed Scheme Amendment Map



Options

Option 1

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005* and Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to ADOPT the proposed Scheme Amendment No. 5 to Local Planning Scheme No. 3 – Normalisation of Byford District Structure Plan – Corner South Western Highway and Nettleton Road, Byford as contained in **attachment 1** as follows:
 - a. Amend the Scheme Map to zone Lots 21 and 22 South Western Highway, Byford; Lots 9, 13, 14, 15 and 16 Michael Street, Byford; Lots 3, 4, 12, 51 and 52 Dougall Street, Byford; and Lots 1, 3, 4, 5, 6, 8, 30, 81, 500, 501 and No.66 Nettleton Road, Byford as Light Industry.
2. Pursuant to Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DETERMINE the proposed Scheme Amendment to be a 'Basic' amendment in accordance with Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:
 - a. "an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all the types that are outlined in the plan."
3. Pursuant to Regulation 58(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES a copy of the proposed Scheme Amendment No. 5 to Local Planning Scheme No. 3 - Normalisation of Byford District Structure Plan - Corner South Western Highway and Nettleton Road, Byford as contained in **attachment 1**, to the Western Australian Planning Commission for final approval.
4. Subject to the endorsement of the amendment for final approval, REQUESTS the Chief Executive Officer to write to all landowners within the Scheme amendment area and within 500m of the area, advising them of the outcome.

Option 2

That Council, pursuant to Section 75 of the *Planning and Development Act 2005* and Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to NOT ADOPT the proposed Scheme Amendment No. 5 to Local Planning Scheme No. 3 – Normalisation of Byford District Structure Plan – Corner South Western Highway and Nettleton Road, Byford.

Option 1 is recommended.

Conclusion

The proposed Scheme Amendment seeks to normalise a portion of the Byford District Structure Plan into the Shire's Local Planning Scheme No.3 by rezoning an area of land at the corner of South Western Highway and Nettleton Road from Urban Development to Light Industry. The proposed Scheme Amendment is consistent with the State and local planning framework and the existing land uses and development at the subject site.



The normalisation of this area of land into Local Planning Scheme No.3 would complete the planning framework for this area and enable the land use permissibility and development controls for the Light Industry zone within the Scheme to apply to this area.

Attachments (available under separate cover)

- **10.1.10 - attachment 1** - Proposed Scheme Amendment No.5 Report (E24/10178)

Alignment with our Council Plan 2023-2033

Thriving	
1.	Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2.	Advocate and attract businesses to grow and thrive, increasing opportunities for local employment

Financial Implications

There are no financial implications relating to this matter.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	This is the lowest strategic risk option.						
2	That Council resolves to NOT ADOPT the proposed Scheme Amendment, which maintains a less clear planning framework that impacts new proposals being attracted to this part of the Shire.	Planning framework.	Social Community Outcomes /	Possible	Moderate	MODERATE	Accept Officer recommendation.



Voting Requirements: Simple Majority

OCM218/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005* and Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to ADOPT the proposed Scheme Amendment No. 5 to Local Planning Scheme No. 3 – Normalisation of Byford District Structure Plan – Corner South Western Highway and Nettleton Road, Byford as contained in attachment 1 as follows:
 - a. Amend the Scheme Map to zone Lots 21 and 22 South Western Highway, Byford; Lots 9, 13, 14, 15 and 16 Michael Street, Byford; Lots 3, 4, 12, 51 and 52 Dougall Street, Byford; and Lots 1, 3, 4, 5, 6, 8, 30, 81, 500, 501 and No.66 Nettleton Road, Byford as Light Industry.
2. Pursuant to Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DETERMINE the proposed Scheme Amendment to be a 'Basic' amendment in accordance with Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:
 - a. "an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all the types that are outlined in the plan."
3. Pursuant to Regulation 58(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES a copy of the proposed Scheme Amendment No. 5 to Local Planning Scheme No. 3 - Normalisation of Byford District Structure Plan - Corner South Western Highway and Nettleton Road, Byford as contained in attachment 1, to the Western Australian Planning Commission for final approval.
4. Subject to the endorsement of the amendment for final approval, REQUESTS the Chief Executive Officer to write to all landowners within the Scheme amendment area and within 500m of the area, advising them of the outcome.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.1.11 - Short List Options for Future Regional Level Playground Facility for the Shire of Serpentine Jarrahdale (SJ4473)**

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.
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Report Purpose

The purpose of this report is for Council to consider the submissions received during the community engagement period regarding the short list options proposed for the location of a future Regional Level Playground Facility. This follows Council's decision at the April 2024 meeting, whereby a short list of options was endorsed to be consulted on with the community.

This consultation took the form of a community survey, and posed questions pertaining to a preferred location, design themes and play preferences.

Council is requested to consider the results of the submissions received, and endorse the preferred site to be used for future advocacy for funding and external grants to deliver a Regional Playground Facility within the Shire of SJ.

Relevant Previous Decisions of Council

*Ordinary Council Meeting - 15 April 2024 - OCM079/04/24 - COUNCIL RESOLUTION / Officer Recommendation - **extract***

That Council:

- 1. **ENDORSES** the short list options of Woodland Grove Public Open Space, Cardup Brook (co-located near future Orton Road District Open Space), Keirnan Park and Clem Kentish Reserve for the purposes of undertaking community engagement on the options.*
- 2. **REQUESTS** the Chief Executive Officer to undertake community engagement for a period of 28 days, which includes opportunities for responses on both preferred location and the kinds of functions and facilities the community would like to see delivered with the future facility.*

*Ordinary Council Meeting - 11 December 2023 - OCM294/12/23 - COUNCIL RESOLUTION / Officer Recommendation - **extract***

*That Council **SUPPORTS** the initiation of the project, being a multi-criteria study and community engagement to determine a preferred location for a Future Regional Playground within the Shire*



of Serpentine Jarrahdale, to be undertaken during the 2024 calendar year utilising internal resources.

Background

The Shire is a hyper-growth outer metropolitan local government, attracting a vast number of first homebuyers and young families to the district. The majority of new homebuyers / new home builders are young families, or young couples looking to have children. This is evidenced through the Shire's current demographic structure, which illustrates the large percentage of babies and pre-schoolers service age group, benchmarked against Western Australia:

Shire of Serpentine Jarrahdale - Total persons (Usual residence)		2021	
Service age group (years)	Number	%	Western Australia %
a Babies and pre-schoolers (0 to 4)	2,777	8.6	6.1
a Primary schoolers (5 to 11)	3,773	11.7	9.1
a Secondary schoolers (12 to 17)	2,681	8.3	7.4
a Tertiary education and independence (18 to 24)	2,493	7.7	8.2
a Young workforce (25 to 34)	4,896	15.2	14.0
a Parents and homebuilders (35 to 49)	6,747	21.0	20.8
a Older workers and pre-retirees (50 to 59)	3,963	12.3	12.6
a Empty nesters and retirees (60 to 69)	2,673	8.3	10.6
a Seniors (70 to 84)	1,917	6.0	9.3
a Elderly aged (85 and over)	249	0.8	1.9
Total	32,169	100.0	100.0

This demographic structure continues to grow substantially, with the recent ABS Regional Population results for 2023 revealing that Byford alone recorded 394 newborn babies in 2022 - the fourth highest in Western Australia.

In looking to the future, the forecast growth rates reveal a significant level of growth among the younger demographic (0-15 years), showing just how strong the Shire will be as the young family heartland for Perth and Peel. This creates a strong narrative to be able to seek external funding to deliver a range of initiatives, which target this important demographic cohort.



Shire of Serpentine Jarrahdale - Total persons	2023		2029		2036		Change between 2023 and 2036
Age group (years)	Number	%	Number	%	Number	%	Number
0 to 4	3,141	8.4	4,210	8.4	5,563	8.5	+2,422
5 to 9	3,149	8.5	3,857	7.7	4,880	7.5	+1,732
10 to 14	2,854	7.7	3,691	7.4	4,381	6.7	+1,526

It is also interesting to consider the location of where this growth is forecast to occur:

Shire of Serpentine Jarrahdale	2023		2036		Change between 2023 and 2036	
Area	Number	%	Number	%	Number	%
Shire of Serpentine Jarrahdale	9,666	26.0	15,658	24.0	+5,992	+62.0
Byford area	6,702	29.7	8,394	24.8	+1,692	+25.3
Cardup area	466	22.9	411	20.6	-55	-11.8
Darling Downs area	647	18.8	685	18.4	+38	+5.9
Hopeland - Keysbrook area	59	11.6	66	12.1	+7	+12.2
Jarrahdale area	388	18.0	356	16.4	-32	-8.3
Mundijong area	870	25.3	5,173	26.2	+4,304	+494.7
Oakford - Oldbury area	101	13.9	95	12.4	-6	-6.2
Serpentine area	434	18.5	477	19.0	+44	+10.1

This provides data driven evidence to the need for a regional play facility and correlates with the qualitative feedback from the last community perceptions survey that identified a desire for such a facility to be built.

Regional play facilities tend to be regarded as major play destinations, which comprise a range of learning, exploring and play functions, supporting a range of experiences for various age groups. They are generally built as a facility which can support a whole day visit, with elements like BBQs and shade pavilions attracting a diverse range of visits and events. They are also associated with other elements of attraction, whether nature based (coast, wetland, river) or amenity based (sporting, civic, cultural activities).

Given the size of the facility, they tend to cost anywhere between \$5m to \$10m and require full time ongoing operational requirements to present the playground daily and ensure maintenance to a very high level. Examples surrounding the Shire include Bibra Lake Regional Playground (City of Cockburn), The Harbour Playground (City of Rockingham), Hotham Park (Shire of Boddington) and Kwinana Adventure Playground (City of Kwinana).



What is the purpose of this project to identify a location?

The aim of this project is to look to the future and determine where best to preserve a location for the Shire's regional level playground facility. This future focus is important, especially as the urban front begins moving through Mundijong and Whitby, delivering a rapid rise in growth in this area, in addition to the rapid growth also taking place in Byford.

Officers undertook the following as per the project scope, with this work all being completed internally:

- Initial development of a multi criteria assessment framework to be able to test possible options;
- Formation of an internal cross functional team, to identify a long list of possible options to run through the multi-criteria analysis (MCA);
- Reported to Council on the results of the long list, to endorse a focussed short list for detailed community engagement;
- Community engagement undertaken to collaborate with the community and obtain feedback;

In terms of the initial MCA, the results revealed as follows, with the Council selected options highlighted in green:

		Average Score
1	Woodland Grove open space	39.57
2	Cardup Brook co-located near future Orton Rd DOS	37.4
3	Keirnan Park	37.12
4	Kalimna Reserve	34.57
5	Briggs Park	33.42
6	L 151 Larsen Road - Reserve	33.25
7	Bill Hicks Reserve - Byford	33
8	Clem Kentish Reserve	32.71
9	Jarrahdale on Lot 814 co-located with the future trails centre	30.5
10	Jarrahdale Heritage Park (Business Case Plan)	29
11	Langford Park - Jarrahdale	27.5
12	Old Byford central crescent park	27.3
13	POS behind the Salvation Army store, opposite Byford Secondary College	25.42

Attachment 1 contains the MCA scoring.

Community / Stakeholder Consultation

The adopted short list of options were publicly advertised, which included a survey of questions that sought feedback. 141 submissions were received (refer **attachment 2** Survey questions). The survey asked six questions which were formatted to gain a clear understanding of the community expectation for the preferred location, park themes and types of facilities anticipated for a regional park and to assist the Shire to develop a strong narrative to advocate for future funding. The high community response shows the strong interest in the project.

The Survey questions asked the following:

1. Please indicate which of the options are your preference (1 - most preferred, 4 - least preferred):
 - Woodland Grove Public Open Space - Byford.
 - Cardup Brook (co-located near future Orton Road District Open Space) - Byford.



- Keirnan Park - Mundijong.
 - Clem Kentish Reserve - Serpentine.
2. What themes would you like to see such a regional park having?
 3. What functions and facilities would you like to see delivered within this future regional park?
 4. Are there any regional parks in neighbouring local governments that you would like us to consider good ideas from for our regional park?
 5. What do you like about the regional park you have identified in question 4?
 6. To assist the Shire with advocacy, please provide some reasons why you think the community would benefit from a 'Regional Playground' in SJ.

Officers compiled all submissions received (refer **attachment 2**) which was used to determine the common trends and outcomes from each question. The results were as follows:

Please indicate which of the options are your preference.

Question 1 asked for a selection of the most preferred to the least preferred site out of the shortlist options posed - Woodland Grove Public Open Space, Cardup Brook (co-located near future Orton Road District Open Space), Keirnan Park and Clem Kentish Reserve.

The data from the submissions shows that out of the 141 submissions provided (lowest score equalling the highest ranked):

- Keirnan Park, Mundijong was the most preferred site with an average rank score of 2.13;
- Clem Kentish Reserve, Serpentine was second with an average score of 2.28;
- Cardup Brook, Byford was third ranked with 2.55;
- Woodland Grove, Byford was lowest ranked with 3.04.

This community feedback shows no immediate stand out, but does point to a broad interest across the community for this facility to be located near to where people are located. As a regional play space, however, only one location can be chosen and this requires careful consideration of the community feedback plus assessment against all other relevant criteria including accessibility, co-location, constructability etc.

What themes would you like to see such a regional park having?

With regard to regional parks and playgrounds, they are generally accompanied by a key theme that acts as the unifying story of the playground, based often upon a unique element of the local place. The theme often aids in establishing that major drawcard element, that separates the site amongst similar facilities in surrounding local governments.

The survey asked the community what theme they would like to see the future park having. Officers have reviewed each submission and tallied the responses against all themes raised as part of the community feedback. These were as follows:

- The leading theme from the survey was a 'Nature Based Play' theme with 58 out of the 141 submissions received requesting it. This is not surprising, as Serpentine Jarrahdale holds a strong value in natural/rural amenity;
- The second highest theme requested included 'Playground (Inclusive) Park' theme. This was backed by the need for more playground facilities within the Shire for young families and children;



- The third highest theme recorded was an 'Animal' theme. Animal themed park is a common trend amongst playground facilities across the State as they add personality to the park and a drawcard for young families;
- Officers noted three additional themes that scored well being Water Play, Australian, and Historic/Heritage themes.

What functions and facilities would you like to see delivered within this future regional park?

With regard to regional play facilities, these tend to be regarded as major play destinations, which comprise a range of learning, exploring and play functions, supporting a range of experiences for various age groups. The survey sought the community's key facilities to be delivered for the future regional park proposal. The most requested facilities as captured with in the survey included:

- Toilet facilities (67 votes);
- Barbeque facilities (47 votes); and
- Water features (play) and fountains (41 votes).

Some other key facilities raised in the submission that are deemed a crucial element to ensuring a successful and enjoyable experience included Under Cover Areas (27 votes) and Bike Tracks and facilities (25 votes). The full list of submissions received regarding which facilities the community would like to be delivered is available within **attachment 3**.

Are there any regional parks in neighbouring local governments that you would like us to consider good ideas from for our regional park?

Given Regional Park facilities tend to cost anywhere between \$5m to \$10m to deliver, it is important to gauge the preferences of the community on the surrounding examples and the attractions that are currently available in other local government areas. The top parks considered and identified within the survey included:

- Kwinana Adventure Playground (City of Kwinana);
- Bibra Lake Regional Playground (City of Cockburn);
- Shipwreck Park (City of Armadale).

The key features that are provided by these parks as mentioned above include, climbing structures, water play, all abilities, sensory play and great picnic and shaded areas.

What do you like about the regional park you have identified in Question 4?

It is important to consider the types of attractions often associated with exemplar regional play facilities. This question asked respondents to identify the key features and amenities found at parks they were familiar with, and to ask which would they like to see at a Shire regional playground. The main responses were as follows:

- Range of Facilities (inclusive and unusual);
- Facilities for younger ages/toddlers;
- Toilet facilities;
- Natural Shade and seasonal use;
- Large open spaces;
- Water Play;
- Safe and secure (enclosed);



- BBQ / picnic areas;
- Nature Play experience.

To assist the Shire with advocacy, please provide some reasons why you think the community would benefit from a 'Regional Playground' in SJ

Given the cost expected with delivering a Regional Park Facility, the Shire will need strong advocacy for future funding from Government grants. This question was posed to aid in that future advocacy. Key finding included:

- Hyper Growth in population especially young families;
- Lack of suitable playgrounds and facilities within the Shire of Serpentine Jarrahdale;
- Areas within the Shire which did not have good access to play facilities;
- Promote community bonding and integration;
- Promote economic development and tourism.

Statutory Environment

Not applicable.

Planning Assessment

While the feedback received expresses a high interest and investment from the community/stakeholders, Officers note that given it is expected that only one kind of a regional facility will be built within the Shire, choosing a location that is future-proofed while accessible and functional for the current community is essential.

Having a preferred location endorsed and supported is important to being able to proceed with a future advocacy program at a time which Council ultimately endorses to align with State and Federal Election cycles. This section includes a detail planning and community infrastructure assessment of the locations, in conjunction with the community feedback received as outlined in the previous section.

Site analysis

The Shire has an opportunity to deliver a prime item of infrastructure and community facility into the future, reflecting the rate of growth that the Shire is accommodating which meets a number of State Government policy objectives.

A preferred location allows the Shire to develop a strong narrative in order to successfully advocate for funding, given it will need to rely heavily on external grants to meet the expected capital cost of between \$5m to \$10m. Ongoing operational costs will also be large, as will depreciation costs, given the expected levels of demand and attraction that such facility will produce.

Officers detail following the key site considerations for each short list option, and conclude with an analysis to recommend the preferred site:

Keirnan Park

Kieran Park offers a central focal point and co-located with the broader Keirnan Park Recreation and Sporting Precinct.



Keirnan Park

Key considerations for the Keiran Park site include:

- Suitable size and tenure;
- High degree of accessibility by motor vehicle. Low levels of accessibility by other transport modes;
- Not proximate to the current population centre of Byford, but proximate to the larger future population centre of Mundijong;
- Only single road frontage, which requires careful management given the large sporting complex that will eventually take place across the land;
- Grant funding has already been made available through state agencies;
- Co-location with planned local community facilities, in the form of regional level sporting and recreation facilities;
- Low opportunities for passive surveillance unless the site is configured on the Keirnan Street edge;
- Generally developable;
- Can be delivered with some impact on the natural environment.

Clem Kentish Reserve

Clem Kentish provides for opportunity to include the southern part of the Shire, specifically Serpentine when considering the future Regional Park Playground within the Shire.



Clem Kentish Reserve

Key considerations for the Clem Kentish Reserve site include:

- Suitable size and tenure;
- Accessibility by motor vehicle only - low levels of accessibility by other transport modes;
- Supporting infrastructure for future regional facilities;
- Supporting planning frameworks in the form of a Draft Master Plan;
- Drainage concerns regarding pooling on oval;
- Small surrounding population compared to other locations, probably more suitable for a larger local or neighbourhood park;
- Cannot provide seasonal use opportunity currently;
- Not proximate to the current population centre of Byford, or future population of Mundijong.

Woodland Grove Precinct

The site offers an interesting design potential and will need to have regard to the interface of the existing residents, and location adjoining the existing primary school.



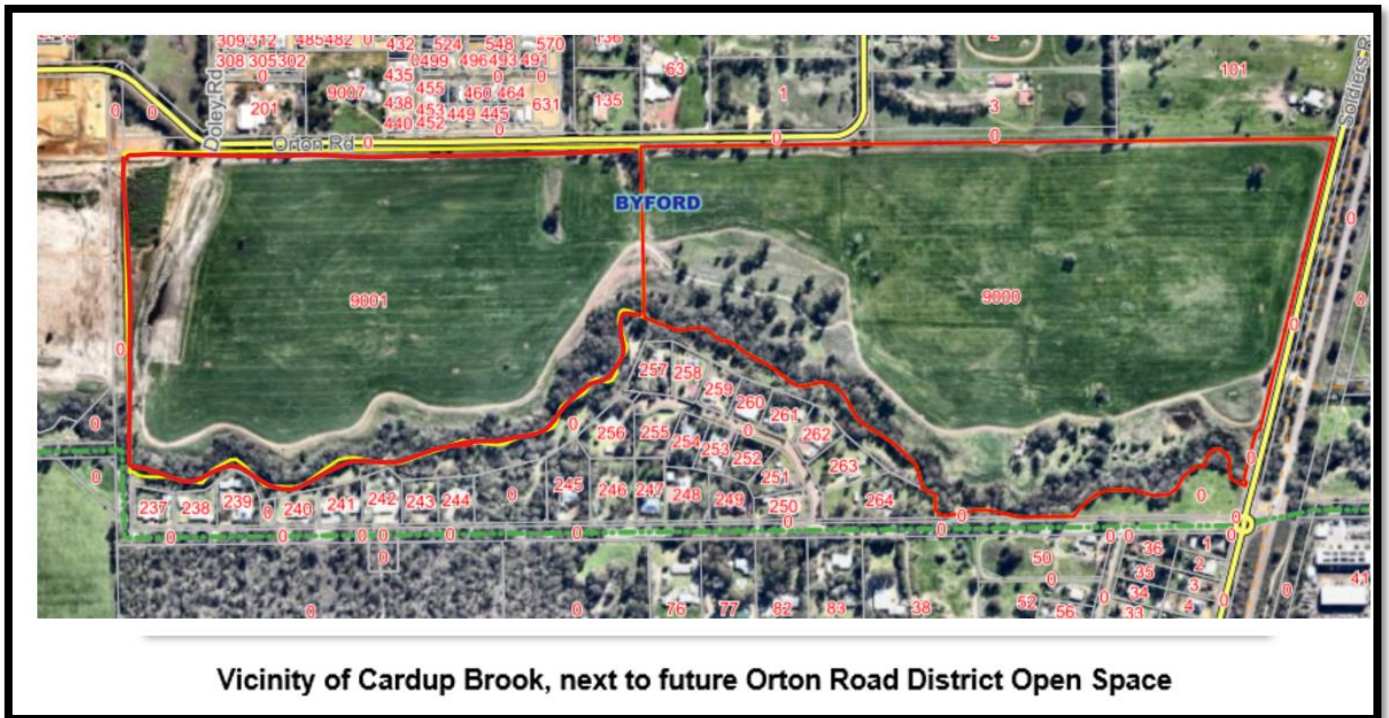
Woodland Grove Reserve

Key considerations for the Woodland Grove Reserve include:

- Suitable size and tenure;
- High degree of local accessibility, lower degree of regional accessibility;
- Proximate to the current large population centre of Byford;
- Large site with good road frontages, providing for management of parking;
- Co-location with planned local community facilities, in the form of a Futsal Facility;
- Co-located with existing primary school, which provides a nearby community of interest;
- Good opportunities for passive surveillance through configuration towards an edge of the reserve;
- Officers are applying for a different grant funding opportunity that is more suitable for this park;
- Site would require some improvement to address low lying nature especially in proximity to the creek line;
- There will be some impact on the natural environment.

Cardup Brook Precinct Future DOS

Cardup Brook future Orton Road DOS in collaboration with landowners and developers offers an exciting opportunity to deliver a prime piece of Public Open Space.



(Note: Cardup Brook site is somewhere in the vicinity east of future Doley Road to Soldiers Road)

Key considerations for the Cardup Brook DOS site include:

- Suitable size but future land tenure yet to be secured (still in private ownership);
- High degree of local accessibility and regional accessibility, especially with Orton Road to be a road which joins between South Western Highway and Orton Road;
- Proximate to the current large population centre of Byford, but also as a southern location is proximate to the future growth area of Mundijong;
- Subdivision of land yet to take place, meaning site is yet to be created. Future subdivision design will need to consider road frontages, in order to provide for accessibility and management of parking;
- Co-location with planned local community facilities, in the form of a district open space;
- Passive surveillance will only take place with future development;
- Site may require some improvement, depending on location secured;
- Can be delivered with some impact on the natural environment.
- Submitter (land developer of the estate) prepared a concept plan to show how a regional playground could be configured and delivered, in association with the planned district open space at this location.

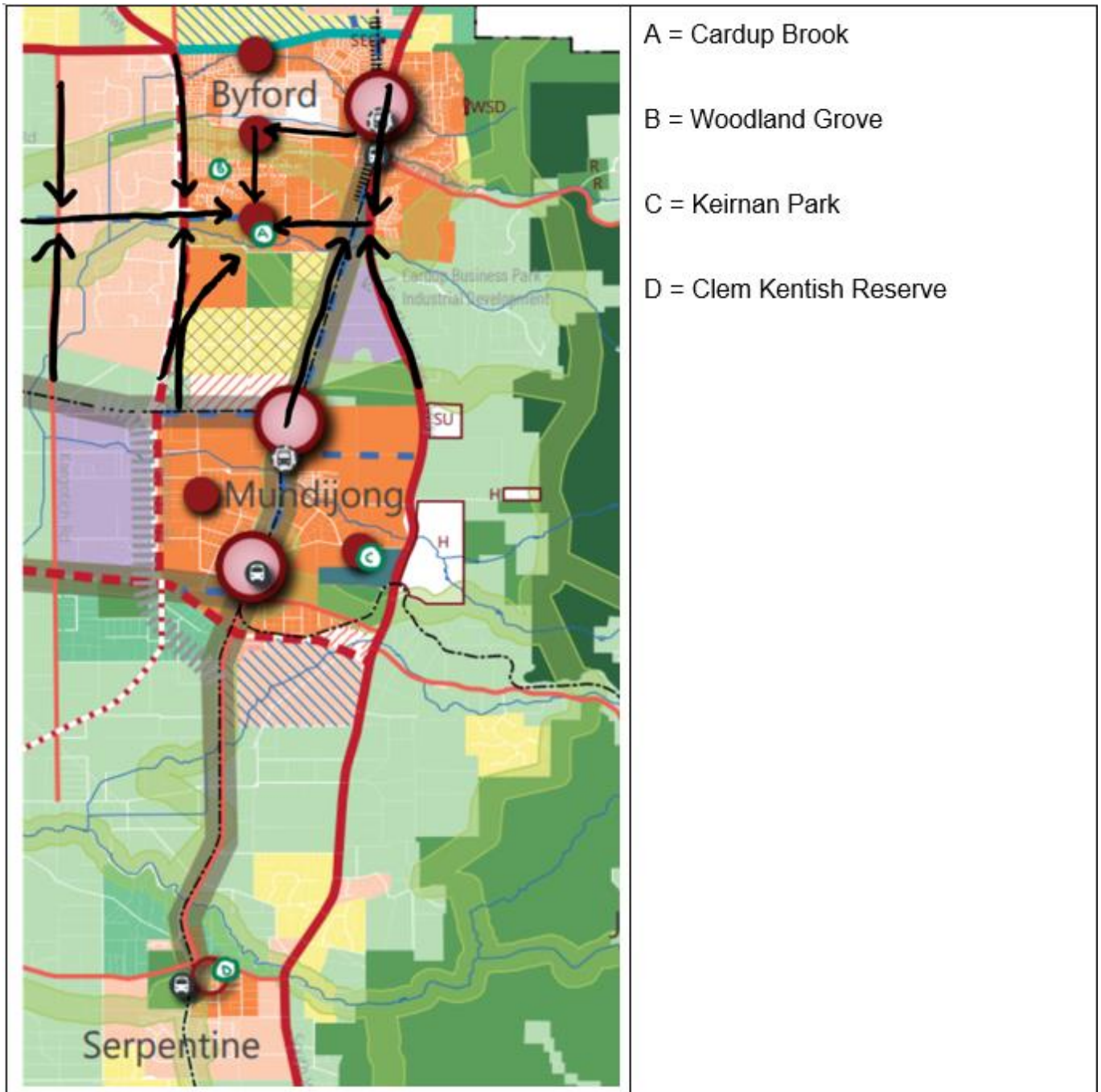
Preferred Site - Cardup Brook Precinct Area

Choosing a preferred site for a regional playground is informed by a balance between site characteristics, community feedback, timing to create and capacity to deliver. Particularly noting feedback on timing, there is a high degree of community demand for a facility to be delivered in the shortest timeframe possible.



There is also opportunities to think innovatively about such, for example through partnerships, through staging and through sequential processes of funding over time.

After careful consideration of these issues, Officers recommend that the Cardup Brook Precinct be the preferred location for a Regional Playground facility for the Shire of Serpentine Jarrahdale. In considering regional accessibility, this site represents one of the most accessible options of the four available, due to its location proximate to Orton Road and the future Tonkin Highway interchange. This is shown in the following image of the location on the Shire's Local Planning Strategy:



Locations on Local Planning Strategy to show regional accessibility

As shown, access to the site is considered essential when determining a preferred location. A regional level facility will attract residents and visits from across the region, from all directions.



This places significant importance for the preferred site to be strategically placed to ensure effective road access and network connectivity. The Cardup Brook Precinct area is located in a suitable location to service future connectivity and accessibility for the whole of the Shire. This site would allow for suitable connection via the future Tonkin Highway extension, and east west connection via Orton Road and Abernethy Road and north connections via Doley Road and Lawrence Way. Broader connections via Hopkinson Road, South Western Highway and Soldiers Road all are provided for at this location. This site provides access from all directions for the future local and regional visitor.

The Cardup Brook Precinct area also offers an opportunity to service the hypergrowth experienced in the Byford region, in a more immediate shorter term. Officers note, with the current growth rate experienced within Byford, that the playground should be in close proximity to this locality. This site is considered accessible from the current and future population growth areas of the Shire, whilst providing a prime item of infrastructure which is currently missing.

Additionally, the Cardup Brook site being so close to the Byford Town centre, provides an enhanced experience for future visitors who will have access to greater amenities located within the Byford Town site, than can be found in other areas of the Shire, including the uses that will establish within the Byford Station Precinct. The Cardup Brook Precinct area will service future visitors via public transport, as through the establishment of the new train station in the Byford Town centre.

The Cardup Brook Precinct area also offers an opportunity to co-locate the future Regional Playground with the future Orton Road District Open Space (DOS). At the Ordinary Council Meeting held 16 March 2020, it was agreed to secure a DOS facility within the Cardup Brook Precinct. However, it is also important to note that with current funding, the delivery of this DOS is expected after 2030. Effective collaboration and communication is critical to ensuring the best outcome and delivery and working with developers may in this instance enable an earlier and better outcome to be secured. The Shire has an opportunity to collaborate with stakeholders, and these all point to the opportunity that a Cardup Brook Precinct site provides for a location.

If selected as the preferred option, it is expected that this DOS facility could integrate the proposed Regional Playground Facility at the subdivision stage, and enable collaboration regarding design, location and potential delivery options. Officers particularly note that the developer of the Cardup Brook Precinct (Satterley Property Group) made a submission. By way of background, they will be establishing 900 lots south of Orton Road, and as part of normal subdivision activities would be required to establish a playground facility commensurate with an estate of this size.

Through careful planning and design, the 'business as usual playground' that is developed *could* form part of a larger multi-staged regional playground, to be delivered subsequently by the Shire and others. This points to the strategic value of a partnership based approach to such a project like this.

Furthermore, the Shire's DCA4 (Community Infrastructure) includes an item of a Cardup Nature Space Adventure Playground, costed currently at (approximately) \$450,000. Whilst this would be a fraction of the size which would be expected of a regional playground facility, if there was an approach to partnership with the developer, there could be a situation whereby:

1. the developer delivers their usual playground facility plus;
2. the developer delivers the nature space playground (as a creditable DCA4 item); and
3. the Shire adds on to this facility if and when funding for a regional playground, of some gravitas, is secured.



This would need master planning and design upfront, and of course the physical land (public open space) with adequate parking, toilets, trail connections etc to make such a facility work. This design process would be essential to any attempt to stage a project over time.

The Cardup Brook option opens the opportunity to share land, infrastructure, and costings such as parking and general amenities i.e. toilets and change rooms, with the future DOS. This would show partnership and efficiencies in design, that often form criteria for grants to be applied for.

Satterley provided a submission that included a 'Concept Design', illustrating the land use concept and regional play space intent they foresaw. This is shown in the following figure.

Although this is only an indicative concept, it provides a great basis for future design and assists in the future advocacy for this site. Working closely with stakeholders will assist the Shire's advocacy for a preferred site. With support from developers who have indicated that they are willing to provide the required land, can assist by identifying construction periods and costings, critical site investigations and works required, further community collaboration and preferences from the market and pursuing further grant opportunities and municipal funds, it provides a strong reasoning for the Cardup Brook Precinct to be considered the preferred site.

**Figure 8: Concept Design - Element 1 - Future Regional Park/ Playground**

1.	Regional playground	4.	Cafe
2.	Future DOS	5.	Parking
3.	Future pavilion / toilets for DOS	6.	Drainage / passive recreation
		7.	Cardup Brook environment

The Cardup Brook precinct could also offer a connection to the natural features of the Brook and its heritage. The natural features of the brook with nature-based opportunities could play a strong role in shaping the design for the regional park. Additionally, the heritage significance of the Cardup Brook could enable the opportunity to consider an animal theme park, such as the 'Cardup' name meaning 'the place of the racehorse goanna' (Kurda). These considerations align with the key themes as identified with in the community survey.



Based on the above, the Shire recommends Council endorse the Cardup Brook site as the preferred location for the regional playground. Officers also recommend that Council request the developer to consider a partnership based approach to this project, whereby their business as usual approaches to playground delivery could be considered as part of a broader regional playground design, that is added to into the future by the Shire. This forms the basis of the Officer recommendation.

OptionsOption 1

That Council:

1. NOTES the outcomes of the recent community survey and detailed assessment of options for a preferred regional open space location.
2. SUPPORTS a location adjoining the Cardup Brook and future district open space, as the preferred location for a regional open space, taking account of the feedback received from the community and assessment as detailed in this report.
3. NOTES the Chief Executive Officer will seek to secure a suitable land area as part of the normal public open space allocation for the subdivision of the Cardup Brook precinct, having regard for the recently adopted Cardup Brook Structure Plan.
4. REQUESTS the Chief Executive Officer meet with the proponent of the Cardup Brook precinct estate and relevant funding stakeholders, to consider possible options that will deliver a regional playground in the short term.
5. REQUESTS the Chief Executive Officer provide regular updates to Council via Policy Concept Forums.
6. REQUESTS the Chief Executive Officer report back to Council with a recommended Project Initiation Document, once a potential project option is identified.
7. REQUESTS the Chief Executive Officer inform submitters of the outcome of the decision.

Option 2

That Council:

1. NOTES the outcomes of the recent community survey and detailed assessment of options for a preferred regional open space location.
2. SUPPORTS location _____, as the preferred location for a regional open space, taking account of the feedback received from the community and assessment as detailed in this report.
3. REQUESTS the Chief Executive Officer to list this location and project for consideration as part of future advocacy.

Option 1 is recommended.

Conclusion

A community survey was undertaken, seeking feedback on preferred locations, themes, preferences, and reasoning for the desire of a Regional Playground Facility within the Shire. This survey focused on the shortlist option provided as part of the previous Council decision.



Officers have compiled the results of the submissions received and have used the feedback to assist in determining a preferred location for a regional park facility. Officers recommended the Cardup Brook future DOS site as the preferred option as it provides a great area that can service the community wants and needs as identified within the submissions received.

It is also considered the best location from a strategic and feasibility point of view with regard to the site's accessibility to local and future amenities, suitable road network and access, and collaboration opportunities with invested stakeholders which will assist and form the basis of future advocacy and delivery.

Attachments (available under separate cover)

- **10.1.11 - attachment 1** - Original MCA (E24/3612)
- **10.1.11 - attachment 2** - Community Online Survey questions (E24/10184)
- **10.1.11 - attachment 3** - Community Online Survey responses and table results (E24/10185)

Alignment with our Council Plan 2023-2033

This proposal aligns with these specific objectives outlined in the Council Plan 2023-2033.

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Strengthen and grow the local tourism industry
Liveable
1. Invest in facilities and amenities to meet current and future needs
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation
2. Contribute to a well-connected, accessible and health community
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

Financial Implications

Consideration will need to be given before submitting any grant for capital costs, and Officers expect the majority of the project could only occur if funded through external sources. This could include State and Federal Government grants, Lotterywest grants, and/or grants from private developers of local businesses, given the community purpose of the project. Grants will be central to the project taking place.

Once built, ongoing operational, maintenance, and other lifecycle costs would be significant and need careful analysis before proceeding to deliver.

As foreshadowed in the report, Officers separately recommend the develop consider how their business as usual approach to playground infrastructure within their new Cardup Brook (900 lot) development, could extend together with the DCA4 infrastructure item, to be an initial early phase of an overall regional playground facility.

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Community expectations could lead to an expectation that early delivery will occur, which is unable to take place notwithstanding the best endeavours to work in partnership with the Cardup Brook estate proponent and funding bodies, and this causes impacts to the Shire's brand.	Community engagement framework	Reputation	Possible	Moderate	MODERATE	Work collaboratively with the estate proponent and funding bodies to consider options.
2	If Council adopts an alternative site it is unlikely a short term delivery is possible, and this could impact the Shire's brand.	Current planning will allow for playground facilities to an acceptable level.	Social Community Outcomes /	Possible	Moderate	MODERATE	Continue to apply for grants for local parks.



Voting Requirements: Simple Majority

OCM219/08/24

COUNCIL RESOLUTION / Officers Recommendation

Moved Cr Mazzini, seconded Cr Duggin

That Council:

- 1. NOTES the outcomes of the recent community survey and detailed assessment of options for a preferred regional open space location.**
- 2. SUPPORTS a location adjoining the Cardup Brook and future district open space, as the preferred location for a regional open space, taking account of the feedback received from the community and assessment as detailed in this report.**
- 3. NOTES the Chief Executive Officer will seek to secure a suitable land area as part of the normal public open space allocation for the subdivision of the Cardup Brook precinct, having regard for the recently adopted Cardup Brook Structure Plan.**
- 4. REQUESTS the Chief Executive Officer meet with the proponent of the Cardup Brook precinct estate and relevant funding stakeholders, to consider possible options that will deliver a regional playground in the short term.**
- 5. REQUESTS the Chief Executive Officer provide regular updates to Council via Policy Concept Forums.**
- 6. REQUESTS the Chief Executive Officer report back to Council with a recommended Project Initiation Document, once a potential project option is identified.**
- 7. REQUESTS the Chief Executive Officer inform submitters of the outcome of the decision.**

CARRIED UNANIMOUSLY 6/0



10.1.12 - Proposed Amendment No.2 to the Doley Road Precinct Local Structure Plan (PA24/268)	
Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent:	CLE Town Planning + Design
Owner:	Various Landowners
Date of Receipt:	26 April 2024
Lot Area:	Doley Road Precinct, Byford
Local Planning Scheme No. 3 Zoning:	Urban Development
Metropolitan Region Scheme Zoning:	Urban

Report Purpose

The purpose of this report is for Council to consider the submissions received during the advertising of the proposed Doley Road Precinct Local Structure Plan Amendment No. 2 and make a recommendation to the Western Australian Planning Commission (WAPC) on whether the proposed Structure Plan Amendment should be approved. It is recommended that the Structure Plan Amendment be approved, subject to modifications.

Relevant Previous Decisions of Council

<i>Ordinary Council Meeting - 15 March 2021 - OCM053/03/21 - COUNCIL RESOLUTION / Officer Recommendation</i>	
1.	<i>Pursuant to Schedule 2 Part 4 Clause 19 (1) of the Planning and Development (Local Planning Schemes) Regulations 2015, ENDORSES the schedule of submissions and comments contained within attachment 2.</i>
2.	<i>Pursuant to Schedule 2 Part 4 Clause 20 of the Planning and Development (Local Planning Schemes) Regulations 2015 recommend to the Western Australian Planning Commission</i>



that the proposed Doley Road Precinct Local Structure Plan Amendment 1 be APPROVED subject to modifications as contained within attachment 3.

- 3. Forward to the Western Australian Planning Commission the recommendation together with items following:*
 - a. A list of the submissions considered by the local government, as outlined within the Schedule of Submissions contained in attachment 2;*
 - b. Any comments by the local government in respect of those submissions, as outlined within the Schedule of Submissions contained in attachment 2;*
 - c. A schedule of any proposed modification to address issues raised in the submissions;*
 - d. The local government's assessment of the proposal based on appropriate planning principles, as contained within this Council report;*
 - e. This recommendation by the local government as contained within this Council resolution.*

Ordinary Council Meeting - 23 May 2016 - OCM084/05/16 - COUNCIL RESOLUTION / Officer Recommendation

- 1. Receives the memo from Shire Officers in response to questions raised as attachment OCM084.5/05/16*
- 2. Pursuant to Clause 19 Part 4 Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council endorse the schedule of submissions and comments contained within attachment OCM084.2/05/16.*
- 3. Pursuant to Clause 20 Part 4 Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, recommends to the Western Australian Planning Commission approval of the Doley Road Precinct Local Structure Plan with modifications as outlined in the Schedule of Modifications contained within attachment OCM084.3/05/16 and illustrated in attachment 1 of OCM084.5/05/16 and forward to the Western Australian Planning Commission the following:*
 - a. A list of the submissions considered by the local government and any comments by the local government in respect of those submissions OCM084.2/05/16;*
 - b. A schedule of any proposed modifications to address issues raised in the submissions OCM084.3/05/16 and OCM084.5/05/16;*
 - c. This Council Report as the local government's assessment of the proposal based on appropriate planning principles;*
 - d. Council's resolution recommending to the Western Australian Planning Commission to approve the local structure plan with modifications.*
 - e. A copy of the memo and relevant attachments contained within OCM084.5/05/16.*

Background

This application proposes to amend the approved Doley Road Precinct Local Structure Plan. The Doley Road Precinct is a 120.5ha portion of land in Byford, located to the north of Orton Road, as shown within Figure 1 following. This Structure Plan has been subject to one amendment, which was approved by the WAPC in 2022.

This proposed amendment affects Lot 32 Doley Road, Byford, which is sized approximately 3.5ha, and is further referred to as the 'subject site'. The Doley Road Precinct and the subject site are zoned Urban Development under the Shire's Local Planning Scheme No. 3.



The subject site is identified as Residential and Public Open Space under the Doley Road Precinct Local Structure Plan. The proposed amendment seeks to modify the amount of land designated for Public Open Space (POS) within the subject site under the Structure Plan, and consequently the design of the POS, and the layout of the residential lots and road network within the subject lot.



Figure 1: Subject site

Community / Stakeholder Consultation

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed Local Structure Plan Amendment was advertised for a period of 42 days, from 6 June 2024 to 18 July 2024. 12 submissions were received, nine (9) received from government agencies and three (3) received from residents and landowners.

Government Agencies

The proposed LSP Amendment received no objections from Department of Water and Environmental Regulation (DWER), Main Roads Western Australia (MRWA), Department of Biodiversity, Conservation and Attractions (DBCA), Department of Energy, Mines, Industry Regulation and Safety (DMIRS), Department of Transport (DOT), and Department of Education.

Department of Fire and Emergency Services (DFES) have requested modifications be made the Bushfire Attack Level (BAL) Report in regard to vegetation classifications and BAL contours.

Residents and Landowners

Three resident objections were received for the proposed LSP Amendment.

A resident raised concerns on the general reduction in POS, and another resident highlighted the inconsistencies of the Public Open Space Schedule provided, particularly in relation to the catchment area utilised for these calculations, and the lack of demonstration of the 10% POS requirement under Liveable Neighbourhoods.

A resident raised concerns over the provision of canopy cover within the Shire. Existing vegetation within the POS site is further assessed within this report, mainly consisting of a row of immature trees of which the proposed landscape plan identifies are to be retained.



Statutory Environment

Legislation

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

State Government Policies

- Metropolitan Region Scheme
- State Planning Policy suite
- Liveable Neighbourhoods

Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Strategy
- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Byford District Structure Plan
- Doley Road Precinct Local Structure Plan
- Local Planning Policy suite

Planning Assessment

Planning Framework

The Doley Road Precinct Local Structure Plan area is zoned Urban under the Metropolitan Region Scheme and Urban Development under the Shire's Local Planning Scheme No. 3. The area is identified as Urban Settlements under the Shire's Local Planning Strategy. The Byford District Structure Plan identifies much of the Doley Road Precinct as Low (Suburban) R20-35, with a Multiple Use Corridor traversing the precinct east-west. There is an existing approved Local Structure Plan over the Doley Road Precinct, which was approved by the Western Australian Planning Commission on 17 July 2017. On 15 March 2022, the WAPC approved Amendment No. 1 to this Local Structure Plan. Amendment No. 1 involved the reconfiguration and redesign of Public Open Space and the modification of lot and road layouts within 55 (Lot 61) Lawrence Way, Byford.

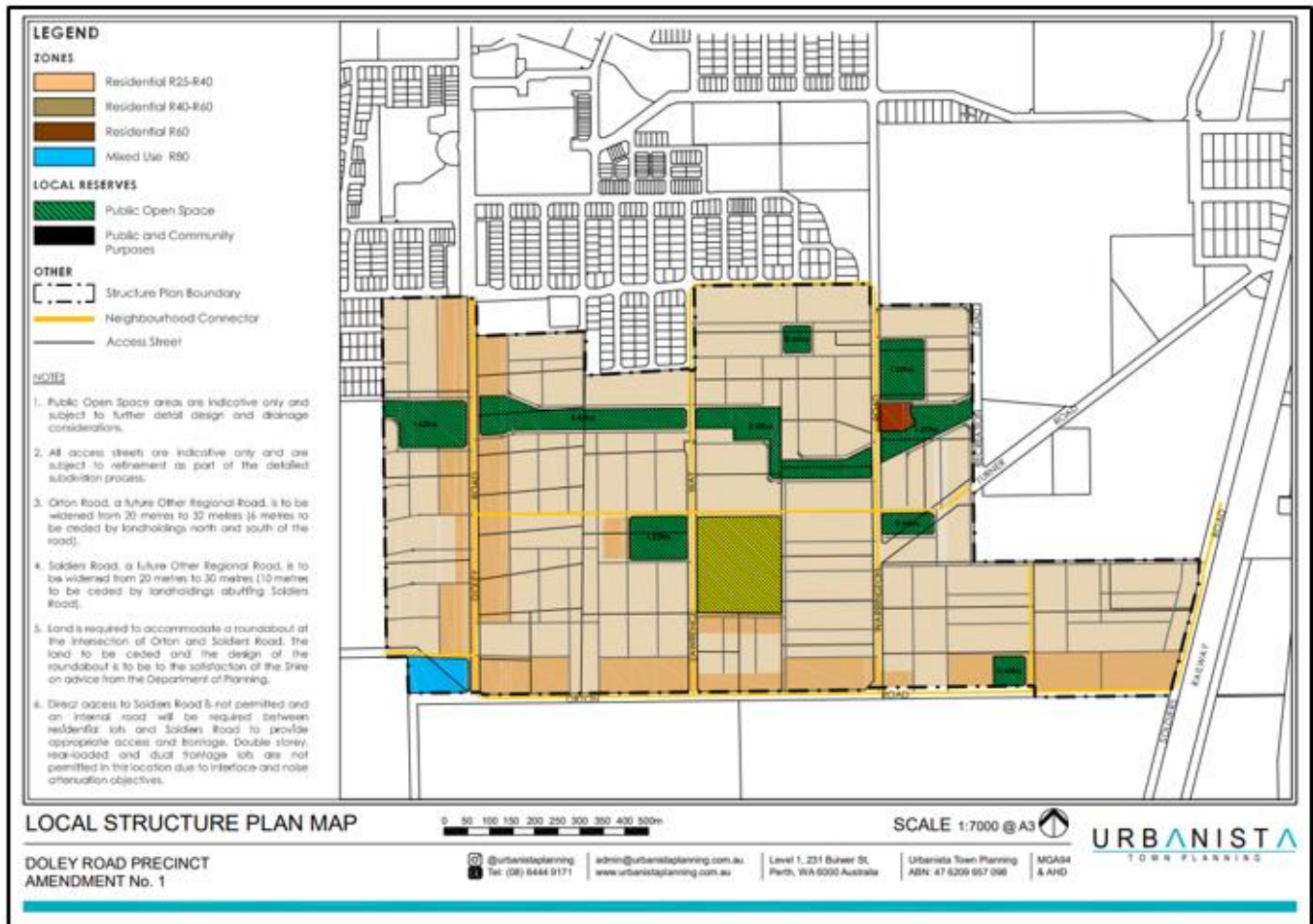


Figure 2: Doley Road Precinct Local Structure Plan Amendment No. 1

Proposed Amendment No.2 to this local structure plan proposes to modify and reconfigure the amount of POS within Lot 32 Doley Road, Byford from 1.62ha to 1.02ha, and to subsequently modify the lot and road network within this lot. The proposed reconfiguration in POS will result in a change to the landscaping design and functions included within this portion of the Multiple Use Corridor. As such, a revised landscape plan and bushfire management plan have been provided alongside this amendment.

**Figure 3: Approved Structure Plan****Figure 4: Proposed Amendment**

Residential Density

The approved Structure Plan identifies much of the subject lot as having a density of R25-R40, with a portion of R40-R60 within the western-most portion of the lot, closest to Doley Road. The amendment proposes a base density code of R25, with locational criteria for R40 and R60 densities. R40 densities are to be applied for lots on street corners or the end of street blocks, or within high amenity areas including within 400m of a commercial centre/neighbourhood node, around POS, schools, or public transport routes. An R60 density is to be applied to lots meeting one or more of these criteria or where lots are 900m² or greater. This locational criteria under the approved Structure Plan is not proposed to be changed by the amendment, which does not propose a change in densities to the Structure Plan area, except within Lot 32 Doley Road, Byford.

As shown in Figure 4, the distribution of densities is not proposed to be changed, with these areas being extended northwards. It should be noted that this amendment will result in a minor increase in the lot yield within the structure plan area.

Ecological Corridor

The amendment proposes the addition of a portion of land designated as Residential R40-R60 located along the eastern interface of the POS and Doley Road. This reflects the required widening of Doley Road, in order to achieve the intended continuation of the Doley Road boulevard which exists to the north of the subject land.



Figure 5: Widening will enable section of Doley Road south of Mead Street to gradually reconfigure to match section north of Mead Street

Public Open Space

The approved Structure Plan demonstrates a Multiple Use Corridor (MUC) traversing the Doley Road Precinct from east to west. This MUC follows the natural watercourse location, utilising this existing landform as a vegetated 'living stream' serving drainage and recreational functions. The proposed amendment would result in the overall Doley Road Precinct Local Structure Plan POS provision being reduced slightly from 9.81% to 9.28%. This represents a significant reduction in the POS provision across the LSP area, reducing the POS further from the Liveable Neighbourhoods requirement of 10%. This reduction is proposed by the applicant on the basis of an assessment of the POS within the catchment surrounding the subject site and the proposed functionality of the POS. A key consideration in the assessment of the proposed amendment is the recreational function and usability of the POS to provide for the local community needs. Given the POS reduction proposed, an improved recreational benefit to the community must be demonstrated by the proposal.

The amendment proposes to reduce the amount of POS within Lot 32 Doley Road, Byford (identified as POS1) from 1.62ha to 1.02ha, with the majority of this reduction coming from the unrestricted open space. The amendment proposes for the unrestricted POS within POS1 to be reduced from 1.533ha to 0.93ha. Given the reduction in POS proposed, Officers recommend modifications to the LSP to ensure a specific active recreation outcome focussed on the identified need for older children and younger teens, is achieved in the design of the POS to provide an increased benefit for the community. This will be discussed further in the Landscape Design section of this report.

Furthermore, Officers note that as the DCP for DCA1 deals with the equitable sharing of, inter alia, public open space infrastructure, this will result in a slight downward pressure on DCP rates, which supports housing affordability.



Unrestricted POS	
• POS 1 (Gross Area 1.62ha)	1.533ha
• POS 2 (Gross Area 2.43ha)	2.213ha
• POS 3 (Gross Area 1.23ha)	1.230ha
• POS 4 (Gross Area 0.36ha)	0.360ha
• POS 5 (Gross Area 2.34ha) (Subject of Amendment No. 1)	2.251ha
• POS 6 (Gross Area 1.29ha)	1.290ha
• POS 7 (Gross Area 1.21ha)	1.137ha
• POS 8 (Gross Area 0.54ha)	0.540ha
• POS 9 (Gross Area 0.46ha)	0.460ha
Sub-Total	11.014ha
Restricted POS (1:5 ARI Rainfall Events area (excluding Small Stormwater Events area)) <small>SEE NOTE 2</small>	
• POS 1	0.032ha
• POS 2	0.079ha
• POS 5	0.089ha
• POS 7	0.027ha
Sub-Total	0.227ha

Figure 6: Approved Doley Road Precinct LSP Amendment No.1 - Land Use Schedule

Public Open Space Provided	Unrestricted POS Area	Restricted POS Area
Lot 8031 (Glades POS 14)	0.45	0.00
Glades POS 15 (MUC)	1.85	0.00
Icaria Park	1.06	0.00
Beenyup POS 1 (MUC)	0.93	0.03
Beenyup POS 2, pt (MUC)	1.25	0.04
TOTAL (ha)	5.54	0.08

Figure 7: Proposed LSP Amendment No. 2 - POS Schedule

The applicant has not provided a POS schedule for the whole of the Doley Road Precinct Local Structure Plan, which incorporates the proposed Amendment No. 2. Instead, the applicant has provided a Land Use Summary Table and a POS Schedule (within Appendix 9) which demonstrates restricted and unrestricted POS within a catchment area named the 'Glades/Beenyup Grove interface area, around Lot 32 Doley Road, Byford'. This catchment area is identified in Figure 8 following. This catchment area encompasses portions of the Byford Main Precinct - The Glades Local Structure Plan, in terms of setting the nearby neighbourhood context by which accessible public open space is proximate to future residents of Lot 32.

Officers acknowledged that public open spaces must account for surrounding catchments outside of the applicable Structure Plan area, given that overall englobo land tenure does not limit cohesive neighbourhood design. However, to keep accurate tracking of POS provision in the Doley Road Structure Plan area, Officers recommend an updated POS schedule is provided that demonstrates the effects of the proposed amendment on the Doley Road Precinct Local Structure Plan area. An accurate POS Schedule covering the entire Doley Road Precinct LSP Area incorporating proposed Amendment No. 2 is required to be provided, demonstrating the amounts of restricted and unrestricted POS for each POS within the LSP area. A modification has been recommended in regard to this.

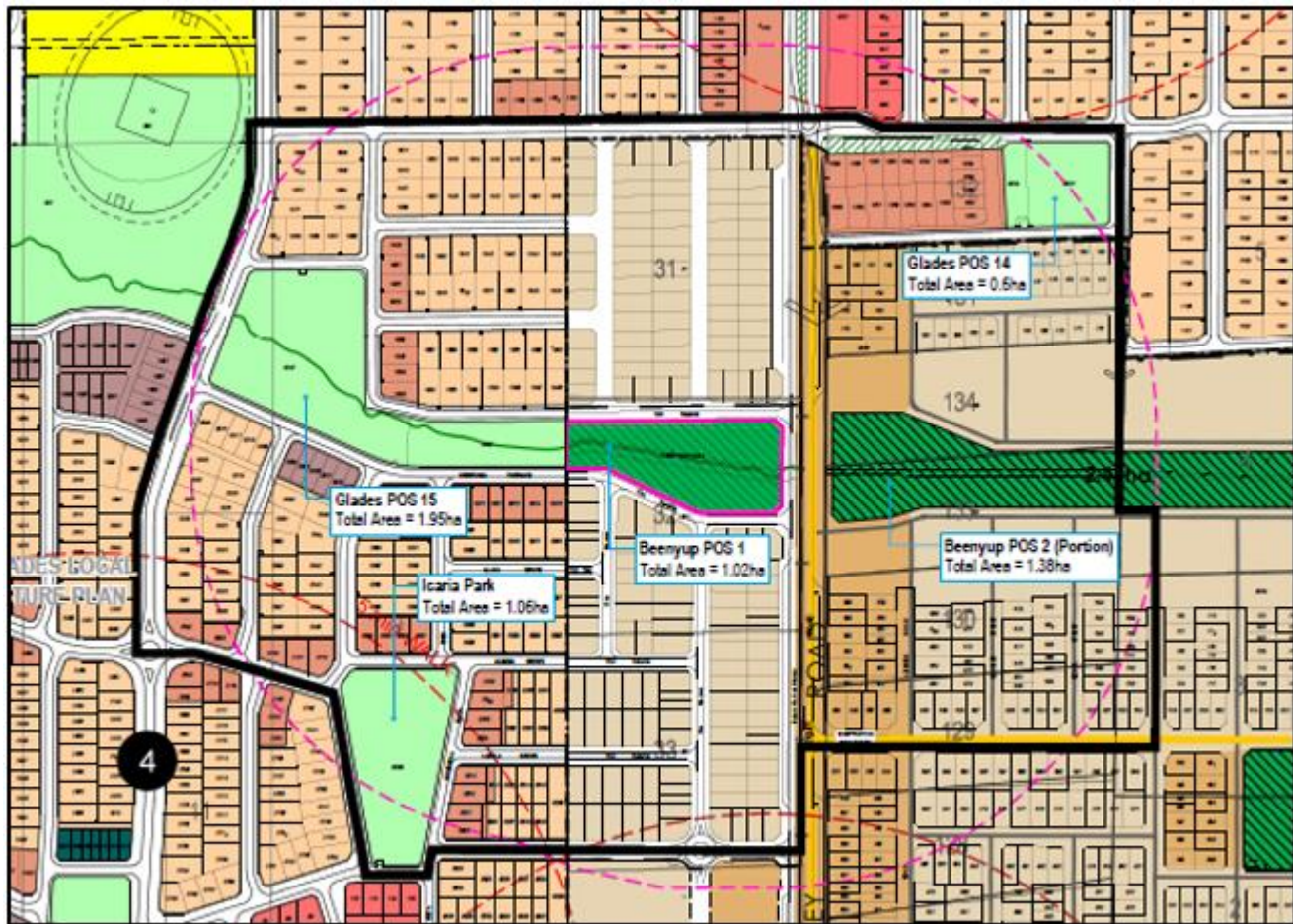


Figure 8: Proposed POS Schedule the Glades/Beenyup Grove interface area

Landscape Design

As a result of the proposed reduction of the size of POS1, the amendment proposes to modify the landscape design of this POS. The landscape masterplan associated with the approved structure plan demonstrates that POS1 is to include a watercourse, a seating and viewing node, turf spaces, planting, a seating alcove area, and shade trees. As the amendment proposes a reduction in POS by almost 6,000m², it is important to ensure that the amenity, functions and features identified by the approved structure plan are still capable of being accommodated. An updated landscape concept plan has been prepared for the proposed amendment. This plan demonstrates many similar elements to that of the approved structure plan, such as a living stream waterway with native planting, a shelter and seating node, shade trees, a seating/picnic node, and a turf kickabout area.

The amendment report states that the proposed modification of the POS design would result in lower Shire burden for maintenance, and that alternative hardscape areas will be introduced. However, the concept plan only demonstrates the addition of one small area of hardscape for potential parkour equipment, and still proposes large garden beds which are to be densely planted. Maintenance tasks are highest for wide, continuous garden beds like that proposed. Turfed areas provide a lower maintenance and allow for a wider variety of activities. Therefore, the landscape concept plan should be modified to reduce the wide planting areas. The landscape concept plan should also be modified to account for car parking adjoining the POS, and footpaths connecting these.



The landscaping plan proposes an additional play space containing parkour equipment. The provision of a parkour facility is strongly supported by the Shire. The Shire houses a significant and rapidly growing population of families, with a larger percentage and a faster growth rate of the 5-9 and 10-14 year age groups than that of Greater Perth. As such, there is an increasing need to provide active facilities which cater to an increasing youth and teenage demographic. This POS provides an opportunity to deliver a unique amenity catered to the Shire's youth, which will encourage exercise and active recreation.

The parkour equipment is proposed to be located within a multiple use POS, and therefore is to be integrated with other landscaping elements, so as to not create an isolated parkour hub and to ensure cohesion with all age groups. A similar parkour facility has recently been developed in Hammond Park, within the City of Cockburn called 'The Scramble', shown in the photos below. Another example of a parkour and exercise facility is the 'Whitfords Nodes Ninja Warrior Obstacle Course' in Hillarys within the City of Joondalup.



Figure 9: Photographs of 'The Scramble', Hammond Park



Figure 10: Whitfords Nodes Park in Hillarys

The Shire recommends that similar parkour infrastructure be included within the landscaping of the POS within Lot 32 Doley Road, Byford. A modification has been recommended to ensure that the landscape design for POS1 includes the provision of active recreational facilities in the form of 250m² of a parkour facility and 250m² of an exercise obstacle course. Given that the application proposes to reduce the amount of POS provided across the structure plan area to 9.28%, it is essential that the POS is designed to include this additional recreational element to provide a benefit to the community and to maximise the functionality of the space. Such facilities would provide a much-needed opportunity for active recreation for the youth and teenage demographics within the area, promoting health and wellbeing. This is considered an essential requirement for Shire support to the structure plan modification.



Figure 11: Current and Proposed Landscape Concept Plans



Drainage

As the MUC is intended to facilitate drainage, it is essential that the reduction of the swale area within the subject lot does not affect the drainage functioning of the MUC. The amendment proposes to reduce the width of the MUC's drainage component, paired with an increase in area subject to residential development. An updated Landscape Plan has been provided, however, an addendum to the Doley Road Precinct LWMS (Essential Environmental, August 2016) has not been prepared. The Department of Water and Environmental Conservation (DWER) does not object to the proposed amendment, noting that the existing LWMS provides sufficient information to support the LSP Amendment. Given that the amendment is minor in nature, a LWMS Addendum is not required. An Urban Water Management Plan (UWMP) has been prepared for the Lot 32 and 33 Doley Road, Byford in relation to subdivision approval 163451, which demonstrates the modified MUC width and design.

Bushfire Management

A Bushfire Attack Level (BAL) Assessment Report has been prepared for Lot 32 Doley Road, Byford to support the proposed amendment. This BAL Report is not currently supported by Officers or the Department of Fire and Emergency Services (DFES) in its current state, and a revised BAL Report is required.

This BAL report classifies the entire subject lot as BAL-LOW, and classifies vegetation plots in the lot and its surrounds as excludable, not contributing to bushfire risk. These vegetation classifications are not supported, as there is insufficient evidence at this stage to exclude this vegetation. Furthermore, Officers do not support the classification of the MUC as low threat.

As discussed previously, the MUC will consist of a vegetated, functioning living stream for drainage, with native groundcover, plants and trees. The concept design shows dense large areas of planting, including trees, shrubs and groundcover. Therefore, this living stream will not be maintained to a low fuel load standard, and should be classified with an appropriate BAL rating. This effect of the MUC's revised classification and BAL rating on the surrounding residential lots needs to also be demonstrated. As this revision will result in residential lots achieving above a BAL-LOW rating, each of the bushfire protection criteria under State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) must be demonstrated within the BAL Report. A modification has therefore been recommended for a revised BAL Report to be provided, addressing these matters and accurately demonstrating bushfire risk, to the satisfaction of DFES and the Shire.

State Planning Policy 3.7 Planning in Bushfire Prone Area Guidelines requires residential lots to achieve multiple access routes to multiple different locations. The amendment does not propose changes to the vehicle access arrangements within the subject lot. The lots within Lot 32 Doley Road, Byford will achieve multiple access routes via Doley Road eastward, as well as via Cristonia Terrace and Alata Grove westward, both providing routes to Orton Road to the south and Abernethy Road to the north.

The amendment proposes to add elements into the 'Bushfire Management' section of the LSP Report, which were not previously included within the approved LSP. The amendment proposes to add assumptions that the POS is to be landscaped to a low threat standard, and that the positioning of roads and landscaped POS will result in no BAL-40 or BAL-FZ construction standards being necessary. The amendment also proposes to add a statement that any dwellings within 100m of the Brickwood Reserve will be constructed to a BAL12.5 rating. These statements can only be determined through BAL assessments at the subdivision stage.



Additionally, the amendment utilises the terminology 'Bushfire Prone Areas', which results in unsupported assumptions of bushfire risk. Officers have recommended modifications to Section 3.4 of the LSP report to address these matters.

Movement Network

The amendment does not propose significant changes to the road network of the existing local structure plan. Road network changes within the subject lot are minor, simply the extension of access roads further north to accommodate for the reduced POS. An updated Transport Impact Assessment (TIA) has been prepared for the proposed amendment. It is expected that traffic impacts from the proposed reduced POS and increased residential land will be minor.

The amendment proposes Access Streets within the subject lot, with Doley Road along the eastern boundary being identified as a Neighbourhood Connector. The amendment proposes that Doley Road be upgraded to a Neighbourhood Connector A standard with a 24.4m width.

It is critical that the widening of Doley Road be based upon a concept that demonstrates the continuation of the central median and split carriageway boulevard design, that exists north of Mead Street. It is a recommended modification that the Doley Road upgrade demonstrate suitable widening in order to achieve the intended boulevard carriageway form.

Vegetation

Delivering an urban canopy is highly valued by the Shire, as per the Shire's Urban and Rural Forest Strategy 2018-2028. The area of Lot 32 Doley Road, Byford which is subject to the future POS contains a row of immature trees, which Officers recommend be retained where possible. The proposed landscape concept plan identifies these trees for retention. Tree planting will be required, and urban canopy will be provided through the landscape design process, and within the surrounding residential area and verges where possible, at the subdivision stage.

Options

That Council:

1. Pursuant to Clause 19 Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, ENDORSES the schedule of submissions and comments contained within **attachment 2**.
2. Pursuant to Clause 20 (2) Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend that the Western Australian Planning Commission APPROVE the Doley Road Precinct Local Structure Plan Amendment No. 2, as contained within **attachment 1**, subject to the Schedule of Modifications contained within **attachment 3**.
3. Pursuant to Clause 20 Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES the following documents to the Western Australian Planning Commission:
 - a. a list of the submissions considered by the local government;
 - b. any comments by the local government in respect of those submissions;
 - c. a schedule of proposed modifications to address issues raised in the submissions and planning assessment;
 - d. the local government's assessment of the proposal based on appropriate planning principles; and



- e. the recommendation by the local government to approve the Proposed Structure Plan Amendment, subject to modifications.

Option 2

That Council:

1. Pursuant to Clause 19 Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DOES NOT ENDORSE the schedule of submissions and comments contained within **attachment 2**.
2. Pursuant to Clause 20 (2) Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend that the Western Australian Planning Commission REFUSE the Doley Road Precinct Local Structure Plan Amendment No. 2, as contained within **attachment 1**.
3. Pursuant to Clause 20 Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES the following documents to the Western Australian Planning Commission:
 - a. a list of the submissions considered by the local government;
 - b. any comments by the local government in respect of those submissions;
 - c. the local government's assessment of the proposal based on appropriate planning principles; and
 - d. the recommendation by the local government to refuse the Proposed Structure Plan Amendment.

Option 1 is recommended.

Conclusion

Amendment No. 2 to the Doley Road Precinct Local Structure Plan proposes the modification of the Public Open Space within Lot 32 Doley Road, Byford, as well as associated minor changes to the subject site's lot and road layouts. The proposed reduction in the amount of Public Open Space provided is supported by Officers, subject to modifications including the POS landscape design identifying improved active recreational elements. The Shire recommends that the proposed LSP Amendment No.2 be approved subject to the Schedule of Modifications contained within **attachment 3**.

Attachments (available under separate cover)

- **10.1.12 - attachment 1** - Proposed Doley Road Precinct Local Structure Plan Amendment No. 2 (E24/10426)
- **10.1.12 - attachment 2** - Summary of Submissions (E24/7452)
- **10.1.12 - attachment 3** - Schedule of Modifications (E24/10478)



Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
Liveable
3. Preserve and enhance our natural places, parks, trails and reserves
4. Invest in facilities and amenities to meet current and future needs
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation
2. Contribute to a well-connected, accessible and health community

Financial Implications

There are no direct financial implications relating to this matter.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	This is the option with the lowest strategic risk.						
2	That Council recommends refusal of the structure plan amendment and the WAPC approve it, without the input of Shire recommended modifications.	Planning framework	Social Community Outcomes /	Possible	Moderate	MODERATE	Give reason for decision.



Voting Requirements: Simple Majority

OCM220/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Duggin, seconded Cr Jerrett

That Council:

- 1. Pursuant to Clause 19 Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, ENDORSES the schedule of submissions and comments contained within attachment 2.**
- 2. Pursuant to Clause 20 (2) Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend that the Western Australian Planning Commission APPROVE the Doley Road Precinct Local Structure Plan Amendment No.2, as contained within attachment 1, subject to the Schedule of Modifications contained within attachment 3.**
- 3. Pursuant to Clause 20 Part 4 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES the following documents to the Western Australian Planning Commission:**
 - a. a list of the submissions considered by the local government;**
 - b. any comments by the local government in respect of those submissions;**
 - c. a schedule of proposed modifications to address issues raised in the submissions and planning assessment;**
 - d. the local government's assessment of the proposal based on appropriate planning principles; and**
 - e. the recommendation by the local government to approve the Proposed Structure Plan Amendment, subject to modifications.**

CARRIED UNANIMOUSLY 6/0

**10.2 Infrastructure Services reports:**

10.2.1 - Council Consent to Land Dedication – Tonkin Highway Extension and Thomas Road Upgrade (SJ3580)	
Responsible Officer:	Strategic Projects Lead
Senior Officer:	Director Infrastructure Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.
----------	--

Report Purpose

The purpose of this report is to request Council to consider dedication of parcels of land, as contained within **attachments 1 and 2**, for Main Roads Western Australia (MRWA) Land Dealing Plans, as road reservations for Thomas Road Duplication and Tonkin Highway Extension pursuant to the *Land Administration Act 1997*.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this matter.

Background

Main Roads Western Australia (MRWA) is responsible for delivering the Tonkin Highway Extension and Thomas Road Duplication projects. Funding for both projects has been approved and MRWA are currently undertaking procurement for the delivery of both projects with construction anticipated to commence in 2025. The \$1.045 billion Tonkin Highway Extension and Thomas Road Upgrade is jointly funded by Federal Government (\$755 million) and State Government (\$290 million).

In summary, the scope of works include:

- 14 km extension of Tonkin Highway from Thomas Road to South Western Highway as a four-lane dual carriageway;
- Principal Shared Path (PSP) on the eastern side of the Tonkin Highway for the full 14 km length;
- Construction of several major roundabouts, underpasses, a grade separated interchange and a bridge over rail;
- Thomas Road duplication from Kargotich Road to South Western Highway;
- Thomas Road/Tonkin Highway interchange.



The project is divided into stages. Stage One of the project will cover Tonkin Highway extension from Thomas Road to Sparkman Road (located 850m North of Mundijong Road) Road, and Thomas Road duplicated from Kargotich Road to South Western Highway.

Stage Two of the project will see Tonkin Highway extended from Sparkman Road to South Western Highway.

Both Stages will be constructed concurrently through separate alliance contracts. The shortlisted consortia for Stage One and Stage Two are made up of the following companies:

Stage1:

- Tonkin Extend Alliance (Laing O'Rourke, Garli, WSP and Arcadis); and
- Tonkin Extension Alliance (Georgiou, BMD, Civcon, GHD and BG&E).

Stage2:

- Tonkin Connect Alliance (CPB, Carey, WA Limestone, Aurecon, and Jacobs);
- Tonkin Extension Alliance (Georgiou, BMD, Civcon, GHD and BG&E);
- Tonkin South Alliance (Acciona, NRW, AECOM and Arup).

It is anticipated that both alliance contracts will be awarded in late 2024.



Tonkin Highway extension & Thomas Road to South Western Highway



In order for the project to proceed, Main Roads (MRWA) has requested that Council resolve to agree to the dedication of parcels of Crown land that are managed by the Shire to road reservation and consent to the excision of parcels of Crown land managed by other State Government authorities that are located within the Shire boundary also to become part of the road reservation for road widening purposes, as shown on the proposed Land Dealing Plans (LDP) (**attachments 1 and 2**) and listed on tables 1 and 2 (**attachments 3 and 4**)

Main Roads WA has also requested that the Shire consent to Main Roads WA and its contractors entering the reserves listed in Table 3 to carry out any construction works, and relocation of existing services. These works may commence before the excision of the land from the reserve is completed.

In addition, Main Roads has requested the Shire to advise if any interests (including leases) have been granted over reserves listed in **Tables 1 and 2** and **attachments 3 and 4** would be affected by the proposed road widening and land dedication.

**Table 1: Required land for Tonkin Highway Extension project (attachment 3)**

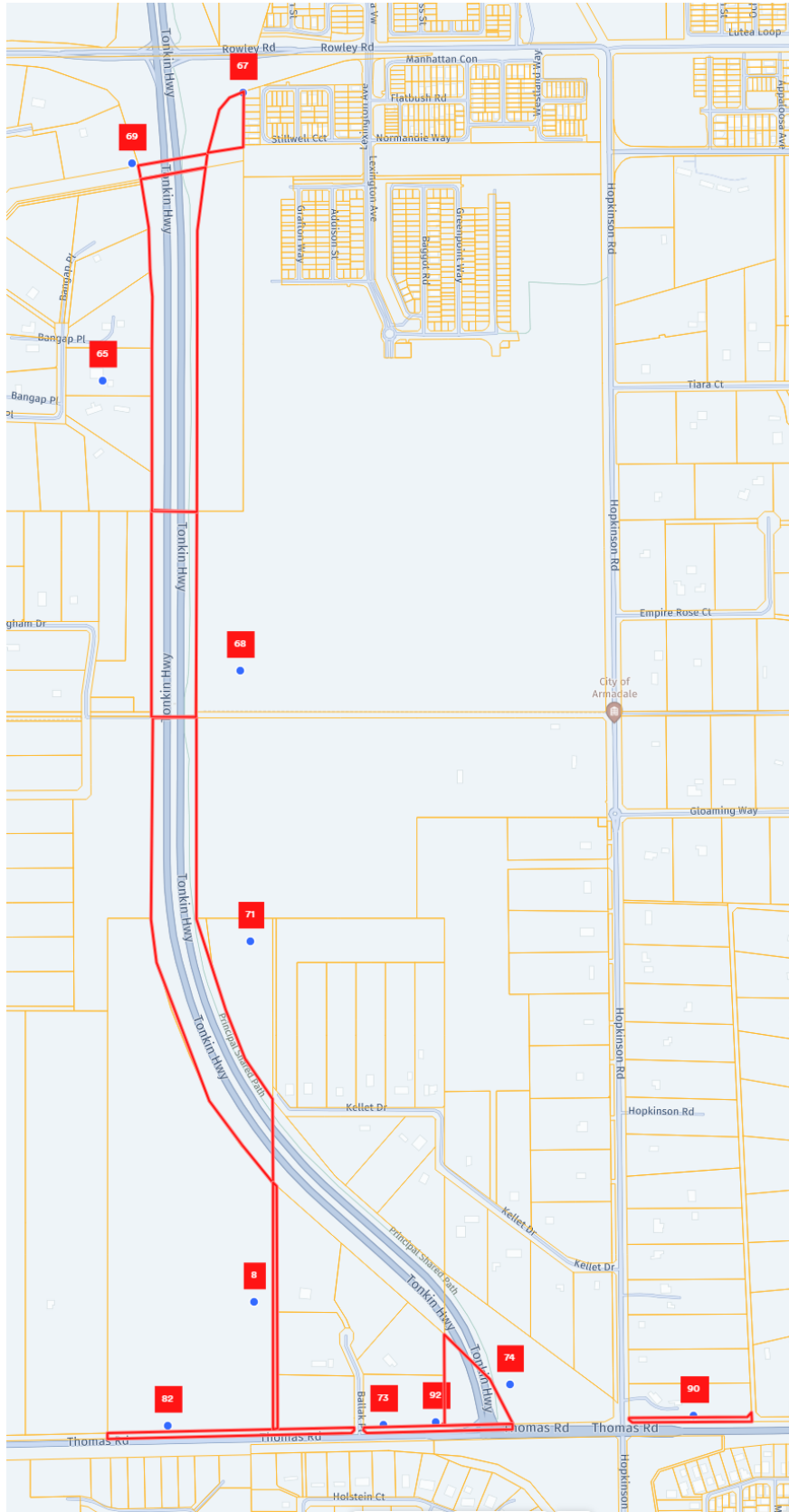
	Entire Lot for Road
	Crown Subdivision Required
	Land Managed by Shire of Serpentine Jarrahdale

Note: The Item numbers in column 1 relate to the Item numbers on the Land Dealings Plans

ITEM	LDP	PARENT LOT	PARENT PLAN	~AREA	Interests
65/71	9823-118-12	4787	DP30019	31.5134 ha	UCL
67	9823-118-12	4788	DP30019	7113 m ²	UCL
68	9823-118-12	4796	DP23936	4.5040 ha	UCL
69	9823-118-12	4805	DP30019	4526 m ²	No Interests (Closed Road - Now Tonkin Hwy)
73	9823-118-12	4798 (Res 46679)	DP30019	3956 m ²	Reserve to Water Corp
82	9823-118-12	1542 (Res 46679)	DP27439	6546 m ²	Reserve to Water Corp
8	2360-109	5091 (Res 47431)	DP27439	5011 m ²	Reserve to Water Corp
74	9823-118-12	4789	DP30019	1.7330 ha	UCL
75	9823-118-12	4791	DP31220	5.3841 ha	UCL
90	9823-118-12	3784 (Res 35603)	P13184	2739 m ²	Shire of Serpentine Jarrahdale Public Rec Reserve. Easement to Water Corp
92	9823-118-12	1610 (Res 47428)	DP27439	15 m ²	Shire of Serpentine Jarrahdale Public Rec Reserve. Easement to Water Corp
5	9823-119-7	1551	DP28179	1.362 ha	UCL
10	9823-119-7	145 (UCL)	DP202681	3946 m ²	UCL
11	9823-119-7	49	DP28179	7 m ²	Shire of Serpentine Jarrahdale Public Rec Reserve.
14	9823-119-7	502 (Res 51491)	DP74730	4017 m ²	Shire of Serpentine Jarrahdale Public Rec Reserve.
21	9823-120-7	CLOSED ROAD (UCL)		2926 m ²	UCL
3	9823-121-10	179	DP36929	1.353 ha	UCL
14	9823-121-10	557 (Res 23793)	DP417901	1.8002 ha	Reserve for Govt Requirements (PTA). Easement to APT Parmelia - to be brought forward
26	9823-121-10	561 (Res 23793)	DP417917	303 m ²	Reserve for Govt Requirements (PTA). Easement to APT Parmelia - to be brought forward

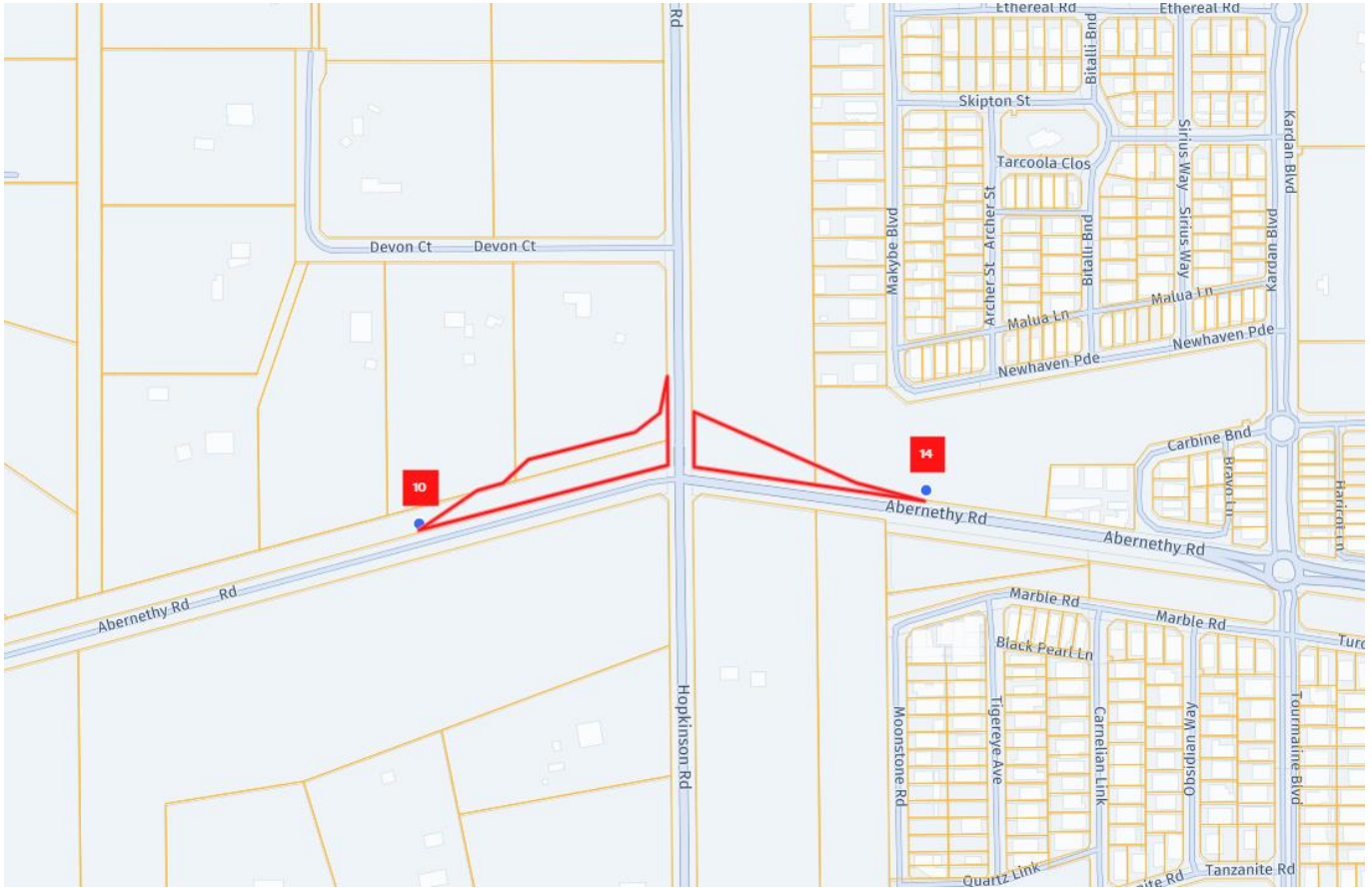


Location map 1: Tonkin Highway project (refer to attachment 1 for Land Dealing Plans)

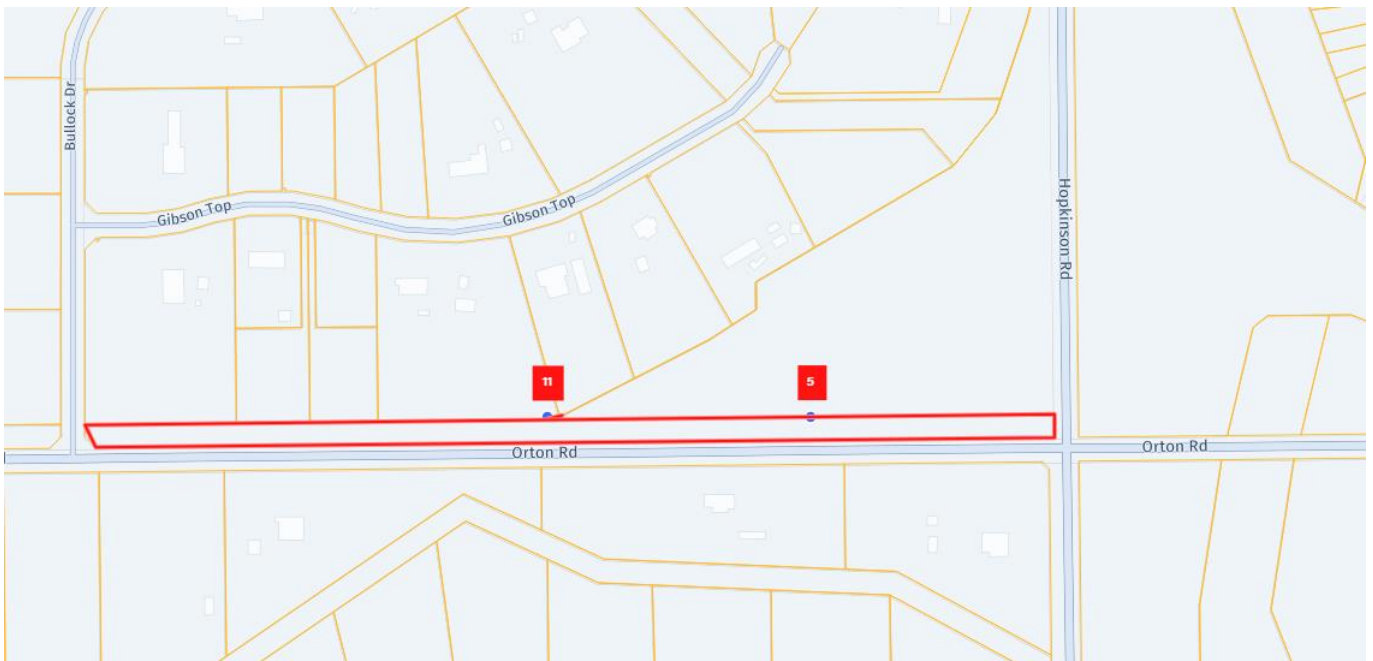




Location map 2: Tonkin Highway project (refer to attachment 1 for Land Dealing Plans)

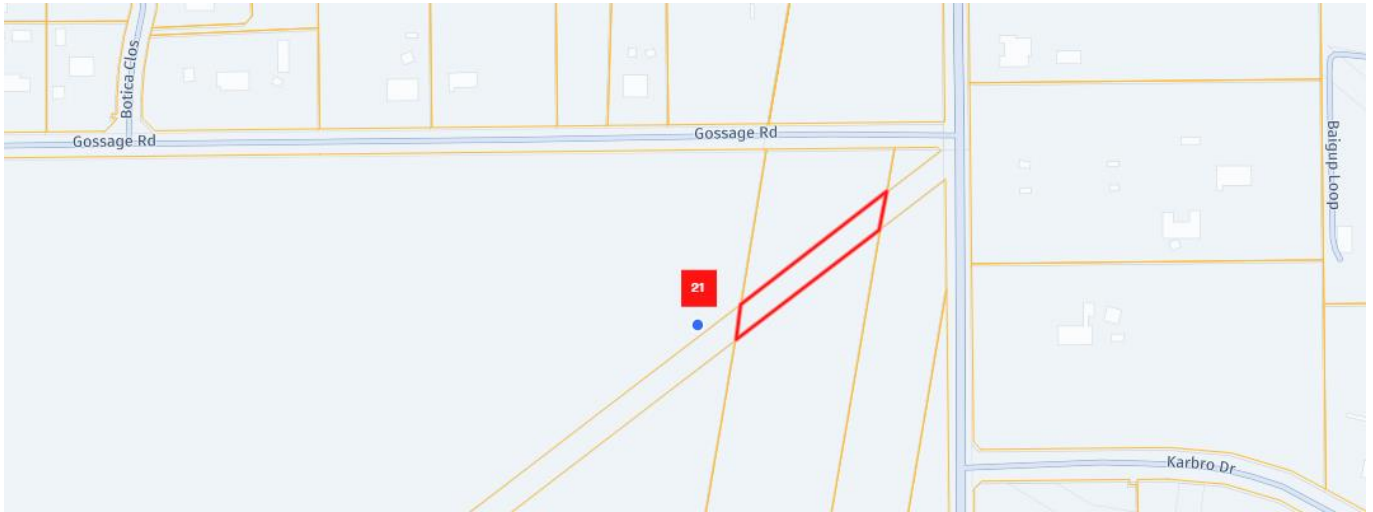


Location map 3: Tonkin Highway project (refer to attachment 1 for Land Dealing Plans)

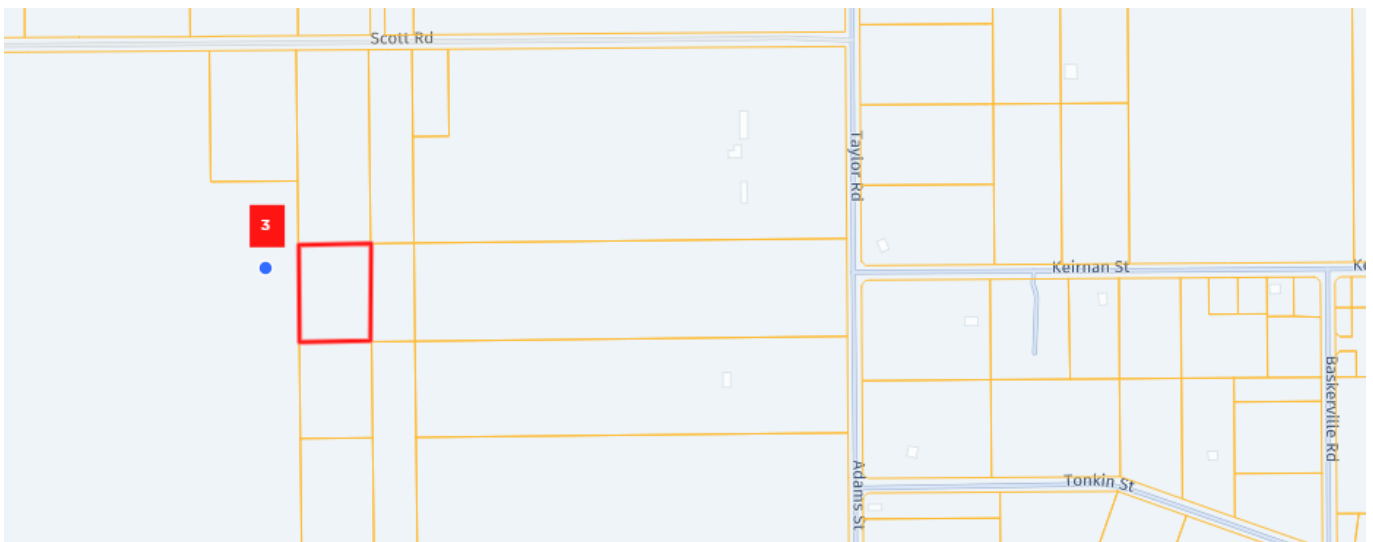




Location map 4: Tonkin Highway project (refer to attachment 1 for Land Dealing Plans)



Location map 5: Tonkin Highway project (refer to attachment 1 for Land Dealing Plans)



Location map 6: Tonkin Highway project (refer to attachment 1 for Land Dealing Plans)

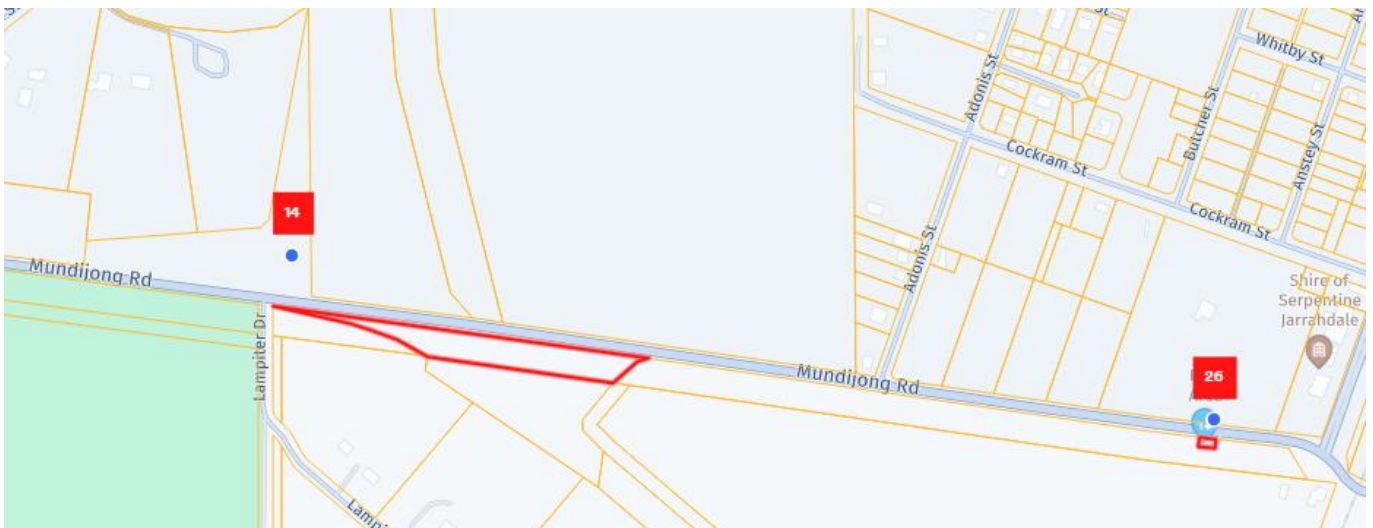
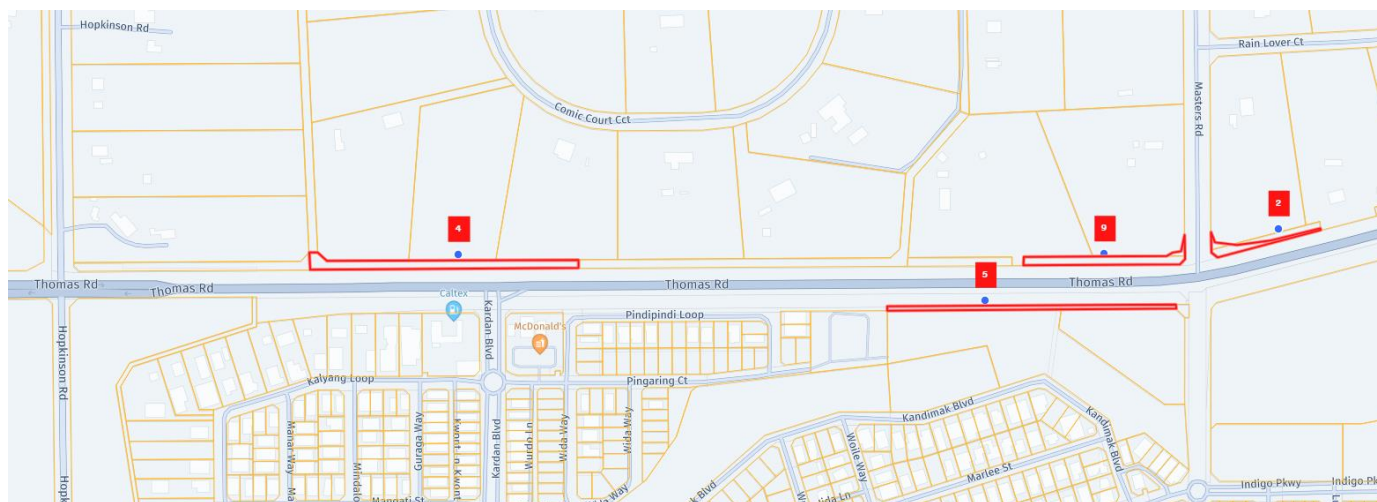


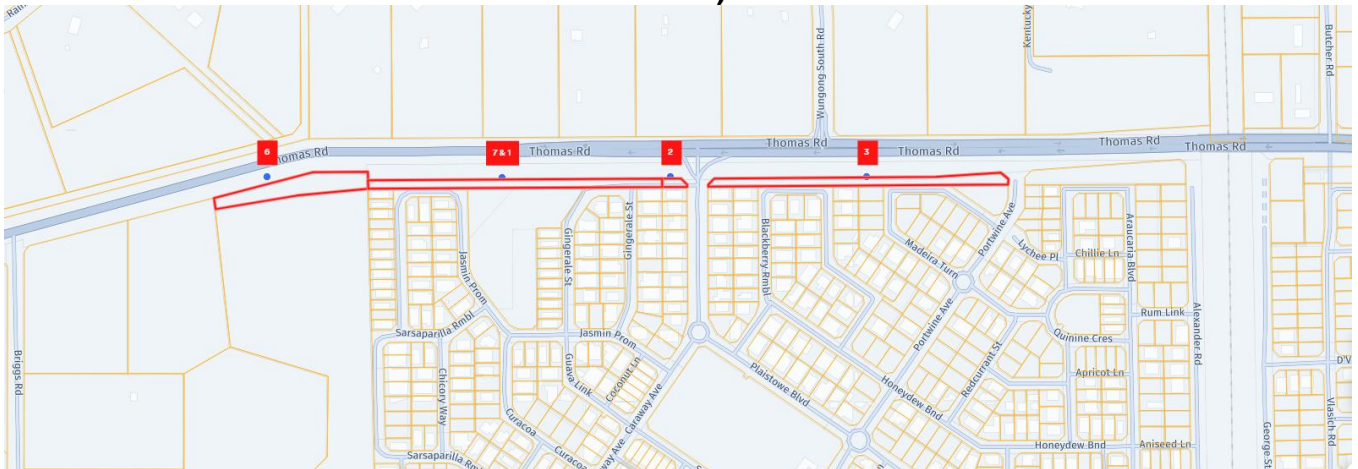


Table 2: Required land for Thomas Road upgrade project (attachment 4)

	Entire Lot for Road				
	Crown Subdivision Required				
Note: The Item numbers in column 1 relate to the Item numbers on the Land Dealings Plans					
ITEM	LDP	PARENT LOT	PARENT PLAN	AREA	Interests
4	2060-088	3580 (Res 35603)	P15658	3127 m ²	Public Rec Reserve. MO to Shire of Serpentine Jarrahdale
5	2060-088	707 (Res 53615)	DP412090	1510 m ²	Reserve for Public Rec and Drainage. Easement to Water Corp. MO to Shire of Serpentine Jarrahdale
9	2060-088	3408 (Res 38471)	D64629	1834 m ²	Reserve for Public Rec and Drainage. Easement to Water Corp. MO to Shire of Serpentine Jarrahdale
2	2060-089-2	167 (Res 35701)	P14770	792 m ²	Public Rec Reserve. MO to Shire of Serpentine Jarrahdale
6	2060-089-2	151 (Res 37332)	P13067	3839 m ²	Public Rec Reserve. MO to Shire of Serpentine Jarrahdale
7 & 1	2060-089-2 & 2060-090-1	8009 (Res 49268)	DP75739	3516 m ²	Reserve for Drainage. Easement to Water Corp.
2	2060-090-1	8006 (Res 49268)	DP53293	3516 m ²	Reserve for Drainage. Easement to Water Corp.
3	2060-090-1	8005 (Res 49268)	DP53293	3785 m ²	Reserve for Drainage. Easements to Water Corp.

Location map 7: Thomas Road upgrade project (refer to attachment 2 for Land Dealing Plans)



**Location map 8: Thomas Road upgrade project (refer to attachment 2 for Land Dealing Plans)****Community / Stakeholder Consultation**

MRWA has contacted all landowners and other affected parties and arrangements for various land acquisitions are being coordinated by MRWA.

Statutory Environment

To give effect to the MRWA request, under section 56 of the *Land Administration Act 1997*, the Shire is required to make a request to the Minister for Lands to dedicate the land as a road reservation. To give effect to the MRWA request, under section 56 of the *Land Administration Act 1997*, the Shire is required to make a request to the Minister for Lands to dedicate the land as a road. However, MRWA has confirmed that due to the extent of the works, they will request the Minister for Lands to dedicate the parcels of land as road reservation. Therefore, once Council resolves to dedicate the parcels of land, no further action is required from the Shire.

Comment

MRWA requested that Council resolve to agree to the dedication of parcels of Crown land that are managed by the Shire to road reservation and consent to the excision of parcels of Crown land managed by other State Government authorities that are located within the Shire boundary also to become part of the road reservation for road widening purposes, as shown on the proposed Land Dealing Plans (**attachments 1 and 2**) and listed on tables 1 and 2 (**attachments 3 and 4**)

MRWA has contacted all private landowners and other affected parties and arrangement for the acquisition of necessary land parcels is in progress. To enable the land to be dedicated as road reserve, it is a requirement of the *Land Administration Act 1997* that the relevant Local Government resolves to dedicate the land.

MRWA has also requested that the Shire consent to MRWA and its contractors to enter onto the Reserves listed on **Tables 1 and 2** and **attachment 3 and 4** to carry out any construction works and relocation of existing services that may commence prior to the excision from the reserve being completed.



In addition, Main Roads has requested the Shire to advise whether any interests (including leases) have been granted over reserve listed in **Tables 1 and 2** and **attachments 3 and 4** that would be affected by the proposed road widening and dedication.

Therefore, Council is requested to pass a resolution for the dedication of the land which will satisfy the requirements at the Department of Planning, Lands and Heritage (DPLH) who will be arranging dedication when the land has been acquired.

Options

Option 1

That Council:

1. RESOLVES to dedicate the parcels of Crown land managed by the Shire of Serpentine Jarrahdale as shown on Main Roads Western Australia Land dealing plans 9823-118-12 and 9823-119-7 (**attachment 1**) to become part of the Tonkin Highway road reservation pursuant to Section 56 of the *Land Administration Act 1997*;
2. RESOLVES to consent to the excision of parcels of Crown land managed by State Government authorities as shown on Main Roads Western Australia Land dealing plans 2360-109, 9823-118-12, 9823-119-7, 9823-120-7 and 9823-121-10 (**attachment 1**) to become part of the Tonkin Highway road reservation pursuant to Section 56 of the *Land Administration Act 1997*;
3. RESOLVES to consent to the excision of parcels from Crown land as shown on Main Roads Western Australia Land dealing plans 2060-088, 2060-089-2 and 2060-090-1 (**attachment 2**) as part of the Thomas Road road reservation pursuant to Section 56 of the *Land Administration Act 1997*;
4. CONSENTS to Main Roads WA and its contractors to enter onto reserves listed in **attachments 3 and 4** to carry out any construction works and relocation of existing services that may commence prior to the excision from the reserve being completed;
5. AUTHORISES the Chief Executive Officer to advise Main Roads Western Australia whether any interests (including leases) have been granted over reserve listed in **attachments 3 and 4** that would be affected by the proposed road widening and dedication.

Option 2

That Council DOES NOT RESOLVE to dedicate the parcels of Crown land or to consent to the excision of parcels of Crown land as shown on Main Roads Western Australia Land dealing plans 2360-109, 9823-118-12, 9823-119-7, 9823-120-7, 9823-121-10, 2060-088, 2060-089-2 and 2060-090-1.

Conclusion

In summary, this report requests the Council to resolve to agree to the dedication of parcels of Crown land that are managed by the Shire to road reservation and consent to the excision of parcels of Crown land managed by other State Government authorities that are located within the Shire boundary to become part of the road reservation for road widening purposes, as shown on the proposed Land Dealing Plans (**attachments 1 and 2**) and listed on tables 1 and 2 (**attachments 3 and 4**) in accordance with the *Land Administration Act 1997*. This dedication is essential for the advancement of the Tonkin Highway Extension and Thomas Road Duplication projects.



MRWA has contacted all affected landowners and arrangements for various land acquisitions are progressing. Council's resolution is required to meet the statutory requirements, allowing the projects to move forward as planned.

Attachments (available under separate cover)

- **10.2.1 - attachment 1** – Tonkin Highway Extension - Main Roads WA - Council to dedicate the land - Land dealing plans (E24/9091)
- **10.2.1 - attachment 2** - Thomas Road Upgrade - Main Roads WA - Council to dedicate the land - Land dealing plans (E24/9092)
- **10.2.1 - attachment 3** - Tonkin Highway Extension - Main Roads WA - Request for Consent of Crown Subdivision (E24/9097)
- **10.2.1 – attachment 4** - Thomas Road Upgrade - Main Roads WA - Request for Consent of Crown Subdivision (E24/9096)

Alignment with our Strategic Community Plan

Outcome 1.3	A safe place to live
Strategy 1.3.1	Comply with relevant local and state laws, in the interests of the community
Strategy 1.3.2	Support local emergency services
Strategy 1.3.3	Enhance community safety
Outcome 3.3	An innovative, connected transport network
Strategy 3.3.1	Maintain, enhance and rationalise the Shire's transport network in accordance with affordable sound Asset Management Plans

Financial Implications

Nil. Main Roads will be responsible for any costs and claims that may arise as a result of the dedication.

Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no risks associated with option 1						
2	That Council refuses to dedicate the land for inclusion in the road reserve	Nil	Reputation	Unlikely	Major	MODERATE	Ensuring valid relevant reason for refusing the land dedication



Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. RESOLVES to dedicate the parcels of Crown land managed by the Shire of Serpentine Jarrahdale as shown on Main Roads Western Australia Land dealing plans 9823-118-12 and 9823-119-7 (attachment 1) to become part of the Tonkin Highway road reservation pursuant to Section 56 of the Land Administration Act 1997;
2. RESOLVES to consent to the excision of parcels of Crown land managed by State Government authorities as shown on Main Roads Western Australia Land dealing plans 2360-109, 9823-118-12, 9823-119-7, 9823-120-7 and 9823-121-10 (attachment 1) to become part of the Tonkin Highway road reservation pursuant to Section 56 of the Land Administration Act 1997
3. RESOLVES to consent to the excision of parcels from Crown land as shown on Main Roads Western Australia Land dealing plans 2060-088, 2060-089-2 and 2060-090-1 (attachment 2) as part of the Thomas Road road reservation pursuant to Section 56 of the *Land Administration Act 1997*;
4. CONSENTS to Main Roads WA and its contractors to enter onto reserves listed in attachments 3 and 4 to carry out any construction works and relocation of existing services that may commence prior to the excision from the reserve being completed;
5. AUTHORISES the Chief Executive Officer to advise Main Roads Western Australia whether any interests (including leases) have been granted over reserve listed in attachments 3 and 4 that would be affected by the proposed road widening and dedication.



OCM221/08/24

COUNCIL RESOLUTION

Moved Cr Duggin, seconded Cr Bishop

That Council:

- 1. RESOLVES to dedicate the parcels of Crown land managed by the Shire of Serpentine Jarrahdale as shown on Main Roads Western Australia Land dealing plans 9823-118-12 and 9823-119-7 (attachment 1) to become part of the Tonkin Highway road reservation pursuant to Section 56 of the Land Administration Act 1997;**
- 2. RESOLVES to consent to the excision of parcels of Crown land managed by State Government authorities as shown on Main Roads Western Australia Land dealing plans 2360-109, 9823-118-12, 9823-119-7, 9823-120-7 and 9823-121-10 (attachment 1) to become part of the Tonkin Highway road reservation pursuant to Section 56 of the Land Administration Act 1997**
- 3. RESOLVES to consent to the excision of parcels from Crown land as shown on Main Roads Western Australia Land dealing plans 2060-088, 2060-089-2 and 2060-090-1 (attachment 2) as part of the Thomas Road road reservation pursuant to Section 56 of the *Land Administration Act 1997*;**
- 4. CONSENTS to Main Roads WA and its contractors to enter onto reserves listed in attachments 3 and 4 to carry out any construction works and relocation of existing services that may commence prior to the excision from the reserve being completed;**
- 5. AUTHORISES the Chief Executive Officer to advise Main Roads Western Australia whether any interests (including leases) have been granted over reserve listed in attachments 3 and 4 that would be affected by the proposed road widening and dedication.**
- 6. REQUESTS the Chief Executive Officer to request MRWA to:**
 - i. Acknowledge the heritage significance of the place known as Fremnells Dairy located at 681 Hopkinson Rd Cardup, which will be impacted as part of the Tonkin Highway Extension Project;**
 - ii. Consider incorporating suitable elements of Fremnells Dairy building in the art work or landscaping components of the Tonkin Highway Extension project in consultation with the Shire of Serpentine Jarrahdale.**

CARRIED UNANIMOUSLY 6/0

Reason for difference:

To acknowledge the importance of Fremnells Dairy to the history of Shire of Serpentine Jarrahdale.

**10.2.2 - Watkins Road Waste and Recycling Transfer Station Redesign Options (SJ2812)**

Responsible Officer:	Manager Waste and Fleet
Senior Officer:	Director Infrastructure Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to provide Council with an understanding of the two main options available for redesign of the Watkins Road Waste and Recycling Transfer Station (WTS) following the June 2024 report, which discussed the remediation requirements and costs.

The redesign options also address the risks associated with the site that were identified for safe and efficient operation of the site following the Glen Flood Group (GFG) report findings.

Relevant Previous Decisions of Council

*Ordinary Council Meeting – 21 June 2024 – OCM166/06/24 - COUNCIL RESOLUTION / Officer Recommendation – **extract***

That Council:

4. REQUESTS the Chief Executive Officer to present the concept plans and costings for both options for redevelopment of Watkins Road Waste and Recycling Transfer Station to Council by August 2024.

Background

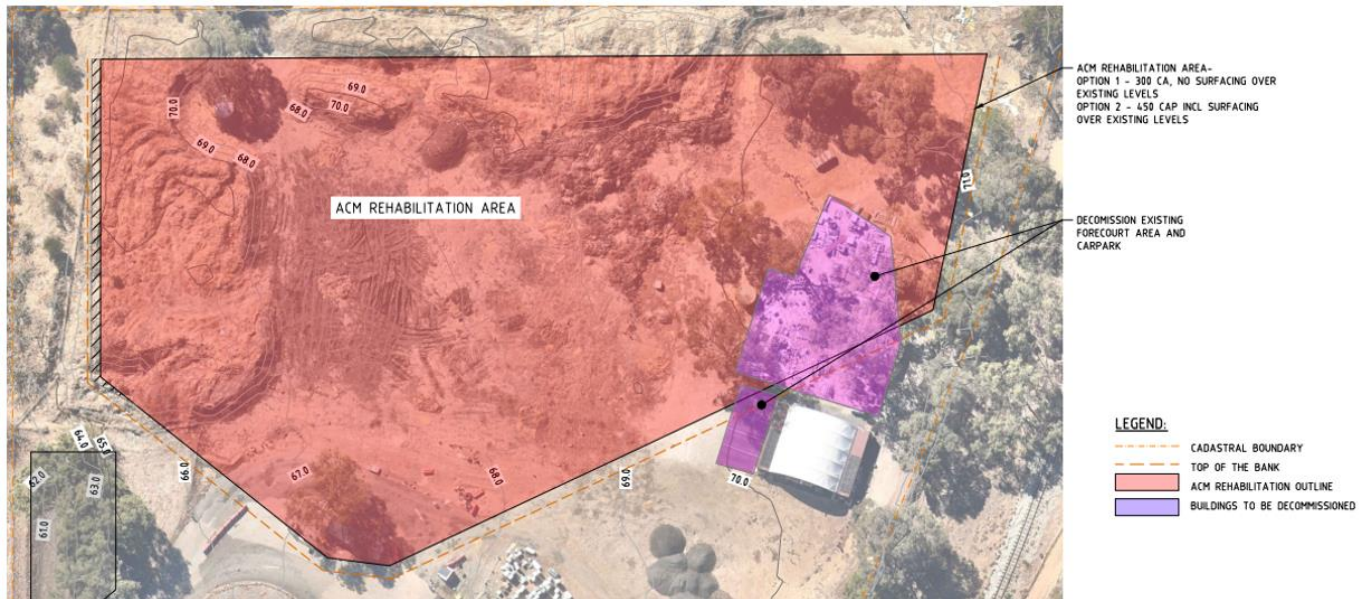
As per the details in the agenda report to Council in June 2024, Council adopted the Glen Flood Group (GFG) report recommendations in June 2023. The recommended list of incomplete actions has been listed below. These actions needed to be considered in the proposed concept redesign options for the site.

Recommendation	Reason
After the removal of drainage waste stockpiles review ability to receive and process drainage waste material at this site	There is already material on site which is in excess of the licence requirements. Space at the WTS is limited. It is unclear if there is adequate space to process drainage material and green waste
Establish utilities - water, power, internet communications	Allow appropriate use of technology onsite and amenities for staff



Recommendation	Reason
Reduce double handling of material	Redesign the layout and placement of bins so that waste being discarded from the drop off wall is deposited directly into appropriate bins, dedicated to specific materials for removal offsite (including setup of a bin for mattresses)
Implement access control system at point of entry (in conjunction with developing a site master plan WT12)	The current gate house is a makeshift frame with shade cloth. Access control should be managed from a proper gatehouse with a registration system and ability to turnback non-compliant disposals
Remove legacy dumped material from the WTS	Currently there is material that is no longer accepted at the transfer station. The fact that this material is still visible makes it harder to reinforce that it is not accepted
Develop a map of the layout and operation of the WTS that can be handed to visitors and posted on the web site	Traffic flow is poorly managed by the placement of cones. Vehicles are separated but stop at virtually the same place. Once a flow plan is developed it should be mapped and handed out
Investigate systems to restrict who can access the WTS, what material they can dispose of and the frequency in conjunction with an analysis of verge side collections	Improve controls around who is using the facility, the frequency and type of material being disposed. This will assist to control disposal costs. For example, it might include a barcode pass permitting two green waste and one general waster per annum plus one each verge collection
Develop a management plan and an annual budget and appropriate financial planning for the facility	A management (or operations) plan that is adopted by Council will provide the guide for managers and senior staff to adhere to as well as providing certainty for all operational staff. It will also provide a safe and secure environment for staff to work in and the public to access
Develop then implement a site Master Plan including emergency escape plan in the event of fire or some other emergency	In conjunction with a management plan the site plan should optimise the logical placement of drop off points, traffic flow and placement of infrastructure

The report from Environmental Risk Consultants (ERC) in June 2024 highlighted the following area shown in red on the image below (ACM Rehabilitation Area). This area was subject to past landfilling activity at 40 Watkins Road, Mundijong, and requires appropriate capping and management as part of the remediation actions by the Shire.



The ACM Rehabilitation Area is over 1 hectare in size. Depending on the level of capping depletion, the ACM Rehabilitation Area will require up to 300mm of capping material. Further, if Council opts to continue to use the subject area for transfer station operations, an additional 150mm of reinforced concrete slab or an appropriate layer of asphalt will be required to withstand traffic loading and prevent any erosion of the capped area. This increased capping layer will cause significant height differences at the perimeter.

Talis Consultants (Talis) was engaged to develop the redesign concept options for Council's consideration and has given due consideration to both the capping requirements and recommended actions provided by GFG.

Community / Stakeholder Consultation

Policy Concept Forum

Meeting Date	22 July 2024
Elected Members in Attendance	Cr Bishop, Cr Duggin, Cr Jerrett, Cr Mack, Cr Mazzini

Statutory Environment

- *Environmental Protection Act 1986*

This is the peak legislative body that sets direction on environmental protection matters including licensing of prescribed premises and management of waste.

- *Environmental Protection Regulations 1987*

Premises with potential to cause pollution or environmental harm to the environment, water resources, public health and/ or amenity are known as 'prescribed premises'. Prescribed premises categories are outlined in Schedule 1 of the regulations.

- *Contaminated Sites Act 2003*

Provides a framework for the identification, recording, management and remediation of land to be classed as contaminated sites.



- Contaminated Sites Regulations 2006

These regulations stipulate the process to be followed to register and manage contaminated sites.

- Waste Avoidance and Resource Recovery Act 2007

The Act provides waste avoidance and resource recovery, management of local government waste including charging of fees and application of levies on waste.

Comment

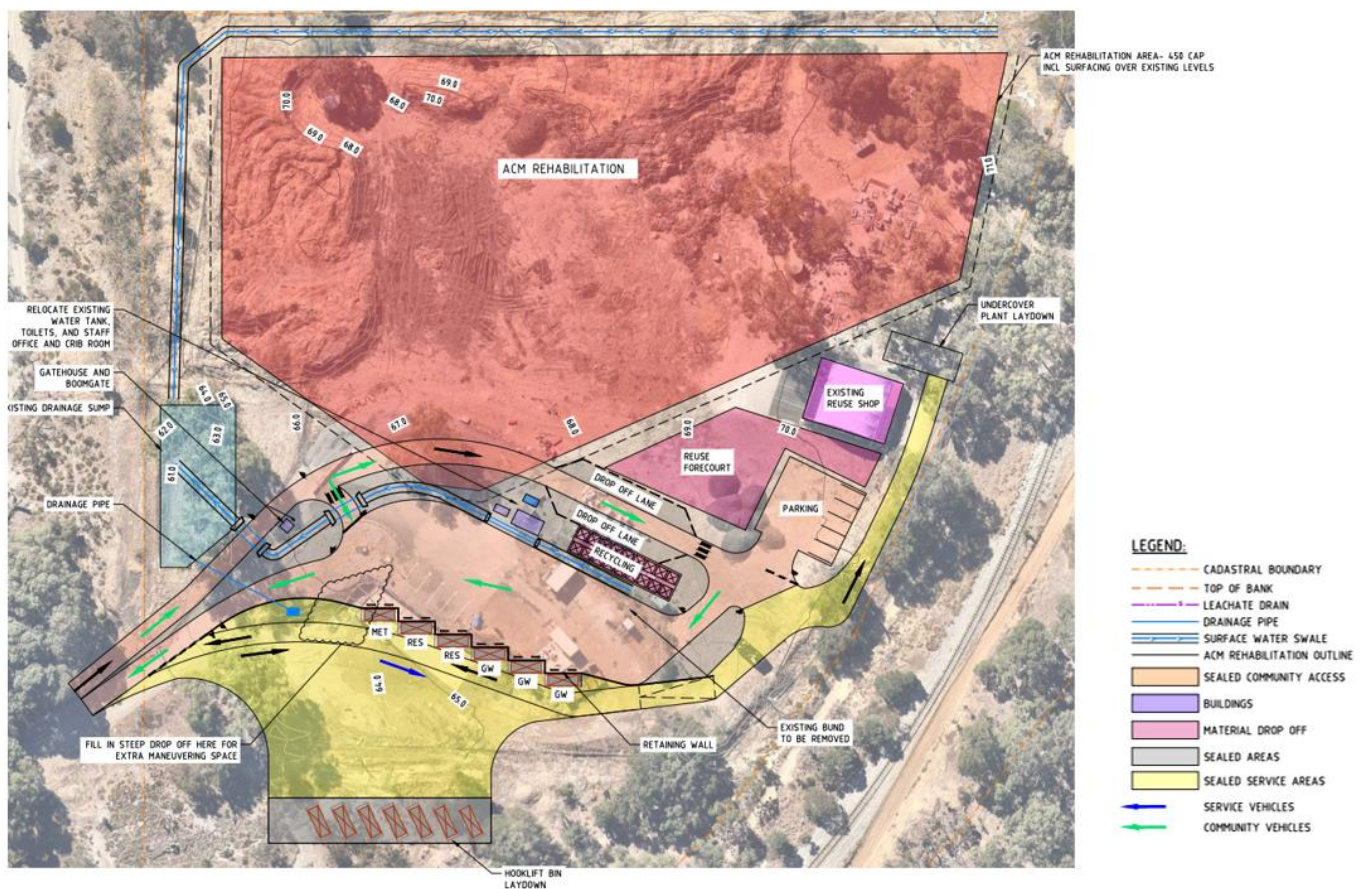
Talis has provided two main options for Council's consideration.

Concept Design Option 1 –

The key features of this design option include:

- Avoid use of the ACM Rehabilitation Area;
- Prioritise green waste drop off, recycling and Reuse Shop use;
- Minimal acceptance of residual waste, without which the Reuse Shop could not function.

The Site Layout for Concept Design Option 1 is as per the image below:





The following improvements have been featured in this Concept Design Option 1:

Feature	Notes
Gatehouse	Closer to the entry point, to improve screening of patrons
Early exit point	For vehicles that have been refused entry to exit the site
Site drainage	Prevention of overflow onto the Department of Biodiversity Conservation and Attractions (DBCA) reserve
Re-Use Shop	Changes to the forecourt area including a drop-off lane and dedicated parking bays
Traffic Flow	One-way traffic flow for patrons in and out of the site
Large skip bins	Change to skip bins for green waste, junk and metals, removing the need for double handling, use of the front-end loader and reduced safety and operational risks
Hook lift truck	Inclusion of additional skip bins and a hook lift truck to manage peak time loads
Service access	Separate access for service vehicles to the loading area
Space	Reduced space resulting in reduced serviceability
Trees	Intention to avoid the need for removal of any trees

It is important to note that as this is a reduced service option, the Shire would need to:

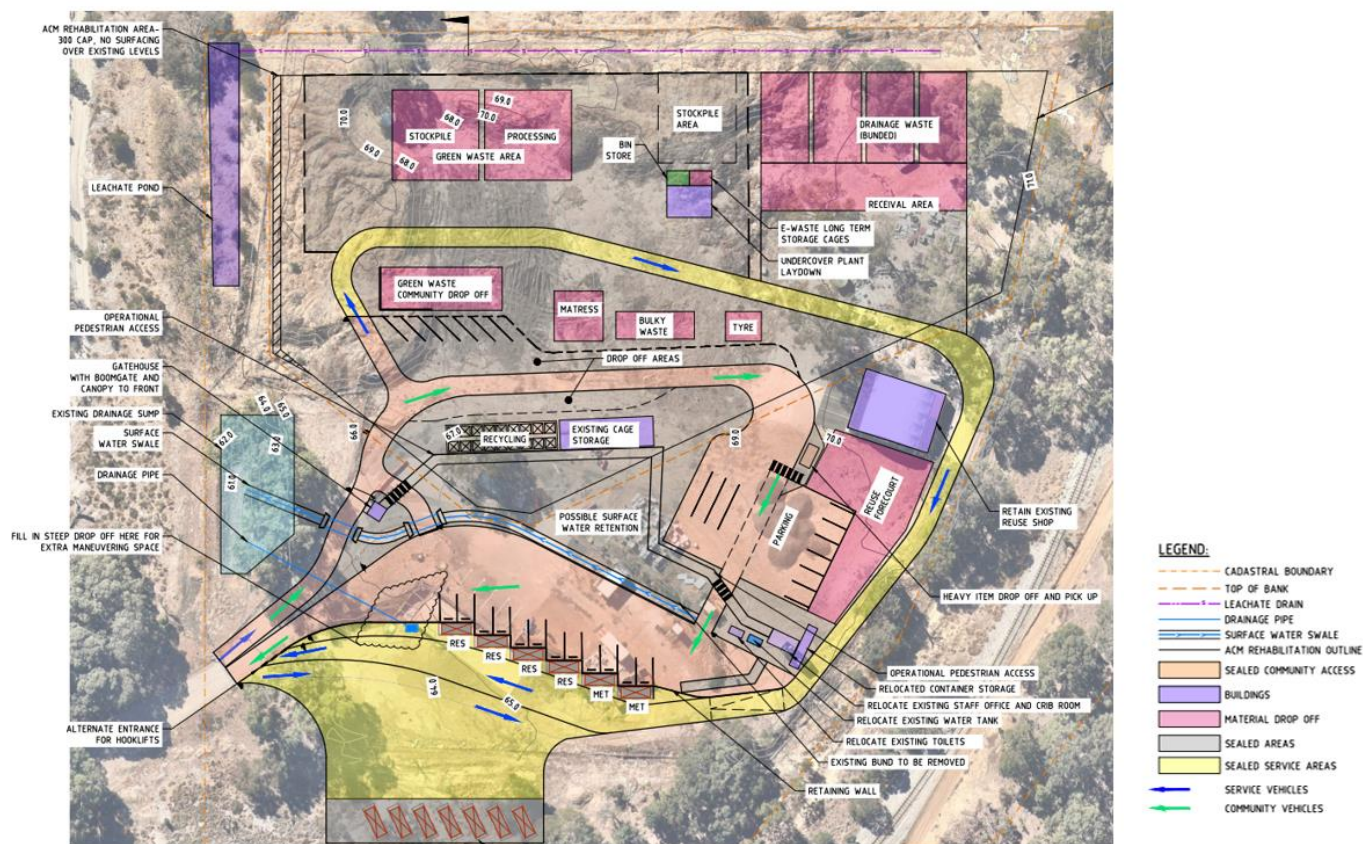
- Continue to provide at least one annual green waste verge collection;
- Continue to make available at least one annual bookable hard waste verge collection.
- Find an alternative site to license and manage:
 - Drainage waste and street sweepings from Shire operations;
 - Green waste from Shire Operations;
 - Tyres and other minor miscellaneous illegally dumped materials.
- No on-site management of the following material types previously managed on site:
 - Mattresses;
 - E-waste;
 - Batteries;
 - Whitegoods;
 - Light globes;
 - Illegally dumped materials.

Concept Design Option 2

The key future of this concept is to utilise the entire site, therefore allowing all former services, as well as suitable solutions for street sweeping and drainage waste management, to be conducted on site.



The Site Layout for Concept Design Option 2 is as per the image below:



The following improvements have been featured in this Concept Design Option 2:

Feature	Notes
Gatehouse	Closer to the entry point, to improve screening of incoming materials
Early exit point	For vehicles that have been refused entry to exit the site
Site drainage	Prevention of overflow onto the Department of Biodiversity Conservation and Attractions (DBCA) reserve
Re-Use Shop	Changes to the forecourt area including a drop-off lane and dedicated parking bays
Traffic Flow	One-way traffic flow for patrons in and out of the site
Large skip bins	Change to skip bins for metals and junk removing the need for double handling, use of the front-end loader and reduced safety and operational risks
Hook lift truck	Inclusion of additional skip bins and a hook lift truck to manage peak time loads
Green waste	Drop off pad for community, separated from drop off and processing area for Operational waste
Drainage waste	New drainage waste and street sweeping drying pads



Feature	Notes
Leachate pond	New leachate pond to manage leachate from the green waste and drainage waste drying beds
Service access	Separate access for service vehicles to the loading areas around the site
Space	Increased space resulting operations efficiency and site safety
Trees	Some tree clearing may be necessary

This full-service Concept option means that the Shire will be able to manage all waste services on site with one DWER licence.

However, with the aim of limiting residual waste and increasing material recovery on-site, it is recommended that if Concept Option 2 is chosen, the Shire continues to provide at least one bookable hard waste collection service for residents per annum.

Cost Estimates

The high-level cost estimates for the two concept options have been tabled below. The costs for remediation that were discussed in the June 2024 report, have also been included in the table.

Item	Description	Concept Option 1 Cost (excl. GST)	Concept Option 2 Cost (\$ excl. GST)
1	Preliminaries, overheads, shire overheads, project management, insurance, etc - 23% construction cost	\$323,290	\$668,571
2	Earthworks and external works to existing transfer station area	\$232,512	\$228,044
3	Infrastructure	\$275,023	\$944,205
4	Pavement	\$292,041	\$682,811
5	Surface Water Management	\$239,108	\$334,561
6	Miscellaneous	\$38,950	\$38,950
	Estimated Sub-total	\$1,400,925	\$2,897,141
A	Professional Services	\$165,692	\$211,730
B	Contingencies (20% of construction sub-total)	\$280,185	\$579,428
C	Cost escalations (6% of construction sub-total)	\$84,055	\$173,828
	Estimated Total Construction Costs	\$1,930,858	\$3,862,127
	Contaminated Sites Rehabilitation Works	\$3,149,000	\$3,149,000
	Total to be budgeted	\$5,079,858	\$7,011,127

Approvals Process

The Shire has an existing licence with DWER to operate a transfer station at Watkins Road. The improvements to the site could be defined as public works and could be exempted from requiring **planning approval**.



As the site is located in a Bushfire Prone Area, a **Bushfire Risk Assessment and Management Plan** (BRMP) will be required to support the design.

Rehabilitation works will need to be completed prior to commencement of the Watkins Road facility redesign.

The following is an indicative process summary, which has been provided by Talis to ensure DWER sign off:

- Auditor assigned to the project;
- Plan, process, and supporting investigations developed and approved by auditor (5-6 months);
- Complete rehabilitation work and provide supporting documentation to validate completed works as per approved plan (8-10 months);
- Auditor to sign off on behalf of DWER (2-3 months).

If as in Concept Option 2, native vegetation clearing is required, **Clearing Permits** may be required along with additional costs for offsets. This requirement will be avoided as much as practically possible.

Further details on the approvals process, timelines and associated costs can be found in the Approvals Pathway Mapping (APM) document prepared by Talis (at **attachment 1**).

The APM document also discusses the planned Implementation Plan for the redesign of the site. The following project stages and key tasks have been listed for consideration:

Stage 1 – Approvals;

Stage 2 – Detailed Design and Documentation;

Stage 3 – Construction Support.

Stage	Factors	Task
Stage 1 – Approvals	Approval Designs	Completion of designs to a standard suitable for obtaining the necessary approvals.
	Specialist Studies	Stormwater and Leachate, Traffic, Asbestos, Bushfire, Environmental Assessment and Management Plan (EAMP)
	Works Approval Application	Application to the DWER including: <ul style="list-style-type: none">• Proposed clearing;• Environmental factors and management measures; and• Supporting technical studies.



Ordinary Council Meeting Minutes Monday, 19 August 2024

Stage	Factors	Task
Stage 2 – Detailed Design and Documentation	Detailed Designs	Preparation of civil and structural designs, including details on: <ul style="list-style-type: none"> Building services: Mechanical, Electrical, Hydraulic and Fire; Site water and wastewater; and Architectural designs for buildings.
	Cost Estimates	Pre-tender Bills of Quantities and Cost Estimates.
	Documentation	Preparation of supporting documentation, including: <ul style="list-style-type: none"> Technical Specification; Construction Quality Assurance Plan; Safety in Design Report; and Bills of Quantities.
	Design Compliance	Certificate of Design Compliance.

Stage	Factors	Task
Stage 3 – Construction	Procurement	Tender evaluations, contract negotiations, and awarding of construction contract.
	WTS Construction	Construction of WTS and compilation of verification documentation.
	Approvals Compliance	Works Approval Compliance Report (ECR and/or ECoR) and submission.

Based on these stages, Talis has provided the following indicative timelines for each concept option.

OPTION 1

Requirement	Month																								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Rehabilitation Planning																									
Rehabilitation Works																									
Rehabilitation Approval																									
WTS Design																									
WTS Works Approval																									
WTS Construction																									
TLO Period																									
Licence Amendment																									

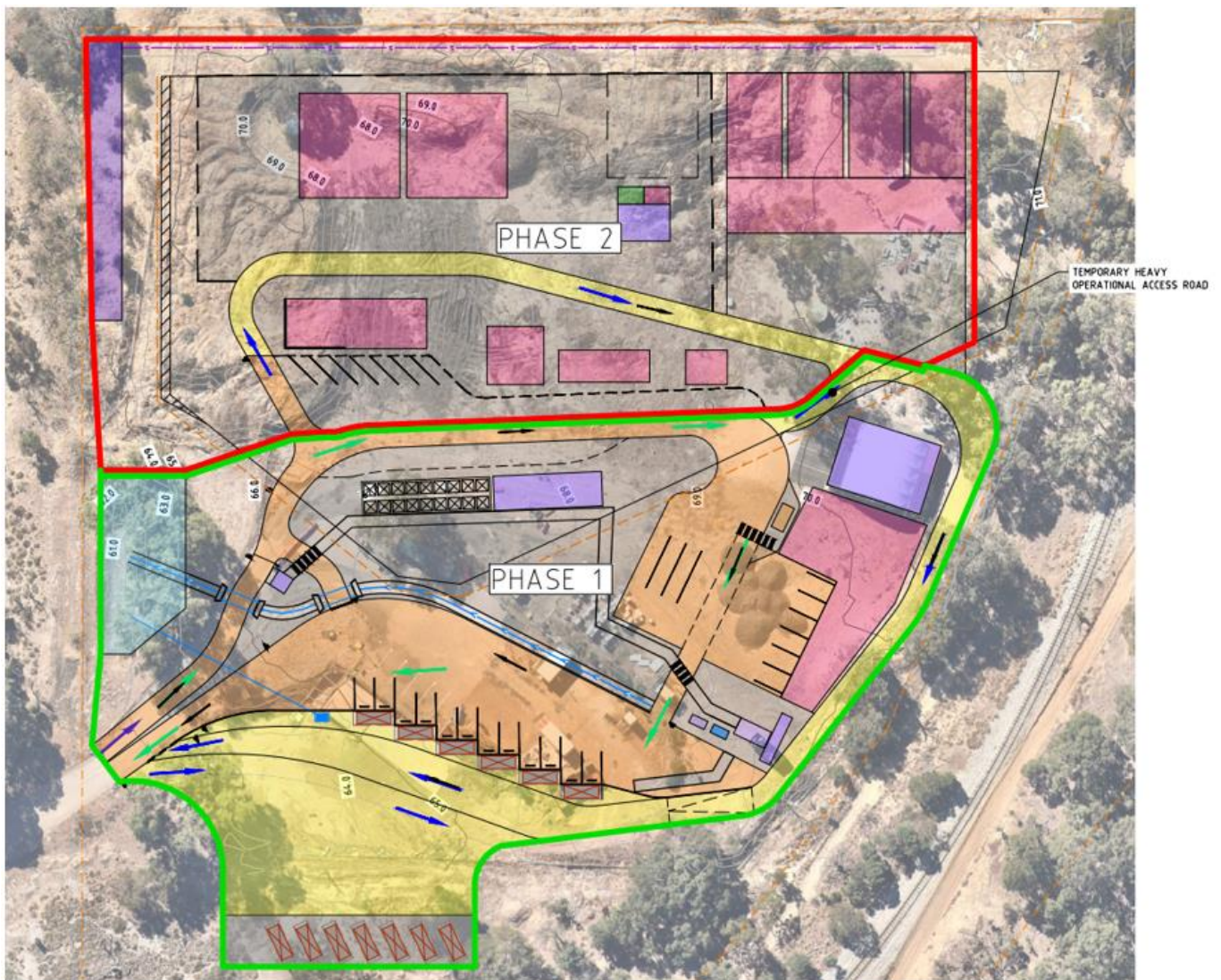


OPTION 2

Requirement	Month																								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Rehabilitation Planning																									
Rehabilitation Works																									
Rehabilitation Approval																									
WTS Design																									
WTS Works Approval																									
WTS Construction																									
TLO Period																									
Licence Amendment																									

Rehabilitation Works	
Waste Transfer Station Works	

Given the additional costs associated with Concept Option 2, Talis has also provided an option to break up the construction in this option in two phases as per the following image:





As above, the remediation approvals and works for the site needs to be completed prior to any redesign works. However, assuming the Shire wishes to proceed with the redesign works, the approvals and planning for the construction can still go ahead while the remediation works are in progress.

Talis provided the following phased costings for Option 2:

Item	Description	Amount (\$ excl. GST)		
		Phase 1	Phase 2	Option 2 Total
1	Preliminaries, overheads, shire overheads, project management, insurance, etc - 30% construction cost	\$354,022	\$314,549	\$668,571
2	Earthworks and external works to existing transfer station area	\$228,044	-	\$228,044
3	Infrastructure	\$349,998	\$594,207	\$944,205
4	Pavement	\$368,473	\$314,338	\$682,811
5	Surface Water Management	\$194,608	\$139,953	\$334,561
6	Miscellaneous	\$38,950	-	\$38,950
	Estimated Total Cost	\$1,534,094	\$1,363,047	\$2,897,141
A	Professional Services	\$169,790	\$41,940	\$211,730
B	Contingencies (20% estimated total cost)	\$306,819	\$272,609	\$579,428
C	Cost escalations (6% estimated total cost)	\$92,046	\$260,364	\$352,409
	Estimated Total Construction Costs	\$2,102,748	\$1,937,960	\$4,040,708
	Contaminated Sites Rehabilitation Works	\$3,149,000	-	\$3,149,000
	Total	\$5,251,748	\$1,937,960	\$7,189,708

The following conceptional timeline has been developed with approximate costs per financial year. This timeline allows each concept option, including not re-opening the WTS, to be compared. The cost of verge collections and Operations costs for managing on-going and new drainage waste, street sweepings and green waste has also been included to consider the overall impact on the budget. Kerbside collection costs are independent of the WTS and Operational costs. These costs will be the same for all options and therefore, these costs have been excluded in the comparison table. These are high-level estimates, with actual costs to be understood when further details are available through design as part of the project management framework. It is also likely that in reality the timelines may vary due to external factors including procurement, consultancy, approvals, budget restrictions and other nuances.



Ordinary Council Meeting Minutes

Monday, 19 August 2024

Option	2024/25	2025/26	2026/27	2027/28	4 Year Total
Concept 1	Rehab Plan & Works incl. opt to not move stockpiles - \$1.0 - 2.5M WTS Redesign and Approval - \$0.2M Verge Collections - \$0.9M Drainage, street sweepings, greens - \$1.3M PM for alt site for Operations - \$0.1M	Rehab Complete & Approval - \$0.7M WTS Construction - \$1.5M Verge Collections - \$0.9M Drainage, street sweepings, greens - \$1.1M Planning and approval for alt site for Operations - \$0.3M	WTS Completion - \$0.5M Commence Operations part year - \$0.3M Reduced verge collections (1green + 1 bulk) - \$0.6M Drainage, street sweepings, greens - \$1.1M Construction of alt site for Operations - \$1.3M Potential Carbon Offsets for tree planting on site - \$TBD	WTS Operations - \$0.6M Reduced verge collections (1green + 1 bulk) - \$0.6M Drainage, street sweepings, greens managed at alt site - \$0.5M	
Concept 1 Totals	\$3.5 - 5.0M	\$4.5M	\$3.8M (less offsets)	\$1.7M	\$13.5 - 15M
Concept 2	Rehab Plan & Works – \$2.5M WTS Redesign and Approval - \$0.4M Verge Collections - \$0.9M Drainage, street sweepings, greens - \$1.3M	Rehab Complete & Approval - \$0.7M WTS Construction - \$3.5M Verge Collections - \$0.9M Drainage, street sweepings, greens - \$1.1M	WTS Completion - \$0.5M Commence Operations - \$0.7M Reduced verge collections (1 bulk) - \$0.4M Drainage, street sweepings, greens - \$0.5M	WTS Operations incl drainage, street sweepings greens - \$1.1M Reduced verge collections (1 bulk) - \$0.4M	
Concept 2 Totals	\$5.1M	\$6.2M	\$2.1M	\$1.5M	\$14.9M
Phased Concept 2	Rehab Plan & Works – \$2.5M WTS Redesign and Approval - \$0.4M Verge Collections - \$0.9M	Rehab Complete & Approval - \$0.7M Phase 1 Construction - \$2M Verge Collections - \$0.9M	WTS Operations - \$0.6M Phase 2 Construction - \$2M Reduced Verge Collections (1green + 1 bulk) - \$0.6M	WTS Operations incl drainage, street sweepings greens - \$1.1M Reduced verge	



Option	2024/25	2025/26	2026/27	2027/28	4 Year Total
	Drainage, street sweepings, greens - \$1.3M	Drainage, street sweepings, greens - \$1.1M	Drainage, street sweepings, greens - \$1.1M	collections (1 bulk) - \$0.4M	
Phased Totals	\$5.1M	\$4.7M	\$4.3M	\$1.5M	\$15.6M
No WTS	Rehab Planning incl. option not to move existing stockpiles - \$0.2M Verge Collections - \$0.9M Drainage, street sweepings, greens - \$1.3M PM for alt site for Operations - \$0.1M	Rehab Works - \$1.5 - \$3M Verge Collections - \$0.9M Drainage, street sweepings, greens - \$1.1M Planning and approval for alt site for Operations - \$0.3M	Potential Carbon Offsets for tree planting on site - \$TBD Verge Collections - \$1M Drainage, street sweepings, greens - \$1.2M Construction of alt site for Operations - \$1.3M	Verge Collections - \$1M Drainage, street sweepings, greens managed at alt site - \$0.5M	
No WTS Totals	\$2.5M	\$3.8 – 5.3M	\$3.5M less offsets	\$1.5M	\$11.3 - \$12.8M

The table above highlights the following key points for each option:

Concept Option 1 –

- If there are no operations to be conducted in the ACM Rehabilitation Area, costs of off-site removal of the stockpiles could be limited with savings of up to \$1.5 million.
- If the stockpiles need to be removed off-site, the costs over the 4-year period are similar to Concept Option 2.
- The on-going costs following construction will be more than all the other options as the Shire will need to continue to provide at least one green waste and one bulk waste verge collection service per annum.
- In this option, it is assumed that an alternative site will be planned and constructed for management of operational drainage waste, street sweepings and green waste. Once constructed, there are assumed savings in disposal in the 4th year.

Concept Option 2 –

- If not phased due to the significant construction costs in Year 2 (2025/26) the required additional budget for the project will be ~\$6.2 million.
- Completing all the construction in one stage will help the Shire realise operational and verge collection savings earlier in the second half of Year 3 (2026/27).



- The overall costs are less if Concept Option 2 is not phased. However, due to the number of variables, not phasing the Concept Option could also result in delays, which would in-turn increase operational costs.

Concept Option 2 Phased –

- In reality if the Shire chooses a Phased Concept Option 2 approach, Phase 2 construction works could be pushed back until Year 4 (2027/28) or later. However, this would mean Operational and verge collections costs would remain higher for longer.
- Phased Concept Option will allow more flexibility and time to plan budgets if the WTS were to be re-opened.

No WTS –

- If Council chose not to re-open the site - approval, redesign and construction costs of between \$2 - 4 million could be saved.
- Additionally, as in Concept Option 1, the Shire could also realise savings in the rehabilitation costs of \$1.5 million due to the possibility of on-site management of the stockpiles.
- The operational costs for management of drainage spoils, street sweepings and green waste (Operations) remain high until the alternative site is constructed and operational.
- In Year 4 (2027/28) the verge collections and operational costs are similar to Concept Option 2 and are likely to remain the similar in subsequent years with inflationary costs.

Household Bulky Waste

The bookable hard waste collects are now fully operational to residents. In its initial stages, this collection service has been well received by the community. Residents can book a collection within 2-8 weeks depending on availability of dates and do not need to transport the waste material to a waste facility.

One of the reasons the WTS was popular with some residents was because there were no restrictions on waste volumes brought to the facility. This placed immense pressure on the on-site resourcing and the environment and led to higher-than-expected operational costs (mainly disposal).

The redesigned site based on the concept plans would not be able to cope with the volumes of waste previously received. Therefore, waste volumes would need to be restricted by tip passes and charges for additional waste. In this instance, the Shire would benefit from retaining the bookable hard waste collection service by lowering the allowance to one service per annum for each household.

Green waste

The scheduled green waste verge collections have also been well received by the community due to the regularity, convenience with no volume restrictions.

For green waste drop-off, due to this limited space if Concept Option 1 was to be chosen, there may need to be volume limits introduced.

The Shire would have more space for receipt, storage and processing (chipping) on-site if Concept Option 2 waste to be chosen. There would therefore be no volume restrictions required for green waste in this scenario.



Recycling and material recovery

After the closure of the WTS, residents have been able to take most recyclables including household hazardous waste to the City of Armadale Landfill and Recycling Facility for free.

Due to lack of space, even with the Concept Option 2 set up, the Shire will not be able to provide all the services that the Armadale facility provides. However, due to more options for recycling and the management of materials in the same location, it is assumed that Concept Option 2 will be preferred by residents over Concept Option 1.

Reuse Shop and education opportunities

The Re-use Shop was popular with residents and visitors to the Shire. The Reuse Shop also provided opportunities to re-use avoiding waste where possible. For this reason, the Reuse Shop operations have been included in both Concept Options.

The space could also be use in the future to run training workshops and educational activities.

Food Organics and Garden Organics Kerbside Collections

Federal and State Governments are pursuing increased recovery of food organics and garden organics (FOGO) from the household general waste bins.

The Shire has received a grant to introduce FOGO to Shire residents by June 2025. There are additional costs associated with the roll-out of bins, kitchen caddies and compostable liners in the order of \$3 million. These costs and the on-going additional costs of the service have been discussed in the Waste Audit Findings and FOGO Considerations report to Council.

One of the benefits of the FOGO service is that residents can place green waste in the FOGO bin, reducing the requirement for smaller green waste to be collected during verge collections or dropped off at the redesigned WTS.

Application of Increased Costs to Residents

With approximately 14,000 households an increase of every \$1,000,000 to the budget, increases the amount to be levied in the Waste Fee by \$71.42. Therefore, a \$5 million increase in the first year of the project would equate to \$357 extra for each rateable property.

Need for Community Engagement

Waste services have proven to be important to the community. There are a number of competing priorities for the Shire to manage in the next few years including the future of the WTS, management of operational waste and potentially kerbside FOGO services. The costs applicable for all these services particularly the capital costs will require careful budgeting and higher than normal rate increases to raise the capital required to complete the project.

Since the closure of the WTS, the Shire has introduced temporary pre-booked verge collection services for hard waste collections and scheduled green waste verge collection services. These services have been well received by the majority of residents that have used the service.

Given the importance of waste services to the community, it is crucial to consult with residents to determine their preferences and ensure that the selected option aligns with their needs and expectations. Gathering input from a wide range of residents will provide valuable insights into community sentiment, helping the Shire to choose an option that meets public demand while being financially and logistically feasible.



Engaging with our community will also demonstrate a commitment to involving the community in decision-making processes, building trust and transparency between the Shire and its residents, and empowering the community to have a voice in shaping the services that affect their daily lives.

Option 1 therefore recommends detailed community engagement. These preferences can further feed into the Shire's Waste Plan from 2025 to 2028, required to comply with the requirements of the *Waste Avoidance and Resource Recovery Act 2007*.

Budget Allocation for Engagement Campaign

The following budget will enable comprehensive outreach and the use of diverse engagement methods, including online surveys, public forums and events, workshops, and social media outreach, ensuring that all community members, regardless of their technological access or preferences, can participate. Given the breadth of the desired campaign, deployment of officers from across the organisation will be required to facilitate face-to-face components of the campaign. The following table provides an estimate of the costs:

Description	Cost
Consultant fees – review of plan and survey, data analysis of results	\$25,000
Pop up community engagement booth/engagement events and workshops throughout Shire	\$35,000
Advertising/print/distribution to all households	\$40,000
TOTAL:	\$100,000

This approach is modelled on the successful Council Plan 2023-2033 engagement campaign, which operated with a similar budget. Given the heightened interest in Waste Services since the closure of the Waste Transfer Station, it is anticipated that the campaign will yield significantly more than the 613 responses received for the Council Plan engagement.

A Draft Communications and Engagement Plan has been prepared for the community engagement exercise included at **attachment 2**.

Options

Option 1

That Council:

1. REQUESTS the Chief Executive Officer to conduct community engagement in accordance with the Draft Communications and Engagement Plan as contained within attachment 2 which includes consultation on:
 - a. The appetite to reopen the Watkins Road Waste and Recycling Transfer Station or not;
 - b. The future of the bookable hard waste collection service;
 - c. The future of the kerbside greenwaste collection service;
 - d. The introduction of FOGO in the Shire, which will also be subject to a separate report to Council on this agenda at Item 10.5.2;
2. APPROVES the following budget variation:



Account Number	Type	Account Description	Debit \$	Credit \$
3230-NEW-6230-0000	Increase Expenditure	Waste Transfer Station – Redesign – Consultancy	100,000	
3230-NEW-5039-0000	Increase Transfer from reserve	Waste Transfer Station – Redesign – Transfer from Reserve -Waste Reserve		100,000
Reason: Allocate \$100,000 from the Waste Reserve to conduct the waste services community consultation.				

3. REQUESTS the Chief Executive Officer report back to Council on the findings of the community engagement by February 2025, in order to determine the preferred options for the Watkins Road Waste and Recycling Transfer Station.

Option 2

That Council RESOLVES not to reopen the Watkins Road Waste and Recycling Transfer Station to the community.

Option 1 is recommended.

Conclusion

Concept Option 1 provides Council the option to operate the WTS with minimal services, thereby saving construction costs on site and potentially reducing rehabilitation costs. However, some of these savings are negated by the need to source and develop a new site for management of the Shire's operational waste. The reduced services may also not be seen favourably by the community.

Concept Option 2 uses the entire site, allowing the Shire to cater for all residential and Operational waste types on one site, thus reducing service costs in the long run. However, the capital costs for this Concept Option are the highest. The construction can be broken up into 2 phases spreading the costs over several years. However, in the interim Council would need to budget for higher on-going costs for management of Operational waste types.

The option to close the WTS permanently is the cheapest option due to the reduced construction costs and potential savings from potential options to manage the stockpiles on site during the rehabilitation process. This option will not be well received by community members who want the transfer station to be reopened.



It is also to be noted that since the WTS closure, the Shire has introduced three green waste verge collections for 2024/25 and the bookable hard waste verge collections services with two allowances. These services are gaining in popularity and offer convenience to residents that were previously not able to use the WTS due to immobility and the difficulty with using a trailer.

There is no perfect solution available. It is therefore being recommended that Council request a detailed and Shire-wide community engagement exercise to determine the communities needs while having regard for the budget increases that would be applicable for each option.

Attachments (included under separate cover)

- **10.2.2 - attachment 1** – Talis Consultants Approvals Pathway Mapping Document (E24/10419)
- **10.2.2 – attachment 2** – Draft Communications and Engagement Plan – Waste Service Community Engagement (E24/11288)

Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances
Liveable
5. Increase our capacity to reduce, recover and recycle waste to improve sustainability and reduce impacts on the environment
Connected
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

Financial Implications

The following are the estimated costs applicable for each concept option, excluding rehabilitation and operational costs:

- Concept Option 1 – \$1,930,858
- Concept Option 2 - \$3,862,127

Numerous complex variables apply to the costs associated with both the rehabilitation and management of the Shire's operational waste and verge collection services (green and hard waste) that have been considered within this report. Some of these costs are operational costs captured within the waste budget and others will need to be managed as capital projects depending on the options chosen in the future.

If Council choose the Option 1 recommendations, \$100,000 will be required to be allocated from the Shire's Waste Reserve towards the community consultation exercise.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Community dissatisfaction with delay in the decision for the future of the WTS.	Comms and media explaining the situation. Making these costs public so residents are aware of the difficulty.	Reputation	Likely	Moderate	SIGNIFICANT	Detailed community consultation conducted as per recommendation.
2	Community dissatisfaction with choosing to permanently close the WTS.	Provision of verge collection services. Comms and media explaining the situation. Making these costs public so residents are aware of the difficulty.	Reputation	Almost Certain	Moderate	HIGH	On-going communications.

Voting Requirements: Absolute Majority (s6.8(1)(b) of the Local Government Act 1995)

Officer Recommendation

That Council:

1. REQUESTS the Chief Executive Officer to conduct community engagement in accordance with the Draft Communications and Engagement Plan as contained within attachment 2 which includes consultation on:
 - a. The appetite to reopen the Watkins Road Waste and Recycling Transfer Station or not;
 - b. The future of the bookable hard waste collection service;
 - c. The future of the kerbside greenwaste collection service;



- d. The introduction of FOGO in the Shire, which will also be subject to a separate report to Council on this agenda at Item 10.5.2;

2. APPROVES the following budget variation:

Account Number	Type	Account Description	Debit \$	Credit \$
3230-NEW-6230-0000	Increase Expenditure	Waste Transfer Station – Redesign – Consultancy	100,000	
3230-NEW-5039-0000	Increase Transfer from reserve	Waste Transfer Station – Redesign – Transfer from Reserve –Waste Reserve		100,000
Reason: Allocate \$100,000 from the Waste Reserve to conduct the waste services community consultation.				

3. REQUESTS the Chief Executive Officer report back to Council on the findings of the community engagement by February 2025, in order to determine the preferred options for the Watkins Road Waste and Recycling Transfer Station.



OCM222/08/24

COUNCIL RESOLUTION**Moved Cr Mazzini, seconded Cr Jerrett****That Council:**

- 1. REQUESTS the Chief Executive Officer to conduct community engagement in accordance with the Draft Communications and Engagement Plan as contained within attachment 2 which includes consultation on:**
 - a. The appetite to reopen the Watkins Road Waste and Recycling Transfer Station or not;**
 - b. The future of the bookable hard waste collection service;**
 - c. The future of the kerbside greenwaste collection service;**
 - d. The introduction of FOGO in the Shire, which will also be subject to a separate report to Council on this agenda at Item 10.5.2;**
- 2. APPROVES the following budget variation noting a limited community engagement campaign:**

Account Number	Type	Account Description	Debit \$	Credit \$
3230-NEW-6386-0000	Increase expenditure	Waste Transfer Station – Redesign - Advertising, promotion, event pop-ups	\$15,000	
3230-NEW-6230-0000	Increase expenditure	Waste Transfer Station – Redesign – Consultancy	\$25,000	
3230-NEW-5039-0000	Increase Transfer from reserve	Waste Transfer Station – Redesign – Transfer from Reserve – Waste Reserve		\$40,000

Reason:

Variation to enable the following community engagement activities for community engagement relating to waste services throughout the Shire:

- 1. Community engagement at one Council in the Community stall at the SJ Farmers Market and one major event during the engagement campaign - \$3,000.**
- 2. Promotion and advertising of the engagement campaign using digital and traditional channels including Shire-wide mailout to all residents - \$12,000.**
- 3. Consultancy to analyse campaign results and provide evaluation report - \$25,000.**



-
3. **REQUESTS** the Chief Executive Officer report back to Council on the findings of the community engagement by February 2025, in order to determine the preferred options for the Watkins Road Waste and Recycling Transfer Station.

CARRIED 4/2

In accordance with section 5.21(4) of the Local Government Act 1995, the individual vote of each member of the Council was as follows:

Councillors Bishop, Duggin, Jerrett and Mazzini voted FOR the motion.

President Coales and Councillor Mack voted AGAINST the motion.

Reason for difference:

To conduct thorough community consultation on the matter.

**10.3 Corporate Services reports:**

10.3.1 - Confirmation of Payment of Creditors – July 2024 (SJ801)	
Responsible Officer:	Manager Finance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Legislative	Includes adopting local laws, local planning schemes and policies.
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Report Purpose

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

Relevant Previous Decisions of Council

There is no previous Council decision relating to this matter.

Background

Nil.

Community / Stakeholder Consultation

Not Applicable.

Statutory Environment

Section 5.42 of the *Local Government Act 1995* states that the local government may delegate some of its powers to the Chief Executive Officer. Council have granted the Chief Executive Officer Delegated Authority 1.1.17 - Payments from Municipal and Trust Fund.

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

Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* requires where a local government has delegated authority to make payments from the municipal or trust fund, that a list of accounts paid be prepared each month showing each account paid since last such a list was prepared.

Comment

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



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

A detailed list of invoices for the period 01 July 2024 to 31 July 2024 is provided in **attachment 1**.

Options

Option1

That Council RECEIVES the Schedule of Accounts as paid under delegated authority from 01 July 2024 to 31 July 2024, totalling \$4,922,978.51

Option 2

That Council DOES NOT RECEIVE the Schedule of Accounts as paid under delegated authority from 01 July 2024 to 31 July 2024, totalling \$4,922,978.51

Option 1 is recommended.

Conclusion

Nil.

Attachments (available under separate cover)

- **10.3.1 - attachment 1** – List of Creditors Accounts Paid and Submitted to Council for the period ending 31 July 2024 (E24/10750)
- **10.3.1 - attachment 2** – Westpac Purchasing Card Report – 28 May 2024 to 27 June 2024 – Redacted (E24/10751)
- **10.3.1 - attachment 3** – Fuel Purchasing Cards Report – 01 June 2024 to 30 June 2024 – Redacted (E24/10752)

Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

Financial Implications

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

The accounts paid under delegated authority for 01 July 2024 to 31 July 2024 totalled \$4,922,978.51

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no risks associated with this option.						
2	That Council does not accept the payments	Provision of sufficient information and records to support the recommendation	Financial	Unlikely	Insignificant	LOW	

Voting Requirements: Simple Majority

OCM223/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council RECEIVES the Schedule of Accounts as paid under delegated authority from 01 July 2024 to 31 July 2024 totalling \$4,922,978.51 as contained in attachment 1.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.3.2 - Monthly Financial Report – June 2024 (SJ4229)**

Responsible Officer:	Manager Finance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Legislative	Includes adopting local laws, local planning schemes and policies.
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Report Purpose

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

This report is about the financial position of the Shire as at 30 June 2024.

Relevant Previous Decisions of Council

*Special Council Meeting – 31 July 2023 – SCM016/07/23 - COUNCIL RESOLUTION – **extract***

7. *That Council, in accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2023/24 for reporting material variances shall be:*

- a) $\geq 10\%$ of the amended budget and $\geq \$10,000$ of the amended budget; or*
- b) $\geq \$150,000$ of the amended budget*

In addition, the material variance limit will be applied to each Nature and Type Classification for Operating and Financing Activities and each Project for Investing Activities (Capital).

Background

The *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* require that the Shire prepare a Statement of Financial Activity each month by Nature and Type.

The Council has resolved to report Nature and Type and to assess the performance of each category, by comparing the year-to-date budget and actual results. Furthermore, Council has resolved that each Capital project outside of the materiality thresholds be reported on separately. This gives an indication that the Shire is performing against expectations at a point in time.

Community / Stakeholder Consultation

Nil.



Statutory Environment

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

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

CommentMonthly Financial Report

The attached report shows the month end position as at the end of 30 June 2024. Please note, there may be some changes to the 30 June 2024 position following the finalisation of end of financial year adjustments and annual audit.

The municipal surplus as at 30 June 2024 is \$5,805,155 which is favourable, compared to a budgeted amount. Further information on material variances are listed in the analysis below.

Operating Activities**Operating Revenue**Rates

No variance analysis required, variance to budget is less than 10%.

Operating Grants, Subsidies and Contributions

Favourable permanent variance of \$2,668,427 due primarily to:

- Receiving 2024-25 Financial Assistance Grant in advance - \$2,868,650.

Fees and Charges

Favourable permanent variance of \$394,458 due primarily to:

- Unanticipated planning prosecution court fine - \$353,000

Interest Earnings

Favourable permanent variance of \$556,004 primarily due to:

- Higher than anticipated interest received on Municipal Term Deposits - \$126,644.
- Higher than anticipated interest received on Reserve Term Deposits - \$315,989.
- Higher than anticipated interest on overdue rates - \$141,547.

Other Revenue

Favourable permanent variance of \$181,846 primarily due to:

- Refund received from Telstra due to overcharge in prior months - \$82,618.
- Reimbursement on workers compensation claim from Local Government Insurance Scheme (LGIS) - \$71,177.

Profit on Asset Disposal

Unfavourable permanent variance of \$25,712 due to the delay in the purchase of replacement vehicles resulting in the subsequent disposal of the previous vehicle.



Operating Expenses

Employee Costs

Favourable variance of \$781,779 primarily due to vacancies across organisation. Employee saving are offset by increases in labour hire costs in materials and contractors to cover these vacant budgeted roles.

Materials and Contracts

Favourable variance of \$1,610,556. This is resulting from a net balance of overspends offsetting underspends over multiple categories as detailed below:

- Unfavourable permanent variance in Agency Labour hire of \$555,097 to cover vacancies in budgeted positions.
- Favourable permanent variance of \$323,162 for Bush Fire Mitigation due to a revised change in treatment methodology – specifically that treatments initially quoted as requiring hand crews were able to be completed with forestry mulching. This decreased the cost of many of the approved treatments and enabled three additional treatment projects to be completed within this round of funding. Additionally, the following planned burn treatments were not able to be completed due to resource availability and/or weather conditions being unsuitable for burning:
 - Treatment 25285 – Planned Burn Manjedal Brook Reserve west
 - Treatment 25283 – Planned Burn Manjedal Brook East
- Favourable timing variance due to ongoing strategic operating projects to be carried forward to 2024/25 with the most significant being- \$702,313
 - Drainage Waste Material Disposal – Due to closure of Waste transfer station delay in disposal of materials on site - \$218,217
 - Mundijong Activity Centre Structure Plan Precinct F1- Studies have commenced - \$164,495
 - Keirnan Street Freight Rail Pedestrian Crossing- Delayed due ongoing negotiations with Main Roads - \$100,000
 - Asset Management Consultancy – Continuation of Asset Management development including development of asset management plans and strategies - \$119,000
 - Jarrahdale Oval Trails Head Detailed Design Development- Project commenced in June 2024- \$100,000

Utility Charges

No variance analysis required, variance to budget is less than 10%.

Depreciation

Unfavourable permanent variance of \$3,866,843 primarily due to an higher than anticipated asset value following the 2022/23 revaluation of drainage, open space and transport assets, resulting in higher than anticipated depreciation.

Finance Costs

Favourable variance of \$32,555 due primarily to:

- Partial drawn down of Adminstration Building Redevelopment loan resulting less interest payment than anticipated.



Insurance Expenses

No variance analysis required, variance to budget is less than 10%.

Other Expenditure

No variance analysis required, variance to budget is less than 10%.

Loss on Disposal of Assets

No variance analysis required, variance to budget is less than \$10,000.

Investing Activities

Contributions/Grants for the Construction of Assets

Unfavourable variance of \$16,703,875 due primarily to conditions of the grant not being met to recognise revenue in the 2023/24 financial year and the budget will be carried forward into the 2024/25 Financial year. This is a result of ongoing projects with the most significant variances being:

- 80415 - Keirnan Development - Stage 1A - \$7,500,000 – Grant subject to the commencement of construction phase of stage 1A.
- Hypergrowth Road Project (including Orton, Kargotich and Soldiers) - \$4,366,161 – Projects are still ongoing, and grant will be recognised upon construction
- 80504 – Byford Pump Track - \$1,340,000 – Construction of project due to commence in 2024/25 and grant will be recognised upon construction.
- MRRG Grant funding - \$859,981 – Projects are still on going with final claims anticipated in 2024/25
- 80416 – Byford Skate Park - \$769,755 – Construction due for completion in 2024/25 and grant will be recognised upon construction.
- 80505- Gooralong Trails Precinct - Car Park Upgrade - \$744,710 - Construction of project due to commence in 2024/25 and grant will be recognised upon construction
- LRCI Phase 4 Funding - \$636,718 – As per funding conditions. funds to be received pending final acquittal of projects in 2024/25;
- State Black Spot Projects - \$376,584 – Projects are still on going with final claims anticipated in 2024/25
- 80133- Footpath - PSP Soldiers Rd- Abernethy - Bishop Rd – \$188,044 - Project is in design phase and grant will be recognised when design expense completed.

Proceeds from Disposal of Assets

Unfavourable variance of \$399,347 due primarily to:

- The delay in supply and delivery of plant and fleet items. This has delayed in replacement of fleet assets.

Capital Expenditure

Favourable variance of \$25,508,703 due primarily to the following:



Favourable Timing Variance due to uncompleted Projects that will be carried forward into 2024/25 financial year - \$25,552,813 which are made up of the following:

Ongoing Major Projects - \$21,440,923

- 80415 - Keirnan Development - Stage 1A - \$7,129,138 – Budget relates to construction phase which will commence in 2024/25.
- Hypergrowth Roads - \$4,190,926
 - 80296 - Upgrades of Roads - Orton – \$1,610,521 – Project delayed awaiting clearing permit approvals.
 - 80297- Upgrades of Roads - Kargotich - Stage 1 - \$671,366 – Completed – however Officer to present a report to Council to reallocate remaining funds to Stage 2 and 3.
 - 80344 - Upgrades of Roads - Kargotich - Stage 2 - \$1,021,406 – Project delayed awaiting clearing permit approvals.
 - 80345 - Upgrades of Roads - Soldiers Road - \$887,633 – Delays due to weather with project due for completion in early 2024/25.
- 80283 - Admin Building Revelopment - Stage 2 - \$3,367,397 – Stage A (Staff Amenities) has been completed, remaining budget is for Stage B and C which are due to commence in 2024/25.
- 80304 - Oakford Bushfire Brigade - \$2,258,503 – Budget relates to construction phase which will commence in 2024/25
- 80504 - Byford Pump track - \$1,386,800 – Project due for construction in 2024/25- currently in tender phase.
- 80416 - Byford Skate Park Stage 2 - \$806,755 – Construction due for completion in 2024/25, delay due to clearing permits.
- 80505 - Gooralong Trails Precinct - Car Park Upgrade - \$744,834 - Construction of project due to commence in 2024/25
- 80446 - Indigo Parkway - \$498,526 – Design phase has commenced and project due to continue in 2024/25.
- 80019 - ERP System Implementation – \$351,078 – Underspend in TechnologyOne consultant support, however this is anticipated to be utilised in 2024/25 during Phase 3.
- 80133- Footpath - PSP Soldiers Rd- Abernethy - Bishop Rd - \$188,044 – Project is in design phase and clearing permit in progress.
- 80501 - Keirnan Park Netball Courts Stage 1C - Concept Design - \$178,131 – Concept is currently in progress with remaining funds anticipated to be spent in 2024/25
- 80235 - Keirnan Park Planning - \$78,791 – Remaining planning costs relating to water and clearing permits – to be completed in 2024/25

Facility projects - \$1,534,852

Due to staffing shortages in 2023/24 the following projects were unable to be completed. With the restructure of the portfolio which includes the engagement of a new Manager Facilities as well as the Executive Manager Operations Officers anticipates this works to undertaken in 2024/25 financial year following procurement and rescope of projects.



- 80400 - SJ Community Rec Centre - Defect Repairs - \$258,010
- 80445 - Asphalt Works - Shire Depot - \$281,405
- 80398 - Youth Services - Facility & Safety Upgrades - \$197,087
- 80431 - Byford Fire Station Changerooms - \$153,174
- 80426 - SJ Community Rec Centre - Solar PV system - \$151,311
- 80502 - Council Chambers Upgrade - \$92,400
- 80465 - Electronic Signage - \$87,900
- 80012- Access and Inclusion Improvements to Facilities - \$68,510
- 80353 - SJ Recreation Centre - Building Condition Defects - \$60,000
- 80460 - Depot Refurbishment - Outdoor Canopy - \$55,985
- 80396 - Mens Shed Upgrade - \$54,070
- 80275 - Mundijong Landcare – Renewal - \$50,000
- 80395 - Landcare Building Refurbishment - \$25,000

Roads, Drainage and Landscaping- \$1,116,501

- 80453 - Hopeland Road - A Rehabilitation- \$458,651 – Delayed due to variation approval from MRRG as well as wet weather setting in. Project currently in procurement phase. Construction anticipated to be completed December 2024.
- 80454 - Hopeland Road - B Rehabilitation - \$319,144 – Delayed due to variation approval from MRRG as well as wet weather setting in. Project currently in procurement phase. Construction anticipated to be completed December 2024.
- 80462 - Abernethy Road Landscaping - \$185,970 – Project delayed due to tendering issues, re-tender and construction to commence 2024/25.
- 80201 - Gravel Resheet - \$70,280 – Ongoing list of projects that are currently being actioned, however delayed due to weather conditions.
- 80294 - Culvert Renewal - Elliot Road (SK 8.352) - \$25,414 – Delay due to contractor delays and wet weather. Project to be delivered summer 2024/25.
- 80217 - Road Safety Initiatives - \$22,801 – No further reactive projects identified in 2023/24 with remaining funds to be carried forward to 2024/25 for any future initiatives.
- 80202 – Drainage Renewal - \$17,619 – Delay due to wet weather. Project to be delivered summer 2024/25.
- 80293 - Culvert Renewal - Elliot Road (SK 5.806) - \$16,672 – Delay due to contractor delays and wet weather. Project to be delivered summer 2024/25.

Plant and Fleet - \$1,130,500

Due to supply delays the following purchases are anticipated to be purchased in 2024/25:

- 80440 - Ausroad Patching Truck - Replace 51086- \$626,310
- 80438 - Skidsteer Loader - \$100,000
- 80439 - Backhoe - Replace 51059 - \$93,294



- 80503 - New Vehicle - Manager Waste and Fleet- \$55,000
- 80371 - People Mover - Replace 51143 - \$50,000
- 80388 - Vertidrain and Coring Machine – New - \$45,000
- 80389 - Dual Cab Ute, 1000L spray tank and boom spray rig 4WD – New - \$34,527
- 80390 - Verge Slasher Attachment – New - \$30,000
- 80258 - Bobcat Trailer - Civil - Replace 51035 - \$30,000
- 80442 - New - Canopy - Ranger specific pod - \$26,369
- 80369 - Boxtop - Replace 51079 - \$20,000
- 80370 - Boxtop - Replace 51084 - \$20,000

Streetlighting - \$132,351

The following projects were delayed due to delays with Western Power timeframes to designed. Anticipated to be constructed in 2024/25

- 80408 - Abernethy & Hopkinson Rd intersection - \$47,634
- 80307 - Richardson/Summerfield - \$35,771
- 80471 - Wright/Randell - \$25,414
- 80469 - Hopkinson/Rowley - \$23,522

Other Minor Capital Works- \$197,686

- 80391 - Fire Danger Signs - \$31,433 – First sign was installed and waiting to test accurate functionality before purchasing subsequent signs.
- 80270 - Old Railway Bridge Interpretation Art/Sign - \$30,000– Project was completed in early 2024/25.
- 80360 - Marcora Trail and Parking - \$20,000 – Project scope is currently being assessed.
- 80299 - Claire Morris Reserve Park – Renewal - \$16,353 – Majority of the works have been done, however there has been subsequent damage to the fence/gate which will be rectified in 2024/25.
- 80237 - Briggs Park Recreation Precinct Car Park - \$12,000 – Minor repairs still outstanding – to be completed in 2024/25.

Favourable permanent variance due to projects completed under budget - \$465,548

- Road Projects completed under budget as method of delivery was revised to reduce traffic management and construction time costs:
 - 80456 - Jarrahdale Road Rehabilitation - \$182,499
 - 80448 - Gossage Road, Oldbury Resurfacing - \$51,600.
 - 80455 - Nettleton Road Rehabilitation – \$41,952
 - 80435 - Mundijong/Kargotich Road Roundabout Upgrade -\$15,439
 - 80310 - Keirnan Street (SLK 0.5- SLK 3.5) - \$12,892



- 80424 - Irrigation Renewal - The project was completed under budget due to not some of the irrigation renewal projects not requiring to complete replacement/renewal - \$40,672.
- 80203 - Footpath Renewal - The project was completed under budget due to smooth application process, supply chain, contractors' finishing work early than anticipated - \$31,816
- 80367 - Kubota Mower - Replace 51066 – the 2023/24 budget included a budget to purchase 2x Kubota Mowers, however these funds were combined with project 80366 (see overspend below) to purchase one purpose built mower more appropriate to operating needs. - \$30,000
- 80427 - Health & Safety Corrective Actions - The project was completed under budget due to usage of less material and contractors' finishing work early than anticipated - \$17,535
- 80459 - Lefroy St Roadabout Landscaping - The project was completed under budget due to a reduced scope i.e not requiring Grass Trees and new water connection/irrigation system, combined with lower internal costs than budgeted - \$15,192
- 80273 - Mobile Library Van - Vehicle purchased and fitted out under budget - \$11,282

Unfavourable Permanent Variance due to projects completed over budget - \$580,250

- Unanticipated Bridge works completed by Main Roads in 2024/25 at the following locations. Officers are currently seeking further information from Main Roads on these projects - \$282,612:
 - 80565 - Byford Meadows Dr - Bridge 5059
 - 80566 - Jarrahdale Rd over Vulture Rd - Bridge 5134
- Projects exceeding budget due to Officers contributing more time than anticipated - \$173,941:
 - 80314 - Nettleton Road (SLK 13.87- SLK 16.65) - \$18,398
 - 80411 - Mundijong Road (SLK 5.62- SLK 7.32) - \$28,725
 - 80450 - Baskerville Rd Mundijong Resurfacing - \$49,216.
 - 80458 - Adonis Street, Mundijong - Footpath - \$43,383
 - 80500 - Richardson Street, Mundijong - Footpath - \$34,249.
- *Note: Officers are currently exploring additional grant funding options for these projects.*
- 80302 - Accessible Toilet Facilities at Jarrahdale Cemetery - \$35,762 – Project completed over budget due to increase costs related to hard rock digging and footpath access.
- 80366 – Kubota Mower - Replace 51072 - the 2023/24 budget included a budget to purchase 2x Kubota Mowers, however these funds were combined with project 80367 (see savings above) to purchase one purpose built mower more appropriate to operating needs - \$30,310
- 80361 - Whitby Falls Trail Path works - \$24,038 – Tender prices received higher than anticipated.
- 80289 - Karnup Rd & Yangedi Rd intersection: Refund of the final 50% retention to the contractors after the 12-month defects period has ended - \$17,357.
- 80381 - Toyota Corolla Hybrid - Replace 50023- Vehicle cost higher than anticipated - \$16,230.



Financing Activities

Proceeds from new Borrowings

Unfavourable variance of \$5,695,000 due primarily to:

- Partial drawn down of Administration Building Redevelopment loan with remaining loan anticipated to be drawn in 2024/25 - \$3,600,000
- Oakford Firebrigade - The construction not being commenced yet. Therefore drawn down from loan is not required in 2023-24 financial year - \$2,095,000

Transfer from Reserve

Variance in Transfer from Reserve of \$3,081,150 due primarily to:

- Reserve Transfers relating to ongoing projects to be carried forward as discussed in Capital Expenditure section of this report:
 - Plant and Fleet Reserve – Delay in purchase of replacement plant and equipment (see Capital Expenditure Section Above) - \$1,019,989
 - Building Asset Management Reserve – Delay in completion of facility projects (see Capital Expenditure Section Above) - \$455,428.
 - Byford DCP – Indigo Parkway (see Capital Expenditure Section Above) and Water Monitoring still ongoing - \$776,650
 - Oakford Fire Station Reserve- Related to Oakford Fire Station Project (see Capital Expenditure Section Above) - \$162,195
 - Car Parking Reserve – Related to Abernethy Landscaping project (see Capital Expenditure Section Above) - \$93,170

Repayment of Borrowings

Favourable variance of \$308,709 due primarily to:

- Web Road Loan annual repayment was budgeted to be drawn 2023/24 however the loan was payment was repaid 1 July 2024 as opposed to 30 June 2024. This loan repayment will be carried forward.

Payment for principal portion of lease liabilities

No variance analysis required, variance to budget is less than \$10,000.

Transfer to Reserve

Permanent variance of \$435,733 primarily due to:

- Higher than anticipated interest received on Reserve Term Deposits - \$315,989.
- Higher than anticipated Byford DCP contributions - \$167,774
- Higher than anticipated Community Infrastructure DCP contributions - \$44,733

This was offset but less than anticipated public art contributions - \$100,000.



Emergency Expenditure authorised by the President Under Section 6.8(1)(c) of the Local Government Act

The President authorised emergency repairs to Rowley Road following a severe weather event and a request from the City of Armadale to fund 50% of the cost of the works to maintain public safety. An email was sent to all Councillors at 1:20pm, Wednesday 7 August 2024 advising of this action. A report on the final costs of the expenditure and an update on the negotiations with the City of Armadale over the maintenance of Rowley Road will be presented to Council at the September Ordinary Council Meeting.

OptionsOption 1

That Council

1. RECEIVES the Monthly Financial Report for June 2024 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* as contained in **attachment 1**.
2. NOTES the Emergency Expenditure authorised by the President under Section 6.8(1)(c) of the Local Government Act.

Option 1 is recommended.

Conclusion

Nil.

Attachments (available under separate cover)

- **10.3.2 - attachment 1** – Monthly Financial Report – June 2024 (E24/10597)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
3. Ensure sustainable and optimal use of Shire resources and finances
Liveable
1. Improve maintenance and investment in roads and paths
2. Invest in facilities and amenities to meet current and future needs
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation

Financial Implications

As at 30 June 2024, the Shire's respective cash position was as follows:

Municipal Fund:	\$6,836,328
Trust Fund:	\$304,221

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Nil.						

Voting Requirements: Simple Majority

OCM224/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council

1. **RECEIVES** the Monthly Financial Report for June 2024 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* as contained in attachment 1.
2. **NOTES** the Emergency Expenditure authorised by the President under Section 6.8(1)(c) of the Local Government Act.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0



10.3.3 - Update to Delegations and Authorisations Register (SJ538-2)	
Responsible Officer:	Manager Corporate Performance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Legislative	Includes adopting local laws, local planning schemes and policies.
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Report Purpose

The purpose of this report is for Council to consider and approve amendments to delegations and authorisations (**attachment 1**), pursuant to section 5.46 of the *Local Government Act 1995* (the Act).

Relevant Previous Decisions of Council

Nil.

Background

This report deals with two separate but related concepts:

- delegations; and
- authorisations.

Delegation is a formal means of empowering one entity to perform functions and duties that are otherwise reserved in legislation for another entity. Delegation is a tool used in government at all levels to enable the efficient and effective delivery of services while ensuring clarity regarding who is permitted to perform specific discretionary functions.

The appointment of authorised persons is a similar but distinct concept. Legislation occasionally enables a decision-making body or source of authority to appoint persons to perform specific tasks on their behalf. In this case, the authorising entity does not have the power themselves to perform the task and can only authorise others to do so. Legislative provisions related to enforcement often employ the appointment of authorised persons.

Local government exercises many of its functions through a combination of delegated powers and authorisations. This includes functions under the Act but also legislation related to planning, dogs, cats, health, building, bush fire prevention and management and food safety.

Both delegations and authorisations must be in writing. In line with the principles of good governance, delegations and authorisations should be regularly reviewed. As noted below, delegations made under the Act must be reviewed annually.

The Shire's delegations and authorisations are recorded in a register available on the Shire's website. The Shire's register contains over 120 delegations and authorisations across a dozen pieces of legislation.



Community / Stakeholder Consultation

Nil.

Statutory Environment

The power to delegate or appoint authorised persons is drawn from legislation. Legislation that permits delegation or the appointment of authorised persons has a specific section, regulation, or clause known as the 'head of power'. In the case of the Act, the head of power for Council to delegate certain functions is section 5.42. The power to appoint authorised persons is provided directly to the CEO by section 9.10.

Importantly, each separate Act requires its own head of power. The head of power provided by section 5.42 of the Act that permits Council to delegate certain functions cannot be used to delegate functions in other pieces of legislation. The ability to use the Act's head of power more widely is a common misconception in local government.

Another source of confusion is section 5.45 of the Act, which introduces the concept of 'acting through'. Section 5.45 of the Act states that provisions concerning delegations do not prevent a local government from performing any of its functions by acting through a person or a CEO from performing any of his or her functions through the actions of another person. While what constitutes an 'acting through' arrangement is not defined in legislation, the Department's published guidance on the matter states that acting through arrangements can occur where an Officer performs tasks at the direction of the authority holder. While some examples of this approach are straightforward, the varying approaches employed across local government demonstrate that this can be a grey area, and wherever there is doubt and it is practicable, formal delegations or appointments as authorised officers should be used.

Regulation 19 of the *Local Government (Administration) Regulations 2005* (Admin Regulations) requires the exercised use of a delegated power under the Act to be recorded. The requirement to record exercised use of delegations from other legislation varies. Legislation does not require exercised use to be published or available for inspection.

Regulation 29 of the Admin Regulations requires a local government to make its delegations register available to the public for inspection. The Shire exceeds this legislative requirement by publishing the register on the Shire's website and includes information in the published register pertaining to delegations by the CEO and the instruments used to appoint authorised officers.

While legislation requires the authorisation of people as authorised officers or people to be in writing, there is no general requirement to keep this information in a single register. In this way, the Shire's current approach exceeds legislative requirements.

Comment

A minor review of the Register of Delegations and Authorisations has been undertaken to ensure that Officers have appropriate delegations and authorisations so the Shire can continue to operate efficiently and effectively.

The amendments made to the Register of Delegations and Authorisations are outlined below:

- Extend the conditions on delegation 12.1.1, *Determination of Development Applications (except for Prescribed Single House Development Applications, which are covered under new CEO Delegation 12.2.1)*, from enabling the delegation to be exercised where there are two or fewer submissions, to five or fewer.



Increasing submissions is to reflect advancement in the planning framework, particularly now that the Shire has the new local planning scheme in place and operational for 12 months, plus a suite of up-to-date Policies.

This equips the administration with the ability to deal with a higher level of complexity and that the increasing of submissions is seen as an efficient and effective way of maintaining our regulatory responsibilities whilst managing risk;

- Extend Delegation 3.1.12, *Prosecution of Offences and Infringement Notices* under the *Bush Fires Act 1954* to the Bushfire Mitigation Officer; and
- Authorisation 1.17 authorises Officers to receive and withdraw complaints under the *Local Government (Model Code of Conduct) Regulations 2021*. This has been updated to reflect new position titles in the Corporate Services Directorate.

For Councils information, from 1 July 2024, legislative amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* took effect. These amendments transfer responsibility for approving single house development applications from the local government to the Chief Executive Officer, unless it is a heritage matter. A new CEO Delegation has been prepared to delegate this function to specified Officers.

Options

Option 1

That Council APPROVES the changes to the Register of Delegations and Authorisations as contained within **attachment 1**.

Option 2

That Council DOES NOT APPROVE the changes to the Register of Delegations and Authorisations as contained within **attachment 1**.

Option 1 is recommended.

Conclusion

Ensuring the Register of Delegations and Authorisations is up to date and accurate is important to enable the Shire to continue to conduct business effectively and efficiently.

Attachments (available under separate cover)

- **10.3.3 - attachment 1** – Register of Delegations and Authorisations – tracked changes (E24/10092)

Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

Financial Implications

There are no financial implications associated with the implementation of this report.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no material risks associated with option 1.						
2	If Council do not approve the changes, it may impact on operational effectiveness and efficiency.	Nil.	Organisational Performance	Unlikely	Minor	LOW	Nil.

Voting Requirements: Absolute Majority (s5.42 of the *Local Government Act 1995*)**OCM225/08/24****COUNCIL RESOLUTION / Officer Recommendation****Moved Cr Duggin, seconded Cr Jerrett****That Council APPROVES the changes to the Register of Delegations and Authorisations as contained within attachment 1.****CARRIED UNANIMOUSLY 6/0**

**10.3.4 - Council Policy Review - Council Policy 3.3.2 - Councillor Fees and Entitlements (SJ526-02)**

Responsible Officer:	Manager Corporate Performance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Legislative	Includes adopting local laws, local planning schemes and policies.
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Report Purpose

The purpose of this report is to enable Council to consider adopting the revised *Council Policy 3.3.2 – Councillor Fees and Entitlements*.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 16 December 2019 – OCM301/12/19 – COUNCIL RESOLUTION / Officer Recommendation

That Council

- 1. ADOPTS the 'Councillor Training and Continuing Professional Development Policy' as per attachment 1 and APPROVES amendments to the 'Councillor Fees and Entitlements Policy' as per attachment 2.*
- 2. NOTES the requirements of Part 5, Division 10 of the Local Government Act 1995 to undertake and report on training.*

Special Council Meeting – 27 November 2017 – SCM162/11/17 – COUNCIL RESOLUTION / Alternate Councillor Recommendation

That Council:

- 1. Amends Council Policy G003 – Councillor Fees and Entitlements and request the policy be updated to reflect the decisions of 2 to 7 as below from the 1st December 2017.*
- 2. The Annual Meeting Attendance Fees for Elected Members shall be 75% of the annual maximum Salaries and Allowances Tribunal determination.*
- 3. The Annual Meeting Attendance Fees for the Shire President shall be 75% of the annual maximum Salaries and Allowances Tribunal determination.*
- 4. The Annual Allowance for the Shire President shall be 75% of the annual maximum Salaries and Allowances Tribunal determination.*
- 5. The Annual Allowance for the Deputy Shire President shall be 75% of the annual allowance for the Shire President as determined in 3 above.*
- 6. Elected Members receive the maximum prescribed Information Technology and Telecommunications Allowance of \$3,500 per annum as determined by the Salaries and Allowances Tribunal.*
- 7. All fees, allowances and reimbursements be paid monthly in arrears.*



8. *Reimbursements of expenses to be reviewed as part of the full policy review that commenced following the October 2017 Council Elections for Council Policy G003 - Councillor Fees and Entitlements.*
9. *That any budgeted saving from the amendment of Council Policy G003 - Councillor Fees and Entitlements be allocated for use by the CEO to improve customer service.*
10. *Requests the Chief Executive Officer to maintain an attendance register of Councillor Attendance at all Council and Committee Meetings, as well as other meetings and official functions of Council.*

Background

Council Policy 3.3.2 – Councillor Fees and Entitlements provides the approval framework under which all fees, allowances, and reimbursements to Elected Members are made. It also ensures that Elected Members are provided with appropriate facilities, equipment, and information to support them in performing their duties. The current policy is included as **attachment 1**.

Amendments have been made to the Council Policy to reflect amendments made to the *Local Government Act 1995* (Act) in 2023.

The Act amendments introduced an entitlement for committee members who are not a council member nor an employee (hereinafter referred to as an 'Independent Committee Member') to be paid an attendance fee for attending committee meetings as determined by the Salaries and Allowances Tribunal (the Tribunal).

The amendments also introduced the ability for elected members to be reimbursed fees and expenses for participating in training, subject to adoption of a policy, and parental leave.

Community / Stakeholder Consultation

Policy Concept Forum

Meeting Date	5 August 2024
Elected Members in Attendance	President Coales, Cr Bishop, Cr Byas, Cr Duggin, Cr Jerrett, Cr Mack, Cr Mazzini

Statutory Environment

Policy Adoption

Section 2.7 of the Act provides that the role of Council is to 'determine the local government's policies'. The amendment, adoption or rescindment of any Council Policy must therefore be resolved by Council.

Setting Fees and Entitlements

Section 5.100 of the Act provides that a person who is a committee member but not a council member or employee is entitled to be paid a fee for attending a committee meeting. Pursuant to section 5.100(2)(b) of the Act, Council has the flexibility to set an attendance fee within the band determined by the Tribunal.



Section 5.100(5) also provides that an Independent Committee Member must also be reimbursed expenses (childcare and travel), in accordance with Regulation 34ACA of the *Local Government (Administration) Regulations 1996*. Fees for attending committee meetings are determined by the Tribunal.

Section 5.129 of the Act allows a local government to prepare and adopt a policy that enables the payment of fees and expenses (childcare and travel) to an elected member for participation in mandatory training (as required under section 5.126) or continuing professional development (under section 5.128). Fees and expenses are subject to eligibility requirements as specified in Regulation 37 of the *Local Government (Administration) Regulations 1996*.

Parental leave

Section 2.25(2) of the Act provides for disqualification for failure to attend meetings. Under subclause 5B, an Elected Member is entitled to parental leave for 6 months beginning on the day on which the member or member's spouse or de facto gives birth, adopts or becomes a guardian or foster parent for a person under 16 years of age.

Comment

Council Policy 3.3.2 – Councillor Fees and Entitlements, allows Council to set annual meeting fees each year on the basis of the Tribunal's determination. However, it also states that if Council does not resolve fees, the set percentages (75 per cent of the maximum) is to prevail. The Council Policy has been amended to specify that the President, Deputy President and Elected Members are to receive the maximum amount for meeting attendance fees and allowances as determined by the Salaries and Allowances Tribunal.

The Council Policy has also been updated to reflect recent changes to the Act that provide for the following:

- payments to Independent Committee Members,
- parental leave, and
- allowances for participation in training required under the Act.

Payment to Independent Committee Members

In accordance with the legislation, Council can determine the attendance fees within the bands determined by the Tribunal. On 5 April 2024, the Tribunal determined the minimum and maximum fee local governments can pay to Independent Committee Members for the attendance at a committee meeting. The determination is provided at **attachment 2**.

The minimum and maximum thresholds set by the Tribunal in 2024 for a band 2 local government are set out in the table below.

2024 Salaries and Allowances Tribunal Determination – Band 2 Thresholds

Committee Meeting and Prescribed Meeting Attendance Fees – Per Meeting	Minimum	Maximum
Independent Member	\$0	\$317

The amended Council Policy (**attachment 3**) has set the fees for Independent Committee Members at 100 per cent of the maximum fee. The fees only apply for attendance at a meeting of the Committee to which they are a member.



If Council takes no action, the resulting attendance fee would be the Minimum set by the Tribunal, being \$0.

The inclusion of meeting attendance fees and allowances for Independent Committee Members in this Policy means that Council Policy 3.3.6 – Reimbursement of External Committee Members (**attachment 4**) can be repealed.

Parental Leave

The Council Policy has been amended to reflect that Elected Members are entitled to up to six months of parental leave if they or their partner gives birth or adopts, fosters or becomes a guardian for a person under 16.

Allowances for Participation in Training

It is a requirement under the Act for Elected Members to participate in training. Council Policy 3.3.4 – Councillor Training and Continuing Professional Development also provides that Elected Members can participate in continuing professional development. Amendments to the Act in 2023 introduced the ability for local governments to reimburse travel and childcare expenses for an Elected Member participating in training. The amended Council Policy (**attachment 3**) provides that reimbursements are to be made in accordance with the Administration Regulations and Tribunal Determination.

Other Changes

Further amendments made to the Council Policy include:

- providing Elected Members with the option of purchasing the Shire issued laptop at the end of their term. The amount payable will be on the basis of years of service.
- specifying that the only corporate uniforms given to elected members will be a Shire tie or Shire scarf. Business shirts and a suit will no longer be issued.
- removing promotional/lobbying opportunities from the policy as the new Travel and Accommodation Policy will address Shire representation at events.
- simplified requirements for rates of reimbursement by referring to the Administration Regulations and Tribunal Decision. Reimbursements that do not relate to travel to and from meetings will be covered in the new Travel and Accommodation Policy.

Options

Option 1

That Council:

1. ADOPTS amended Council Policy 3.3.2 – Councillor Fees and Entitlements as contained within **attachment 3**.
2. REPEALS Council Policy 3.3.6 – Reimbursement of External Committee Members.

Option 2

1. That Council ADOPTS amended Council Policy 3.3.2 – Councillor Fees and Entitlements as contained within **attachment 3** with the following amendments:
[Elected Member moving motion to specify]
2. REPEALS Council Policy 3.3.6 – Reimbursement of External Committee Members.

**Option 3**

That Council DOES NOT ADOPT amended Council Policy 3.3.2 – Councillor Fees and Entitlements as contained within **attachment 3**.

Option 1 is recommended.

Conclusion

The Council Policy has been updated to reflect legislative changes. Legislation provides that Council may set an attendance fee for Independent Members within the band determined by the Tribunal. Remunerating Independent Members is an important way to compensate Independent Members for the knowledge, expertise and advice they provide.

Attachments (available under separate cover)

- **10.3.4 - attachment 1** – Council Policy 3.3.2 – Councillor Fees and Entitlements (current) (E17/12219)
- **10.3.4 - attachment 2** – Local Government Chief Executive Officers and Elected Members Salary and Allowances Determination 2024 (E24/4806)
- **10.3.4 – attachment 3** – Amended Council Policy 3.3.2 – Councillor Fees and Entitlements (E24/11139)
- **10.3.4 – attachment 4** – Council Policy 3.3.6 – Reimbursement of External Committee Members (E21/10076)

Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

Financial Implications

The Shire currently has one (1) Committee of Council (the Audit, Risk and Governance Committee) with two Independent Members. The Committee usually convenes at four ordinary meetings a year, and one special meeting for the annual financials.

The estimated cost for the 2024-2025 financial year is detailed below:

Fee	No. Meetings	No. Members	Total
\$237.75	5	2	\$2,377.5

These additional fees will be accommodated within the existing budget.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option 1.						
2	Amendments made may not be informed by sufficient operational information.	Nil	Organisational Performance	Unlikely	Minor	LOW	Nil
3	If Council do not adopt the updated policy, it isn't compliant with the legislation.	Nil	Organisational Performance	Possible	Moderate	Moderate	Nil

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

- ADOPTS amended Council Policy 3.3.2 – Councillor Fees and Entitlements as contained within attachment 3.
- REPEALS Council Policy 3.3.6 – Reimbursement of External Committee Members.

OCM226/08/24

COUNCIL RESOLUTION

Moved Cr Mack, seconded Cr Duggin

That Council:

- ADOPTS amended Council Policy 3.3.2 – Councillor Fees and Entitlements as contained within attachment 3.
- REPEALS Council Policy 3.3.6 – Reimbursement of External Committee Members.
- REQUESTS the Chief Executive Officer write to the Minister for Local Government and Minister for Public Sector Management, requesting that minimum and maximum amounts for meeting attendance fees and allowances be replaced with a single fee and allowance for each local government band.

CARRIED UNANIMOUSLY 6/0

Reason for difference:

To depoliticise the setting of Councillor allowances.

**10.3.5 - Corporate Business Plan Performance Report - April to June 2024 and 2023-2024 End of Year (SJ940-3)**

Responsible Officer:	Manager Corporate Performance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Information	For the Council to note.
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Report Purpose

The purpose of this report is to provide Council with a quarterly performance report against the 2023-27 Corporate Business Plan (CBP) for the period 1 April to 30 June 2024 and an end of year performance report for the period 1 July 2023 to 30 June 2024.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 20 May 2024 – OCM138/05/24 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

- 1. NOTES the performance report against the 2023-27 Corporate Business Plan for the period 1 January to 31 March 2024 as contained in this report and attachment 1.*
- 2. ADOPTS the amendments to the Corporate Business Plan 2023-27 as outlined in this report and attachment 2.*

Background

On 31 July 2023, Council adopted the Shire of Serpentine Jarrahdale Corporate Business Plan 2023-27 (SCM017/07/23) and subsequently amended it in November 2023 (OCM286/11/23), March 2024 (OCM049/03/24) and May 2024 (OCM138/05/24) as part of quarterly performance reports.

The Corporate Business Plan 2023-27 is the Shire of Serpentine Jarrahdale's four-year delivery program, aligned to the Shire's Integrated Planning and Reporting Framework (i.e. Strategic Community Plan, Annual Budget, Long Term Financial Plan and other supporting strategies). The purpose of the plan is to operationalise the Community's vision and the Shire's strategic objectives through the establishment of actions that address each strategy contained within the Strategic Community Plan.

The Shire of Serpentine Jarrahdale has established periodic performance reporting against the 2023-27 Corporate Business Plan to provide Council and the Community with an update towards the achievement of these actions, such as the delivery of key projects and the successful implementation of service level changes.



Community / Stakeholder Consultation

Nil.

Statutory Environment

Local governments have a statutory obligation under s5.56(1) of the *Local Government Act 1995* (WA) ('the Act') to plan for the future of their district. Regulations have been made under s5.56(2) of the Act to provide minimum requirements for IPR.

Regulations 19C and 19DA of the *Local Government (Administration) Regulations 1996* (WA) ('the Regulations') require a local government to ensure that a Strategic Community Plan and Corporate Business Plan are made for its district. Any amendments to a Corporate Business Plan must be adopted by absolute majority (Regulation 19DA(6)).

Guidelines for the monitoring and reporting against the Corporate Business Plan are outlined in the Integrated Planning and Reporting Framework and Guideline September 2016 issued by the Department of Local Government, Sport and Cultural Industries. The Guideline states, "*it is open to local governments to design complementary means of reporting progress and outcomes to the community*".

Reform of the *Local Government Act 1995*

The State Government is reforming the *Local Government Act 1995*. Theme 6 – 'Improved Financial Management and Reporting' proposes to amend the *Local Government (Administration) Regulations 1996* to replace the Strategic Community Plan with a Council Plan. Advice from the Department of Local Government, Sport and Cultural Industries obtained during the Shire's major review of the Strategic Community Plan advised that the Department are currently progressing the policy work behind the Integrated Planning and Reporting Framework reforms. From a compliance perspective, Regulation 19DA of the *Local Government (Administration) Regulations 1996* remains in place until new regulations are in effect and provisions commence and as such, any plan made by the Shire should be in line with existing regulations.

On 11 December 2023, Council adopted the Council Plan 2023-2033 (OCM313/12/23). This change has a flow on impact on the Corporate Business Plan, including alignment with the Council Plan's three strategic pillars (Thriving, Liveable, Connected). This work has been completed as part of the major review of the Shire's Corporate Business Plan 2024-2028, for adoption as part of the annual Integrated Planning and Reporting (IPR) process. Whilst this report references the pillars of the Strategic Community Plan in alignment with the Corporate Business Plan 2023-2027, future reporting will reference the pillars of the Council Plan 2023-2033.

Comment**Quarterly Performance Report 1 April to 30 June 2024**






The Shire of Serpentine Jarrahdale has completed a quarterly performance report against the 2023-27 Corporate Business Plan for the period 1 April to 30 June 2024 ('the Report'). The Report is contained in **attachment 1** for the Council to note.

As the Report relates to the period up to 30 June 2024, changes to projects that have occurred in the period from 1 July 2024 will be reflected in subsequent reports.



Report Structure

Grouped under each key objective area of the Strategic Community Plan (People, Place, Prosperity, Progressive), the Report provides a narrative update against each respective action of the CBP's Delivery Program. To ensure consistency and to enable summary reporting, each action is also allocated a traffic light status in accordance with the following key:

Status	Selection Criteria
 On Track or Complete	Action is complete or on target.
 At Risk or Behind Target	Minor issues have put achievement of the project due date or level of service at risk. or Minor issues have put the project/service behind target. The causes for this are being managed by routine procedures and the issues are likely to be resolved by the next reporting period.
 Critical	Major issues have prevented the service/project from commencing or continuing. The causes for this do/will require significant action to rectify and the issues are likely to be ongoing into future reporting periods
 On hold	Work is unable to commence due to a dependency (e.g. awaiting grant funding or completion of another project).
 Deferred or Not Proceeding	Action is no longer proceeding within its planned year of the Corporate Business Plan but will be occurring within a future year of the Corporate Business Plan. Or Action is no longer proceeding within the timeframe of the current Corporate Business Plan. This may be due to a change in direction caused by external factors (e.g. loss of grant funding / change of government) or a change of direction by Council.

Report Summary

The Report provides an update against 98 actions in the Corporate Business Plan. Statistics this period show:

- **81%** are on track or complete (79/98);
- **17%** are at risk or behind target (17/98);
- **1%** are critical (1/98);
- **0%** are on hold; and
- **1%** are deferred or not proceeding (1/98).



Key achievements and highlights this reporting period are as follows:

- Approval to proceed with the detailed design and construction of a Byford Pump Track in accordance with Option 2, Stage 1 of the Feasibility Study undertaken.
- Approval of the following Local Development Plans:
 - Whitby Town Estate Stage 3D (LDP No. 21)
 - The Glades Village Centre Stage 1
 - The Glades Byford Village Centre Stage 2
- Adoption of the following Local Planning Policies:
 - Local Planning Policy 1.4 - Advertising Development Applications
- Endorsement of the Jarrahdale Trails Centre Concept Design and Operation Model for the purposes of election advocacy.
- Endorsement of the Mosquito Management Plan.
- Adoption of Council Policy 1.1.15 - Election Invalidity Complaints.
- Adoption of revisions to the following Council Policies:
 - General Compliance and Enforcement
 - Civic Events and Civic Awards
- Recognition by the Office of the Auditor General in the Local Government 2022-23 Financial Audit Results report.
- Approval of Major Event Grant in Round 2 of the 2023-24 Major Event Grant Scheme, for the following events:
 - Jarrahdale Log Chop & Lions Country Fair
 - 2024 Byford Carols Event
 - 2024 Celebration of Christmas
 - 20225 Food and Farm Fest
- Delivery of Anzac Day 2024, the inaugural Family Fun Day, Muddy Buddies, SJ Youth Fest, NAIDOC Week 2024 and Volunteer Week events.
- Design and reskin of the Freeway Billboards, including the Shire's vision statement.
- Delivery of the annual Emergency Services Awards Night.
- Launch of the inaugural SJ Remembers Community History Awards and endorsement of the naming of one award category in honour of Jan Skillington.
- Delivery of the SJ Careers Expo.
- Commencement of Green Waste Verge collections, and bookable Hard Waste Verge Collections
- First member of the Rivers Regional Council to take its landfill waste to the Kwinana Waste to Energy plant.



- Delivery of the Free Verge Plant Program in conjunction Landcare SJ.
- Campaign relaunch of the 'Make Every Journey Safe' equine road safety campaign, to coincide with National Road Safety Week.
- Highly commended at the National Growth Areas Alliance Awards in Category 1 – Research and Practice – Cardup Career Fire Station - Innovative practice.
- Award of tender for the following projects and services:
 - Civil Design – Indigo Parkway
 - Pre-Booked Bulk Verge and Illegal Dumping Collection Services for a period of two years with an option to extend for a further 12 months.
 - Water Quality Monitoring - Byford Townsite for a period of ten (10) years
 - Turf Renovations, Rejuvenations and Repairs



The following actions **completed** this reporting period are:





- IT Renewal – ICT Replacement Program
- ICT Disaster Recovery Plan
- Asset Management Maturity
- Trails Centre and Food and Beverage Design Documentation
- Development of Climate Change Strategy and Action Plan
- Corporate Business Plan Review
- Bike Pump Track Feasibility and the successful reallocation of committed election funding to progress delivery
- Customer Service Contact Centre – Phase 1
- Depot Accommodation Upgrades
- Operations Centre Structure Review
- Parks and Environment Renewal – Playground Renewals
- Landscaping Renewal – Lefroy St / Rangeview Loop / Tranby Ave Roundabout, Serpentine
- Bus Shelter Program
- Whitby Falls Trail Drainage Upgrade
- Maintenance Schedules – Streetscapes



















- Public Amenity New and Upgrade
- Accessible toilet facilities at Jarrahdale Cemetery
- Signage on equine trails
- Kingsbury Drive Upgrade



The **17** actions identified as **at risk or behind target** are:





Action 1:	<u>Health, Safety and Wellbeing</u> Provide and maintain a safe and healthy workplace environment.	Status			
		Q1	Q2	Q3	Q4
					
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	During this reporting period, the primary focus continued to be the development of a robust safety management system. Work health and safety business operating procedures were reviewed by an external WHS professional to ensure compliance with relevant legislation, as these are fundamental to a strong safety management system. However, due to the departure of two staff members during this quarter, some performance measures have been impacted, such as the number of workplace inspections and contractor safety observations conducted.				
Remedial Action:	Two new and experienced Work Health and Safety Officers have been hired and are scheduled to commence in early July and will put this action back on track.				

Action 2:	<u>Street Lighting – New</u> Install new street lighting at the following Shire locations: - Upgrade Abernethy and Hopkinson Road intersection (2022-23 Carry-Forward) - Intersection Hopkinson Rd and Rowley Road - Intersection Richardson St and Summerfield Rd, Serpentine - Intersection Wright Rd and Randell Rd, Mardella	Status			
		Q1	Q2	Q3	Q4
					
					
					
					
		Grant funded:			
Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>		
Comment:	The following 3 locations are now at Design Stage with Western Power: <ul style="list-style-type: none">• Intersection Hopkinson Rd and Rowley Road• Intersection Richardson St and Summerfield Rd, Serpentine• Intersection Wright Rd and Randell Rd, Mardella• 				



Ordinary Council Meeting Minutes Monday, 19 August 2024

	The Shire is currently seeking a quote for solar lighting for the Intersection Abernethy Road and Hopkinson Road.
Remedial Action:	Officers will continue to liaise with Western Power on the design of 3 x abovementioned intersections. Procurement of Solar Lighting for the Abernethy Road and Hopkinson Road is underway, with works anticipated to be completed by December 2024.





Action 3:	<u>Soldiers Road Principal Shared Path</u>	Status			
	Design of rail maze crossing and adjacent culvert (Stage 1) and detailed design and costing of pedestrian bridge crossing north of Cardup Siding Road and construction of maze crossing (Stage 2).	Q1	Q2	Q3	Q4
					
		Grant funded:			
		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
	Department of Transport - WA Bicycle Network Grants Program				
Comment:	<p>During this reporting period, the following works were undertaken:</p> <ul style="list-style-type: none">- ARC Infrastructure has advised that due to a change in process, a Section 47 letter (approval) from Perth Transport Authority (PTA) is required to start the tender process for the design and construction of the rail maze crossing and the adjacent culvert south of Bishop Road. The process for obtaining the Section 47 letter has begun and is in progress.- The detailed design of the pedestrian bridge crossing at Cardup Siding Road is still underway.- Updating the Issued for Construction detailed design drawings is on hold until the finalisation of the main cable alignment and the stabling yard.- The clearing permit is in progress. A consultant has been engaged to provide the additional information requested by the Department of Water and Environmental Regulation (DWER).				
Remedial Action:	<p>The primary delay in this project is due to the processing of the Shire's request for approval (section 47 letter) to work near a PTA rail line. The Shire and PTA have scheduled weekly follow-up meetings to maintain momentum towards a prompt response. We have also enlisted support from other stakeholders, such as the Department of Transport, to assist in accelerating PTA approval. All communications and delays are documented, with regular updates provided to project stakeholders. Meanwhile, the Shire is progressing with tasks that do not require the Section 47 letter.</p>				





Action 4:	<u>Administration Accommodation</u> Upgrades to the Administration Accommodation including Staff Amenities, Staff Offices and Council Chambers.	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			



Ordinary Council Meeting Minutes Monday, 19 August 2024

		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	During this quarter, Stage 2A (Staff Amenities) has made significant progress and is on track for completion by July 2024. Stage 2B (Council Chambers) has reached the end of the detailed design phase, but construction timings remain uncertain due to several interdependent factors. The scope of Stage 2C (Staff Accommodation) is currently under evaluation and yet to be determined.				
Remedial Action:	The project team is actively engaging with stakeholders to address the inter-connected dependencies crucial to advancing Stages 2B and 2C of the project.				

Action 5:	<u>Soldiers Road Upgrade</u> Upgrade roundabouts located at Cardup Siding Road and Keirnan Street intersections.	Status				
		Q1	Q2	Q3	Q4	
						
		Grant funded:				
		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>	
		Main Roads WA				
Comment:	A progress update for this reporting period, is as follows: - The upgrading of the two roundabouts is 85% complete. - The landscaping contract has been awarded and work will commence after the construction is completed which is anticipated to be early August 2024.					
Remedial Action:	Officers have met with the Contractor regarding the project's delay, their resource limitations and the impact to delivery timeframes. It was agreed that the Contractor would engage additional resources, and schedule weekend works to address weather-related delays. We have increased the frequency of progress meetings and site inspections to closely monitor the project's progress and promptly address any issues.					

Action 6:	<u>Universal Access and Inclusion Program (2022-23 Carry-Forward)</u> Deliver access and inclusion improvements on Shire facilities.	Status			
		Q1	Q2	Q3	Q4
					
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	During this quarter, project progress is as follows: <ul style="list-style-type: none">- Surveys regarding stormwater compliance have been completed.- Access and Inclusion Consultant has completed their report for the Briggs Park Pavilion improvements.- Detailed designs have been issued and a meeting with Stakeholders has been scheduled in the new financial year, to discuss final plans and provide costings in readiness to progress to delivery, subject to funding.				
Remedial Action:	With a new structure, including the appointment of the Executive Manager Operations, a new Manager Operations and Manager Facilities, Officers are conducting a full review of all facility capital works projects in consultation with the Executive Management Group. A report will be presented to Council in				



	Quarter 2 of 2024-25, detailing project status and feasible options to progress, for consideration.
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Action 7:	<u>SJ Community Recreation Centre – Asset Management Works</u> Works to the Serpentine Jarrahdale Community Recreation Centre as identified within the Building Condition Audit & Life Cycle Costing report.	Status			
		Q1	Q2	Q3	Q4
Comment:	The following progress has been made during this reporting period: Air conditioner renewal - As previously reported, no progress has been made due to lack of funds. A quote has been received to remove the decommissioned units from the roof space and is ready to be actioned, subject to Budget adoption. Septic tank removal - The Biomax/septic has been removed as of 25/07/2024, There were some delays due to an incomplete decommission process previously, which left them full, however removal has now been completed. Sports Court Cladding - An estimate from the Shire tendered builder was received for the cladding project escalated to Management for consideration, due to the high cost. A cheaper alternative will be explored in the new financial year. Internal Paintwork - No further progress made, due to waiting on project interdependencies of Cladding works and skylight. Defect List - Defect list has been evaluated and simplified with approximately 25% completed by the Facilities Team. The remainder of the defects will be outsourced to the Shire's tendered builder.	Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Remedial Action:	With a new structure, including the appointment of the Executive Manager Operations, a new Manager Operations and Manager Facilities, Officers are conducting a full review of all facility capital works projects in consultation with the Executive Management Group. A report will be presented to Council in Quarter 2 of 2024-25, detailing project status and feasible options to progress, for consideration.				

Action 8:	<u>Minor Facility Renewals (2022-23 Carry-Forward)</u> • Briggs Pavilion Main Hall Refurbishment • Men's Shed Upgrade • Operations Depot Compliance and Security Upgrade • Bush Fire Brigade Management Program and Projects: - Byford Changerooms - Serpentine Changeroom	Status			
		Q1	Q2	Q3	Q4
Comment:	The following progress has been made during this reporting period:	Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>



	<p>Briggs Pavilion Main Hall Refurbishment - All carpet, doormats and vinyl have been replaced throughout the entire Main Hall, walls have been cleaned and fixtures replaced, project has been inspected and is complete.</p> <p>SJ Men's Shed Upgrade - The internal doors have been replaced. The electrical upgrade is still in progress, pending external approvals beyond Shire control. All permits for the ablutions have been issued, construction will begin early in the new financial year, subject to funding.</p> <p>Byford VBFB Station Changerooms - A business case was submitted for additional funds to complete the Changeroom areas and storage required. Any further progress of this project is dependent on and subject to funding.</p> <p>Serpentine VBFB Station Changeroom - Doorstops, aluminium skirting, racking and aluminium benches have been installed by the Facilities Team. Final inspection and handover has occurred, and this project is now complete.</p> <p>Operations depot compliance and security upgrades – As reported last quarter, this project is complete.</p>
Remedial Action:	<p>With a new structure, including the appointment of the Executive Manager Operations, a new Manager Operations and Manager Facilities, Officers are conducting a full review of all facility capital works projects in consultation with the Executive Management Group. A report will be presented to Council in Quarter 2 of 2024-25, detailing project status and feasible options to progress, for consideration.</p>





Action 9:	<u>Minor Facility Renewals and Upgrades (Facilities)</u> - Youth Centre - Landcare Building Refurbishment	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	<p>The following progress has been made regarding this project during the reporting period:</p> <p>Byford Youth Centre - Plans have been reviewed due to scope creep related to the ablutions. An Access Consultant has been re-engaged to ensure compliance. A detailed design has been produced, and a meeting with all Stakeholders has been scheduled for the new financial year, to commence procurement with the Shire's tendered builder.</p> <p>Mundijong Landcare Building Refurbishment - Progress has been delayed due to Heritage Guideline compliance. We have received a catalogue of materials and a report from the Shire's tendered builder. However, concerns about the building foundations have prompted an inspection, and the contractor cannot be engaged until August 2024.</p>				
Remedial Action:	<p>With a new structure, including the appointment of the Executive Manager Operations, a new Manager Operations and Manager Facilities, Officers are conducting a full review of all facility capital works projects in consultation with the Executive Management Group. A report will be presented to Council in</p>				



Ordinary Council Meeting Minutes Monday, 19 August 2024

	Quarter 2 of 2024-25, detailing project status and feasible options to progress, for consideration.
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Action 10:	<u>Minor Facility Renewals (2021-22 Carry-Forward)</u> - Mundijong Landcare Building (electrical wiring and switchboard) - SJ Recreation Centre doors, septic and stage	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	The following progress has been made during the reporting period: Mundijong Landcare Building (electrical wiring and switchboard) - No further progress has been made on this project. SJ Recreation Centre doors, septic and stage - On further investigation, the stage had previously been inspected and treated for termites, requiring no further action. The doors have been repaired and this project is now complete.				
Remedial Action:	With a new structure, including the appointment of the Executive Manager Operations, a new Manager Operations and Manager Facilities, Officers are conducting a full review of all facility capital works projects in consultation with the Executive Management Group. A report will be presented to Council in Quarter 2 of 2024-25, detailing project status and feasible options to progress, for consideration.				

Action 11:	<u>Minor Facility New (2022-23 Carry-Forward)</u> SJ Community Recreation Centre - Solar PV System	Status			
		Q1	Q2	Q3	Q4
					
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	The following progress has been made during the reporting period: Design has been approved by Western Power, although the Shire is still awaiting approval for the system to be connected to the grid. This is expected to be granted early next financial year, with construction to commence by the end of August 2024.				
Remedial Action:	With a new structure, including the appointment of the Executive Manager Operations, a new Manager Operations and Manager Facilities, Officers are conducting a full review of all facility capital works projects in consultation with the Executive Management Group. A report will be presented to Council in Quarter 2 of 2024-25, detailing project status and feasible options to progress, for consideration.				

Action 12:	<u>Minor Facility Renewals and Upgrades (Civils)</u> - Upgrade road surface at Shire Depot	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			



		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	<p>During this reporting period, surveying has been completed for upgrade of the road surface at the Shire Depot.</p> <p>The Shire has received three quotes for design and planning, and it is estimated that this will be completed in Q1 of 2024-25. Once design is completed, Officers can proceed with the procurement process for excavations and asphaltting the depot surface.</p>				
Remedial Action:	This realignment of schedule, is being managed through the Project Management Framework.				

Action 13:	<u>Minor Facility New (Projects)</u> Depot Refurbishment - Outdoor Canopy	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	During this reporting period, the project team has resolved all design matters with the supplier and ordered the steel for the structure. Although the scope has progressed and will be completed, the supply of the material is currently experiencing a lead time delay.				
Remedial Action:	No action is required at this time; the delay is solely due to extended material lead times.				

Action 14:	<u>Minor Facility New (Facilities)</u> Electronic Signage	Status			
		Q1	Q2	Q3	Q4
		-			
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	This project is experiencing some delay, to address questions raised by Stakeholders regarding the design and location of signage, necessitating more input from user groups involved. It is expected these issues will be addressed and resolved in the new financial year.				
Remedial Action:	With a new structure, including the appointment of the Executive Manager Operations, a new Manager Operations and Manager Facilities, Officers are conducting a full review of all facility capital works projects in consultation with the Executive Management Group. A report will be presented to Council in Quarter 2 of 2024-25, detailing project status and feasible options to progress, for consideration.				

Action 15:	<u>Landscaping New</u> - Street Tree Planting along Abernethy Road	Status			
		Q1	Q2	Q3	Q4
		-			



Ordinary Council Meeting Minutes Monday, 19 August 2024

	- Abernethy Road Roundabouts and Rain Gardens	Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	During this reporting period, the Shire received quotes for the works which exceeded the available budget. The Shire will now look to source additional funds to complete the project in the following planting season of 2025.				
Remedial Action:	Consequential amendments to the project schedule and budget will be managed in accordance with the Project Management Framework.				

Action 16:	<u>Drainage Renewal</u> Renew Shire Drains	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	<p>The replacement of the two Elliott Road culverts has been delayed and will be carried forward due to the contractor's delay in starting the works after the Request for Quote was awarded, followed by the onset of the winter period, which inundated the area. Completion is now scheduled for summer 2024/25.</p> <p>A survey of Kowin Court was undertaken for design purposes. The survey indicated that open drains through easements within two properties have been partially filled in, obstructing water flow. Access to these properties will be arranged to clean out the drains and reinstate proper water flow as part of maintenance.</p> <p>An alternate drainage project will be determined for the 2024/25 year.</p>				
Remedial Action:	Maintenance of Kowin Court drains within the private properties are to be completed. Elliott Road culvert replacement works will be undertaken summer 2024/25.				




Action 17:	<u>Gravel Resheeting</u> Re-sheet gravel roads in the Shire: - Bird Road - Lingdon Lane - Balmoral Road - Millars Road - Jarrah Road - Manning Road - O'Neil Road - Jackson Road	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	<p>During this reporting period, the re-sheeting of roads remains ongoing with works undertaken on Balmoral Road and Lingdon Lane.</p> <p>Balmoral Road has 10% of the scheduled work completed, equating to approximately 100 meters.</p>				



	Lingdon Lane has 50% of the scheduled work completed, equating to approximately 500 meters.
Remedial Action:	Uncompleted works have been prioritised for completion in Q1 and Q2 of the 2024/25 financial year.



The 1 action identified as **critical** is:

Action 7:	<u>Keirnan Park Recreation Precinct (Construction of Stage 1A)</u> Construct Stage 1A of the Keirnan Park Sports Recreation Precinct – AFL/cricket oval, pavilion and supporting infrastructure (FAA with Department of Local Government).	Status			
		Q1	Q2	Q3	Q4
					
		Grant funded:			
		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
		DLGSC grant			
Comment:	<p>Both water abstraction and clearing approvals have become more stringent and the Shire has been actively engaging with the relevant State and Federal Departments to satisfy their conditions.</p> <p>On 27 June 2024, a Workshop was conducted for Councillors and relevant stakeholders, where a detailed project update was provided. During the session, project next steps were thoroughly discussed and considered.</p> <p>A paper will be progressing to Council in July 2024 to seek endorsement of scope, revised budget and mandate.</p>				
Remedial Action:	<p>The environmental approval process is expected to be completed in August 2024. This will allow the planning stage to be completed and tender phase to commence.</p>				



The 1 action identified as **deferred or not proceeding** is:

Action 1:	<u>Scrivener Road - Gravel Pit</u> Investigation of gravel pit at Scrivener Road for Shire use.	Status			
		Q1	Q2	Q3	Q4
		Grant funded:			
		Y	<input type="checkbox"/>	N	<input checked="" type="checkbox"/>
Comment:	During this reporting period, a report was presented to Council on the result of investigations into feasibility of extracting gravel from the Scrivener Road Gravel Pit. Council resolved not to proceed with the project and for the project to be removed from the Shire's Corporate Business Plan.				
Council Resolution:	(OCM165/06/24).				

Details of the remaining 60 actions **on track** and 19 actions **completed** this reporting period are outlined in **attachment 1**.

Further commentary on these results is provided later in this report under the conclusion.

**Performance Report 2023-2024 End of Year****2023-2024 Highlights and Achievements**

Highlights of the Shire's major achievements and service statistics over the year is provided below by respective objective areas.

People – A connected, thriving, active and safe community

Key Achievements

- Adoption of the Council Plan 2023-2033 with a launch of the Plan to community.
- Implementation of the Customer Communication Optimisation Plan to improve customer service provision across the organisation.
- Completion of Jarrahdale Heritage Park Business Plan and Business Case.
- Progression of the Byford Skate Park project, in readiness for construction to commence.
- Finalisation of the concept design of the Oakford Bush Fire Brigade, in readiness for procurement and construction to commence.
- Completion of the Bike Pump Track Feasibility and the successful reallocation of committed election funding to progress delivery.
- Delivery of the inaugural Community History Awards by SJ Library Service.
- Inaugural SJ Library Services Family Fun Day, attracting over 500 attendees and 9 service provider stall holders.
- Celebration of SJ Library Services first birthday, attracting 553 visitors.
- Commencement of a trial period whereby the SJ Mobile Library Service visits Whitby and Keysbrook communities
- SJ Library extends trading hours on Saturdays.
- Award of 72 Sporting Travel Grants and 17 General grants, Major Event Grants, fee waivers, sponsorships, and Friendly Neighbourhood grants.
- Completion of Clifton Street bus shelter, which features the "Lost Creatures" artwork by Hayley Welsh, continuing the street art theme already featured on the SJ Library external walls.
- Adoption of the Community Safety and Crime Prevention Plan 2023-27.
- Adoption of the Access and Inclusion Plan 2023-28 and associated five-year Implementation Plan.
- Adoption of the Vulnerable Communities Plan, for inclusion in the Local Emergency Management Arrangements.
- Delivery of second annual 2024 Career and Enterprise Expo in conjunction with the Byford Secondary College;
- Delivery of the 2023 SJ Christmas Street Festival and Christmas Lights Competition, with winners across four categories.



- Delivery of Seniors Week 2023 including 'Lawn Bowls and Lunch' day at the Byford and Districts Country Club.
- Launch of the SJ SMS Alert Service, providing real-time information to residents about total fire bans, harvest vehicle movement bans and suspension of burning permits.
- Launch of the equine road safety campaign tied in to Road Safety Week.
- Presentation of Australia Day Awards including Clem Kentish Community Award, Community Citizen of the Year, Senior Community Citizen of the Year, Youth Community Citizen of the Year and Active Citizenship Award.
- Delivery of Youth and Recreation activities, including Laser Tag SJ; Beyond Skate: Jam events; and the Shire's first Skill-Up Course.
- Completion and opening of Jarrahdale Outdoor Hub.
- Completion of Fire Danger Sign Upgrade.
- Delivery of the Emergency Services Volunteer Awards Evening to honour the outstanding contributions of local firefighting and SES volunteers.
- Delivery of Council in the Community stall at the SJ Farmers Market each month.
- Delivery of community engagement to inform green spaces maintenance schedules.

Key Annual Service Statistics

Community Activation

- 17,847 Attendees at Community Events
- 98% Attendance at Ticketed Events
- 4,117 Youth Attendances at Drop in Programs
- 56 Community Events
- 5 New Public Art Installations
- 12 Group Advisory Meetings
- 70% of all Staff completed Cultural Awareness Training
- 166 New Citizens from 36 Countries
- 560 Kidsport Vouchers Processed to the value of \$122,022.11
- Over \$150,000 of Community Funding Allocated

Library

- 80 adult program and activities delivered to 1,427 participants
- 212 children program and activities delivered to 2,288 participants
- 19,950 e-resource loans
- 91,781 library resources borrowed
- 20,049 library loans through the self-serve machine
- 4,106 loans via the Mobile Library Service



- 860 new library members and 6,621 active library members
- 1,011 hours booked by external groups for meeting rooms and community spaces

Environmental Health

- 268 Food Safety Assessments
- 215 Health Application Approvals (including applications for effluent disposal systems, trading in public places, public building applications and applications for food premises)
- 153 Other Health Premises Assessments (including skin penetration premises, public buildings, lodging houses and offensive trade premises)
- 317 health risk assessments on proposed developments
- Managed 1,464 community environmental health services requests of which 1,330 were completed exclusively through the CRM module of OneComm

Compliance

- 80 formal complaints received, and 356 site inspections undertaken
- 81 resolved complaints, including through voluntary compliance and validating unauthorised developments through the submission of retrospective development applications
- 10 prosecutions commenced
- Managed 2 State Administrative Tribunal appeals
- 9 extractive industry site inspections carried out and \$129,705.00 worth of extractive industry licences

Emergency Services

- 11,500 Firebreak Inspections undertaken
- 56 Fire Management Plan assessed
- \$172,520.72 Mitigation Activity Funding acquitted
- \$577,896.00 Local Government Grants and Subsidies Program Funding acquitted

Rangers / Community Safety

- 130 cat registrations
- 936 dog registrations
- 89 dog infringements / cautions
- 135 litter and building site waste infringements / cautions
- 10 livestock infringements / warnings
- 537 parking infringements / warnings

Facilities

- 3 leases completed
- 1044 casual bookings



- 59 community bus bookings

Place – A protected and enhanced natural, rural and built environment

Key Achievements

- Progression of the Mundijong Town Centre District and Precinct F1 Structure Plan.
- Completion of the development of a Climate Change Strategy and Action Plan.
- Progression of the Clem Kentish Reserve Master Plan.
- Adoption of the Community Infrastructure Development Contribution Plan Report 3 (CIDCP3), following annual review.
- Delivery of forum on the future development of West Mundijong Industrial Area. Site works commenced for the first stage of the subdivision.
- Adoption of the Development Contribution Plan Report No. 7 (DCP7) for Development Contribution Area 1 (DCA1); the Development Contribution Plan Report No. 4 (DCP4) for the West Mundijong Industrial DCP; and Development Contribution Plan Report No. 1 (DCP1) for the Mundijong-Whitby Urban Traditional Infrastructure DCP.
- Delivery of SJ Plastic Free July / Plastic Free Living Program.
- A successful application to the 2023-24 Bushfire Mitigation Activity Fund, securing \$500,000 in grant funding to support the ongoing implementation of bushfire risk management.
- Annual Free Verge Plant Program in conjunction with Landcare SJ.
- Adoption of the following Local Planning Policies.
 - Local Planning Policy 4.26 – Development in the Rural Zone and Local Planning Policy 4.6 – Telecommunications Infrastructure.
 - Local Planning Policy 2.8 – Public Open Space Standards.
 - Amendment to Local Planning Policy 1.5 - Exempt Development relating to Container Deposit Scheme Infrastructure.
 - Local Planning Policy 1.4 - Advertising Development Applications.
- Commencement of bookable hard waste collection services and implementation of green waste verge collection services.
- Gazettal of Local Planning Scheme No. 3.
- Completion of Maintenance Schedules for Streetscapes.
- Continuation of the Switch Your Thinking initiatives.
- Adoption of the Shires Mosquito Management plan 2024-2029 and joining the South Metro CLAG to collaborate on tackling the mosquito problem with our neighboring local governments



- Adoption of the Byford Town Centre Parking Plan to protect local businesses from train commuters using the limited parking bays in lieu of the PTA carpark

Prosperity – An innovative, commercially diverse and prosperous economy

Key Achievements

- Attracting \$9.9M in grants from State and Federal Governments for Road Improvements and Black Spot Projects to be delivered over the next 3 years.
- Completion of a Road Upgrade Advocacy Plan – Road Condition and Treatment, identifying 30 road upgrades for advocacy and potential delivery in funding partnership with the State and Federal Governments.
- Endorsement of the Peel Alliance Policy Position Statement – Mining and Extractive Industries, including a contribution towards advocacy for the Policy Position Statement.
- Delivery of successful Business Breakfast with keynote speaker in conjunction with the Peel Chamber of Commerce & Industry
- Completion of 2023-24 planned works on the Clondyke Footpath replacement project.
- Completion of the Gooralong existing carpark upgrade, including new parking bays creation.
- Completion of Whitby Falls Footpath & Drainage upgrades.
- Completion of widening and resurfacing of Whitby Street, Mundijong (Butcher Street to Anstey Street including Anstey Street intersection).
- Completion of the following road projects:
 - Briggs Road Rehabilitation (SLK 0.7 to 1.11)
 - Nettleton Road Rehabilitation (SLK 13.87 to 16.65)
 - Nettleton Road Upgrade (SLK 10.68 to 11)
 - Jarrahdale Rd (SLK 9.95 – 11.4)
 - Larsen Road Upgrade
 - Baskerville Road Upgrade
 - Gossage Road Upgrade
 - Mundijong Road Upgrade
 - Falls Road Bollards Installation
 - Nicholson Road and Foxton Drive
 - Tuart Road, Oakford
 - Jarrahdale Road Rehabilitation
 - Stage 1 Kargotich Road upgrade (Rowley Road to Thomas Road)
- Completion of Adonis Street, Mundijong Footpath (Cockram Street to Richardson Street).



- Completion of Richardson Street, Mundijong Footpath (Adonis Street to Paterson Street).
- Completion of the Depot Accommodation Upgrades.
- Completion of the Trails Centre and Food and Beverage Design Documentation.
- Completion of the Concept plan for Future Development at Lampiter Drive, Mardella.

Key Annual Service Statistics

Statutory Planning

- Received 344 development applications and determined 369 applications valued at \$56,954,757.27 M
- Involved in 3 State Administrative Tribunal matters
- Determined 6 Joint Development Application Panel applications
- 85 Bushfire Attack Level Assessments

Building

- 1262 Building Approvals at a value of \$214,682,401 including 478 new homes.
- Determined 960 Certified Building Applications in an average assessment time of 9 days
- Determined 226 Uncertified Building Applications in an average assessment time of 23 days
- 787 Swimming Pool Barrier Compliance Inspections

Strategic Planning

- Processed 61 applications, all processed within the statutory timeframes

Engineering

- Assessed 121 development applications
- Approved 15 subdivision civil drawings
- Approved 206 crossovers
- Approved 7 stormwater management plans
- Assessed 51 subdivision applications
- Assessed 3 Local Structure Plans
- Assessed 2 rezoning and scheme amendment referral
- Approved 17 capital design projects and progressed them to Project delivery team

Expenditure on new assets:

- \$561K on new facilities
- \$439K on new/upgraded footpaths
- \$942K on new parks
- \$4.34M on road upgrades



- \$26K on new street lighting
- \$76 on landscaping, signage, bus shelters and bollards

Expenditure on asset renewals:

- \$3.76M on facility renewals
- \$132K on footpath renewals
- \$413K on park renewals
- \$2.78M on road renewals
- \$283 on bridge renewals

Expenditure on asset maintenance:

- \$12.6M expenditure on asset maintenance including buildings, civils, parks and reserves

Progressive – A resilient organisation demonstrating unified leadership and governance

Key Achievements

- Completion of the Major Review – Strategic Community Plan.
- Development and launch of the Council Plan 2023-2033.
- Completion of the Operations Centre Structure Review.
- Progression of the Organisational Development RoadMap.
- Completion of the ICT Disaster Recovery Plan.
- Implementation of the Customer Service Contact Centre.
- Approval of the revised Register of Delegations and Authorisations.
- Delivery of 2023 Ordinary Local Government Election.
- Delivery of 2024 Extraordinary Election in the North Ward.
- Completion and submission of the 2023 Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries.
- Progress to the completion of the Cat Local Law and gazettal of the Dog Local Law.
- Improvements to mature the Project Lifecycle Management Framework and develop tools and templates for consistence and compliance with the Shire's Project Management Framework.
- Named as one of the 2022/23 Top 20 Best Practice entities for timeliness and quality of financial reporting and controls by the Office of the Auditor General.
- Facilitating the adoption of the following Council Policies:
 - Election Invalidity Complaints
 - Crossovers
 - Civic Events and Civic Awards
 - Farmland Concessions



- General Compliance and enforcement
- Christmas Closure
- Flags
- Completion of the Major Review of the Corporate Business Plan.

Key Annual Service Statistics

Customer Service

- 33,046 Customer Requests received
- 33,523 Customer Requests completed
- (the variance between Customer Requests received and Customer Requests completed is due to the introduction of the Customer Service Contact Centre in March which has reduced the requirement to raise CRM's for all calls.)
- 1,733 after hours enquiries
- On average, 65% of customer requests are resolved in the same day
- On average, 99% of customer complaints are resolved within 14 days

Communications

- 325,486 website sessions
- 188,012 website users with 675,693 page views
- 4,346,707 users reached through social media
- 2,445 new social media followers
- 17 Media responses
- 45 Media releases
- 85 design projects delivered
- 55 videos produced

ICT & Records

- Registered 14,019 documents into Content Manager
- Completed 14 Freedom of Information requests
- Completed 12,747 Service Requests

Governance

- 11 Ordinary Council Meetings, 8 Committee Meetings and 4 Special Council Meetings with all agenda and minutes released within statutory timeframes.
- Issued 19 tenders and 15 requests for quote
- Processed 3,552 purchase orders
- Processed 6 conflict of interest disclosures, 7 secondary employment applications and 4 gift disclosures



Finance

- Adoption of the 2023-24 Annual Budget, 2023-27 Corporate Business Plan and 2022-32 Long Term Financial Plan.
- Adoption of the Annual Financial Statements and Audit Report 2022-2023 in December 2023

Performance against the Corporate Business Plan 2023-24 Key Performance Indicators

The results of the Corporate Business Plan 2023-27 Key Performance Indicators as at 30 June 2024, is provided below.

KPI 1: 80% of strategic operating projects are completed by their due date

Result: 83% (10/12)

As of 30 June 2024, the Corporate Business Plan 2023-27 contained 12 Strategic Operating Projects due on, or before 30 June 2023. Of these, 10 were completed by their due date:

- Disability Access and Inclusion Plan 2022-27 (due date 30 September 2023, completed date 18 September 2023)
- Future development at Lampiter Drive, Mardella (due date 31 December 2023, completed date 21 August 2023)
- Major Review - Strategic Community Plan (due date 31 March 2024, completed date 23 March 2024)
- Maintenance Schedules: Streetscapes Module (due date 30 June 2024, completed date 17 June 2024)
- Trails Centre and Food and Beverage Design Documentation (due date 30 June 2024, completed date 17 June 2024)
- Operations Centre Structure Review (due date 30 June 2024, completed date 28 June 2024)
- Corporate Business Plan Review (due date 30 June 2024, completed and scheduled to be presented to Council in conjunction with the Annual Budget and Long Term Financial Plan)
- Climate Change Strategy and Action Plan (due date 30 June 2024, completed date 17 June 2024)
- Asset Management Maturity (due date 30 June 2024, completed date 30 June 2024)
- ICT Disaster Recovery Plan (due date 30 June 2024, completed date 26 June 2024)

The following two (2) Strategic Operating Projects were not completed by their due date:

- Hypergrowth Road Priorities (due for completion on 30 September 2023, completed 31 October 2023)
- Heritage Park Business Case (due for completion on 30 September 2023, completed 18 March 2024)

KPI 2: 80% of road projects planned to be constructed are delivered

Result: 92% (12/13)



As of 30 June 2023, the result for this KPI is 92% (12/13). The Corporate Business Plan 2023-27 contained nine (8) major capital road projects and five (5) minor capital road projects due to be constructed by 30 June 2024. Of these, 12 were completed by their due date:

- Nicholson Road and Foxton Drive
- Briggs Road Rehabilitation (SLK 0.7 to 1.11)
- Nettleton Road Rehabilitation
- Tuart Road, Oakford
- Falls Road Bollards Installation
- Whitby Street, Mundijong
- Larsen Road Upgrade
- Baskerville Road Upgrade
- Gossage Road Upgrade
- Mundijong Road Upgrade
- Kingsbury Drive Upgrade
- Jarrahdale Road Upgrade

The 1 outstanding road project is summarised below:

Project	Due Date	Comment	Estimated Completion date
Soldiers Road Upgrade	30 June 2024	<p>The delay in the project has been primarily due to contractor resource limitations and adverse weather conditions.</p> <p>The Shire has met with the contractor to understand their resource limitations and discuss mitigation plans, which revealed the need for additional resources. The contractor has proposed weekend work to address weather-related delays. To closely monitor the project's progress and promptly address any issues, we have increased the frequency of progress meetings and site inspections.</p>	31 August 2024

KPI 3: Improvement is seen in all key result areas of the community perceptions survey

Comment: Not applicable – the survey is carried out biannually and is not due again until 2024-25.



KPI 4: Improvement is seen in the Performance Index Score of the Employee Scorecard Survey

Comment: Not applicable – the employee survey is conducted biannually and is not due again until 2024-25.

KPI 5: Financial Sustainability – maintain a financial health indicator above 70

Comment: 75 for the 2022-23 financial year.

A result for 2023-24 will be reported on completion of the financial year, subject to completion of the audited financials.

Options

Option 1

That Council

1. NOTES the performance report against the 2023-27 Corporate Business Plan for the period 1 April to 30 June 2024 as contained in this report and **attachment 1**.
2. NOTES the Corporate Business Plan Performance Report on the 2023-2024 Financial Year as contained in this report.

Option 2

That Council DOES NOT NOTE the performance reports contained in this report.

Option 1 is recommended.

Conclusion

Throughout the 2023-2024 financial year, the Shire has achieved or progressed many significant initiatives, including several major road upgrades, the continued development of the Project and Contract Management Frameworks, and advancements in Council's major government-funded and key strategic projects. These projects include the Keirnan Park Recreation and Sporting Precinct (Stage 1A), Byford Skate Park, Hypergrowth Road Upgrades, Oakford Volunteer Bush Fire Brigade Station, and Administration and Depot Accommodation upgrades.

In 2023-24, the Shire achieved KPI 1, with 83% of strategic operating projects completed by their due date, exceeding the target of 80%. Additionally, the Shire met KPI 2, with 92% of planned road projects constructed, surpassing the 80% target. This demonstrates the Shire's commitment to building a safer road network and fulfilling a key community priority.

To align with the adopted Council Plan, a major review of the Corporate Business Plan has been undertaken. This ensures the Shire's strategic direction aligns with community needs and aspirations and informs the annual Integrated Planning and Reporting timetable, which includes developing the Annual Budget and updating the Long-Term Financial Plan.

At the February 2024 Ordinary Council Meeting, Council approved a two-year Executive Manager Operations role to address the Shire's current and future Capital Works demands. Recruitment of an Executive Manager Operations, Manager Operations, and Manager Facilities positions took place during Quarter 4 of 2023-24. At this critical time of growth across the Shire, this new Infrastructure Directorate structure supports the volume and complexity of capital projects for delivery over the coming years, forward capital works programming and will focus on delivering committed capital works projects on time and on budget.

**Attachments (available under separate cover)**

- **10.3.5 - attachment 1** – Corporate Business Plan 2022-26 Performance Report 1 April to 30 June 2024 (E24/11337)

Alignment with our Strategic Community Plan

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

Financial Implications

There are no financial implications associated with the Officer Options.

Risk Implications

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1 & 2	There are no significant risks associated with Option 1 & 2.						

Voting Requirements: Simple Majority

OCM227/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council

1. **NOTES** the performance report against the 2023-27 Corporate Business Plan for the period 1 April to 30 June 2024 as contained in this report and attachment 1.
2. **NOTES** the Corporate Business Plan Performance Report on the 2023-2024 Financial Year as contained in this report.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.3.6 - Long Term Financial Plan 2024-2034 and Corporate Business Plan 2024-28 (SJ940-3)**

Responsible Officer:	Director Corporate Services
Senior Officer:	Chief Executive Officer
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to enable Council to consider adopting the:

- Long term Financial Plan 2024-2034; and
- Corporate Business Plan 2024-2028

to meet its obligations under the annual Integrated Planning and Reporting (IPR) processes.

Relevant Previous Decisions of Council

*Special Council Meeting – 25 July 2024 – SCM004/07/24 - COUNCIL RESOLUTION
That Council REQUESTS the Chief Executive Officer revise the Long Term Financial Plan and Corporate Business Plan in accordance with Council's decision in Agenda Item 6.2 and present these documents to a future Council meeting for consideration.*

*Special Council Meeting – 25 July 2024 – SCM003/07/24 - COUNCIL RESOLUTION
That Council:*

- 1. ADOPTS, in accordance with section 6.16 of the Local Government Act 1995, the Fees and Charges contained within attachment 1.*
- 2. ADOPTS the borrowing of new loan funds of \$2,095,000 Self Supporting Loan for the Oakford Fire Station and \$800,000 for Land Acquisition.*
- 3. IMPOSES, in accordance with section 6.33 of the Local Government Act 1995, the following differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget which represents a 2.9% increase to rates yield.*

3.1 Differential Rates

<i>Rate Category</i>	<i>Rate in Dollar (Expressed as cents in \$)</i>
<i>GRV Residential</i>	<i>0.094255</i>



Ordinary Council Meeting Minutes

Monday, 19 August 2024

GRV Commercial / Industrial	0.150751
UV General	0.004010
UV Rural Residential	0.004699
UV Commercial / Industrial	0.006656
UV Intensive Farmland	0.007580

3.2 Minimum Rates

Rate Category	Minimum Payment
GRV Residential	\$1,444
GRV Commercial / Industrial	\$1,640
UV General	\$1,581
UV Rural Residential	\$2,084
UV Commercial / Industrial	\$2,194
UV Intensive Farmland	\$3,163

4. ADOPTS, in accordance with section 6.45 of the Local Government Act 1995, the following options for payment of rates or service charges.

4.1 Instalment Arrangements

NOMINATE the following due dates for the payment of rates in full and by instalments:

Instalment options	Date due	Instalment plan admin charge	Instalment plan interest rate	Unpaid rates interest rates
		\$	%	%
Single full payment	16/09/2024	0	0.0%	0.0%
Option two				
First instalment	16/09/2024	0	0.0%	0.0%
Second instalment	18/11/2024	5	5.5%	11.0%
Option three				
First instalment	16/09/2024	0	0.0%	0.0%
Second instalment	18/11/2024	5	5.5%	11.0%
Third instalment	20/01/2025	5	5.5%	11.0%



<i>Fourth instalment</i>	<i>24/03/2025</i>	<i>5</i>	<i>5.5%</i>	<i>11.0%</i>
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4.2 *Incentives for Early Payment of Rates*
OFFERS, two \$1,000 incentive prizes to ratepayers, sponsored by Westpac who have paid their rates in full prior to 5:00pm 16 September 2024.
That all Elected Members and staff of the Shire of Serpentine Jarrahdale be ineligible to be chosen as a winner of the early rate payment incentive prizes.

5. *ADOPTS, in accordance with section 6.47 of the Local Government Act 1995, the following Discounts and Concessions:*

- *Concession of 31% to eligible Farmland and Conservation properties within the UV Rural differential rate category, pursuant to Council Policy 3.2.7 – Farmland Concession;*
- *Concession of 50% to Conservation zoned properties.*

6. *ADOPTS, in accordance with section 6.2 of the Local Government Act 1995, the Municipal Fund Budget as contained in attachment 1 - Amended, Statutory Statements and Notes (including supplementary information) for the year ending 30 June 2025 incorporating amendments as per the following table:*

<i>Description</i>	<i>Expenditure Type</i>	<i>Amount</i>
<i>Removal of Engineering Technical Officer</i>	<i>Operating</i>	<i>\$39,395</i>
<i>Removal of Community Perception Survey</i>	<i>Non-Recurrent</i>	<i>\$35,000</i>
<i>Removal of 0.4 Youth Activity Officer</i>	<i>Operating</i>	<i>\$28,829</i>
<i>Removal of The Glades Lake - Existing Boardwalk Retrofit</i>	<i>Capital</i>	<i>\$21,400</i>
<i>Reduce Cemetery Position from 1.0 to 0.8</i>	<i>Capital</i>	<i>\$16,814</i>
<i>Removal of Volunteer Brigade Perception Survey</i>	<i>Non-Recurrent</i>	<i>\$10,000</i>
<i>Deficit Position to be resolved at first quarterly budget review</i>		<i>\$1,952</i>
<i>Amend resident CCTV subsidy to include businesses</i>		<i>\$0</i>
<i>Total Reduction</i>		<i>\$153,390</i>

7. *ADOPTS, in accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2024/25 for reporting material variances shall be:*

a) ≥ 10% of the amended budget and ≥ \$10,000 of the amended budget; or
b) ≥ \$150,000 of the amended budget.

In addition, the material variance limit will be applied to each Nature and Type Classification for Operating and Financing Activities and each Project for Investing Activities (Capital).



Background

The Shire has an obligation to plan for the future of the district under the Integrated Planning and Reporting (IPR) Framework. The processes are annual, biennial (minor Council Plan review) and quadrennial (major Council Plan review). Information in this report addresses the Long-Term Financial Plan and Corporate Business Plan obligations of the annual IPR process.

The Department of Local Government, Sport and Cultural Industries IPR guidelines state that the annual process should include the:

- Development of an annual budget based on the delivery program of the Corporate Business Plan for the relevant year;
- Update and review of the Corporate Business Plan; and
- Addition of a year to the Long-Term Financial Plan.

At the February 2024 Ordinary Council Meeting, Council noted the Shire's IPR timetable. This timetable outlined the key steps involved in the Shire's annual IPR process to develop the Annual Budget, review the Corporate Business Plan and update the Long-Term Financial Plan. The key steps included submission and review of business cases, workshops with Executive and Council and establishing due dates to ensure regulatory compliance.

This process is now complete, and the Long Term Financial Plan and Corporate Business Plan is provided for Council consideration as detailed in this report.

Community / Stakeholder Consultation

Corporate Business Plan Workshop – Part 1

Meeting Date	28 February 2024
Elected Members in Attendance	President Coales, Cr Byas and Cr Duggin

Corporate Business Plan Workshop – Part 2

Meeting Date	11 March 2024
Elected Members in Attendance	President Coales, Cr Bishop, Cr Byas, Cr Duggin, Cr Jerrett, Cr Mack

Strategic Forum

Meeting Date	17 April 2024
Elected Members in Attendance	President Coales, Cr Bishop, Cr Byas, Cr Mazzini

Budget Workshop – Rates Modelling, LTFP and Fees and Charges

Meeting Date	1 May 2024
Elected Members in Attendance	President Coales, Cr Bishop, Cr Byas, Cr Duggin, Cr Jerrett, Cr Mack, Cr Mazzini

Budget Workshop – 2024-2025 Non-Recurrent and Capital

Meeting Date	15 May 2024
Elected Members in Attendance	President Coales, Cr Byas, Cr Duggin, Cr Jerrett, Cr Mack

**Budget Workshop – Operating Part 1**

Meeting Date	5 June 2024
Elected Members in Attendance	President Coales, Cr Bishop, Cr Duggin, Cr Jerrett, Cr Mack, Cr Mazzini

Budget Workshop – Operating Part 2

Meeting Date	12 June 2024
Elected Members in Attendance	President Coales, Cr Duggin, Cr Mack, Cr Mazzini

Budget Workshop – Years 2-4 Non-Recurrent and Capital and Outstanding CRM's

Meeting Date	3 July 2024
Elected Members in Attendance	President Coales, Cr Bishop, Cr Duggin, Cr Jerrett, Cr Mack

Statutory Environment**Local Government Act 1995 and Local Government (Administration) Regulations 1996**

Local governments have a statutory obligation under s 5.56(1) of the *Local Government Act 1995* ('the Act') to plan for the future of their district under the Integrated Planning and Reporting (IPR) Framework. Regulations have been made under s 5.56(2) of the Act that provide minimum requirements for IPR.

The *Local Government (Administration) Regulations 1996* ('the Regulations') require a local government to ensure that a Corporate Business Plan is made for its district (reg 19DA) and that the Corporate Business Plan is reviewed every year (reg 19DA(4)). A full extract of Regulation 19DA is provided below.

19DA Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) A local government is to review the current corporate business plan for its district every year.*



(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

**Absolute majority required.*

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Reform of the Local Government Act 1995

The State Government is reforming the *Local Government Act 1995*. Theme 6 – 'Improved Financial Management and Reporting' proposes to amend the *Local Government (Administration) Regulations 1996* to replace the Strategic Community Plan with a Council Plan. Advice from the Department of Local Government, Sport and Cultural Industries is that the Department are currently progressing the policy work behind the Integrated Planning and Reporting Framework reforms. From a compliance perspective, Regulation 19DA of the *Local Government (Administration) Regulations 1996* remains in place until new regulations are in effect and provisions commence.

On 11 December 2023, Council adopted the Council Plan 2023-2033 (OCM313/12/23). Adoption of the Council Plan has had a flow on impact to the Corporate Business Plan, as the document required alignment with the Council Plan's three strategic pillars (Thriving, Liveable, Connected). This work has been completed as part of the major review of the Shire's Corporate Business Plan 2024-2028, for adoption as part of the annual Integrated Planning and Reporting (IPR) process.

Comment

Following adoption of the 2024-25 Financial Year Budget by Council at the Special Council Meeting on 25 July 2024, the Long Term Financial Plan and Corporate Business Plan have been updated to align to the annual budget as outlined in this report.

In order to balance future year deficits, the following changes were made to the Long Term Financial plan and:

- Reduction in operating expenditure
- Reduction in Footpath Renewal expenditure
- Reduction in Road New and Upgrade funding

Furthermore, funding and the associated loan repayment for Keirnan Park BMX relocation have been removed pending Council agenda item to be presented at September 2024 OCM.

Long Term Financial Plan 2024-3034

A Long Term Financial Plan (LTFP) is a ten year rolling plan that incorporates the proposed budget and financial requirements to deliver the Corporate Business Plan. It is a key tool for ensuring the financial sustainability of the Shire. The Long Term Financial Plan 2024-2034 provided for Council's consideration, reflects the requirements of the Corporate Business Plan 2024-2028 and ensures it is achievable within the Shire's financial resources.

The Long Term Financial Plan 2024-2034 is set within the following parameters:

- Interim rates growth of 1.95% in 2024-2025



- Assumed CPI of 3.4% in 2024-2025 and 3% thereafter.
- The proportion of untied funds expected to be spent on operating expenditure is projected to decline from 88% to 80% over the life of the LTFP. This means effectively that the Shire is spending proportionately less money on administration and more money on asset delivery and infrastructure.
- The operating savings consequential to the above point will be expended on asset renewal and upgrades lifting the asset renewal spend to be in line with asset management requirements.
- The LTFP foresees a significant number of infrastructure grants to be received in the next 3 years and expect this trend to continue throughout the next 10 years. However, these grants usually come with a matching contribution from the Shire which need to be funded through rates. With the recent modernisation of the Shire's asset data as well as the continued advocacy, the Shire is likely reaching the point where the Shire is at significant risk that the Shire may win more grants than the LTFP is able to match.

Corporate Business Plan 2024-2028

The Corporate Business Plan 2024-2028 presented for Council's consideration represents a Corporate Business Plan that is costed and aligned to the Shire's Long Term Financial Plan and integrated with all components of the State Government's Integrated Planning and Reporting Framework. The Delivery Program of the Plan is divided into the following five areas:

1. Advocacy Projects - the projects that the Shire will focus its advocacy efforts towards over the next four years.
2. Major Capital Projects - capital projects to be delivered over the next four years that are considered 'Major'. A Capital Project is considered 'Major' if:
 - the value is >\$250,000; and
 - it is a new construction; or
 - it is a significant expansion, replacement (i.e., upgrade), or renewal project of existing infrastructure.
3. Capital Works Program - planned capital expenditure on our assets over the next four years, excluding Major Capital Projects.
4. Strategic Operational Projects - projects funded from the operating budget considered 'Strategic' in nature because they demonstrate a strong link to the Council Plan.
5. Service Plan Summary - a summary of the Shire's day-to-day service levels and activities over the next four years that sit outside of the other abovementioned projects.

Major Review of the Corporate Business Plan

A major review of the Corporate Business Plan was undertaken in 2023-2024, following the 2023 local government election and adoption of the 2023-2033 Council Plan.

The objective of this major review was to produce a delivery plan to operationalise and align the Shire's projects and services to the needs and aspirations of our community, foster a forward planning culture that is prioritised and resourced, and act as a measure of organisational performance towards the community's vision.



Review and analysis of the Shire's key documents, and existing planning documents, formed a major component of the review including assessment of business unit Service Team Plans, the current Corporate Business Plan and comparative Local Government Corporate Business Plans, to guide 'best practice' format and content.

The new Shire vision, mission and values commits the Shire to delivering a high standard of governance and compliance, and the three key pillars of the Council Plan – Thriving, Liveable and Connected – links each project and activity to a to a strategic objective area to enable a clear connection between the actions being undertaken and the strategic outcomes they support.

Other amendments and/or improvements to note include:

- Updated Key Performance Indicators to best measure delivery achievements:
 - 80% of strategic operating projects are completed by their due date;
 - 80% of road projects planned, are delivered by their due date;
 - 80% of facility projects planned, are delivered by their due date;
 - Financial Sustainability – Maintain a financial health indicator above 70.
- Simplification of information contained within the Delivery Program. Previous specification of quarterly milestones is a duplication of details already contained within business unit Service Team Plans, and the Project Management Framework.
- The addition of State Government and/or Developer delivered Projects now included in the Service Plan Summary of the plan, to detail the anticipated timeframes in which Shire support and/or a level of service is required, for projects being delivered by State Government agencies or Developers.
- Improved forward planning across all 4 years of the delivery program, which will evolve in 2025-2026 and as various key strategic operating projects are undertaken in 2024-2025 (i.e., Roads and Footpath Forward Works Plan) to inform future planning accordingly.

Key initiatives that our community will see implemented over the 2024-2028 period are summarised within their respective Strategic Pillars below:



<p><i>THRIVING - A well-planned Shire which supports our community to flourish through sustainable growth, partnerships and leadership.</i></p> <p>Advocating for and shaping the design of State Government infrastructure to benefit our local community of which some include:</p> <ul style="list-style-type: none"> • METRONET • Tonkin Highway • Byford Tafe <p>Planning for sustainable future growth, attracting business and employment opportunities, and strengthening tourism within the Shire through:</p> <ul style="list-style-type: none"> • development of the Byford Town Centre • working with the East Metropolitan Health Service to deliver the Byford Health Hub • trails development and implementation including Jarrahdale Trails Town • review of the Economic Development and Tourism Strategy • review of the Local Planning Strategy • planning and advocacy for industrial land development. 	<p><i>LIVEABLE - A protected, enhanced and safe natural and built rural environment, with access to services and facilities.</i></p> <p>Improving maintenance and investment in roads and footpaths, with a focus on connectivity within communities, through the delivery of:</p> <ul style="list-style-type: none"> • Hypergrowth Road Upgrades – Kargotich and Orton Roads • 8 x Federal and State Blackspot Road Upgrades • 5 x Metropolitan Regional Road Group Upgrades • New Carpark for Gooralong Trail Precinct. • Roads Forward Works Plan. • Footpath Forward Works Plan. • development and implementation of maintenance schedules for playgrounds, verges, facilities, parks and gardens. 	<p><i>CONNECTED – Connected and vibrant neighbourhoods, celebrating our history and diversity.</i></p> <p>Responding to population growth through investment in community recreation and facilities to support local clubs and groups by:</p> <ul style="list-style-type: none"> • progressing the development of the Keirnan Park Recreation Precinct • relocation of the BMX track to Keirnan Park Recreation Precinct • Glades District Community Facility • construction of a new Pump Track in Byford • upgrade of the Byford Skate Park • construction of the Oakford Bush Fire Brigade Station <p>Empowering and facilitating an inclusive community that celebrates our history and diversity through the following initiatives:</p> <ul style="list-style-type: none"> • Reconciliation Action Plan • Crime Prevention – Resident & Business CCTV subsidy • development of a Youth Plan and Youth Advisory Council.
<p>Governance initiatives underway for implementation over the four year period include:</p> <ul style="list-style-type: none"> • upgrades to the Administration Accommodation including Staff Amenities, Staff Offices and Council Chambers • an Enterprise Resource Planning System 		



- continued implementation of the Project and Contract Management Framework.

The full details of these initiatives, including their associated cost, timing and dependencies are detailed within the Delivery Program section of the plan. The Delivery Program also outlines all other projects and activities occurring within the 2024-2028 period.

Options

Option 1

That Council:

1. ADOPTS the Long-Term Financial Plan 2024-34 at **attachment 1**;
2. ADOPTS the Corporate Business Plan 2024-28 at **attachment 2**; and
3. NOTES the Chief Executive Officer will apply the Shire's Corporate Branding in finalising the Corporate Business Plan for publication.

Option 2

That Council DOES NOT ADOPT the Long Term Financial Plan and Corporate Business Plan.

Option 1 is recommended.

Conclusion

The completion of the annual Integrated Planning and Reporting review provides the Shire with an integrated, structured and specific framework in which to implement and report on tangible outcomes towards the shire's vision and strategic objectives.

Attachments (available under separate cover)

- **10.3.6 - attachment 1** – Long Term Financial Plan 2024-2034 (E24/9726)
- **10.3.6 - attachment 2** – Corporate Business Plan 2024-2028 (E24/11338)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
4. Ensure sustainable and optimal use of Shire resources and finances
Liveable

Financial Implications

The Corporate Business Plan 2024-2028, Long Term Financial Plan 2024-2034 and 2024-2025 Annual Budget are aligned.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	No significant risks are associated with Option 1. The risks to be managed to deliver the Corporate Business Plan are detailed within the 'Key Risks' area of the plan.						
2	If Council do not adopt the Corporate Business Plan and Long Term Financial Plan, this will result in documents that are not aligned to the annual budget. This will create a fragmented environment for the Shire to operate in for the short term.	Nil	Organisational Performance	Rare	Moderate	LOW	Nil

Voting Requirements: Absolute Majority (Regulation 19DA(6) of the *Local Government (Administration) Regulations 1996*)

OCM228/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Duggin, seconded Cr Bishop

That Council:

- ADOPTS the Long-Term Financial Plan 2024-34 at attachment 1;
- ADOPTS the Corporate Business Plan 2024-28 at attachment 2; and
- NOTES the Chief Executive Officer will apply the Shire's Corporate Branding in finalising the Corporate Business Plan for publication.

CARRIED UNANIMOUSLY 6/0

**10.4 Community Engagement reports:**

10.4.1 - Department of Local Government, Sport & Cultural Industries - Club Night Lights Grant Program 2024/25 - Application Prioritisation (SJ1213)	
Responsible Officer:	Manager Community Activation
Senior Officer:	Director Community Engagement
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to seek Council endorsement for the submission of a Small Grant (Community Night Lights Program) funding application to the Department of Local Government, Sport and Cultural Industries (DLGSC) as part of the July 2024/25 Community Sport and Recreation Facilities Fund (CSRFF) round.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this matter.

Background

Local Government authorities and not-for-profit sport/recreation organisations are eligible to apply for CSRFF grants. These grants aim to increase participation in sport and recreational activities through the development of basic sustainable infrastructure that is well planned and designed.

The Club Night Light Program (CNLP) is a small grant round that targets projects involving a basic level of planning. The total project cost must not exceed \$500,000 and must be claimed in the Financial Year following the date of approval.

Community / Stakeholder Consultation

In early 2024, Officers met with key stakeholders and user groups of Kalimna Oval which demonstrated support for the lighting project. The following key comments were provided:

- West Byford Primary School – supportive of the project, noting implications of any delivery timeframes and shared use arrangements would need to be further considered if project progressed.
- Mundijong Centrals Junior Football Club – supportive of the project, particularly as it will allow for an additional site for training purposes.



- At time of consultation, there were developments with a prospective new Soccer club in the Shire. With the limited space at facilities, Kalimna Oval was identified as the best prospect for ground availability.
- Department Local Government, Sport and Cultural Industries – advised the project is eligible for the Community Night Lights Program.

Lighting would allow use by multiple groups across a broader range of times and thus demonstrate increased opportunities for sport and recreational activities.

Further consultation and engagement is expected to occur in next stages of the project, if progressed and/or successful for funding.

Statutory Environment

Nil.

Comment

Kalimna Oval is located at 121 Kardan Boulevard, Byford.



Kalimna Oval is currently used for Little Athletics Training for Byford Little Athletics, Football Training for Mundijong Centrals Junior Football Club and Cricket Training and Games for SJ Blues Cricket Club. With the growth of junior sport in the Shire, and the emergence of new sporting clubs, such as soccer, there is growing demand for available public open space for organised junior sport and recreation.



In the 2023/24 financial year, preliminary design and costings for lighting at Kalimna Oval was undertaken and is provided at **attachment 1**.

As part of the preliminary investigations, 2 lux level options for the lights were considered with the following estimated project costs identified as relevant to a CSRFF application:

Lighting Level	Estimated Total Project Cost	Expected Shire Co-contribution (where application successful)
50 Lux	\$454,666.24	Up to \$303,110
100 Lux	\$565,362.43	* Total Project cost exceeds eligibility

There is no guarantee that the full requested amount will be funded, and any shortfall would need to be funded by the Shire. However, generally, the Shire would be responsible for contributing up to two-thirds of the project cost if the application was successful, as well as covering project management (staffing) costs.

It is noted that up to 50% of the total project costs (up to a maximum value of \$200,000) may be awarded by the Department if a "Development Bonus" was applied. Whilst eligible for this bonus, it is unknown as to whether the Shire would be considered a high priority for this.

Given the anticipated user groups and the preliminary investigations demonstrating estimated delivery costs, Officers are recommending Council proceed with a July 2024/25 CNLP application for Kalimna Oval, with a project scope of 50 Lux lighting level. 50 lux lighting at Kalimna Oval would allow training for large ball sports (football, soccer) to occur later into the evening. Implementation of this project would significantly improve opportunities for sport and recreation at the site, as well as the broader Shire as a whole, given the Briggs Precinct is currently the only site in the Shire with training and competition level lighting.

In accordance with the CNLP guidelines, the grant is primarily a reimbursement system whereby funds must be spent, and receipts presented. Only project expenditure which commenced after approvals were announced will be recognised for payment. The following milestones have been identified for the project, to meet the July funding round criteria.

Date	Milestone
August 2024	<ul style="list-style-type: none">Council resolution at August 2024 Ordinary Council MeetingApplication lodged at department regional offices by 4pm, 30 August 2024
September to December 2024	<ul style="list-style-type: none">Detail design of Kalimna Oval Lighting progressed and completed.
Approximately November 2024	<ul style="list-style-type: none">Successful/unsuccessful applicants notified.
<i>The following milestones assume a successful CSRFF (CNLP) grant application. Where unsuccessful, no further progression of the project is recommended.</i>	
January 2025 to February 2025	<ul style="list-style-type: none">Tender process for construction
March 2025	<ul style="list-style-type: none">Award of Tender
April 2025 to June 2025	<ul style="list-style-type: none">Construction periodFinalise acquittal



Options**Option 1**

That Council:

1. ENDORSES the submission of one funding application to the Department of Local Government, Sport and Cultural Industries via the Club Night Lights Program for the following project:

Applicant	Project	Ranking
Shire of Serpentine Jarrahdale	Kalimna Oval Lighting Project	1

2. NOTES that subject to the outcomes of the application, a co-contribution of up to \$305,000 plus project management staff costs would be required from the Shire of Serpentine Jarrahdale to implement the project.
3. NOTES that a future report will be presented to Council to consider the Club Night Lights Program grant if the Shire is successful.

Option 2

That Council:

1. DECLINES the opportunity to submit a grant funding application in the July 2024/25 round to the Department of Local Government, Sport and Cultural Industries, Club Night Lights Program.
2. REQUESTS Chief Executive Officer progress with detailed design processes for the Kalimna Lighting Project and presents a report with eligible projects, including Kalimna Oval for the next funding round in February 2025.

Option 1 is recommended.

Conclusion

The Department of Local Government, Sport and Cultural Industries facilitates a Club Night Lights Program to provide financial assistance to sporting clubs and local governments to develop sports floodlighting infrastructure.

Club Night Lights Program applications must be presented to the relevant local government for its assessment to provide project ratings and prioritised rankings (in the case of multiple applications); and to request in-principle support for the proposed project/s, including any financial contributions associated with the projects.

One application is presented for the current round of the Club Night Lights Program for 2024/25, being for lighting infrastructure at Kalimna Oval. If successful, the Shire would be responsible for contributing up to two-thirds of the project cost as well as project management (staffing) costs.

Attachments (available under separate cover)

- **10.4.1 - attachment 1** – Kalimna Reserve – Basic lighting design and costing report (IN24/18129)



Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
4. Ensure sustainable and optimal use of Shire resources and finances
Liveable
4. Invest in facilities and amenities to meet current and future needs
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation
2. Contribute to a well-connected, accessible and health community

Financial Implications

A co-contribution of up to \$305,000 plus project management staff costs would be required from the Shire of Serpentine Jarrahdale to implement the project.

\$227,000 has been allocated in the 2024/25 Budget towards the Kalimna Oval lighting project, based on a 50% co-contribution. If a grant application was successful, a report would be presented back to Council for consideration of the grant and the Shire's contribution amount (either 50% or two-thirds).

Annual operating costs have been estimated at \$8,736 based on five hours of use, four times a week at 100 lux.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	The Shire is unable to match the two-third co-contribution towards the project is we are successful.	\$227,000 has been allocated in the 2024/25 Budget towards the Kalimna Oval lighting project.	Financial	Possible	Moderate	MODERATE	A future report will be presented to Council if it is successful to consider the grant and the Shire's co-contribution



2	The Shire is unable to deliver the Kalimna Oval because it does not have the financial capacity to deliver the project by itself	Stakeholder engagement which has demonstrated community support for the project	Social/Community Outcomes	Almost Certain	Moderate	HIGH	Option 1
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Voting Requirements: Simple Majority

OCM229/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

1. **ENDORSES** the submission of one funding application to the Department of Local Government, Sport and Cultural Industries via the Club Night Lights Program for the following project:

Applicant	Project	Ranking
Shire of Serpentine Jarrahdale	Kalimna Oval Lighting Project	1

2. **NOTES** that subject to the outcomes of the application, a co-contribution of up to \$305,000 plus project management staff costs would be required from the Shire of Serpentine Jarrahdale to implement the project.
3. **NOTES** that a future report will be presented to Council to consider the Club Night Lights Program grant if the Shire is successful.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.4.2 - Establishment of School Representative on Access and Inclusion Advisory Group (SJ3175)**

Responsible Officer:	Manager Community Activation
Senior Officer:	Director Community Engagement
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

This report requests Council to consider:

- Updating the Terms of Reference for the Access and Inclusion Advisory Group allowing for the addition of a local School-Based representative; and
- The appointment of an identified candidate to this proposed position, for the current membership term.

Relevant Previous Decisions of Council

Special Council Meeting – 6 November 2023 – SCM29/11/23 - COUNCIL RESOLUTION

That Council:

1. *APPOINTS the following Elected Members as members of the Access and Inclusion Advisory Group:*
 - *Cr Mack*
 - *Cr Duggin*
2. *APPOINTS the following Elected Members as deputy members of the Access and Inclusion Advisory Group who may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause:*
 - *Cr Jerrett*
 - *Cr Bishop*
3. *APPOINTS eight (8) external members to the Access and Inclusion Advisory Group from the list contained within CONFIDENTIAL attachment 2, for the period ending at the next ordinary Local Government election.*
4. *REQUESTS the Chief Executive Officer to:*
 - a) *update the Terms of Reference accordingly to reflect the Elected Member and external member appointments.*
 - b) *write to all nominees thanking them for their Expression of Interest and advising them of Council's decision.*



Background

The Access and Inclusion Advisory Group (AIAG) consists of members with lived or learned experience who are passionate about sharing their experiences and expertise to help guide the Shire in being more accessible for all. Terms run for two years in line with the local government elections.

The current membership consists of eight (8) community representatives of which six (6) are individual members (residents) and two (2) are organisational representatives, as resolved at the Special Council Meeting on Monday, 6 November 2023.

Organisational representative roles allow for a position to be held by a specified agency, and the most relevant staff representative attends for the elected term, thus allowing the position to continue irrespective of staffing changes within the organisation.

The Shire has received a request for representation on the Access and Inclusion Advisory Group, as relevant to a representative role between all local schools and the Access and Inclusion Advisory Group. Following preliminary investigations as to the interest for, and viability of the position, this report seeks formal direction from Council on the inclusion of such a position within the Access and Inclusion Advisory Group (AIAG) Terms of Reference.

If supported, this report further requests consideration to the appointment of the position based on feedback received from local schools to date.

Community / Stakeholder Consultation

Current Access and Inclusion Advisory Group Membership

The current members submitted their expressions of interest for the 2023-2025 term of the AIAG by the closing date of 13 October 2023. Positions were awarded at the Special Council Meeting on Monday, 6 November 2023, with four meetings held since appointment.

Membership Request

On occasion, Officers receive requests from members of the public indicating a desire to be involved in Advisory Groups outside of the ordinary appointment processes (i.e., during a membership term).

Ordinarily, in the interests of fairness and equity, these requests are only considered where a vacancy arises or by exceptional circumstance, noting there are no specific provisions within the Terms of Reference or other Policy to otherwise define this.

In March 2024, a previous member of the Access and Inclusion Advisory Group contacted Officers requesting whether consideration could be given to them re-joining the AIAG, with their role being to act as a conduit or point of contact between local schools and the AIAG.

Given the unique nature of the request and supporting details, specifically relevant to significant connections within the school community, Officers made some preliminary enquiries to ascertain whether there was merit in further considering this request. These details are outlined in **CONFIDENTIAL attachment 1**.

Previous membership on the AIAG had included a representative from Byford Secondary College, who applied and held an individual member position, although a nomination for the 2023-2025 term was not forthcoming. The Terms of Reference were updated according to the nominations considered by Council in November 2023.



Local School Comment

Officers considered the merit of a singular representative that could act as a conduit between the AIAG and all local schools to bring additional awareness and insight to the group, as well as to assist in distributing information from the Shire to schools and their families where relevant to Access and Inclusion initiatives.

To assist in these considerations, email correspondence was sent out to all local primary and high schools outlining the concept of a representational position and provided details contained within **CONFIDENTIAL attachment 1**.

Of the 13 schools contacted:

- 10 Schools have replied in support of the representational position, as well as their support to the person contained in **CONFIDENTIAL attachment 1**, being this representative.
- One School has replied unsupportive, stating they do not fully understand the role.
- Two Schools have not responded.

Access and Inclusion Advisory Group Recommendation

Following the consultation with local schools above, the concept was presented to the current AIAG at their meeting on Tuesday, 16 July 2024, with the minutes from this meeting included as **attachment 2** to this report.

Members proposed and unanimously agreed to in-principal support for an organisational representation for local schools position.

The Advisory Group has no power to make decisions on behalf of Council. Ascertaining the Advisory Group's level of interest and support to the proposal provides background context for deliberative purposes.

Statutory Environment

Nil. The Access and Inclusion Advisory Group is not a Committee of Council and does not have delegated authority of Council.

Comment

Officers recommend amending the current Terms of Reference to include a school based representative role in addition to the current eight (8) positions. The Terms of Reference with highlighted amendments is included at **attachment 3**. Improving connections with students and families living in the Shire with disability aligns with the Shire's Disability Access and Inclusion Plan, specifically, aims three and four.

The intent of this role is to only be open to applicants demonstrating connection with local schools, and for representatives that have demonstrable support from local schools meeting this objective.

Given the comments and feedback received to date from local schools on the individual contained in **CONFIDENTIAL attachment 1**, Officers recommend appointing this individual into the created position as no alternative candidate from schools was forthcoming for further consideration. Additional advertising of the created position could be undertaken (option 2), however this process would delay appointment into the position and postpone the benefits anticipated by its creation. As no further suggestions have been forthcoming from schools, further advertising is also unlikely to result in additional candidates.



Officers support the merit of the role and the benefits of increased access to representation for youth and their families in all areas, including access and inclusion.

Options

Option 1

That Council:

1. APPROVES updates to the Access and Inclusion Advisory Group Terms of Reference as contained in **attachment 3**.
2. NOTES the nomination for School Representative and corresponding endorsements contained in **CONFIDENTIAL attachment 1** and APPOINTS Number 1 Applicant into the local school representative position for the remainder of the 2023-2025 Access and Inclusion Advisory Group Term.
3. REQUESTS the Chief Executive Officer to notify to successful applicant and current Access and Inclusion Advisory Group members of the outcome.

Option 2

That Council:

1. APPROVES updates to the Access and Inclusion Advisory Group Terms of Reference as contained in **attachment 3**.
2. NOTES the nomination for School Representative and corresponding endorsements contained in **CONFIDENTIAL attachment 1**.
3. REQUESTS the Chief Executive Officer to:
 - a) seek Expressions of Interest to the local school based representative position from schools directly for a period of 14 days.
 - b) following the Expression of Interest period, provide a report back to Council for consideration of the applications received and to appoint into the role.
 - c) notify the applicant and current Access and Inclusion Advisory Group members of the outcome.

Option 3

That Council:

1. NOTES the intent of the local school representative position and AGREES to consider this position as part of the Expression of Interest process for the next Access and Inclusion Advisory Group membership term.
2. DECLINES the appointment of any further representatives on the current Access and Inclusion Advisory Group.
3. REQUESTS the Chief Executive Officer notify the applicant and current Access and Inclusion Advisory Group members of the outcome.

Option 1 is recommended.



Conclusion

Officers have received a request for a position on the Access and Inclusion Advisory Group outside of the ordinary appointment process. Given the unique nature of the request and supporting details, preliminary enquiries were undertaken with local schools which supported the proposal for a local-school representative position on the Access and Inclusion Advisory Group. The proposal demonstrated positive opportunities for increased information sharing (both incoming and outgoing) between the Shire, schools, and their families.

Attachments (available under separate cover)

- **10.4.2 – CONFIDENTIAL attachment 1** - Details of Enquiry and Applicant Information (E24/10560)
- **10.4.2 - attachment 2** – Access and Inclusion Advisory Group Meeting Minutes – 16 July 2024 (E24/10079)
- **10.4.2 - attachment 3** – Access and Inclusion Advisory Group - Terms of Reference - with amendments (E19/16309)

Alignment with our Council Plan 2023-2033

Connected
2. Contribute to a well-connected, accessible and health community
3. Empower the community to engage with the Shire and collaborate on matters that are important to them
4. Facilitate an inclusive community that celebrates our history and diversity

Financial Implications

Nil.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	Delayed appointment reduces efficiency of new role and may be confusing to those who have offered endorsement already	Option 1	Organisational Performance	Possible	Minor	LOW	
3	Not appointing a School Representative may be interpreted as not valuing the input of the Shire's schools, families and associated networks.	Option 3 – can be considered at end of current term (2025).	Reputation	Possible	Moderate	MODERATE	

Voting Requirements: Simple Majority

OCM230/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

1. **APPROVES** updates to the Access and Inclusion Advisory Group Terms of Reference as contained in attachment 3.
2. **NOTES** the nomination for School Representative and corresponding endorsements contained in **CONFIDENTIAL** attachment 1 and **APPOINTS** Number 1 Applicant into the local school representative position for the remainder of the 2023-2025 Access and Inclusion Advisory Group Term.
3. **REQUESTS** the Chief Executive Officer to notify to successful applicant and current Access and Inclusion Advisory Group members of the outcome.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0



10.4.3 - Keysbrook Fire Incident Community Debrief – Information Report (SJ4392)	
Responsible Officer:	Coordinator Emergency Services
Senior Officer:	Director Community Engagement
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Information	For the Council / Committee to note.
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Report Purpose

The purpose of this report is for Council to receive the outcomes from the Keysbrook Fire Incident Community Debrief event held on Wednesday, 10 July 2024.

Relevant Previous Decisions of Council

<p><i>Ordinary Council Meeting – 20 May 2024 - OCM111/05/24 - COUNCIL RESOLUTION</i></p> <ol style="list-style-type: none"><i>1. NOTES the community engagement activities and internal debrief meetings and actions that have occurred following the December 2023 Keysbrook fire (Incident Number 652329 – Keysbrook Bushfire) as contained in the comment section of this report.</i><i>2. REQUESTS that the Chief Executive Officer organise and conduct a community debrief session on the December 2023 Keysbrook fire (Hopeland Road fire - 22 December 2023), with the involvement of all relevant stakeholders, including the local emergency services, the Shire's Bushfire Awareness Team, and affected community members.</i><i>3. REQUESTS that this debrief session:</i><ol style="list-style-type: none"><i>i. addresses specific concerns raised by the community regarding access control during the incident and gathers comprehensive feedback on the emergency response efforts.</i><i>ii. Provides an opportunity for the Shire to report back actions completed and lessons learnt.</i><i>4. ENSURES that the debriefing session is completed by the end of July 2024 and that findings and lessons learned are documented and presented in a report to Council at the August 2024 Ordinary Council Meeting.</i>
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Background

A fire was reported in Keysbrook at 11:36 on 22 December 2023, declared Level 2 at 13:15 and subsequently downgraded to Level 1 at 18:00 23 December 2023. This was Incident Number 652329 – Keysbrook Bushfire. The fire ran through open paddocks used for agriculture, and scrub, with high rates of spread and was stationary by the evening of 22 December 2023. The total area burnt was 832 hectares, within the area bounded by Elliott Rd to the North, Hopeland Rd to the West, Atkins Rd to the East and Readheads Rd to the South. The fire burnt predominantly through properties located within the Shire of Murray, as contained in the map at **attachment 1**.

At the May 2024 Ordinary Council Meeting, Council requested a debrief session be held with all relevant stakeholders and affected community members by the end of July 2024. Lessons learned



and findings were to be presented at the August 2024 Ordinary Council Meeting, forming the basis of this report.

Community / Stakeholder Consultation

Approximately 30 community members attended the Keysbrook Fire Incident Community Debrief event held at the Keysbrook Community event on Wednesday, 10 July 2024. The feedback and themes raised at the event are addressed in the comment section of this report.

Statutory Environment

Nil.

Comment

The Keysbrook Fire Incident Community Debrief event was hosted by the Shire, with 10 Shire / Bushfire Awareness Team representatives, the Shire of Murray's Community Emergency Services Manager, 4 Elected Members, as well as Darling Range MLA, Hugh Jones.

The Shire's Mitigation Officer, who was also the Keysbrook Fire Incident's Operations Officer, provided an overview of the fire incident at the event, which is provided at **attachment 2**.

The event was also an opportunity for residents to ask questions and provide feedback about the emergency response and recovery efforts. Feedback themes from the event are provided below:

Theme	Shire Response / Action
Road closures, Shire support for farm / community responders engaging in fire suppression.	<p>Shire Officers have developed a Western Australian Traffic Management Aide Memoire to support incident management and police at future emergency incidents.</p> <p>Shire Emergency Services have engaged with farm responders through local Fire Control Officers since the Keysbrook incident, resulting in the issue of approximately 12 additional Fire Response Vehicle Identifiers.</p> <p>Farm responders have also been issued with reference material and instructions, including how to engage with Incident Management at incidents such as the Keysbrook incident.</p> <p>The Shire will continue to support farm/ community responders before, during, and after future incidents.</p>
Damage to fencing, pasture and other assets during the fire, risk to livestock due to lack of containment, lack of contact with affected residents.	<p>To ensure bushfires remain contained and controlled, effective mop up must be completed. The minimum standards for mop up include (from DFES Standard Operating Procedure 3.5.1):</p> <ul style="list-style-type: none">• Fire perimeter blacked out.• All burning trees extinguished or removed within 100m of perimeter.• Mineral earth break constructed around the perimeter. <p>Mineral earth breaks were constructed along the fires edge in pasture at the Keysbrook fire to contain the fire and restrict the possibility of the fire breaking out, which would lead to further loss of pasture and other assets.</p>



	<p>Feedback has been provided to crews to ensure all reasonable steps are taken to reduce damage to property or losses of livestock in future incidents.</p> <p>The Shire will explore opportunities for rehabilitation of containment lines and fencing at future incidents and is improving internal processes to ensure that affected residents are engaged with as soon as reasonably practical following an incident.</p>
<p>The evacuation centre was difficult to access due to road closures and distance from the incident area.</p>	<p>The evacuation centre was opened in response to DFES emergency warning advice that an Evacuation Centre located at the SJ Community Recreation Centre in Byford would be available.</p> <p>In subsequent debrief activities it has been noted an Evacuation Centre to the South of the incident may have been more effective or better utilised.</p> <p>Evacuees were able to get to the Evacuation Centre, however the travel distance was further than southern locations.</p> <p>Consultation between Shire Evacuation Centre Officers, Department of Communities and the Incident Control Group occurs for every incident to identify the most appropriate Evacuation Centre location.</p>

Following the Keysbrook Fire Incident Community Debrief event, Shire Officers wrote to the Keysbrook community providing a summary of the event outcomes.

Options

Option 1

That Council:

1. NOTES the Keysbrook Fire Incident Community Debrief event was held on Wednesday, 10 July 2024.
2. NOTES the Shire's response to the themes raised at the Keysbrook Fire Incident Community Debrief event as contained within the comment section of this report and this Community Incident Debrief report will be presented to the September Local Emergency Management Committee Meeting.

Option 2

That Council NOTES the Keysbrook Fire Incident Community Debrief event was held on Wednesday, 10 July 2024.

Option 1 is recommended.

Conclusion

The Community Debrief held on Wednesday, 10 July 2024 provided the affected community an opportunity to hear the actions taken since the Keysbrook fire and to provide feedback to the Shire and other stakeholders about what worked well as well as areas for improvement.



The Shire will continue to engage with the community regarding the themes raised as well as presenting the information to the September Local Emergency Management Committee.

Attachments (available under separate cover)

- **10.4.3 - attachment 1** - Keysbrook Bushfire Map (E24/6577)
- **10.4.3 - attachment 2** - Keysbrook Fire – Incident Number 652329 - Community Debrief Presentation (E24/9412)

Alignment with our Council Plan 2023-2033

Connected
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	Community members may feel their feedback is not valued by Council.	Communication about the Keysbrook Fire Incident Community Debrief event with Council and Community.	Reputation	Unlikely	Minor	LOW	Option 1



Voting Requirements: Simple Majority

OCM231/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

- 1. NOTES the Keysbrook Fire Incident Community Debrief event was held on Wednesday, 10 July 2024.**
- 2. NOTES the Shire's response to the themes raised at the Keysbrook Fire Incident Community Debrief event as contained within the comment section of this report and this Community Incident Debrief report will be presented to the September Local Emergency Management Committee Meeting.**

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0

**10.4.4 - Endorsement of Bushfire Risk Management Plan 2024-2026 (SJ1920)**

Responsible Officer:	Coordinator Emergency Services
Senior Officer:	Director Community Engagement
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to request Council to endorse the Shire of Serpentine Jarrahdale Bushfire Risk Management Plan 2024 – 2026, as at **attachment 1**.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 17 December 2018 - OCM141/12/18 - COUNCIL RESOLUTION / Officer Recommendation

- 1. Endorses the Bushfire Risk Management Plan in attachment OCM141.1/12/18; and:*
- 2. Requests the Chief Executive Officer present the Treatment Schedule once completed to Council for endorsement.*

Background

The Shire of Serpentine Jarrahdale Bushfire Risk Management (BRM) Plan is a comprehensive document that outlines a structured approach to identifying, assessing, prioritising, monitoring, and mitigating bushfire risk across all land within the Shire. The BRM Plan aims to protect lives, assets, and the environment, by guiding and coordinating a multi-stakeholder approach to bushfire risk management.

The primary objectives of the BRM Plan are to:

- Guide and coordinate a cross-tenure, multi-stakeholder approach to bushfire risk management planning.
- Facilitate the effective use of financial and physical resources available for bushfire risk mitigation activities.
- Support integration between risk owners, strategic objectives, and tactical outcomes.
- Document processes used to monitor and review the implementation of treatments to ensure risk is managed to an acceptable level.

The Shire of Serpentine Jarrahdale, as the custodian of the BRM Plan, coordinates its development and ongoing review.



The Department of Fire and Emergency Services (DFES), Department of Biodiversity, Conservation and Attractions (DBCA), and other relevant agencies and landowners, participate in and contribute to the plan's development and implementation.

All land managers, including the Shire, are responsible for implementing agreed-upon treatments on their land. The collaborative development of the BRM Plan ensures that treatment strategies are coordinated and efficient across all land tenures.

Endorsement of the BRM Plan by the Council and approval by the DFES Office of Bushfire Risk Management are essential for the Shire to remain eligible for State Government Bushfire Mitigation Grant Funding.

Community / Stakeholder Consultation

Development of the Bushfire Risk Management Plan 2024 – 2026 has involved feedback and engagement from the following stakeholders:

Stakeholder	Engagement/feedback
Department of Fire and Emergency Services/ Office of Bushfire Risk Management	Requirement for the inclusion of the Treatment Strategy section as per 2024 template plan.
Community Consultation	Additional external stakeholder identified and included in the Plan.
Volunteer Bush Fire Brigades	Nil

Statutory Environment

Under the *State Hazard Plan – Fire (State Emergency Management Committee 2023)* local governments identified as having high or extreme bushfire risk must develop a Bushfire Risk Management Plan that applies to the entire local government area. The Shire of Serpentine Jarrahdale has been identified as such and is required to develop a BRM Plan in order to comply with *State Hazard Plan – Fire*.

This BRM Plan has been prepared in accordance with the requirements of the *Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines)* (Office of Bushfire Risk Management 2024).

Comment

The Bushfire Risk Management Plan documents the Shire's context, strategies, and priorities for the mitigation of bushfire risk within the Shire.

Approval of the plan is a commitment by the local government to work with landowners and other external stakeholders to address unacceptable risk within their community.

Local governments with approved BRM Plans are eligible for funding through the Government of Western Australia Mitigation Activity Fund Grant Program (MAF GP).

Since its inception in 2017, the Mitigation Activity Fund grant program has distributed nearly \$57 million to local governments throughout WA. Since 2018, the Shire has been allocated over \$2 million to complete 90 treatments.

**MAF GP Funding Awarded – Shire of Serpentine Jarrahdale:**

Year	# Treatments	\$ Allocated
2023/2024	13	\$500,000
2022/2023	17	\$231,754
2021/2022	19	\$288,054
2020/2021	16	\$493,500
2019/2020	25	\$521,000
TOTALS	90	\$2,034,308

For 2024/25 the Shire has been awarded \$69,218.72, to complete three treatments via the Mitigation Activity Fund Grant Program. Given that more local governments have endorsed Bushfire Risk Management Plans, the program is becoming more competitive. The adoption of a new Bushfire Risk Management Plan will ensure the Shire remains eligible to apply for funding through the State Government program.

The updated BRM Plan features a revised strategy section (Section 6.1) that emphasises two strategic priorities:

1. To increase the likelihood of successful initial attacks on fires; and
2. To create a community focused approach to bushfire.

Development of the treatment strategy is a requirement of the updated DFES template BRM Plan.

With regards to the two strategic priorities, the outcomes required as follows:

Strategic Priority: To increase the likelihood of successful initial attacks on fires

- Enhance fire service access routes across Shire owned and managed parcels.
- Develop maintenance specifications for Shire managed fire trails.
- Regularly inspect and maintain fire trails according to maintenance specifications.
- Prioritise mitigation treatments in areas adjacent to assets and access routes.
- Employ a variety of fuel reduction techniques (prescribed burning, mechanical, chemical, grazing) with consideration for vegetation type and environmental constraints.
- Collaborate with landowners to ensure firebreaks and fuel reduction activities are completed on private properties, particularly those bordering high-risk areas.

Strategic Priority: To create a community focused approach to bushfire

- Educate residents on the importance of fuel reduction and fire preparedness.
- Encourage landowners to create and maintain defensible space around their properties.
- Foster a culture of shared responsibility for bushfire risk management within the community.
- Develop relationships with traditional owners and incorporate of Aboriginal fire management knowledge and practices into Shire mitigation works.

Should Council endorse the BRMP, it will be submitted to DFES for final approval and implementation, monitoring, and review of the plan will be included in the Emergency Services Service Team Plan.



Options**Option 1**

That Council:

1. APPROVES the Shire of Serpentine Jarrahdale Bushfire Risk Management Plan 2024 – 2026 as at **attachment 1**.
2. REQUESTS the Chief Executive Officer to submit the Shire of Serpentine Jarrahdale Bushfire Risk Management Plan 2024 – 2026 to the Office of Bushfire Risk Management for review and approval.
3. REQUESTS the Chief Executive Officer present a report back to Council in June 2025 outlining achievements against the Bushfire Risk Management Plan, inclusive of the proposed 2025/26 treatments and resourcing requirements.

Option 2

That Council DOES NOT APPROVE the Shire of Serpentine Jarrahdale Bushfire Risk Management Plan 2024 – 2026.

Option 1 is recommended.

Conclusion

The Bushfire Risk Management Plan 2024-2026 outlines the Shire of Serpentine Jarrahdale's strategy and commitment to mitigating bushfire risk. The BRM Plan's approval by Council and subsequent endorsement by the Office of Bushfire Risk Management is essential for compliance with *State Hazard Plan – Fire*, and for securing vital funding for mitigation activities. The substantial financial investment in these activities underscores the significance of this plan in safeguarding the community and the environment.

The revised plan aligns with the updated requirements of the Department of Fire and Emergency Services, and better reflects the complexities and potential challenges of bushfire risk management in the Shire.

With the adoption of this plan, the Shire of Serpentine Jarrahdale further equips itself to address the ongoing threat of bushfires and ensure the safety and well-being of its residents and environment.

Attachments (available under separate cover)

- **10.4.4 - attachment 1** – Shire of Serpentine Jarrahdale Bushfire Risk Management Plan 2024 - 2026 (E23/15619)

Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances
Liveable
3. Preserve and enhance our natural places, parks, trails and reserves
Connected

Financial Implications

Nil.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	The Shire may not meet its requirements to review and update its Bushfire Risk Management Plan by September 2024, which could impact its ability to receive Mitigation Activity Funding from the State Government	Advertise plan for public comment as per Option 1	Organisational Performance	Possible	Moderate	MODERATE	Option 1.

Voting Requirements: Simple Majority

OCM232/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council:

1. **APPROVES** the Shire of Serpentine Jarrahdale Bushfire Risk Management Plan 2024 – 2026 as at attachment 1.
2. **REQUESTS** the Chief Executive Officer to submit the Shire of Serpentine Jarrahdale Bushfire Risk Management Plan 2024 – 2026 to the Office of Bushfire Risk Management for review and approval.
3. **REQUESTS** the Chief Executive Officer present a report back to Council in June 2025 outlining achievements against the Bushfire Risk Management Plan, inclusive of the proposed 2025/26 treatments and resourcing requirements.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0



10.4.5 - Federal Grant Applications - Shire Election Advocacy Projects (SJ4117)	
Responsible Officer:	Community Project Specialist
Senior Officer:	Director Community Engagement
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.
Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.

Report Purpose

The purpose of this report is to:

- Endorse over budget expenditure from the Chief Executive Officer's advocacy cost code for a total of \$120,000 for consultants' fees to develop three Federal Government grant program applications, full business cases and cost benefit analyses for the following Shire projects:
 - Serpentine Jarrahdale Community Recreation Centre (SJCRC) expansion as an endorsed Shire 2025 State and Federal Government election priority.
 - Keirnan Park Recreation and Sporting Precinct (KPRSP) Stage 1B (BMX).
 - KPRSP Stage 1C (Netball Courts) as an endorsed Shire 2025 State and Federal Government election priority.
- Endorse three Shire applications to the following Federal Government funding programs:
 - Two applications to the Thriving Suburbs Program (TSP): one for the SJCRC expansion, as an endorsed Shire 2025 State and Federal Government election priority, and one for KPRSP Stage 1B.
 - A joint application to the urban Precincts and Partnerships Program (uPPP) Stream Two, for the KPRSP Stage 1B and Stage 1C, with Stage 1C an endorsed Shire 2025 State and Federal Government election priority.
- Ensure a 30 per cent funding contribution from the Shire to underwrite the required commitment to the TSP for the SJCRC expansion on confirmation of the application to the program being successful.



Relevant Previous Decisions of Council

Ordinary Council Meeting – 19 June 2023 – OCM121/06/23 – COUNCIL RESOLUTION / SUBSTANTIVE MOTION

That Council:

- 1. RECEIVES the report Election Commitment Priorities prepared by GRA Partners at attachment 1.*
- 2. ENDORSES the recommendations for priorities for the upcoming State and Federal Government Elections in 2025 as follows:*
 - a. Hypergrowth Road upgrades;*
 - b. Expansion of the SJ Recreation Centre with two additional Basketball Courts;*
 - c. Caravan Park and Visitors Centre at Jarrahdale on Lot 814 Millers Road.*
- 3. REQUESTS the Netball Courts at Keirnan Park Recreation Precinct be reconsidered as a potential election priority once the water issues for Stage 1 A are resolved.*
- 4. REQUESTS the Chief Executive Officer include funding to progress the following election priorities in the draft 2023/24 FY budget for Councils consideration:*
 - a. Hypergrowth Road Upgrades Peer Review of Road Priorities;*
 - b. Planning for the Expansion of the SJ Recreation Centre to include two additional Basketball Courts;*
 - c. Caravan Park and Trails Centre in Jarrahdale.*
 - d. Netball Courts at Keirnan Park.*
- 5. REQUESTS the Chief Executive Officer present the feasibility and potential development of a Regional Destination Playground and Public Open Space area as a major initiative for Councils consideration in the Strategic Community Plan and the review of the Corporate Business Plan occurring later in 2023.*

Ordinary Council Meeting – 15 March 2021 – OCM057/03/21 – COUNCIL RESOLUTION / Officer Recommendation

That Council:

- 1. ADOPTS the Keirnan Park Masterplan as detailed in attachment 3.*
- 2. ENDORSES the staging plan as proposed in the Keirnan Park Masterplan Report:*
 - 1(a) Senior AFL ovals, entry road and pavilion – fully funded.*
 - 1(b) BMX Facility – funding application submitted.*
 - 1(c) Netball Hub – not funded at this stage.*
- 3. ADOPTS the Keirnan Park Business Case detailed in attachment 2.*
- 4. NOTES that the Chief Executive Officer has submitted an application for round 5 BBRF funding for Stage 1(b) BMX facility, supported by the Keirnan Park Masterplan and Business Case.*
- 5. NOTES the consultation undertaken in the development of the Keirnan Park Masterplan project.*
- 6. REQUESTS the Chief Executive Officer explore funding options for Stage 1(c) Netball Hub.*
- 7. NOTES a notional space has been allowed for on the Masterplan and an update will be presented to Council once the Community Space/Men's Shed details have been developed.*



Background

The expansion of the SJCRC with two additional indoor sports courts (multi use basketball and netball) and associated car parking, and KPRSP Stage 1C projects were endorsed by Council as advocacy priorities for the 2025 State and Federal Government elections at the 19 June 2023 Ordinary Council Meeting.

The Shire is now actively seeking Federal Government funding for the detailed design and construction phase of the SJCRC expansion project.

The Shire is also actively seeking Federal Government funding for the KPRSP project, Stage 1B and Stage 1C.

In order to submit timely applications to the appropriate Federal Government grant programs, it is proposed that a consultant is engaged to deliver three Federal Government grant program applications, full business cases and cost benefit analyses for these projects.

The Thriving Suburbs Program (TSP)

The Thriving Suburbs Program (TSP) is a Federal Government funding program that provides funding of between \$500,000 and \$15 million to local government entities and incorporated not-for-profit organisations.

The Shire is proposing to apply for funding from TSP, for the expansion of the SJCRC, and KPRSP Stage 1B.

The funding is available for capital works projects that will enhance liveability, bolster social cohesion and support local amenity in urban, suburban and peri-urban communities across Australia's Greater Capital City Statistical Areas. The TSP is open competitive with funding awarded on a merit basis.

Advice has been provided from the Federal Government via Members of Parliament and Regional Development Australia Peel Inc that applications for Federal funding for all advocacy projects are required to be submitted via the Federal funding programs that have been recently announced.

Applicants to the TSP are required to contribute towards the project the funding is applied for.

The Shire is categorised by the TSP as a Group 2 council. The program defines Group 2 projects as being run by: "... 'low rate-based councils determined using the ratio of Financial Assistance Funding to Net Rate Income.'"

Total Federal Government funding towards eligible project costs for Group 2 councils is up to 70 per cent. All Councils are required to show commitment to, or confirmation of, the additional 30 per cent funding contribution.

The Shire is proposing to submit a grant application to TSP, to obtain 70 per cent funding to a maximum of \$15 million for the detailed design and construction phase of the SJCRC expansion project, noting that it is a Shire endorsed 2025 State and Federal election priority project. This application must be submitted by the closing date and time of 5:00pm Australian Eastern Standard Time on 26 August 2024.

The Shire will also be submitting an application to the TSP for the KPRSP Project, Stage 1B and using the committed State Government funding and Shire committed funds for Stage 1A as the other currently committed proportion of funding to this project.



Urban Precincts and Partnerships Program (uPPP) Stream 2

The uPPP is an always open, non-competitive funding opportunity, supporting both precinct development proposals and the delivery of construction-ready precinct projects.

Stream Two of the uPPP makes project funding of \$5 million to \$50 million available to help deliver a specified project or projects as part of a precinct.

The Shire is proposing to submit an application for funding for KPRSP Stage 1B and Stage 1C through the uPPP Stream Two, noting that KPRSP Stage 1C is a Shire endorsed 2025 election priority project.

Community / Stakeholder Consultation

Nil.

Statutory Environment

Nil.

Comment

The Community Infrastructure Development Contribution Plan, as at attachment 1, states there is a current gap in indoor sport and recreational facilities in Byford and Mundijong.

It provides developer contributions for the SJCRC extension being two additional indoor sports courts (multi use basketball and netball), with associated amenities including gender neutral change facilities and parking.

The realisation of the project for delivery in the DCP is 2034, with \$4,988,539 allocated.

However, the Shire Council has determined this project to be an advocacy priority for the 2025 State and Federal Government elections, and to be grant funded through advocacy efforts.

Delivery of the project prior to 2034 would enable the Shire to progress recreational planning in the Shire, to ensure adequate recreational facilities are developed in line with projected future growth and community expectations.

Currently the Federal Government TSP provides the Shire with the most viable means of obtaining the necessary funding to deliver the SJCRC project in line with the Shire Council's endorsement as a 2025 State and Federal Government election advocacy priority.

For the Shire's application to be eligible it is required to provide proof of, or commitment to, provision of 30 per cent of the project funding. This may be via other government funding commitment, loans, DCP contribution or other means.

The TSP is also a viable option for gaining funding to undertake KPRSP Stage 1B BMX as this project is tender ready and able to be undertaken in conjunction with Stage 1A if full funding can be sourced. The Stage 1A funding commitment ensures we have covered off our required contribution for this application to be undertaken.

The Shire Council has also determined that KPRSP Stage 1C is an advocacy priority for the 2025 State and Federal Government elections.

This means that Council has endorsed these projects for sooner delivery as soon as financially viable.

The expected positive impacts from sooner delivery of these projects include:



- Increased physical health and recreation opportunities within the Shire.
- Increase of recreational court space within the Shire for community use.
- Support for community sporting organisations to cater for growing localised sport and recreational needs.

The uPPP Funding Program provides the most likely source of funding for KPRSP Stage 1C and offers the opportunity to combine Stage 1B within the application in the case it is not successful in the TSP. This application would be submitted following the TSP applications, as no set closing date is attached to this program.

Options

Option 1

That Council:

1. ENDORSES the submission of three Shire applications to the following Federal Government funding programs:
 - Thriving Suburbs Program (SJCRC expansion)
 - Thriving Suburbs Program (KPRSP Stage 1B)
 - urban Precincts and Partnerships Program (uPPP), joint application to Stream Two (KPRSP Stage 1B and Stage 1C)
2. AUTHORISES the Chief Executive Officer to submit the funding application to the Thriving Suburbs Program for the SJ Recreation Centre expansion, committing the Shire to a 30 percent contribution should the funding application be successful.
3. NOTES the over expenditure of \$120,000 for the preparation of 3 Shire applications outlined in point 1.
4. REQUESTS the Chief Executive Officer find the savings to fund this over budget expenditure in the first quarter Finance and Costing Review.

Option 2

That Council DOES NOT ENDORSE three Shire applications to the following Federal Government funding programs:

- An application to the TSP for the SJCRC expansion, and therefore does not ensure a 30 per cent funding contribution from the Shire to underwrite the required commitment to the TSP for the project on confirmation of successful application to the program and does not allocate funding towards the SJCRC expansion until it is allocated via the DCP funding commitment in 2034.
- An application to the TSP for KPRSP Stage 1B, and therefore does not ensure a 30 per cent funding contribution from the Shire to underwrite the required commitment to the TSP for the project on confirmation of successful application to the program.
- urban Precincts and Partnerships Program (uPPP), joint application to Stream Two (KPRSP Stage 1B and Stage 1C).

Option 1 is recommended.



Conclusion

It is vital that the Shire deliver full business cases and cost benefit analyses for the SJCRC expansion and KPRSP Stage 1B and 1C projects and submit applications for Federal funding by the required funding deadlines if it is to deliver on key community infrastructure projects at the SJCRC and KPRSP.

Delivery of these projects is important if the Shire is to:

- Ensure adequate recreational facilities are developed in line with projected future growth, and community expectations.
- Recognise the SJCRC expansion project as a Council endorsed 2025 State and Federal Government election advocacy priority and deliver it prior to 2034.

Attachments (available under separate cover)

- **10.4.5 - attachment 1** - Community Infrastructure Development Contribution Plan Report 3 (E23/7652)
- **10.4.5 – attachment 2** - Keirnan Park Masterplan (IN21/7166)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
4. Ensure sustainable and optimal use of Shire resources and finances
Liveable
4. Invest in facilities and amenities to meet current and future needs
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation
2. Contribute to a well-connected, accessible and health community

Financial Implications

The preparation of three proposals will cost \$120,000 of external consultancy costs in addition to Officer time.

If the application for the SJ Recreation Centre is successful and funding from the State Government for the remainder is unsuccessful as part of the Election Advocacy, the Long Term Financial Plan will require review to determine how funding will be facilitated. This may be via loan or other funding options.

If loan funds are required it is likely other planned and potential loans will not be able to be progressed.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	If the application for the SJCRC is successful but we are unable to secure State supported or other financial support, the Shire may need to undertake further loan commitments for the 30 per cent contribution or risk not being able to access the grant agreement funds.	Advocate to State Government for funding.	Financial	Possible	Minor	MODERATE	
2	The Shire advocacy projects would not be delivered as a 2025 State and Federal Government election advocacy priority, causing damage to the Shire's reputation.	Option 1	Social Community Outcomes /	Likely	Moderate	MODERATE	

Officer Recommendation

That Council:

- ENDORSES the submission of three Shire applications to the following Federal Government funding programs:
 - Thriving Suburbs Program (SJCRC expansion)
 - Thriving Suburbs Program (KPRSP Stage 1B)
 - urban Precincts and Partnerships Program (uPPP), joint application to Stream Two (KPRSP Stage 1B and Stage 1C)
- AUTHORISES the Chief Executive Officer to submit the funding application to the Thriving Suburbs Program for the SJ Recreation Centre expansion, committing the Shire to a 30 percent contribution should the funding application be successful.
- NOTES the over expenditure of \$120,000 for the preparation of 3 Shire applications outlined in point 1.



4. REQUESTS the Chief Executive Officer find the savings to fund this over budget expenditure in the first quarter Finance and Costing Review.

On Friday, 16 August 2024, the below Addendum to item 10.4.5 was distributed to Elected Members, prior to the Ordinary Council Meeting. The Addendum included a revised Officer Recommendation.

10.4.5 – ADDENDUM TO ITEM 10.4.5 - Federal Grant Applications - Shire Election Advocacy Projects (SJ4117)	
Responsible Officer:	Community Project Specialist
Senior Officer:	Director Community Engagement
Disclosure of Officers Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Background

Since publishing the Officer's report as part of the 19 August 2024 Ordinary Council Meeting Agenda, it has been identified that obtaining the costings and concept plan required for the submission of a grant application to the Thriving Suburbs Program for the Serpentine Jarrahdale Recreation Centre (SJCRC) by 26 August 2024, is not attainable.

The SJCRC Concept Design and Briggs Park Masterplan project is scheduled for completion by 30 September 2024 to enable undertaking Shire advocacy prior to upcoming state and federal elections.

Following the announcement of the Thriving Suburbs Funding Program and the requirement for any advocacy projects to be submitted via federal funding programs, a decision was made to fast track the project to attempt to have the data and information available to undertake a suitable application.

The consultants working on the project have attempted to undertake works ahead of schedule but are unable to meet the timeframes.

The Thriving Suburbs Funding Program requires development of a full business case and cost benefit analysis and for projects to be ready for procurement for design and construction following successful announcements. The SJCRC will not be ready in the required time frame for the first round of funding.

Further advice from the consultant is that we continue the work and complete the business case and cost benefit analysis once the SJCRC Concept Plan and Briggs Park Masterplan is complete, and all data is available, and then undertake the application to future state and federal government programs, including the 2025 round of Thriving Suburbs or the urban Precincts and Partnerships Program.

This timeframe may also provide an opportunity to secure State Government funding towards the SJCRC project prior to submitting an application for Federal funding. This would negate the need for the Shire to commit to taking loan funds as the matching contribution.



The Shire is continuing to work with the consultants to submit the application to this round of Thriving Suburbs for Stage 1B (BMX) of Keirnan Park. Given this, Officers are recommending that the BMX project be added to the Shire's advocacy priorities.

In considering this advice a Revised Officer Recommendation is included as part of this addendum.

Voting Requirements: Simple Majority

OCM233/08/24

COUNCIL RESOLUTION / Revised Officer Recommendation

Moved Cr Duggin, seconded Cr Mazzini

That Council:

- 1. ENDORSES the submission of two Shire applications to the following Federal Government funding programs:**
 - **Thriving Suburbs Program (KPRSP Stage 1B (BMX))**
 - **urban Precincts and Partnerships Program (uPPP), joint application to Stream Two (KPRSP Stage 1B (BMX) and Stage 1C) or SJCRC and Briggs Park Masterplan, depending on Thriving Suburbs Grant outcomes.**
- 2. NOTES the over expenditure of \$120,000 for the preparation of 2 Shire applications outlined in point 1 and a future application to be confirmed on the completion of the SJCRC and Briggs Park Masterplan Project.**
- 3. REQUESTS the Chief Executive Officer find the savings to fund this over budget expenditure in the first quarter Finance and Costing Review.**
- 4. ENDORSES the submission of a Shire application to the Future 2025 round of Thriving Suburbs Program (SJCRC expansion).**
- 5. RESOLVES to add KPRSP Stage 1B (BMX) to the Shire's list of advocacy priorities for the 2025 State and Federal elections.**

CARRIED UNANIMOUSLY 6/0

**10.5 Executive Services reports:**

10.5.1 - Peel Regional Leaders Forum Minutes (SJ1350)	
Responsible Officer:	Executive Assistant to the Chief Executive Officer
Senior Officer:	Chief Executive Officer
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Information	For the Council to note.
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Report Purpose

The purpose of this report is to enable Council to note the minutes of the Peel Regional Leaders Forum (PRLF) meeting held on 20 June 2024.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this matter.

Background

The PRLF was established in 2010 to provide a vehicle for the coordination and prioritisation of project funding across the Peel Region. Its membership comprises the local governments of the Region (the City of Mandurah and the Shires of Boddington, Murray, Serpentine Jarrahdale and Waroona) together with Regional Development Australia (RDA) Peel, the Peel Community Development Group and the Peel Harvey Catchment Council. The Peel Development Commission (PDC) attends meetings of the PRLF as a non-voting member.

Community / Stakeholder Consultation

Nil.

Statutory Environment

Nil.

Comment

A summary of the matters discussed at each meeting is provided in the table below:

Meeting date	Matters discussed
20 June 2024	<ul style="list-style-type: none">• Peel Alliance Strategic Planning and Priorities• Proposed 2024/25 Operating Budget and Fixed Term Deposit• Work Health and Safety Management System• 2025 State and Federal Election Advocacy

The full minutes from the meeting are attached for Council to note (**attachment 1**).

**Options**Option1

That Council NOTES the Peel Regional Leaders Forum meeting minutes held on 20 June 2024.

Option 1 is recommended.

Conclusion

As a member of the PRLF the minutes of the last meeting are presented for Council to note.

Attachments (available under separate cover)

- **10.5.1- attachment 1** – PRLF Minutes 20 June 2024 (E24/11281)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no material risks associated with this option.						

Voting Requirements: Simple majority

OCM234/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Mazzini, seconded Cr Jerrett

That Council NOTES the Peel Regional Leaders Forum meeting minutes held on 20 June 2024.

CARRIED UNANIMOUSLY (en bloc at 8.10pm) 6/0



10.5.2 - Waste Audit Findings and FOGO Considerations (SJ2812)	
Responsible Officer:	Manager Waste and Fleet
Senior Officer:	Chief Executive Officer
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to update Council on the kerbside bin audit findings. The report also discusses the impending introduction of a food organics and garden organics (FOGO) bin to Shire residents.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 19 June 2023 – OCM146/06/23 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

- 1. NOTES the Talis Consultants' report on FOGO Feasibility Study as contained within attachment 1 and CONFIDENTIAL attachments 2 and 3; and*
- 2. Given the significant financial implication of potentially establishing FOGO, in accordance with the Shires Project Management Framework, REQUESTS the Chief Executive Officer undertakes a Waste Composition Audit and report the findings back to Council.*

Ordinary Council Meeting – 15 June 2020 - OCM155/06/20 - COUNCIL RESOLUTION / Officer Recommendation - Extract

That Council

- 1. ADOPTS the Waste Management Strategy 2020 to 2024 as contained within attachment 1*

Background

The Shire adopted Waste Management Strategy 2020 – 2024 (at **attachment 1**) acknowledges the requirements of the Waste Avoidance and Resource Recovery Strategy 2030 (State Waste Strategy 2030).

The Shire's Waste Management Strategy:

- Committed to the possible introduction of a three-bin kerbside collection system, with a new FOGO bin to increase source separation of food and garden organics. The approach considered a staged roll-out of FOGO bins following compositional analysis of the waste.



- Responds to the obligation of waste tonnages required to be supplied to the Kwinana Energy Recovery facility.

In anticipation of the planned roll-out of FOGO, the Shire applied and received grant funding from the Waste Authority to the amount of \$292,100. This amount is being held in reserve. The funding has been provided on the understanding that the service would commence by June 2025.

Due to the delay in commencement of the Kwinana Waste to Energy Project, the Rivers Regional Council was able to successfully negotiate out any restrictions on the Shire being able to introduce FOGO to residents in July 2023. There remains a minor risk that the reduced residual waste volumes that could be expected to be diverted in a FOGO system, will result in a small shortfall of tonnages required to be supplied to the Kwinana Energy Recovery facility.

Prior to this, in June 2023, Council received a report from Officers, which included the FOGO Feasibility Study (at **attachment 2**) prepared by Talis Consultants (Talis). The study:

- Discounted the need for the Shire to process FOGO in-house (which was one of the matters to be explored in the Shire Waste Management Strategy).
- Recommended seeking suitable contracts for processing of FOGO, and roll-out and collection of FOGO bins prior to introduction of the service.
- Modelled the cost of introducing FOGO over 10 years. These costs have been further discussed in this report.
- Recommended conducting a detailed compositional audit of the waste and recycling bin contents to determine in particular the percentage of organics in the general waste bins and the contamination in the recycling bins.

These audit findings help determine the volumes of organics that could be expected in a FOGO system. The information in-turn informs contract specifications and material recovery.

Community / Stakeholder Consultation

Policy Concept Forum

Meeting Date	25 March 2024
Elected Members in Attendance	President Coales, Cr Duggin, Cr Mack, Cr Mazzini

Statutory Environment

- *Waste Avoidance and Resource Recovery Act (WARR Act) 2007* - promoting the most efficient use of resources, including resource recovery and waste avoidance, and advising on the regulation of waste services.
- State Waste Strategy 2030 - outlining a vision of WA to “become a sustainable, low-waste, circular economy in which human health and the environment are protected from the impacts of waste” through behaviour change and provision of appropriate infrastructure.
- Better Bins Plus program - commencing in 2020, providing \$20 million funding to 2026;
 - Local government funding for mandatory (though not legislated) 3-bin FOGO system to be implemented by 2025. (The Shire has received \$257,362 to date.)



- Better Practice Recycling Guideline 2022 - provides for a preferred bin type, size and collection frequency for residential single unit developments (SUDs) FOGO service, for the provision of kitchen caddies and compostable liners.
- National Waste Policy 2018 - promoting the move towards a circular economy, away from a “take, make, use and dispose” system and supporting a 3-bin organics strategy to divert waste away from landfill into soil improvement.

Comment

Compositional Audit Findings

Cleanaway was engaged to conduct the kerbside waste compositional audit in September 2023 and finalised the Shire of Serpentine Jarrahdale 2023 Domestic Kerbside Audit Report (Bin Composition Report), included at **attachment 3**.

The sample size for the audit was 100 general waste and 100 recycling bins collected from randomly chosen streets in three types of residential settings as follows:

Day	Area	Housing Density	Streets to be audited	Interval & Number
Tue, 19 Sep	Old Byford	Large blocks	<ul style="list-style-type: none"> • Park Rd (North to Helen Crescents) • Helen Crescent • Linton Street (Brown St to Park Rd) • Beenyup Rd (North side of street between SW Hwy and Bradshaw St) 	Every 2 nd House 33 Bins
Wed, 20 Sep	Byford by the scarp	Higher Density	<ul style="list-style-type: none"> • Benalla Cr (West side of street between Clondyke Dr and Bandin Way) • Karangi Circle • Knoop Drive • Military Pass 	Every 2 nd House 34 Bins
Thu, 21 Sep	Oakford	Rural	<ul style="list-style-type: none"> • Blair Rd • Peters Way • Foxtan Drive • Craddon Road 	Every 2 nd House 33 Bins

The summary of the waste volumes collected during the audit is as follows:

Indicator		Service	
		General	Recycling
Generation Weight (kg/household/collection)		15.00	7.40
Contamination Rate	kg/household/week	2.38	1.59
	% by Volume	15.83	21.47



The image below shows the amount of food and garden organics as a percentage of the total waste volumes in each stream (46.37% in the waste bins and 2.43% as contamination in the recycling bin). It also highlights the high levels of contamination found in the recycling bins (total 21.45%).



The image above also shows that there 15.83% of recycling materials are being placed in the general waste bin.

The table shows the total FOGO in waste and recycling bins by collection area:

Area	1 (Old Byford)	2 (Byford)	3 (Oakford)
Food Organics	22.8%	17.37%	20.6%
Soiled Paper	0.82%	1.41%	1.25%
Garden Organics	26.69%	33.49%	10.87%
Total FOGO	54.77%	52.87%	34.56%

The Byford and Old Byford areas had similar percentages. However, the composition of food and garden organics from Oakford was significantly lower. This is mainly attributable to the lower garden organics composition. The percentage of organics in the bins is lower than in areas such as City of Melville, where the organics percentages were around 67-70% in comparison.



The table below shows the differences between contamination levels in the recycling bins by collection area:

Area	1 (Old Byford)	2 (Byford)	3 (Oakford)
FOGO	4.46%	0.6%	1.84%
General Waste	17.74%	20.99%	18.4%
Total	22.2%	21.59%	20.24%

These are significantly high levels of contamination across all three areas, which are above the industry average of 15%.

Audit Findings Summary

- The lower organics percentages will mean a lower percentage of material can be source separated in the FOGO bin, resulting in lower-than-average recovery rates.
- The industry average weight of contents in recycling bins is 10 kg/hhld/lift. The Shire's audited recycling bins weighed 7.4 kg/hhld/lift, which is further supported by the 15.83% of recyclables found in the general waste bins. In a FOGO scenario, this equates to lower capture rates, which is the percentage of all available FOGO that will be source separated in the FOGO bins. This will further reduce the expected material recovery rates.
- The higher-than-average contamination levels in the recycling bins, are an indicator of higher levels of contamination that could be expected the FOGO bin. Contamination levels of 10% or higher in the FOGO stream are extremely difficult to remove and such loads need to be sent to landfill.

Cost of FOGO Service

The Talis FOGO Feasibility Study used industry accepted inputs and metadata to develop a 10-year model to compare the costs of the current service with the FOGO service. These inputs have been detailed in the Study.

The key findings for the cost modelling have been summarised in the image below from the report. It is to be noted that the modelling was based on the assumption that FOGO would be all households in the Shire in 2024/25 to comply with the June 2025 deadline for the roll-out.

Option	2022-23 (\$/hhld)	2024-25 (\$/hhld)	2027-28 (\$/hhld)	2031-32 (\$/hhld)	Average Annual Cost (\$/hhld)	Total Cost of Option - 10 Years
2 Bin, WtE	\$500	\$488	\$512	\$558	\$516	\$74.9M
3 Bin FOGO, WtE	\$500	\$749	\$610	\$680	\$616	\$89.7M

The sharp spike in 2024-25 is associated with the cost of purchase of 240L bins, kitchen caddies and compostable liners and the costs of roll-out and education required prior to the roll-out. The increase in costs in that modelled year equates to just under \$3 million.



The table shows that over time the difference between the costs for the current 2 bin system and the 3 bin FOGO system widens. This increase in costs is attributable to the additional costs associated with collections, processing, compostable liners and on-going education.

Over the 10-year modelling period, on average the increase in costs per household per annum is \$100 with a 3 bin FOGO system. This average is on account of the expected additional \$15 million over the 10-year period.

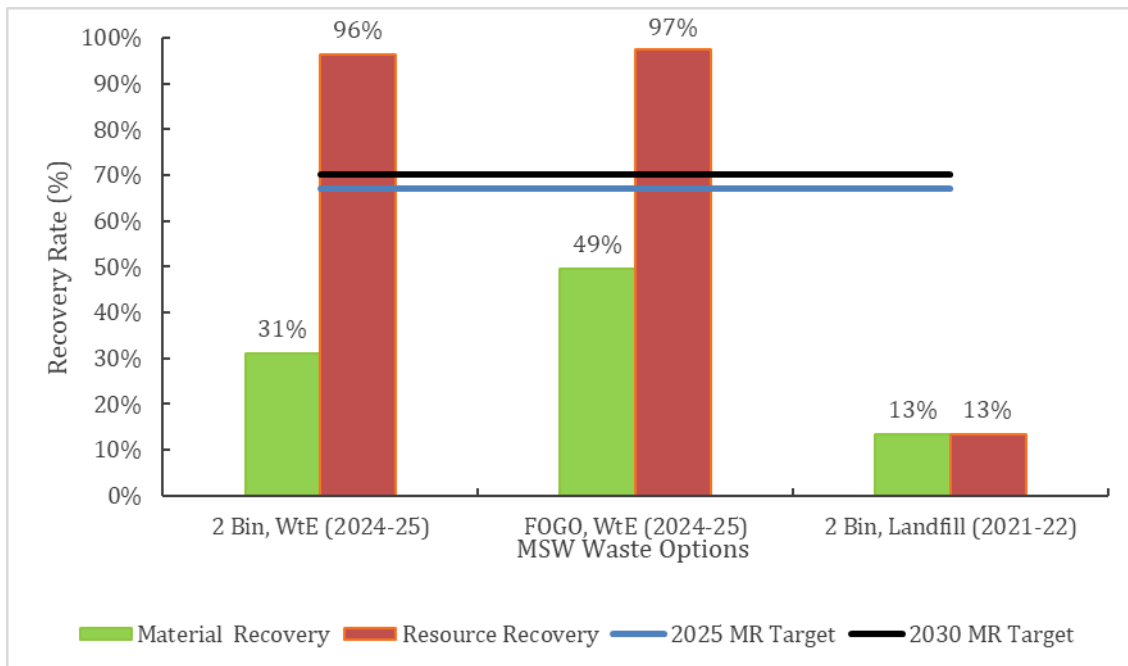
One of the reasons for the significantly higher costs for the 3 bin FOGO system is the collection costs. These are particularly high for the Shire, due to the larger distances required to be covered between collection in the semi-rural and rural areas. Therefore, as an option the Shire could consider a FOGO roll-out to the more densely populated Byford area.

The changes over the 10-year modelling period have been depicted in the image below:



Material Recovery

One measure of the environmental benefit of introducing a 3 bin FOGO system is increased material recovery. The comparison between material recovery rates has been highlighted in the image below:



The Shire has recently switched to sending residual waste to the waste to energy plant in Kwinana. The material recovery rates could potentially increase from 31% in a 2 bin system to 49% in a 3 bin FOGO system. This increase is lower than the 67% target for 2025 in the State Waste Strategy 2030. As per the audit the lower material recovery rates are in part due to the low recycling rates.

Complexity of FOGO systems

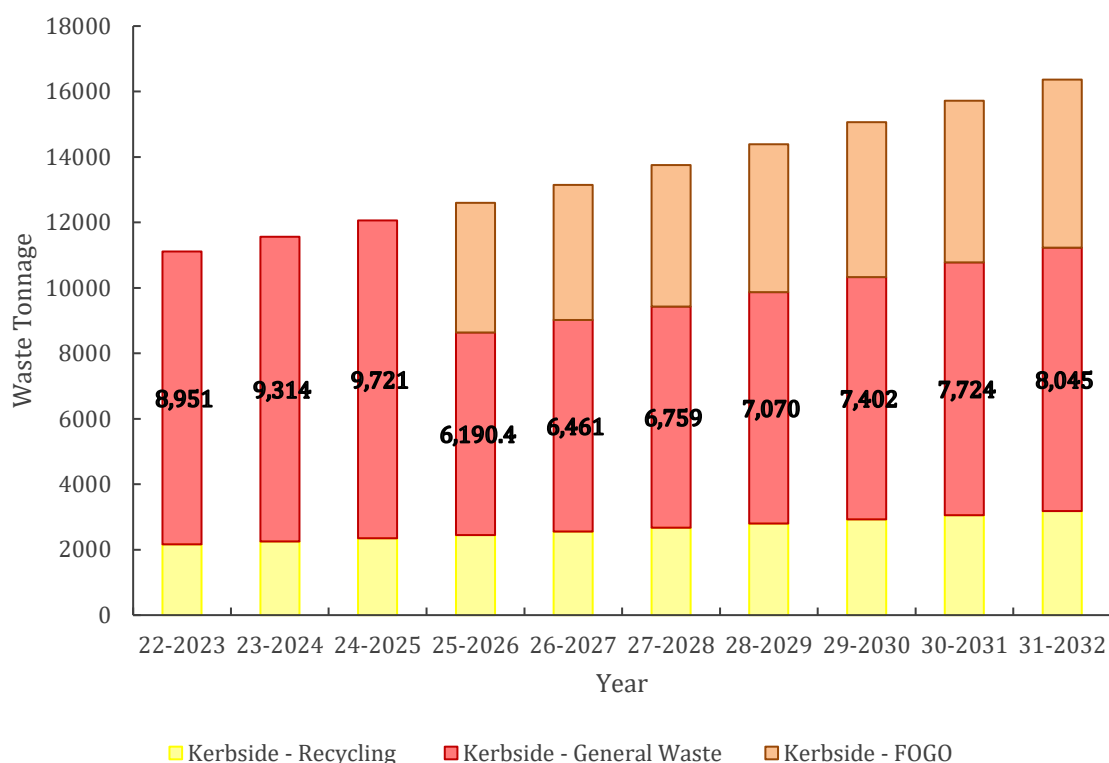
Changing to a 3 bin FOGO system that complies with the Waste Authority requirements, requires the following set up to ensure behaviour change and maximum material recovery:

- 140L (or smaller) red-lid bins for residual waste collected fortnightly;
- 240L (or larger) yellow-lid bins for recycling collected fortnightly; and
- 240L (or larger) lime green-lid bin for FOGO collected weekly.

While the introduction of the third bin for FOGO results in increased capacity of 70L per household per week. Residents struggle with the change to fortnightly collections for waste bins (which no longer should be containing the organic waste). The change usually results in higher contamination levels unless there is a significant amount of education work providing residents all the information required. Once contamination levels are managed, it could potentially result in higher levels of material recovery as higher percentage of organics are moved to the FOGO bin.

Residual Waste for Energy Recovery

Talis used the Shire's population growth rates in the modelling to predict the increasing amounts of waste that could be expected. The following image shows the tonnage of residual waste in a 3 bin system that will need to be sent to the Kwinana Energy Recovery facility.



The following table shows the residual waste tonnes committed to the Kwinana Energy Recovery facility in comparison.

Year	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Committed Tonnes	5,999	6,271	6,573	7,570	7,859	8,148
Expected Tonnes	6,190	6,461	6,759	7,070	7,402	7,724
Shortfall Tonnes	-	-	-	500	457	424

The table shows that from 2028-29 onwards there is a minor risk that the Shire will not have sufficient tonnages to supply under the contract. Shortfall penalties may apply in such instances. However, there were provisions negotiated into the contract amendments to mitigate the risk of application of shortfall fees.

Waste Transfer Station (WTS) Cost Considerations

A separate report has been tabled to Council discussing the costs applicable to redesigning the WTS in addition to the costs of rehabilitation to comply with the contaminated sites requirements. These costs in addition to the verge collections and management of operational materials such as drainage spoils and green waste equates to around \$15 million over a 4-year period.

The bulk of these costs have not been budgeted for. Therefore, with around 14,000 rateable properties, every \$1,000,000 in funds to be raised increased the Waste charge by \$71.42.

Summary

The Shire cannot afford to introduce a FOGO collection service around the same time when it has to manage the increase in costs associated with the WTS rehabilitation and related service costs. In addition to these would be the WTS redesign costs.



The audit findings indicate higher contamination levels and lower material recovery rates than expected in a 3 bin FOGO system when compared to the industry averages. The costs associated with introducing FOGO are significantly higher than for metropolitan local governments in comparison in part due to the high collection costs. There will need to be a significant increase in waste education required to prevent contaminated FOGO loads from being sent to landfill. There is also a minor risk in relation to the expected shortfall in tonnages to be supplied to Kwinana Energy Recovery after 2028-29. All the above factors suggest that a 3 bin FOGO system is not a suitable option for the Shire's residents as it represents lower value for money.

However, the 3 bin FOGO system is the accepted better practice bin system and is the preferred system in the State Waste Strategy. Some environmentally conscious residents have also expressed disappointment with not having a FOGO bin to separate their organic waste.

As per the WTS report, it is therefore being recommended that Council consult residents about their preferences as part of a detailed community consultation process. During the community consultation process, the Shire could also identify other more cost-effective opportunities to source separate organics such as rebates for home composting units.

Following community consultation, Council will have more information to make a more informed decision about whether to introduce FOGO or to return the grant funds to the Waste Authority.

Options

Option 1

That Council:

1. NOTES the findings of the Shire of Serpentine Jarrahdale 2023 Domestic Kerbside Audit Report at **attachment 3**.
2. REQUESTS the Chief Executive Officer incorporate consultation on FOGO into the SJ Waste Services consultation.
3. REQUESTS the Chief Executive Officer report back to Council on the findings of the community consultation by February 2025, in order to determine the preferred options for organics management.

Option 2

That Council:

1. RESOLVES not to introduce a 3 bin FOGO system in the Shire;
2. REQUESTS the Chief Executive Officer to return the procured Better Bins grant funding to the Waste Authority.

Option 1 is recommended.

Conclusion

The majority of factors would support a Council decision not to introduce a 3 bin FOGO system for kerbside collections and to return the grant funds received.

Council has some more time to make a decision on this matter. This is particularly important because the Federal and State Governments continue to prefer a 3 bin FOGO system for source separation of organics.



Therefore, as part of community consultation that has been recommended for the WTS redesign considerations, it is being recommended that Council also seek the community's preference in relation to the method of management of organics waste. Further whether organics separation methods such as FOGO would be more important than the WTS.

Attachments (available under separate cover)

- **10.5.2 - attachment 1** – Shire of Serpentine Jarrahdale Waste Management Strategy 2020 – 2024 (E22/11157)
- **10.5.2 - attachment 2** – Talis Consultants FOGO Feasibility Study (IN23/10487)
- **10.5.2 - attachment 3** - Shire of Serpentine Jarrahdale 2023 Domestic Kerbside Audit Report (IN23/22660)

Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances
Liveable
5. Increase our capacity to reduce, recover and recycle waste to improve sustainability and reduce impacts on the environment
Connected
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

Financial Implications

Nil. Budget for community consultation covered in WTS redesign report.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Nil						
2	Community dissatisfaction with choosing not to introduce FOGO.	Delay decision on FOGO	Reputation	Possible	Minor	MODERATE	Choose Option 1



Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. NOTES the findings of the Shire of Serpentine Jarrahdale 2023 Domestic Kerbside Audit Report at attachment 3.
2. REQUESTS the Chief Executive Officer incorporate consultation on FOGO into the SJ Waste Services consultation.
3. REQUESTS the Chief Executive Officer report back to Council on the findings of the community consultation by February 2025, in order to determine the preferred options for organics management.

OCM235/08/24

COUNCIL RESOLUTION

Moved Cr Mack, seconded Cr Duggin

That Council:

1. **RESOLVES** not to introduce a 3 bin FOGO system in the Shire;
2. **REQUESTS** the Chief Executive Officer to return the procured Better Bins grant funding to the Waste Authority.
3. **REQUESTS** the Chief Executive Officer report back to Council by October 2024 on options, including the associated costs, to introduce a home composting rebate system.

CARRIED UNANIMOUSLY 6/0

Reason for difference:

To ensure that we do explore a rebate system for residents who wish to do their own composting systems in place of FOGO.

**10.6 Confidential reports:**

The meeting is to be closed to members of the public whilst item 10.6.1 is discussed.

10.6.1 - CONFIDENTIAL - Prosecution Request Relating to the Shire Dust and Building Waste Local Law (SJ2384-3)	
Responsible Officer:	Coordinator Community Safety
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Confidentiality Provisions

This report is confidential in accordance with Section 5.23(2)(d) and (f) of the *Local Government Act 1995*, which permits the meeting be closed to the public for business relating to the following:

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
- (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating, or dealing with any contravention or possible contravention of the law; or*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety.*

A full report is provided to Councillors under a separate cover. The report is not available for publication.

OCM236/08/24

COUNCIL RESOLUTION

Moved Cr Bishop, seconded Cr Mazzini

That the meeting be closed to members of the public while items 10.6.1 and 10.6.2 are discussed pursuant to section 5.23(2)(b), (d) and (f) of the *Local Government Act 1995*.

CARRIED UNANIMOUSLY 6/0

At 9.04pm, the meeting went behind closed doors.

Officers assisting the meeting stopped the recording of the meeting.

Cr Jerrett, Cr Mazzini and Acting Director Community Engagement left the meeting 9.05pm.

Cr Jerrett returned at 9.06pm.

Cr Mazzini and Acting Director Community Engagement returned at 9.07pm.



OCM237/08/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Duggin, seconded Cr Bishop

That Council AUTHORISE the Chief Executive Officer to prosecute Activa Home Group, due to failure to comply with the Shire of Serpentine Jarrahdale Dust and Building Waste Local Law 2017, pertaining to their building sites at Lot 351 Delianuova Street, Byford and SL1 37 Pingaring Court, Byford.

CARRIED UNANIMOUSLY 6/0

The following Officers left the meeting at 9.09pm and did not return.

Mr R Najafzadeh.....Director Infrastructure Services

Mr A TrosicDirector Development Services

Ms Kylie Pitman.....Acting Director Community Engagement



The meeting is to be closed to members of the public whilst item 10.6.2 is discussed.

10.6.2 - CONFIDENTIAL - Allegation of breach of code of conduct SJ2024-2 (SJ3105)	
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Confidentiality Provisions

This report is confidential in accordance with Section 5.23(2)(b) and (f) of the *Local Government Act 1995*, which permits the meeting be closed to the public for business relating to the following:

- (b) the personal affairs of any person; and*
- (f) a matter that if disclosed, could be reasonably expected to —*
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating, or dealing with any contravention or possible contravention of the law; or*
 - (ii) endanger the security of the local government's property; or*
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.*

A full report is provided to Councillors under a separate cover. The report is not available for publication.

OCM238/08/24

COUNCIL RESOLUTION

Moved Cr Duggin, seconded Cr Mazzini

That Standing Orders 9.5, 9.6, 10.7 and 10.13 be suspended at 9.10pm in order to further discuss confidential item 10.6.2.

CARRIED UNANIMOUSLY 6/0

OCM239/08/24

Moved Cr Bishop, seconded Cr Mazzini

That Standing Orders be reinstated at 9.41pm

CARRIED UNANIMOUSLY 6/0



OCM240/08/24

COUNCIL RESOLUTION

Moved Cr Bishop, seconded Cr Mazzini

That Council:

1. **RESOLVES**, having considered all the evidence available to Council, the alleged breach dated 25 May 2024 related to the conduct of President Robert Coales is found to be not substantiated.
2. **NOTES** the ongoing commitment made by President Robert Coales to continue undergoing mentoring in his role.

CARRIED 5/1

In accordance with section 5.21(4) of the Local Government Act 1995, the individual vote of each member of the Council was as follows:

*President Coales, Councillors Bishop, Duggin, Mazzini and Jerrett, voted FOR the motion.
Councillor Mack voted AGAINST the motion.*

OCM241/08/24

COUNCIL RESOLUTION

Moved Cr Mack, seconded Cr Jerrett

That the meeting be reopened to members of the public.

CARRIED UNANIMOUSLY 6/0

At 9.50pm, the doors were reopened, and the public returned to the Gallery.

Officers assisting the meeting resumed the recording of the meeting.

Presiding Member, President Coales advised the public gallery of the Council Resolutions for items 10.6.1 and 10.6.2.



11. Urgent business:

Nil.

12. Elected Member questions of which notice has been given:

Nil.

13. Closure:

There being no further business, the Presiding Member declared the meeting closed at 9.52pm.

Officers assisting the meeting stopped the recording of the meeting.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on
16 September 2024

.....Presiding Member – President Coales

16/9/24.

.....Date