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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 22ND NOVEMBER 2010. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.03PM AND WELCOMED COUNCILLORS, STAFF AND THE MEMBER OF THE GALLERY.

1. ATTENDANCES & APOLOGIES (including Leave of Absence):

IN ATTENDANCE:

COUNCILLORS: S TwinePresiding Member
 M Harris
 C Buttfeld
 C Randall
 MJ Geurds
 T Hoyer (from 7.05pm)
 A Lowry
 A Ellis
 K Petersen

OFFICERS: Mrs S van Aswegen Acting Chief Executive Officer
 Mr B Gleeson Director Development Services
 Mr A HartDirector Corporate Services
 Mrs L Fletcher Minute Taker

APOLOGIES: Cr B Brown (Leave of Absence)
 Chief Executive Officer
 Director Engineering

Members of the public - 1
 Members of the press - 0

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

2.1 Jan Star – 230 Jarrahdale Road, Jarrahdale

Q Firstly, congratulations on winning the prestigious Banksia Award. As you know, I try not to get involved in local decision making and instead work at a regional level. I have a strategic question, the executive summary of the Department of Agriculture and Food Western Australia (DAFWA) report indicates that Serpentine Jarrahdale food production is twice that of Murray. The Peel Development Commission (PDC) are directing their attention to Murray and Waroona and the proposed pipeline projected to run from Gordon Road in Mandurah to Pinjarra. The Alcoa Pinjarra refinery is being extended ten kilometres to the north and south to assist with horticulture.

Serpentine Jarrahdale has had a strategic approach (and could still inform Directions 2031). WRT agreed to the protection of agriculture and productivity. This has worked well as I think it is behind the rise of agricultural productivity here. Living next to a Special Rural zone I can attest that an interface in rural living does not help productivity.

Please note that the words are still there in Council’s Plan for the Future – “Retention of viable local agriculture in the face of urbanisation is a priority.” I do not follow Council decision but I have noted the efforts of the PDC in this

area are all directed at Murray and Waroona and wonder if the Council can explain why this is so and if their good words are reflected in their decisions.

- A The Chief Executive Officer advised that she agreed with the DAFWA report. The value of agricultural production in Serpentine Jarrahdale is twice as much as the Shire of Murray. The PDC attention to Murray and Waroona is in relation to a proposed pipeline project. Regarding representation to PDC in terms of the business case being developed for the project, we already have all the agricultural and other industries operating in the Shire and the Shire has placed heavy emphasis on the agricultural industries remaining as the food bowl for Perth. The Shire will certainly be making representation to the PDC advising we have viable agricultural land which should receive consideration.

2.2 Clayton Oud – 301 Lightbody Road, Mardella

In July 2008 a road safety audit was completed on Lightbody Road and was subsequently adopted by Council. Much was made of the findings in this audit by some Councillors despite the obvious errors and omissions contained in the audit that were pointed out to Council by the residents. The Australian Roads Research Board advised that the onus is on the auditor to look at every aspect likely to cause a safety impact.

The audit team leader claimed to be a Senior Road Safety Auditor, however our advice from the Department of Main Roads WA is that the senior safety auditor that conducted the audit on Lightbody Road is not and never has been accredited as a safety auditor with the Department of Main Roads or the Institute of Public Works Engineering Australia. Furthermore (and I quote) "it's not advisable to use a member of staff to undertake audits within their area of work due to possibilities for coercion, objectivity and independence from the site."

- Q Is the Shire aware of any accreditation from a relevant authority that gives grounding to the author of the safety audit report on Lightbody Road being able to claim themselves to be a senior safety auditor?

- A At the relevant time, the Shire was acting on the basis of documentation provided by the audit team leader that the person was a registered Senior Road Safety Auditor and held an Advanced Worksite Traffic Management Accreditation. As a result of doubts about the accuracy of that documentation, and to address any concerns about the credibility of the contents of the audit, the Shire is commissioning an independent road safety audit in relation to Lightbody Road. It is expected that this audit will be completed in February 2011.

2.3 SD021/10/10 Denyse Needham – 3345 South West Highway, Keysbrook

At the April meeting, the Officer Recommendation was to approve the holiday accommodation / single dwelling and caretakers dwelling. The Caravan Park was dropped. The Shop / restaurant / horse arena / associated equestrian activities were excluded and subject to separate approval as no information was submitted to Council. As we know Council voted to refuse. Now Council is being asked to support in principle the holiday accommodation / horse arena / restaurant / caretakers dwelling and recreation room which is quite different to April.

- Q1 As we have nothing to go on except the officers recommendations, do the Councillors have before them separate approvals for those businesses and have they been considered and debated, or will the proponent be given approval after having a consultant complete a few reports?
- A1 The CEO responded that the original refusal of the application was appealed to SAT and as an outcome of the mediation proceeding, the Shire was asked to look at a revised concept plan. Mediation is confidential and not referred to the community. Permission was given from the applicant to advertise the concept plan. It is correct that the revised concept contains plans that are not included.
- Q2 Do Councillors have separate approvals before them or the same concept dot point ?
- A2 The CEO responded that Councillors have a revised concept plan.
- Q3 As the restaurant, reception centre and recreation room were not dealt with in April and are a discretionary or SA use in the Agriculture Protection Policy Area, shouldn't they require advertising separately? In fact I didn't see a reception centre being allowed conditionally or otherwise in the Agriculture Protection Policy Area. How can Council give principle support to something that required advertising and has not been advertised to the public? What is in the SAT, the application you refused or a whole new approval in concept form?
- A3 The CEO responded through the chair that should proceedings in SAT get to the point where applications are developed and the matter comes back to Council, it is her understanding that they should be advertised as they are discretionary uses. At this point in time it is an in principle approval being considered, not final.

2.4 SD021/10/10 Kathleen Williams – 119 Burke Road, Keysbrook

- Q1 How will council police how long people stay at this accommodation? What is the zoning and what advantage will this be to the Serpentine Jarrahdale Shire? What rates will be paid and will it be on sewer? We are the next property downstream from this property. What is the target number of occupants? How many can be accommodated in the existing buildings? There are a number of ratepayers unable to attend tonight who are strongly opposed to this proposal.
- A1 Director Development Services answered that under Town Planning Scheme 2 the property is zoned Rural. The Chief Executive Officer explained that the amount paid for rates is a personal matter. The property incurs the same rate in the dollar as every other owner and if applied for, a farmland concession could be given.

If the development is approved, Council will be required to ensure compliance with planning conditions, including the length of time that people stay in the accommodation. The development will not be connected to reticulated sewerage as there is no sewerage system in the Shire outside Byford. The development will be required to provide an on-site effluent disposal system to treat all wastewater, in accordance with relevant health and environmental policies.

There is no information on the number of occupants, this will depend upon the number of holiday accommodation dwellings approved and the number of beds in each dwelling. It is not known how many people can be accommodated in the existing buildings.

- Q2 Once accommodation is erected, what would the rates be?
- A2 The Chief Executive Officer advised that this is dependent upon the decision of the Valuer General.
- Q3 What advantage is it to the Shire?
- A3 The Chief Executive Officer advised that this is not a question for her to answer. The Shire President advised that the matter is in the hands of the Valuer General, not the Shire.

2.5 Joe Stockman – 1409 Karnup Road

- Q1 On 19 July 2010 the CEO received a letter, reference TPS/0005, from the Minister for Town Planning WA, which required a response from the CEO within 42 days. The letter set out amendments to the Councils requirements in relation to the sub-division of a property in Serpentine. Why did it take over 90 days before an answer was sent to the WA Planning Commission? Why did the answer request the Commission to reconsider the changes recommended?
- A1 The CEO responded that the WA Planning Commission had requested the removal of 2 provisions from the Scheme Amendment, that was requested from Council. One was in relation to strategic fire breaks and the other on revegetation requirements. We take the protection of volunteer fire fighters and the community extremely seriously. We wanted the Minister to reconsider this decision, as this is against Council's request. Revegetation is required as the property is located in the Peel Harvey Catchment and is a requirement of State Government Policy to minimise nutrient export into the Peel Harvey estuary.

They are the same conditions applied to other Farmlet zones and the Shire is questioning why the State are not applying these conditions according to the adopted Statement of Planning Policy. These are serious matters that we have asked for reconsideration. The letter was not with the Chief Executive Office for 90 days.

It is apparent that the CEO does not want to sign the modified amendment as required by the Minister and I refer to the contents of an email sent from a senior staff member of the Shire in response to the question as to whether the documents had been signed, which reads as follows:

“No they haven't. Our CEO is not willing to sign the amended documents as she really isn't happy with the Ministers decision. I have prepared a subsequent memo to the CEO to explain that the Shire is required to sign the documents as per the regulations, regardless of the Ministers decision. I note that our CEO want to meet with the Ministers office to discuss this one. Once the memo is finalised the documents will be given back to the CEO, and will hopefully be signed. “

Q2 Why does the CEO not conform to the regulations and what gives the CEO the power to go against the regulations and the advice from your own senior staff?

A2 The Chief Executive Officer advised that she is not going against the advice of senior staff. It is her job to uphold the decisions made by this Council. This involves the protection of volunteer fire fighters, the community and the environment. If someone should be killed due to a poor planning decision, it can be demonstrated that the Shire have done everything possible to ensure their safety.

2.6 John Kirkpatrick – 77 Mead Street, Byford

In reply to a question on notice, it was stated that a new sports oval would be provided in Byford this year but no location was indicated.

Q1 Will the new facility have public toilets?

Q2 Will the new facility have changing rooms?

Q3 Will the new facility have street parking and have the residents in the locality been notified of the potential increase in traffic on a weekend, possibly up to an extra four hundred movements on the weekend?

A1-3 The Shire is looking at options for the funding of the construction of change room / pavilion including toilets at the new Byford Central Oval. Prior to any works proceeding, sporting groups and neighbouring residents will be fully consulted. There is facility for on street parking already around the oval.

I made a public statement at the September OCM about designing out crime. I am disappointed that no Councillor had enough interest to contact me about my concerns as if they were instructed to ignore me. As a result I wish to ask the following questions:

Q4 Will the Council as a matter of policy ensure the designing out crime policies and procedures are addressed in any future sub division approvals?

A4 Yes. The finalisation of the relevant policies are being progressed as a matter of priority. The draft policy for designing out crime is considered to be 'seriously entertained' and new subdivision applications are being assessed against the policy.

Q5 Will the Council look at the potential hazards in Macey Lane Byford with regard to designing out crime?

A5 Yes. The design and treatment of laneways is currently being reviewed by staff and will be progressed through Council and public consultation as part of finalising policies for:

- detailed area plans
- designing out crime
- fencing

These matters are actively being progressed, enabled in part through the funding secured for policy development from the Federal Government.

Q6 Given that the Council promotes walking and cycling, will the Council address the following location as a matter of urgency:

The completion, even as a temporary measure, of a dual use footpath on the southern side of Abernethy Road, from Thatcher Road to Warrington Road to enable pedestrians, cyclists, school students and the disabled to travel from the Glades to Byford Town Centre. This would join up with the path network already established in the Glades by the developer.

- A6 The ultimate path network can only be delivered once the designs for the Byford Town Centre, High School Sites and Abernethy Road are finalised and the Byford Development Contribution Arrangement has come into effect. All of the matters are actively being progressed.

2.7 SD021/10/10 Paul Hadley – 10 Elliot Road, Keysbrook

- Q1 In relation to the proposed development on Lot 250 Fisher Road, Keysbrook. Isn't it a waste of Council's time discussing and deciding on a vague concept plan before the technical issues of traffic, water supply, effluent and stormwater disposal and land capability have been researched and detailed by the proponents? A concept plan must be more than a pretty picture about a dream. Is the Council satisfied that this will be a well constructed and managed, financially durable, environmentally and socially acceptable development on rurally zoned land on a grandiose but fleeting light of fancy?

- A1 Director Development Services responded that it is not a waste of time as this is a matter that is before the State Administrative Tribunal (SAT). The SAT has made an order that Council consider the revised concept plan submitted by the landowner. Council is required to consider this plan.

- Q2 Isn't it almost pointless until the proponents have done research?

- A2 Director Development Services advised that there is sufficient information available to enable Council to make an informed decision on the revised concept plan.

2.8 SD021/10/10 Alan Elliot – Elliot Road, Keysbrook

This proposal was rejected by the Shire and the community on a number of socially and environmentally points and has not been changed since its first presentation. The Councillors and in particular the south ward representatives, should be compelled to vote against this as it breaches Council development guidelines and is not supported by the community.

- Q As this breaches Council guidelines will our south ward vote against it in line with community wishes?

- A The matter is before the State Administrative Tribunal (SAT) and SAT requested Council to consider a revised concept plan for this site. Council has consulted with the community on the revised concept plan and the community comments are included in the report to Council.

The Local Government Act requires all Councillors to consider such matters in the context of the whole Shire and not just on a ward basis.

2.9 SD040/10/10 Rob Gibb – 40 Linton Street, Byford

- Q Will there be one large sporting complex in the Shire or numerous smaller facilities throughout new subdivisions within the Shire?
- A The Director Strategic Community Planning advised that as per Council's Community Facilities and Services Plan, services will be provided, however that level of detail has not yet been finalised.

3. PUBLIC QUESTION TIME:

Public Question Time commenced at 7.03pm

3.1 John Kirkpatrick – 77 Mead Street, Byford

The park in the Glades known as Percy's Park is used by ratepayers from all parts of Byford but mainly from the newer estates ie Byford Central, Sunrays and Red Gum as well as the residents of the Glades. The developer, LWP is just completing the second part of the park including a new sheltered area.

The Shire is collecting a large amount of rates from these areas and all it provides out of the rates is street lighting.

As I live opposite the park I see just about all that happens there.

It is disturbing to see adult males urinating behind trees and teenage youth including girls using the bush as a toilet. Some parents actually carry toilet paper in their cars with them.

It concerns me that it is only a matter of time before one of these young people is molested as the opportunity arises.

My question is will the Shire construct a toilet as a matter of urgency in a suitable location to service these recreation areas?

Mr Kirkpatrick also commented that it is disappointing that the park was vandalised by people on motorbikes yesterday and also resulted in himself and his wife being threatened. He has made a formal complaint to Police and is aware who did this. Details of what was said to Police was provided to the Shire this morning.

3.2 John Kirkpatrick – 77 Mead Street, Byford

In response to a question on notice from 26 July 2010 asking about the review of local emergency policies and procedures that was ordered by the Minister for Emergency Services, I was told that the review was underway and the community would be invited to comment on completed documents.

1. My question is has this review been completed?
2. If not when will it be completed?
3. Has the community been invited to comment?
4. If not why not?
5. When are they likely to be invited to comment?

The Shire President advised these questions would be responded to in writing.

Public Question Time ended at 7.06pm

4. PUBLIC STATEMENT TIME:

Public Statement Time commenced at 7.06pm

4.1 John Kirkpatrick – 77 Mead Street, Byford

In reply to question 6 from OCM October 2010.

The answer is just a cop out, it shows that the Council has not got the welfare of the ratepayers in mind.

It does not appear to care if people get killed or injured through the lack of responsibility of this Council. All that was required was about 60 metres of footpath to join up several kilometres of exiting paths. The ground is already cleared and has road base on a portion of it.

The new road and the footpaths to go with it are a long way off, and even if only a couple of years it is enough time for people to be killed or injured. The population is growing daily in the area serviced by this bit of footpath.

Public Statement Time ended at 7.07pm

5. PETITIONS & DEPUTATIONS:

Nil

6. PRESIDENT'S REPORT:

As usual there are many things happening in our Shire. Let me tell you of three of them which have taken place since our last Ordinary Council Meeting.

On 30th October, our brand new play equipment, lawn and pathways were launched with a celebration during the day and in the evening at Forest Green in Jarrahdale. Children and adults were well entertained by magic shows, face painting, wood working, races and heaps more. In the evening, aboriginal dancers, slide shows and a band by flickering fires kept everyone warm and cheerful.

On 10th November, there was the first of the information sessions held at the Recreation Centre, with a further one on 17th November for our many current planning items, such as the Byford Town Centre, Redgum Estate, the Oakford Village, and amendments to our Town Planning Scheme. Over 100 people attended to have explanations of the schemes given by officers.

On 11th November, Remembrance Day, many residents assembled at the Byford War Memorial. Ric Giblett spoke of the 60th Anniversary of the Korean War and the Venerable David Bradbury led the prayers. Wreathes and flowers were laid and our primary schools were represented by students from year 6 and 7.

7. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Cr Petersen declared an interest of impartiality in item SD054/11/10 as she is a Director of the Bendigo Bank and advised that this will not affect the way in which she votes on this matter.

8. RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:

8.1 Ordinary Council Meeting – 25 October 2010

Moved Cr Lowry, seconded Cr Harris

The *attached (E10/5537)* minutes of the Ordinary Council Meeting held on 25 October 2010 be confirmed.

CARRIED 9/0

8.2 Audit Committee Meeting – 16 November 2010

Moved Cr Harris, seconded Cr Hoyer

Confirmation of the minutes of the Audit Committee Meeting held on 16 November 2010 be deferred to the December Ordinary Council meeting.

CARRIED 9/0

Council note: Item AC007/11/10 will be considered by Council at this meeting.

REPORTS OF COMMITTEES:

SD050/11/10		RETROSPECTIVE APPLICATION FOR DAM - LOT 29 (177) MEDULLA ROAD, JARRAHDAL (P03680/01)
Proponent:	Wayne Stewart	In Brief Application for planning approval of a retrospective dam. It is recommended that the application be approved subject to conditions.
Owner:	As Above	
Officer:	Peter Varelis – Project Officer	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	18 May 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt:	11 Jan 2010
Advertised:	Yes
Submissions:	Two (2) objections
Lot Area:	1.99 hectares
L.A Zoning:	Special Rural
MRS Zoning:	Rural
Use Class & Permissibility	Residential - Incidental development
Rural Strategy Policy Area:	Rural Living B

Background

On 29 June 2009, the Serpentine Jarrahdale Shire received a formal complaint from a resident in regards to a dam at Lot 29 Medulla Road, Jarrahdale. A subsequent site visit confirmed the complaint and revealed that an unauthorised dam had been extended on the property.

The Shire wrote to the landowner advising that the dam extension was unauthorised and requested the landowner to submit a retrospective planning application to the Shire.

Since the application was lodged the following has occurred:

- The application was referred to nearby landowners for comment;
- The application was referred to relevant government agencies for comment; and
- A technical assessment of the application has been completed by the Shire's officers with a recommendation provided for Council's consideration.

Given that two (2) submissions of concern were received during advertising and the dam is considered moderate to high risk as per draft Local Planning Policy No. 33 (LPP33), the retrospective application is presented to Council for consideration.

It is important to note that the rating system (low, moderate and high) within draft LPP33 is intended to be used as a means of delineating whether or not a dam should be approved under delegation or presented to Council, subject to consultation. It also provides officers guidance as to the appropriate conditions. This report provides Council with the opportunity to make a formal determination on the application.

A location plan, aerial photograph, cross section and site plan are with attachments marked [SD050.1/11/10](#).

Given the retrospective nature of the application and concerns raised about the structural integrity of the dam the owner saw merit in obtaining a structural engineering certificate to verify its integrity.

A copy of the structural engineering certificate is with attachments marked [SD050.2/11/10](#).

Sustainability Statement

Effect on Environment: The existing dam is located in an area that had an existing dam and hollow, which fills up during the winter months and ponds the subject area of the property. The dam was extended in this location to stop flooding of the immediate area during the winter season.

Dams are a common landscape feature in the Shire and have frequently been used as a means of collecting surface water. They are generally unlined due to the pre-existing clay in the soil profile. The dams are generally considered seasonal, full in winter and become relatively dry in summer/autumn, primarily due to Australia's exceptionally high evaporation rate.

Social – Quality of Life: The dam may have improved the quality of life for the proponent by minimising the flooding problems that were previously being experienced on the property. However, it is important for Council to acknowledge the issues raised by the submissions.

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

TPS 2

Unauthorised Development

As approval has not been granted previously for the establishment of the dam, the carrying out of an unauthorised development constitutes an offence under the TPS 2 below:

“8.3 OFFENCES

8.3.1 *A person shall not erect, alter or add to or commence to erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose:*

- (a) otherwise than in accordance with the provisions of the Scheme;*
- (b) unless all consents required by the Scheme have been granted and issued;*
- (c) unless all conditions imposed upon the grant and issue of any consent required by the Scheme have been and continue to be complied with; and*
- (d) unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that land or building or that part have been and continue to be complied with.*

8.3.2 *A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.”*

In accordance with TPS 2, planning approval is required prior to the commencement of any development and/or use within the Shire, unless specifically exempt. The construction of a dam is consistent with the definition of ‘development’, as provided for under the Planning and Development Act 2005.

The landowner did not obtain the prior planning consent from the Shire and therefore committed an offence under TPS 2. It is important to note, however, that Council is obligated to determine the application based on the information submitted against the existing statutory planning framework; past, current or possible future compliance-related issues are not relevant in the determination of the application.

Retrospective Application

In considering whether to grant retrospective planning consent, TPS 2 contains the following provision:

6.8 UNAUTHORISED EXISTING DEVELOPMENT

6.8.1 *The Council may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, providing the development conforms to the provisions of the Scheme.*

No delegation currently exists for the Shire’s staff to determine applications where valid objections have been received and as such the proposal is presented to Council for determination.

Policy/Work Procedure

Implications:

LPP33 – Dams

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Summary	Objective		
NATURAL ENVIRONMENT	Landscape	Safeguard	Restore and preserve the visual amenity of our landscapes.		
			Defend our scarp and forest from inappropriate uses.		
		Manage	Facilitate sustainable agricultural practices.		
			Ensure responsible animal care, control and management within the Shire.		
	Integrated Water Cycle Management	Quantity		Promote and implement water conservation and reuse.	
				Encourage the conversion of man-made drainage of the Palusplain back to natural systems.	
				Identify and implement opportunities for detention and storage of stormwater.	

Vision Category	Focus Area	Objective Summary	Objective
			Protect and develop natural and man-made water sources.
		Quality	Improve and maintain surface and ground water quality.
		Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.
			Enforce the adoption of "better urban water management".
		Natural systems	Understand the behaviour of natural flood systems in land use planning and engineering design to ensure safe communities.
			Facilitate and encourage the preservation, management and restoration of natural water systems.
BUILT ENVIRONMENT			
	Land Use Planning		
		Rural Land	Ensure the built form complements and enhances the rural environment.
			Plan for the preservation of rural land and its integration with urban and rural villages.
			Consider the viability of rural land uses in strategy and policy development.
			Promote the vision of the Shire being the 'food bowl' of Perth.
		Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
			Promote, implement and celebrate best practice integrated water cycle management.
			Create low maintenance living streams and ephemeral wetlands.
			Where appropriate, create road side swales that add to the visual amenity, habitat, water quality and recreational enjoyment of the urban environment.
			Ensure infrastructure planning and design protects the community from flooding.

Community Consultation:

The application was referred to adjoining landowners in accordance with the requirements set out in TPS 2. During the advertising period, two letters of objection were received.

The key issues that were raised in the objections are detailed below:

- The positioning of the overflow for the dam means that water being discharged would traverse the adjoining landowner's property and utilizes the owner's culvert in the event of an overflow.
- The positioning and setbacks of the dam and its location in relation to adjoining properties was raised as a concern.
- The potential failure of the dam may have an effect on access to the adjoining dwelling in an emergency and could potentially cause substantial damage resulting in litigation implications.
- Large rocks were left behind during the construction of the dam and are in view of adjoining properties.
- The lack of consideration given to the consequences of water runoff and accessibility to landowners downstream as a result of this construction.
- The dividing fence has been compromised by an earth berm.
- Possible encroachments into fire break areas.

A summary of submissions and actions taken is provided in the table below.

External Government Agency Comments

The application was referred to the Department of Water (DoW) for comment.

The Department of Water made evident in their correspondence that an offence under their respective legislation was committed. However, given the retrospectivity of the application and date that it was built no action is required as the matter has fallen outside of the statute of limitations.

Comment

The applicant has provided the following information in support of the proposed retrospective dam/soak:

“Dam was constructed [extended] in Jan 2008. [The] dam is filled by natural runoff [and] has a spill way cut down 2m and spills around the natural ground around the back of the dam into the existing culvert across the easement [fire break]. [The] dam wall was re-dressed and levelled in Jan 2009 due to dam settling. [The] dam was constructed with natural clay around the property and does not leak. [The] dam is seasonal. [The] dam wall is constructed with clay throughout. The purpose of the dam is for fire fighting, [flood mitigation] and reticulation.”

Technical Assessment

Although a number of concerns were raised both by submitters, Officers are of the opinion that these issues can be dealt with by way of specified conditions of development approval.

A summary of the concerns raised in light of a technical assessment and public submissions are outlined below.

Resident Concern	Officer Comment	Action/Mitigation
The integrity of the dam wall.	The plans provided by the proponent for assessment denote a core trench at the base and through the crux of the wall immediately adjacent to L28 Medulla Rd.	No action required. Upon assessment by the Shire's Engineer it has been made evident that the core trench at the base of the dam as denoted on the plans provides for strong structural integrity. This concern will be further verified by virtue of engineering certification as recommended as a condition.
Earth berm on the fence line.	Concern noted.	The Shire's officers are requesting rock pitching/revegetation around the spill way and along the immediate discharge route as a condition.
Positioning of the overflow & utilization of the existing neighbouring culvert.	Upon assessment it would appear that the constructed overflow is positioned in such a way as to allow overflow downstream once the dam has reached around 2000m ³ . Officers believe that the utilization of the existing culvert is reasonable, on the basis that if the dam was not in place water traversing the	Officers are recommending conditions of approval that retain the overflow in its current position (around 2000m ³) whilst also requesting rock pitching and landscaping to mitigate the rate of flow and ensure filtration of the water flowing down stream and utilizing the culvert.

Resident Concern	Officer Comment	Action/Mitigation
	properties would utilize this culvert anyway. Upon assessment technical officers are of the opinion that the culvert is sufficient to facilitate water runoff from the spillway.	
Size/neighbouring accessibility to water down stream.	Pursuant to draft LPP33, dams with a holding capacity of up to 4000m ³ may be considered in the Rural zone, given that this property is in the Special Rural zone, capacity is assessed on a case by case basis. The capacity of the dam appears to be mitigating stormwater runoff from the adjoining state forest and as such would protect properties downstream in a major flood/storm event. Given the location of the spill way, Officers are of the opinion that there should be sufficient water runoff down the catchment to service future and existing dams.	Officers are recommending conditions that no further excavation of the dam is to take place without prior approval. Conditions are also being recommended to maintain the existing location of the overflow to allow run off downstream. Officers are of the opinion that there is sufficient run off to services the existing/future dams in the catchment area. Emergency services officers have also expressed that the availability of this amount of water in an extreme fire hazard area is a great asset and could prove advantageous to residents of the estate if utilised by the fire fighting helitacs. The clearance distances between the dam and surrounding vegetation make this dam viable for this purpose.
Aesthetics of the dam wall.	Concern noted.	Officers are requesting rock pitching/revegetation around the spill way and along the base of the dam wall as a condition.
Large rocks near boundary as a result of excavation.	Concern noted.	Officers are requesting that all overburden excavation material (including rocks) be removed as a condition.
Axles in the dam.	Concern noted.	The Shire's officers are requesting that any foreign material be removed from the dam.
Emergency access from Lot 28 Medulla Drive, Jarrahdale in the event of the wall failure.	Concern noted. However, this is a matter between adjoining landowners. If the dam is certified as being structurally sound, then the likelihood of dam failure is low.	The proponent shall provide an engineering report verifying the structural integrity of the dam wall as a condition.

Technical Concern	Officer Comment	Action Mitigation
Dam wall (grade).	To maintain an exit route out of the dam the applicant shall grade the eastern most batter face to a minimum of 1:4.	Condition of approval.
Stabilisation of dam wall.	All internal and external batter faces shall be planted out with nutrient stripping vegetation.	Condition of approval.
Safety	Dam safety and construction is, and remains the responsibility of the landowner. That notwithstanding, the Shire will, require the proponent to submit a construction certificate endorsed	Condition of approval.

Technical Concern	Officer Comment	Action Mitigation
	by a qualified structural or civil engineer certifying that the dam has been constructed to a acceptable engineering standard.	

Options

There are a number of options available to Council in determining the application, namely:

1. to approve the application, subject to conditions; and
2. to refuse the application.

Conclusion

The dam is intended to alleviate the flooding issues that were being experienced in this portion of the property by the landowner. The construction of the dam has resolved the problems that were being experienced. Based on the information currently available and having regarding to the matters outlined in this report, it is recommended that the application be approved subject to appropriate conditions.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

Moved Cr Randall, seconded Cr Twine (proforma)

The application for retrospective planning approval for a dam at Lot 29 (177) Medulla Road, Jarrahdale be approved subject to the following conditions:

1. No natural vegetation is to be cleared as part of this approval.
2. A construction certificate endorsed by a qualified structural or civil engineer certifying that the dam has been constructed to an acceptable engineering standard shall be submitted to the Shire within 28 days of development approval being issued to the satisfaction of the Director Engineering Services.
3. The dam is not to interfere with the integrity of any existing development on the property including firebreak areas.
4. The dam shall provide a minimum batter slope of 1 in 4 to natural surface on the eastern side to the satisfaction of the Director Engineering Services.
5. The internal batters of the dam shall be stabilised and planted out with nutrient stripping vegetation to the satisfaction of Director Strategic Community Planning.
6. The external batters of the dam shall be stabilised and vegetated to the satisfaction of Director Strategic Community Planning.
7. The spillway/overflow of the dam on the northern boundary is to be retained and maintained at all times.
8. The spillway/overflow and immediate discharge route along the western boundary shall be rock pitched, vegetated and stabilised to the satisfaction Director Engineering Services.
9. No portion of the dam, including the dam walls, is permitted to encroach any closer to the side boundaries to the satisfaction of Director Development Services.
10. All overburden fill material (including rocks) not used to construct the walls of the dam is to be removed from the property. The natural ground level of the site is to be reinstated to the same level that existed prior to commencement of works.
11. A Landscape and Vegetation Management Plan shall be submitted for Shire approval within 28 days of development approval being issued. Once approved, the Landscape and Vegetation Management Plan is to be implemented in its entirety by 30 September 2011 and thereafter maintained to the satisfaction of the Director Strategic Community Planning.

Advice Notes:

1. Dam safety and dam construction and maintenance is, and shall remain, the responsibility of the landowner.
2. Any further increases to the size of the dam requires planning approval under TPS 2.

LOST 1/6

During debate Cr Geurds foreshadowed he would move an alternative recommendation to defer the item to January Ordinary Council Meeting if the motion under debate is defeated.

SD050/11/10 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Harris, seconded Cr Hoyer

That item SD050/11/10 an application for retrospective planning approval for a dam at Lot 29 (177) Medulla Road, Jarrahdale be deferred to January Ordinary Council meeting to clarify several issues.

CARRIED 9/0

Committee Note: That the item be deferred in order to clarify the height of the dam wall, matters relating to the spillway and impacts on adjoining properties.

Council Note: The item was also deferred to give Councillors the opportunity to view the situation and was deferred to the January Ordinary Council meeting due to officer workload.

During debate Cr Randall foreshadowed that she would move the Officer Recommended Resolution if the motion under debate is defeated.

SD051/11/10 DRAFT LOCAL PLANNING POLICY NO.45 – THE GLADES VILLAGE CENTRE (A1775)		
Proponent:	Taylor Burrell Barnett	In Brief A local planning policy has been submitted to provide a framework for the future development of The Glades Village Centre. It is recommended the local planning policy be advertised in accordance with Town Planning Scheme No. 2, subject to modifications.
Owner:	LWP Property Group	
Author:	Colleen Murphy – Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	16 November 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Glades Local Structure Plan (LSP) was adopted by Council on 9 March 2010 and was subsequently referred to the Western Australian Planning Commission (WAPC) for consideration. The next step in the process for the LSP is for the WAPC to ‘consult’ with the Shire in respect of any modifications to the LSP prior to a formal determination being made as to whether to approve the LSP. For the time being, the LSP is not ‘operational’ and does not have full effect, however it is considered to be a ‘seriously entertained’ planning proposal.

The Glades LSP included a Village Centre, subject to further planning through development of a place-based Local Planning Policy (LPP).

A copy of the draft Local Planning Policy No 45 – The Glades Village Centre is with attachments marked [SD051.1/11/10](#).

This report provides Council with the opportunity to consider the draft LPP and determine whether it is satisfactory for advertising. It is considered appropriate that the LPP be progressed in parallel with the finalisation of the LSP. If modifications are required to the LSP prior to finalisation, the LPP may also need to be adjusted prior to finalisation.

Sustainability Statement

The draft LPP45 itself does not provide specific design requirements related to all sustainability aspects, as it is designed to manage built form on private lots. Means to achieve sustainability best practice are provided for by other planning strategies and relevant codes, for example:

- Preparation and approval of Local Water Management Strategy, Urban Water Management Plan, Foreshore Management Plan, and a Lake Management Plan as required by the Glades LSP; and
- Five star water and energy rated residential and commercial developments, as required by the Building Code of Australia.

The development of the Village Centre, guided by draft LPP45, will provide an activated centre that includes community and civic facilities. This will provide best practice outcomes in community building, and creating a high quality of life supportive of a diversity of social groups.

Mixed uses, including retail and office, will provide opportunity for local employment and economic development.

Statutory Environment: Town Planning Scheme No. 2 (TPS 2)
Draft LPP45 has been developed and will be advertised in accordance with Clause 9.3 of TPS 2.

Policy/Work Procedure Implications: Draft LPP45 is consistent with the planning policy framework provided by LPP19 – Byford Development Requirements, and the Glades LSP.

Financial Implications: Costs associated with reviewing and advertising draft LPP45 will be charged to the proponent.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT	Integrated Water Cycle Management	22	Planning and Design	Ensure integrated water cycle management is incorporated in land use planning and engineering design.
BUILT ENVIRONMENT	Land Use Planning	1	Rural Villages	Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
		4		Ensure interesting, safe and well-connected pathways accessible and suitable for all users.

		5		Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.
		8		Ensure local structure plans have a range of attractions within a walkable distance of residential areas.
		13	Buildings	Ensure the Shire's rural character is sensitively integrated into urban and rural villages.
		14		Encourage built form that positively contributes to streetscape amenity.
		15		Ensure that all buildings incorporate principles of environmentally sustainable design, suitable for our specific climate and location.
		16		Enable built form that accommodates a range of business and family circumstances and needs.
		26	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.
		27		Ensure land use planning accommodates a diverse range of lifestyle and employment opportunities and activities.
		31		Encourage innovative solutions, technology and design.

Community Consultation:

In accordance with Clause 9.3 of TPS 2, it is proposed that draft LPP45 will be advertised for public comment for a period of not less than 21 days by way of:

- Advertisement in a local newspaper once a week for two consecutive weeks,
- Letters to all relevant Community Groups active within the Byford locality;
- Publication on the Shire's website,
- Correspondence to relevant government agencies, and
- A notice being placed at the Administration Centre.

After advertising, LPP45 will be presented to Council along with details of submissions received to determine whether to adopt the policy with or without modification, or not proceed with the draft policy.

Comment:

Policy Elements

Policy elements work toward achieving a vision of a vibrant mixed use place featuring levels of economic activity and opportunity underpinned by a solid residential base, all housed within a robust architectural form, which makes reference to Byford's rural built form heritage in a contemporary manner. Commercial development along Main Street is to feature active frontages, generally with pedestrian cover, while a strong component of residential development will result in an ongoing human presence within the village centre.

Development is to feature clearly defined architectural elements with a composite of external wall materials and finishes. Single residential development within the Village Centre is also to reflect Australian Urbanism, featuring a composite of external finishes that are a contemporary interpretation of village architecture.

The policy is structured such that it contains a set of General Requirements that pertain to the entire Village Centre and area specific requirements that relate more specifically to dedicated lots or areas within the Village Centre.

General building and design requirements relate to matters such as:

Architectural character
Building adaptability
Building height
Parking
Articulation of facades
Ground floor levels
Secondary street facades
Roof forms
Roof materials
Glazing
Wall materials
Stores
Services
Security and lighting
Signage
Awnings
Fencing
Landscaping
Quiet building design
Noise mitigation – commercial buildings
Sustainability

A few examples of design elements from the above list include:

Parking – reciprocal parking arrangements for coordinated parking provision;
Roof materials – colours to be of low or neutral visual impact. Bright colours such as reds, greens, blues, black/charcoal and dark/deep terracotta colours are not permitted.
Glazing - facades and windows are recommended to be glazed for solar access, passive surveillance, and public/private realm integration.
Fencing – for secondary streets, the front 20 percent of the secondary street boundary, from the truncation, is required to be either free of fencing or, if provided, low (0.6m) in scale.

Area specific requirements of the policy provide indicative development plans to guide future development of key locations in the centre.

The policy provides minimum development standards with a discretionary, performance based approach that supports superior development outcomes. The draft LPP45 will provide a detailed policy approach to guide physical development of private lots to ensure that the resultant built form is consistent with the Shire's vision for centres. Advertising will allow the Shire to access a range of expertise and local knowledge in the finalization of the LPP to create a comprehensive, robust and quality planning tool.

A few elements of the policy, with regard to parking arrangements and described land uses, require minor modification to ensure they are consistent with TPS 2 and provide a statutory mechanism to support reciprocal parking arrangements – through cash-in-lieu and compensation arrangements. These modifications can easily be undertaken prior to advertising.

Options

There are three options available to Council in considering draft LPP45:

1. to adopt draft LPP45 for advertising, without modification;
2. to adopt draft LPP45 for advertising, with modification/s;
3. to not adopt draft LPP45 for advertising.

Conclusion

Through advertising and finalization, LPP45 will be a useful tool for the Shire to achieve a high amenity, activated mixed use centre in the Glades village. It is recommended that Council adopt the policy for advertising, consistent with option 1.

Voting Requirements: Simple Majority

SD051/11/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Randall, seconded Cr Hoyer
That Council:

- (A) Pursuant to Clause 9.3(a) of Town Planning Scheme No. 2 adopt draft Local Planning Policy No 45 – The Glades Village Centre as provided in attachment SD051.1/11/10, subject to the following modifications:
- i) Inclusion of policy provisions in Section 7.4 (Parking) to provide for cash-in-lieu provision of parking, and payment of compensation for parking overprovision to facilitate reciprocal arrangements;
 - ii) Modification of sections 8.1.1, 8.2.1, 8.3.1, 8.4.1, 8.5.1, 8.6.1, 8.7.1 to reflect land use classifications of Town Planning Scheme No. 2 and/or Local Planning Policy No. 19 – Byford Development Requirements.
- (B) Invite public comment on the draft Local Planning Policy No 45 – The Glades Village Centre for a period of not less than 21 days, by way of:
- i) Notification being placed in local newspapers;
 - ii) Letters to all relevant Community Groups active within the Byford locality;
 - iii) Correspondence to relevant government agencies;
 - iv) A notice being placed at the Shire's Administration Centre; and
 - v) Publication on the Shire's website

CARRIED 9/0

Committee Note: Cr Randall congratulates Officers on working with the Developer on this application and states the colour schemes submitted compliments the landscape of the area.

Council Note: That officers should be congratulated for working with this developer to implement a colour scheme for the area that has used colours that are cooling and not garish.

SD052/11/10 DRAFT COUNCIL POLICY PP11 – PROCEEDINGS BEFORE THE STATE ADMINISTRATIVE TRIBUNAL (A1048)		
Proponent:	Shire of Serpentine Jarrahdale	In Brief A Council policy has been prepared for Council consideration, in respect of proceedings before the State Administrative Tribunal. Adoption of the Policy is recommended.
Owner:	N/A	
Author:	Simon Wilkes – Executive Manager Planning	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	24 October 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The State Administrative Tribunal (SAT) was established in Western Australia in 2005 as an independent body that makes and reviews a range of administrative decisions. Individuals, businesses, public officials and vocational boards can bring before the SAT many different types of applications related to civil, commercial and personal matters. These range from reviews of multi-million dollar tax judgments and dog destruction orders to disciplinary proceedings, guardianship questions and town planning and compensation issues.

The SAT was established by the State Administrative Tribunal Act 2004 (**SAT Act**) and the State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004 (Conferral Act). The Conferral Act refers to more than 130 existing Acts of Parliament, known as enabling Acts. The enabling Acts give the SAT the jurisdiction to make decisions on specific matters.

A conference paper prepared by Senior Member Parry provides some background to the rise of facilitated dispute resolution proceedings and the functions of the SAT.

A copy of the paper is with attachments marked [SD052.1/11/10](#).

In order to provide a consistent and transparent approach to proceedings before the SAT, a policy has been prepared. A draft version of the policy was introduced to elected members at the Policy Forum in October 2010. This report provides Council with the opportunity to consider the adoption of the policy.

A copy of the draft policy is with attachments marked [SD052.2/11/10](#).

Sustainability Statement

Resource Implications:

Proceedings before the SAT often involve the consideration of resource implications stemming from development proposals.

Economic Viability:

Timely decision-making by Council, both as a direct decision-making authority and as a participant in proceedings before the SAT can have a significant impact on the viability of activities and businesses.

Economic Benefits:

Timely decision-making by Council, both as a direct decision-making authority and as a participant in proceedings before the SAT can have a significant impact on the economic benefits that may be derived activities and businesses, including employment creation.

Social – Quality of Life:

Social impacts, both positive and negative, are critical considerations in most proceedings before the SAT. The opportunity to achieve positive outcomes for the community through facilitated mediation proceedings is an important consideration, as outlined further in the conference paper prepared by Senior Member Parry.

Social and Environmental Responsibility

The SAT has the ability to consider social and environmental impacts as part of its proceedings and in determining proposals. The importance, however, of clear, concise, contemporary and performance-based statutory documents for both the Shire and the SAT to refer to in proceedings needs to be stressed.

Statutory Environment:

State Administrative Tribunal Act 2004.
Planning and Development Act
Dog Act
Town Planning Scheme No.2 (TPS 2)

To the extent of any inconsistency between the proposed policy and the above-mentioned statutory documents, the above-mentioned documents shall prevail.

Policy/Work Procedure Implications:

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

Financial Implications:

Proceedings before the SAT can have significant financial implications for the Shire. A consistent, transparent and efficient approach to proceedings is necessary to ensure that community benefits are maximised and that limited resources are effectively utilised.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
OUR COUNCIL AT WORK	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.
		3		Our structure, processes, systems and policies are based on the “keep it simple” principle.
		4		We are realistic about our capacity to deliver.
		5		We have effective meetings.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		7		Elected members and staff have a clear understanding of their roles and responsibilities.
		8		Elected members provide a clear and consistent strategic direction.
		9		All decisions by staff and elected members are evidence based, open and transparent.
		15		The Shire will set policy direction in the best interests of the community.
		16	Leadership through organisational culture	Elected members and staff live our values and lead by example.
		17		The organisational culture of elected members and staff is one of inspiration, inclusion and innovation.
		18		Elected members and staff operate in an environment of trust, respect, openness and transparency.
		19		The elected members and staff have a relationship of unity and work together to achieve goals.
		23	Society, community and environmental responsibility	The elected members provide bold and visible leadership.
		24		The Shire will further establish itself as an innovative leader in social, community and environmental responsibility.
		26		The Shire is focussed on building relationships of respect with stakeholders.
	Strategy and Planning			
		31	The Planning Process	Develop comprehensive governance policies and strategies.
		33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.
	Success and Sustainability			
		38	Achieving Sustainability	Ensure that elected members and staff are outcome focussed.
		41		The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.
	Knowledge and Information			
		45	Generating, collecting and analysing the right data to inform decision making	Ensure the full costs are known before decisions are made.
		49	Creating value through applying knowledge	Ensure evidence based decision making
		51		Critically examine the efficiency and effectiveness of service delivery
	Customer and Market Focus			
		59	Effective management of customer relationships	All councillors and staff play an active role in promoting the positives of the Shire.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		60		Encourage and support staff to proactively deal with complex customer service issues.
	People			
		66	A Great Place to Work	Invest in HR.
		67		Recognise our people are our most important asset.
		74		Individual skills and contributions are acknowledged.
		75		The Shire values corporate knowledge and stability and is focused on staff retention.
		76	Building Organisational Capability through People	
		78		Staff are equipped to fulfil their role.
		79		Establish the Shire as a learning organisation
		82		Systems and processes are in place to capture and impart corporate knowledge and aid business continuity.
	Process Management, Improvement and Innovation			
		91	Process Improvement and Innovation	
		94		Achieve outcomes whilst minimising use of Council resources.
		97		Actively pursue the learning experiences of other high and hyper growth Councils.

Community Consultation:

The proposed Council policy has not been advertised for community comment. Where an individual proposal has the potential to have an impact on the community, stakeholder engagement will be progressed with affected residents in the manner set out in relevant documents, such as the community consultation framework and the Shire's TPS 2.

The important role of community engagement was recognised in the paper prepared by Senior Member Parry and forms an important component of the SAT's focus in facilitated dispute resolution.

Comment:

Why not a local planning policy?

Proceedings before the SAT may stem from a range of decisions, most commonly in respect of planning matters but not always. The Council policy also seeks to address matters that are essentially administrative in nature. It is for this reason that the policy is proposed as a Council policy and not a local planning policy.

Continuous improvement

It is hoped that the proposed policy can provide a solid initial platform for decision-making. As with all policies, it will be important that the policy be reviewed on a regular basis and that opportunities for further improvement be identified, in the context of new information and learnings arising from implementation.

Community awareness/perceptions

A real challenge for the Shire will be managing community awareness and perceptions for matters considered by the SAT. Proceedings before the SAT generally need to take into account a wide range of different matters, including legislative frameworks, community values, relevant state and local policies and the aspirations of the proponent. Mediation proceedings are confidential and are generally not open to members of the public. It will be important that Council demonstrates that it is making every reasonable effort to operate in an open and transparent manner and in the best interests of the community.

Options:

There are essentially four (4) options available to Council in considering the proposed policy, as follows:

1. Adopt the policy, as proposed
2. Adopt the policy, as proposed but with modifications
3. Defer consideration of the policy, to enable further consideration of a particular matter
4. Not adopt the policy.

The adoption of the policy is recommended.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That Council adopt draft Council Policy No. PP11 titled 'Proceedings before the State Administrative Tribunal' as provided with attachment marked SD052.2/11/10.

Committee Recommended Resolution:

That item SD052/11/10 Council Policy PP11 titled 'Proceedings before the State Administrative Tribunal' be deferred to the December Sustainable Development Committee meeting to allow further review of the draft policy.

SD052/11/10 COUNCIL DECISION:

Moved Cr Harris, seconded Cr Randall

That Council adopt draft Council Policy No. PP11 titled 'Proceedings before the State Administrative Tribunal' as provided with attachment marked SD052.2/11/10.

CARRIED 6/3

Cr Geurds and Cr Ellis voted against the motion

During debate, Cr Ellis foreshadowed that he would move the Committee Recommended Resolution if the motion under debate is defeated.

SD053/11/10 SUBMISSION ON OUTER METROPOLITAN PERTH AND PEEL SUB-REGIONAL STRUCTURE PLAN (A0109-02)		
Officer:	Deon van der Linde – Executive Manager Strategic Planning	In Brief The Western Australian Planning Commission released a Draft Sub-Regional Strategy for Perth and Peel that includes Serpentine Jarrahdale, which aims to provide a holistic overall planning perspective of the Metropolitan region of Perth and Peel. This report provides Council with the opportunity to submit a response to the strategy.
Senior Officer:	Suzette van Aswegen – Director Strategic Community Development.	
Date of Report	16 October 2010	
Previously	NA	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

In August 2010 the Western Australian Planning Commission (WAPC) released the Directions 2031 and Beyond final report – the highest level strategic plan and spatial framework for the metropolitan Perth and Peel region. Directions 2031 establishes a vision for future growth, and identifies strategic themes to guide future urban growth in a way that captures the many and varied expectations we have of our city. Directions 2031 seeks to address population growth scenarios and land use patterns for the medium to long term increase of half a million people in Perth and Peel by 2031, as well as being prepared to provide for a city of 3.5 million people – whenever that will occur.

Directions 2031 provides the highest level of strategic metropolitan planning to guide the development of more detailed policies strategies and plans. Due to the complexity of strategic planning for the metropolitan area, sub-regional strategies are required to provide guidance at the local level. Sub-regional strategies address issues that extend beyond local government boundaries and that require a regional response as well as commonly shared issues such as provision of housing choice and affordability.

Sub-regional strategies provide a framework for delivering the objectives of Directions 2031. They identify a strategic plan of actions, stakeholder responsibilities and timeframes for delivery. This sub-regional strategy addresses strategic planning issues in the outer sub-regions of north-west, northeast, south-east and south-west metropolitan Perth and the Peel sub-region. This sub-regional strategy will link State and local government strategic planning to guide the preparation and review of structure plans and local planning strategies by:

- providing information about the level of expected population growth in each local government area;
- identifying potential urban expansion areas and investigation areas for future urban development to meet the long-term residential needs;
- estimating the dwelling supply for each sub-region based on currently identified infill opportunities, existing urban and urban deferred zoned land, and potential urban expansion and investigation areas;
- outlining the wide spread of development opportunities throughout the outer metropolitan Perth and Peel sub-regions;
- investigating the development potential of planned and future urban growth areas including activity centres and transit oriented developments;

- supporting the planning and delivery of land for employment growth and actions to support economic development; and
- informing all levels of government decision-making on where and when to fund the most efficient roll out or upgrading of public infrastructure services.

A copy of the Outer metropolitan and Perth and Peel Sub-regional Strategy (Parts 1-4) is with the attachments marked [SD053.1/11/10](#), [SD053.2/11/10](#), [SD053.3/11/10](#) and [SD053.4/11/10](#).

Sustainability Statement

Effect on Environment: The discussion paper has at its core the principle to stop uncontrolled urban sprawl and the protection of areas that may be affected by uncoordinated planning actions.

Resource Implications: The document provides direction in terms of state planning initiatives and as such significantly improves certainty regarding planning. It is also closely aligned to the Shire's own current thinking in many respects. It should enable Shire resources and other agency resources to be more effectively managed.

Use of Local, renewable or recycled Resources: The discussion paper focuses on some aspects of renewable energy but the submission indicates that more could have been done to address this issue.

Economic Viability: Effective strategic planning, strong integration of policy initiatives in statutory processes and coordination of infrastructure delivery with development are critical to ensure economic viability and that costs are minimised and responsibly shared. This is one of the principal aims of the document.

Economic Benefits: Timely and responsible planning and decision making contributes to maximising economic benefits. The coordination of infrastructure planning will increase these efficiencies.

Social – Quality of Life: The Vision and Themes are in alignment with the principles of the Shire in terms of improving the quality of life.

Social and Environmental Responsibility: The reform agenda focuses on both effectiveness and efficiency and has the potential to improve the integration of social and environmental matters into the planning decision-making processes. Depending on how various initiatives are progressed, some really positive social and environmental outcomes could be achieved.

Social Diversity: The principles mentioned in the document provide for greater social diversity through housing types, increased densities and more efficient use of infrastructure.

Statutory Environment

Direction 2031
Planning and Development Act 2005
Town Planning Scheme No. 2
Local Planning Policies

Policy/Work Procedure Implications:

Current and future Shire local planning policies, scheme provisions, proposed Local Planning Strategy, procedures for the advertising and evaluation of local structure plans and proposed new schemes will be affected by the proposed changes. The consultation paper seeks to ensure that policy development and

review is a priority of all planning authorities, with a focus on clarity and integration of strategic initiatives into statutory decision making processes. It is quite conceivable that the delegations regarding planning may have to be revisited. Another key aspect is that the Shire's policy framework will have to be strengthened significantly to allow for the unique local flavour of the Shire to be implemented.

Financial Implications:

There are potentially both direct and indirect financial implications for the Shire ranging from the shift of focus in terms of planning approvals and the impact on staff resources to the efficiencies provided by more detailed guidelines from State level. Due to the broad-ranging nature of the priority actions, it is difficult to accurately quantify the financial implications for the Shire at this time.

Strategic Implications:

These comments relate to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.
		2		Defend our scarp and forest from inappropriate uses.
		3		Maximise the preservation of existing trees and vegetation.
		4		Incorporate environmental protection in land use planning.
		5	Restore	Establish and enhance waterways and bush corridors.
		6		Establish increased levels of natural vegetation in urban and rural environments.
		7	Manage	Facilitate sustainable agricultural practices.
		11		Develop active partnerships with stakeholders.
		12	Protect	Prevent the further loss of "local natural areas".
		13		Protect specific ecological features and processes including rare species, threatened ecological communities, wetland vegetation and ecological linkages throughout the Shire.
		14	Manage	Protect and manage a portion of each basic type of vegetation and ecosystem typical to the Shire.
		15	Restore	Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.
		16	Integrated Water Cycle Management	Quantity
	17			Encourage the conversion of man-made drainage of the Palusplain back to natural systems.
	19			Protect and develop natural and man-made water sources.
	20		Quality	Improve and maintain surface and ground water quality.
	39	Waste	Prevent	Raise community awareness of waste management issues and implement measures to avoid the creation of waste.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		40	Recover	Improve local government waste management practices to efficiently recover, retreat and reuse all waste.
		41	Dispose	Responsibly manage waste to minimise the direct and indirect environmental impacts of waste management practices.
BUILT ENVIRONMENT				
	Land Use Planning	1	Rural Villages	Preserve the distinct character and lifestyle of our rural villages and sensitively plan for their growth.
		2		Ensure land use planning accommodates a vibrant and diverse range of activities and employment opportunities.
		3	Urban Villages	Incorporate the principles of emergency management, community safety and crime prevention in new and existing developments.
		4		Ensure interesting, safe and well-connected pathways accessible and suitable for all users.
		5		Residential developments will accommodate a variety of lot sizes, water wise native gardens and shade trees.
		6		Subdivision layout will maximise the achievement of sustainable development through the utilisation of solar passive design principles.
		7		Press for the provision of public transport and the density of development needed to give effect to transit orientated design.
		8		Ensure local structure plans have a range of attractions within a walkable distance of residential areas.
		9	Rural Land	Ensure the built form complements and enhances the rural environment.
		10		Plan for the preservation of rural land and its integration with urban and rural villages.
		11		Consider the viability of rural land uses in strategy and policy development.
		12		Promote the vision of the Shire being the 'food bowl' of Perth.
		13	Buildings	Ensure the Shire's rural character is sensitively integrated into urban and rural villages.
		14		Encourage built form that positively contributes to streetscape amenity.
		15		Ensure that all buildings incorporate principles of environmentally sustainable design, suitable for our specific climate and location.
		16		Enable built form that accommodates a range of business and family circumstances and needs.
		17		Preserve, enhance and recognise heritage values within the built form.
		18		Invest upfront in the creation of vibrant, interactive public places and spaces that demonstrate the type of development envisaged by the community.
		19		Plan for the creation and preservation of iconic buildings and places that add to our sense of identity.
		20	Landscape	Prioritise the preservation of landscape, landform and natural systems through the land development process.
		21		Provide a variety of affordable passive and active public open spaces that are well connected with a high level of amenity.
		22		Continue the development of low maintenance multiple use corridors to accommodate water quality and quantity outcomes and a diversity of community uses.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		23		Protect the landscape and environmental values of natural reserves and areas from the impacts of development.
		24	Transport	Ensure safe and efficient freight and transport linkages within the Shire and region.
		25		Ensure future public transport needs and infrastructure are incorporated into the land use planning process within the Shire and region.
		26	General	Facilitate the development of a variety of well planned and connected activity centres and corridors.
		27		Ensure land use planning accommodates a diverse range of lifestyle and employment opportunities and activities.
		28		Rationalise existing, and responsibly plan new, public open spaces to ensure the sustainable provision of recreation sites.
		29		Plan and develop community gardens.
		30		Collaborate in the development of State planning proposals and lobby for the protection of Serpentine Jarrahdale's unique attributes.
		31		Encourage innovative solutions, technology and design.
	Infrastructure	32	Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
		33		Ensure all decisions are consistent with the long term financial Plan for the Future.
		34		Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.
		35	Roads and bridges	Protect, enhance and develop shady vegetated road verges to reflect the rural character of the locality and provide wildlife habitats and linkages.
		36		Preserve the amenity and biodiversity of scenic drives and flora roads and create further interest through the incorporation of public art.
		37		Develop and adequately fund a functional road network and bridges based on the level of service set by Council.
		38		Ensure that bridge and road network planning and development considers community safety and emergency management.
		39	Water Management	Minimise the use of piped and artificial drainage and its impact on the landscape.
		40		Promote, implement and celebrate best practice integrated water cycle management.
		41		Create low maintenance living streams and ephemeral wetlands.
		42		Where appropriate, create road side swales that add to the visual amenity, habitat, water quality and recreational enjoyment of the urban environment.
		43		Ensure infrastructure planning and design protects the community from flooding.
		44	Utilities	Press for minimal environmental and social impact and maximum preservation and enhancement of visual amenity, in the installation of utilities.
		45		Engage utility providers in strategic land use planning to ensure that communities are well serviced by appropriately located and timely constructed infrastructure.
		46		Encourage innovative solutions for the provision of utilities.
		47	Trails and linkages	Plan and develop well connected, distinctive, multiple use pathways that contribute to the

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				individuality and sense of place of each neighbourhood.
		48	Vegetation management	Acknowledge the future economic value of natural vegetation and landform.
		49		Ensure local native, low maintenance and water wise trees and plants are incorporated in streetscapes and public spaces.
		50		Incorporate, in selective locations, deciduous “air conditioning”, fruit and ornamental trees in streetscapes and public spaces.
		51		Encourage the innovative incorporation of rain, roof, vertical and hanging gardens in activity centres to increase the level of amenity, educational opportunities and interest.
		52	Partnerships	Develop partnerships with the community, business, government agencies and politicians to facilitate the achievement of the Shire’s vision and innovative concepts.
		53		Proactively and positively negotiate mutually beneficial outcomes with the development industry.
		54		Empower residents to advocate for their community of interest and endeavour to create Shire policy and strategy that is respectful of their vision.
		55		Partner with educational institutions to undertake appropriate and related research.
		56		Continue to work with funding agencies to secure grants for projects.
		57		Develop and support key sponsorship programs for community and Council projects.
		58		Celebrate awards and achievements with partners to promote our vision.
		59		Interact with professional and industry bodies to keep abreast of best practice.
		60		Establish, implement and maintain effective developer contribution schemes.
		61		Form strategic alliances for the more effective resolution and achievement of regional land use planning and infrastructure delivery.
		62		Advocate for reduction of regulatory barriers to local government forming innovative and entrepreneurial relationships.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Development	1	General	Attract and facilitate appropriate industrial, commercial and retail developments.
		2		Attract environmentally and socially responsible industries and support all operators to achieve more sustainable practices.
		3		Encourage value adding opportunities for local industries and resources.
		4	Agriculture	Protect and develop appropriate agricultural and horticultural industries and pursuits within the Shire
		5		Accommodate the growth of the poultry industry and associated value adding businesses in a manner which preserves the amenity of surrounding areas.
		6	Equine	Proactively advance the shire’s equine industry including the range of associated support businesses.
		7	Tourism	Encourage the development of tourist attractions and accommodation.
		8		Maximise the tourism and recreation potential of

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				our natural environment.
		9		Develop and maintain our heritage assets to encourage visitors.
		10	Timber	Strive for sustainable use of timber resources.
		11	Green Industries	Encourage the establishment of innovative industries involved in “reusing and recycling”.
		12		Foster the development of industries producing renewable energy related products and services.
		13	Creative and Knowledge Economies	Welcome and nurture creative industries and individuals.
		14		Facilitate environments that will stimulate the initiation of a knowledge based economy.
		15	Education	Facilitate shire based life long learning and training opportunities, particularly those aligned to our local industries.
		16	Small Business and Cottage Industries	Nurture and support small business, cultural and cottage industries
	Places	29	Vibrant	Create vibrant urban and rural villages.
		30		Develop well connected neighbourhood hubs and activity centres.
		31		Build the community’s capacity to create vibrant places through activities and events.
		32		Ensure community spaces and places are accessible and inviting.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs
		34		Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.
		35		Recognise the significance of prosperous businesses and groups in activating places and contributing to community safety.
		36		Plan and develop safe communities and places.
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.
		38		Facilitate the establishment of educational places that offer a range of lifelong learning opportunities.
		39		Enable and develop sustainable, multipurpose facilities where duplication is minimised.
		40		Encourage the use of the arts to express our cultural identity.
		41	Distinctive	Recognise, preserve and enhance the distinct characteristics of each locality.
		42		Foster the sense of belonging and pride of place in our community.
		43		Acknowledge and accommodate diversity and multicultural interests in our places.
OUR COUNCIL AT WORK				
	Leadership	1	Leadership throughout the organisation	Elected members and staff have ownership and are accountable for decisions that are made.
		2		Our structure, processes, systems and policies are aligned with the Plan for the Future.
		3		Our structure, processes, systems and policies are based on the “keep it simple” principle.
		4		We are realistic about our capacity to deliver.
		6		The Council and Leadership Team drive Strategy and Policy development.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		8		Elected members provide a clear and consistent strategic direction.
		9		All decisions by staff and elected members are evidence based, open and transparent.
		10		The elected members and staff operate from a common understanding of sustainability.
		15		The Shire will set policy direction in the best interests of the community.
		23	Society, community and environmental responsibility	The elected members provide bold and visible leadership.
		24		The Shire will further establish itself as an innovative leader in social, community and environmental responsibility.
		26		The Shire is focussed on building relationships of respect with stakeholders.
	Strategy and Planning	27	Strategic Direction	Prepare effectively for future development.
		28		Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
		29		Create innovative solutions and manage responsibly to aid our long term financial sustainability.
		30		Consider the regional delivery of services in the acquisition of compatible infrastructure and assets.
		31	The Planning Process	Develop comprehensive governance policies and strategies.
		32		Prioritise and integrate the financial implications of policy and strategy into the fully costed Plan for the Future.
		33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.
	Success and Sustainability	34	Measuring and Communicating Organisational Performance	Identify and measure key performance indicators and project milestones.
		35		Evaluate performance against recognised standards and best practice and make improvements.
		36		Develop simple milestone reporting systems that meet the information needs of the community, elected members, management and staff.
		37		Create a culture where communication of achievement and performance is actively promoted.
		38	Achieving Sustainability	Ensure that elected members and staff are outcome focussed.
		39		Projects and goals are realistic and resourced.
		40		The culture, decision making and work systems need to be readily adaptable to change.
		41		The Shire will exercise responsible financial and asset management cognisant of being a hyper-growth council.
		42		Position the Shire to be responsive and resilient to changes in State or Federal policy direction.
		43		Develop a clear, robust, well researched evidence base which demonstrates our uniqueness and sustainability.
		44		Address the barriers to doing business in a positive way.
	Knowledge and Information	45	Generating, collecting and	Ensure the full costs are known before decisions are made.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			analysing the right data to inform decision making	
		46		Understand current and future costs of service delivery.
		47		Understand the needs of stakeholders.
		48		Develop systems for data capture and analysis.
		49	Creating value through applying knowledge	Ensure evidence based decision making
		50		Improve service delivery through the application of knowledge.
		51		Critically examine the efficiency and effectiveness of service delivery
	Process Management, Improvement and Innovation	84	Identification and Management of Processes	Undertake a systems and processes review and educate and train staff and elected members accordingly
		85		Invest in the development of flexible and adaptable systems and processes to improve efficiencies and costs
		86		Invest and upgrade our technology to enable us to automate processes
		87		Ensure appropriate staff are trained in project management and are confident and effective in utilising contractors.
		88		Develop dynamic cross functional teams providing exposure to a range of job prospects
		89		Improve ownership, co-ordination and co-operation on cross functional projects
		90		Implement a carbon accounting system
		91	Process Improvement and Innovation	Build staff confidence and give them the licence to drive change
		92		Ensure that bureaucratic governance systems do not reduce the creative energy of staff and elected members.
		93		Fully utilise the skills and knowledge of elected members and staff
		94		Achieve outcomes whilst minimising use of Council resources.
		96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools.
		97		Actively pursue the learning experiences of other high and hyper growth Councils.

Community Consultation:

Community consultation is occurring with the release of this document.

Comment

The Strategy discusses a number of issues that describe the rationale behind the document and how the document relates to Directions 2031 and other documentation produced that provides strategic direction to land use planning in the Perth and Peel Metropolitan region.

Section 1 is the Executive Summary

Section 2 discusses the Relationship between Directions 2031 and the Strategy
Section 3 explains the Policy Framework within which the Strategy will operate
Section 4 discusses the Preferred Growth Pattern in Perth and Peel
Section 5 discusses aspects related to the need to Plan for a Population of 3.5 million
Section 6 relates to how the State through the strategy will Manage the Expansion Program
Section 7 addresses the Expansion Plan
Section 10 discusses the South-east sub-region in detail and this is where the majority of comments are directed.
Section 13 refers to the Governance, Implementation and Monitoring of the Strategy
Section 14 explains the cornerstones of the Strategy
Section 15 shows the estimated dwelling yields expected in the Strategy
Sections 8, 9, 10, 11 and 12 discuss the other regions in Perth but do also contain important infrastructure provisioning aspects

A copy of the submission on the discussion paper is with attachments marked [SD053.5/11/10](#).

The submission attached is summarized below:

The Shire of Serpentine Jarrahdale is supportive of the work done by the Department of Planning and the WAPC to establish an overall framework for development of the Metropolitan region of Perth and Peel. The Shire also wishes to commend the WAPC for commissioning the Outer Metropolitan and Peel Sub-regional Strategy and for working with the local councils to provide the best outcomes for future planning.

Positive aspects

The Shire sees the following aspects as being positive:

- Overall density of 15 dwellings per hectare
- Principles for further development areas
- Land release categories
- Cardup Industrial Area
- More emphasis on east-west Infrastructure
- Reference to the possibility of the extension of passenger rail to Byford and Mundijong in the text

Clarity required

The Shire believes some clarity is required regarding:

Density Targets

1. Expected density provision within new developments
2. Strategy 4, Action 4.1: Promote Liveable Neighbourhoods policy standard densities of 15 dwellings per gross urban zoned hectare
3. Structure Plan requirements
4. Greater incentives for higher density.

Proposed amendments

The Shire does have some concerns regarding the document and would propose the following changes:

- Coordination of Infrastructure
- Population projections and dwelling allocation (page 78 paragraph 10.1)

- Description of Shire of Serpentine Jarrahdale (Page 77 paragraph 9.8)
- Development in Mundijong and Byford (Page 80 paragraph 10.4)
- Description of Byford (Page 81 paragraph 10.4.1):
- Description of Mundijong (Page 81 paragraph 10.4.1):
- Mundijong West Industrial Area (Page 84 paragraph 10.6.3, Page 85 figure 51 and Page 79 figure 45)
- Planning actions required in the south-east sub region (Page 88 Figure 54)
- Greater emphasis on Freight Rail (Page 86 paragraph 10.7.5):
- Regional alignment with the South East Region.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That Council:

1. Receive the Outer Metropolitan Perth and Peel Sub-regional Strategy and endorse the submission as provided in attachment marked SD053.5/11/10, advising the Western Australian Planning Commission accordingly.
2. Submit a copy of the submission as provided in attachment marked SD053.5/11/10 to the Western Australian Local Government Association.

Committee Recommended Resolution:

That item SD053/11/10 Submission on Outer Metropolitan Perth and Peel Sub-Regional Structure Plan be deferred to the November Ordinary Council Meeting to allow for the correct attachment to be circulated to all Councillors.

CARRIED 7/0

Committee Note: The item was deferred to the November Ordinary Council meeting. The correct attachment has now been circulated to all Councillors.

Supplementary Information

Item SD053/11/10 Submission on Outer Metropolitan Perth and Peel Sub-Regional Structure Plan presented to the Sustainable Development Committee on Tuesday 16 November 2010 had an attachment SD053.5/11/10 that did not reflect the latest version of the submission.

The new attachment for the Ordinary Council Meeting is labelled as SD053.6/11/10 and although similar to the previous one, the newer version contains additional detail that will allow the Western Australian Planning Commission to more fully understand the concerns raised in the document.

An updated copy of the submission on the discussion paper is with attachments marked SD053.6/11/10.

The Officer Recommended Resolution remains the same except that it refers to a new attachment SD053.6/11/10.

Voting Requirements: Simple Majority

SD053/11/10 COUNCIL DECISION/Revised Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Hoyer

That Council:

1. Receive the Outer Metropolitan Perth and Peel Sub-regional Strategy and endorse the submission as provided in attachment marked SD053.6/11/10, advising the Western Australian Planning Commission accordingly.
2. Submit a copy of the submission as provided in attachment marked SD053.6/11/10 to the Western Australian Local Government Association.

CARRIED 8/1

Council note: Council congratulated the Executive Manager Strategic Planning on his representation of the Shire's position on this matter.

SD054/11/10 COMMUNITY FUNDING PROGRAM (A1671)		In Brief
Proponent:	Serpentine Jarrahdale Shire	To consider officer recommended changes to simplify Council Policy – Financial Assistance to Community by removing the Minor Grants and Work Procedure components and to nominate four Councillor representatives from separate wards to serve on the 2011/2012 Community Funding Program Working Group.
Owner:	Not applicable	
Author:	Julie Sansom - Community Development Officer	
Senior Officer:	Suzette van Aswegen - Director Strategic Community Planning	
Date of Report	20 October 2010	
Previously	SD054/10/09, SD080/03/09, SD071/03/08, SD087/03/07, SD101/03/06	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

A number of concerns were raised by Councillors during the Sustainable Development Committee Meeting in July 2010. These included:

- Should administration costs be included in an application
- Should the limit of \$1,500 be a guide or an absolute limit
- Should programs (eg Athletics Program) be funded as against projects (eg Worm Farm, sports equipment)

At the August 2010 Policy Forum, these concerns were discussed, although not resolved. However, Councillors were given a period of time to respond to the Community Development Officer, and three responses were received and have been considered. The discussions and the evaluation of all submissions have shown that the policy should be amended so that the Work Procedures or operational matters are removed from the policy. Furthermore, Level 1 Minor Grants should be removed from the policy, as it has not been workshopped with staff, nor budgeted for, nor implemented.

In addition, Council Policy – Financial Assistance to Community states “that four Council representatives being one from each ward be nominated each year to sit on the Community Funding Program Working Group.”

A copy of the draft amended Policy is with attachments marked [SD054.1/11/10](#).

Sustainability Statement

Effect on Environment: The program places high priority on projects that are environmentally responsible.

Resource Implications: The program places high priority on projects that minimise resource and energy use.

Use of Local, Renewable or Recycled Resources: The program supports the use of local, renewable or recycled resources.

Economic Viability: The program places high priority on projects that show potential to attract other funding and enable the groups to become more self-sufficient and sustainable.

Economic Benefits: The program supports a variety of projects that bring economic benefit to the community through employment of local contractors, events that attract locals and tourists to business areas and through the funding of small group projects that may not obtain funding elsewhere.

Social – Quality of Life: The program supports the local volunteers who run facilities and organise activities and projects which provide a rich quality of life in this area.

Social and Environmental Responsibility: The program is designed to be socially and environmentally responsible through building capacity in the community and enabling full participation in its implementation. The program creates opportunities for the community to participate and foster partnerships.

Social Diversity: The program does not disadvantage any social groups and provides for diversity in our community including youth, seniors, indigenous, ethnic minorities, people with disabilities and families.

Statutory Environment: The program is advertised in January each year with a closing date of 31 March as per Policy - Financial Assistance to Community.

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

Financial Implications: An amount of \$20,000 is requested in each year's budget. The Community Funding Program in 2010/2011 was co-funded in partnership with the Byford & Districts Community Bank - Bendigo Bank. Council and the Bendigo Bank each contributed \$20,000 towards these worthwhile community driven projects. It is expected that this agreement will continue.

Strategic Implications:

This proposal relates to the following Focus Areas through the numerous projects that the funding will enable as well as through the partnership with the Byford & Districts Community Bank Branch of Bendigo Bank:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT	Landscape	1	Safeguard	Restore and preserve the visual amenity of our landscapes.
		3		Maximise the preservation of existing trees and vegetation.
		6	Restore	Establish increased levels of natural

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
				vegetation in urban and rural environments.
		10		Promote and develop appropriate tourism, recreation and educational opportunities.
		11		Develop active partnerships with stakeholders.
		15	Restore	Manage and restore local natural areas and revegetate new areas to increase native fauna habitat.
	Climate Change			
		30	Mitigation	Minimise resource use
BUILT ENVIRONMENT				
	Land Use Planning			
		29	General	Plan and develop community gardens.
SUSTAINABLE ECONOMIC GROWTH				
	Industry Development			
		8	Tourism	Maximise the tourism and recreation potential of our natural environment.
		9		Develop and maintain our heritage assets to encourage visitors.
	Industry Assistance			
		18	Information	Provide support and guidance for local activities, events and community groups.
PEOPLE AND COMMUNITY				
	Wellbeing			
		1	Healthy	Promote a wide range of opportunities to enable optimal physical and mental health.
		2		Promote a variety of recreation and leisure activities.
		3		Enable the provision of a range of facilities and services for families and children.
		4		Monitor and respond to the changing needs of our ageing population.
		5	Happy	Promote respect, responsibility and resilience in our community.
		6		Improve access and inclusion for all.
		7		Encourage, support and celebrate volunteerism.
		8		Foster lifelong learning opportunities
		9		Invest in the development of future community leaders.
		10		Understand and respond to the needs of our youth.
		12		Encourage youth participation in community activities, groups and networks.
		13	Safe	Achieve a high level of community safety
		14		Develop and implement crime prevention strategies.
	Relationships			
		15	Encourage	Foster positive working relationships with and between volunteers.
		16		Encourage intergenerational interactions and activities.
		17		Create opportunities to identify and address social isolation.
		18		Identify opportunities for people to work together for their mutual benefit.
		19	Empower	Grow and sustain our strong community spirit.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
		20		Develop a skilled, self determining community who participate in shaping the future and own and drive the changes that occur.
		21		Empower people to represent their community of interest.
		22		Achieve a sense of belonging through active networks and community groups.
		23		Build strong relationships that are resilient to the pressures and challenges of growth and "breaking new ground".
		24		Foster ownership and commitment within partnerships in order to achieve shared visions.
		25		Enable inclusive, accessible and appropriate communications.
		26	Celebrate	Acknowledge, utilise and celebrate the distinctiveness and diversity of our community.
		27		Actively engage, and value the contribution of all stakeholders in better decision making.
		28		Engage existing and new residents in sharing neighbourly and community values.
	Places			
		31	Vibrant	Build the community's capacity to create vibrant places through activities and events.
		37	Innovative	Promote and encourage the development of affordable and appropriate lifelong living environments.
		42	Distinctive	Foster the sense of belonging and pride of place in our community.
		43		Acknowledge and accommodate diversity and multicultural interests in our places.
OUR COUNCIL AT WORK				
	Leadership			
		15	Leadership throughout the organisation	The Shire will set policy direction in the best interests of the community.
		26	Society, community and environmental responsibility	The Shire is focussed on building relationships of respect with stakeholders.
	Strategy and Planning			
		27	Strategic Direction	Prepare effectively for future development.
		31	The Planning Process	Develop comprehensive governance policies and strategies.
		33		Create dynamic, adaptable policy and processes to aid rigour, currency and relevance.
	Knowledge and Information			
		47	Generating, collecting and analysing	Understand the needs of stakeholders.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			the right data to inform decision making	
		49	Creating value through applying knowledge	Ensure evidence based decision making
	Customer and Market Focus			
		52	Gaining and using knowledge of customers and markets	Align systems and processes to meet customer needs.
		54		Improve the communication and sharing of information externally.
		63	Customer perception of value	Strive to continually improve customer satisfaction and stakeholder relationships.

Community Consultation:

Not required.

Comment:

Council Policy – Financial Assistance to Community has been amended to enable a more succinct policy leaving operational detail in the work procedure. Level 1 Minor Grants section has been removed. The Working Group will meet in late April to review the applications submitted.

Voting Requirements: Simple Majority

SD054/11/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer, seconded Cr Randall

1. Council endorses the amended Council Policy – Financial Assistance to Community which is with attachments marked SD054.1/11/10, subject to inclusion of the words “Serpentine Jarrahdale Community” in the rationale of the policy.
2. Council nominates Councillor Ellis, Councillor Hoyer, Councillor Geurds and Councillor Lowry representing each ward, to serve on the 2011/2012 Community Funding Program Working Group.

CARRIED 9/0

CGAM022/11/10 ASSET MANAGEMENT IMPROVEMENT STRATEGY UPDATE (A1733)		
Proponent:	Not Applicable	In Brief To endorse the update of the Asset Management Improvement Strategy for 2010/11.
Owner:	Not Applicable	
Author:	Asset Management Coordinator: Julie Brown Asset Management Officer: Marius Vermeulen	
Senior Officer:	Richard Gorbunow – Director Engineering	
Date of Report	August 2009	
Previously	CGAM013/08/09	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Serpentine Jarrahdale Shire has placed strategic importance on the proper management of its infrastructure. At the Ordinary Council meeting held in August 2009, Council's first Asset Management Improvement Strategy (AMIS) was adopted, which defined the pathway for organisational wide commitment to the principles of sound asset management.

The AMIS has been revised and updated in order to review asset management progress over the past year and provide the opportunity to re-evaluate action priorities due to any change in organisational focus and national requirements. The endorsement of this Strategy allows for the continuation of the development and achievement of comprehensive Asset Management Practices for the Shire's infrastructure.

A copy of updated Asset Management Improvement Strategy is with attachments marked CGAM022.1/11/10.

Sustainability Statement

Resource Implications: The AMIS allows for the optimisation of resources through analysis of strategic asset management requirements.

Economic Viability: The AMIS creates no new costs, however it provides information that would assist Council to adequately provide for future needs of current infrastructure.

Economic Benefits: The AIMS seeks to provide direction to ensure that infrastructure assets are used in the most effective and efficient way to support the delivery of the Plan for the Future.

Social – Quality of Life: The Strategy endorses the development of service levels and proactive and reactive maintenance routines to maintain infrastructure in a functional condition. It also supports the defining of hierarchies which assist in determining at what condition an asset will be listed for renewal, ensuring that optimisation between the timing of financial injection and the deterioration rate of the asset is achieved.

Statutory Environment:

Asset Management is a core function of managing the Districts infrastructure assets which meets the objectives of the Local Government Act 1995, Section 2.7.

Policy/Work Procedure Implications:

There is no work procedures/policy implications directly related to this plan. The AMIS supports Councils Asset Management Policy through the development of actions to progress asset management. The level of risk associated with the adoption of this plan has been assessed at low. A higher level of risk exists if the plan is not adopted. This may inhibit asset management progress and result in the risk of non compliance with impending federal and state asset management requirements.

Financial Implications:

The proposed strategy outlines tasks which will require resource allocations in future budgets.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Infrastructure	32	Asset management	Continually improve the accuracy of the long term financial Plan for the Future by accommodating asset management plans that are developed.
		34		Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.

Community Consultation:

Not Required

Comment:

The AMIS, developed by the Asset Management Working Group, provides clear direction as to how Council, as custodians of community assets, will manage the Shire's Infrastructure.

The Strategy outlines key tasks and timeframes for the achievement of these tasks, current practices and analysis of the gap between current and desired practice. This Strategy supports sound Asset Management processes that will ensure whole of life costs of infrastructure are used to support decision making. The resulting information will be used in the assessment of the renewal, replacement and purchase of community assets and will enable analysis of the effect of these actions on the Shire's long term financial position.

This Strategy sets out the key tasks the Shire will resource over the next 24 months, ensuring a continuation of the delivery of services provided by infrastructure on a sustainable basis. It will be reviewed on an annual basis by the Asset Management Working Group, and any changes will be presented to Council for endorsement.

Voting Requirements:

ABSOLUTE MAJORITY

CGAM022/11/10 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Lowry, seconded Cr Buttfield
That Council adopts the Asset Management Improvement Strategy as per attachment CGAM022.1/11/10.
CARRIED 9/0**

9. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

OCM023/11/10		ADMINISTRATION CENTRE AND CIVIC FACILITIES REFURBISHMENT (A0750-01)
Proponent:	N/A	In Brief For Council to consider the options in relation to the general refurbishment of the administration building and the creation of new civic facilities in Paterson Street Mundijong.
Owner:	Serpentine Jarrahdale Shire	
Author:	Alan Hart - Director Corporate Services	
Senior Officer:	Suzette van Aswegen- Acting Chief Executive Officer	
Date of Report	17 November 2010	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Shire has experienced enormous growth over the last 10 years and this has placed a strain on the existing facilities that are used to accommodate staff and elected members. The office space is at a point where without a plan forward in the short/medium term, the working conditions for staff and elected members will deteriorate significantly which will directly affect the Shires ability to attract and retain employees and the shires ability to provide the level of customer service that is needed in today’s business environment.

Statutory Environment: Occupational Health, Safety and Welfare Act, Division 2.

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

Financial Implications: The Community Facilities and Services Plan has identified the need for Council to new civic facilities in the long term. The draft Plan for the Future has allocated funds towards this project which will be an interim step addressing the needs of the shire in the short/medium term. Alternative funding sources are also being investigated to minimise the cost on ratepayers.

The full financial implications of implementing the final design will not be known until design options are prepared and estimated by a quantity surveyor.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
NATURAL ENVIRONMENT				
	Energy			
		35		Demonstrate, facilitate and promote the use of renewable energy technologies within the Shire.
		38	Community Reduction	Reduce Council emissions including all greenhouse gas associated with council activities, facilities and operations.
	Infrastructure			
		33	Asset management	Ensure all decisions are consistent with the long term financial Plan for the Future.
	34		Ensure asset management plans extend to whole of life costings of assets and reflect the level of service determined by Council.	
	62		Advocate for reduction of regulatory barriers to local government forming innovative and entrepreneurial relationships.	
PEOPLE AND COMMUNITY				
	Wellbeing			
		3	Healthy	Enable the provision of a range of facilities and services for families and children.
		5	Happy	Promote respect, responsibility and resilience in our community.
		6		Improve access and inclusion for all.
		32	Vibrant	Ensure community spaces and places are accessible and inviting.
		33		Plan and facilitate the provision of a range of facilities and services that meet community needs
		34		Enable a diverse range of places that accommodate a variety of active and passive recreational pursuits.
		39	Innovative	Enable and develop sustainable, multipurpose facilities where duplication is minimised.
	OUR COUNCIL AT WORK			
Customer and Market Focus				
		60	Customer perception of value	Address the barriers to doing business in a positive way.
		63		Strive to continually improve customer satisfaction and stakeholder relationships.
People				
		65	A Great Place to Work	Recognise our people are our most important asset.
		66		The shire will strive to create a unique employment environment.
		69		Retain 'funky', fun, flexible, friendly, family feeling at the workplace.
		70		Accommodate a diversity of people and work habits
		73		The Shire values corporate knowledge and stability and is focused on staff retention.
	76	Building	Staff are equipped to fulfil their role.	

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
			Organisational Capability through People	

Community Consultation:

The community will need to be consulted prior to the Council commencing any detailed design works. It is necessary however, that preliminary design concepts be prepared so the community can consider the various options.

Comment:

There is an urgent need to address the accommodation issue due to the growth that the shire is experiencing. It is known that the Shire is the fourth fastest local authority in Australia and because of this, it is necessary to accommodate additional staff to manage this growth.

This shortage of space is not only affecting staff morale, attraction and retention. There are limited dedicated meeting rooms for staff and Councillors to meet with customers and no dedicated function room facilities.

It is proposed that the administration building and Mundijong Hall be combined into a Civic Centre precinct containing offices, council chambers and meeting rooms with enough flexibility to accommodate growth in employee numbers in the short/medium term and civic facilities that enable both Council and community use.

The Mundijong Hall has not been used as a hall since 2004, the SJ Grammar School vacated the premises in 2009 the building has remained vacant pending this preliminary investigation. Since then, the new Serpentine Community Resource Centre has been constructed on the old carpark of the hall and it is appropriate that the Council provide some direction on the use of the hall building and address the accommodation issue that the Shire is facing in relation to staff and customer service.

It is therefore recommended that the Shire further investigate the feasibility of incorporating the buildings into a single Civic Centre and develop preliminary design concepts to facilitate consultation with the community.

Voting Requirements: Simple Majority

OCM023/11/10 COUNCIL DECISION/Officer Recommended Resolution:

**Moved Cr Randall, seconded Cr Harris
That Council;**

- 1. Proceed with the investigation of preliminary design options to incorporate the Administration Building and the Mundijong Hall into a Civic Centre precinct with the view to increase the capacity of staff accommodation and to create a new Council Chambers and meeting / function room facilities.**
- 2. Ensure that any design option be flexible to incorporate community use.**
- 3. Consult with the community prior to proceeding with any detailed design.**

CARRIED 6/3

Cr Hoyer, Cr Ellis and Cr Geurds voted against the motion

Council Note: The Officer Recommended Resolution was changed by replacing the word ‘preparation’ with ‘investigation’ in part 1. The Presiding Member advised that this did not change the intent of the recommendation.

COUNCIL DECISION

Moved Cr Harris, seconded Cr Randall

That the meeting be closed to members of the public at 8.49pm to allow Council to discuss item OCM024/10/10 as the matter concerns information of a confidential nature in accordance with Local Government Act 1995 s5.23(2)(d).

CARRIED 9/0

OCM024/11/10	CONFIDENTIAL ITEM - RECONSIDERATION OF PROPOSED USE NOT LISTED (EARTHMOVING DEPOT), EQUESTRIAN ACTIVITY (EQUINE FACILITY), INDUSTRY RURAL AND CARETAKER'S DWELLING – LOT 54 (595) KING ROAD, OLDBURY (P05597/09)	
Proponent:	RPS Koltasz Smith	In Brief The applicant has lodged an application for review with the State Administrative Tribunal against the previous refusal issued by Council. The Tribunal has invited Council to further consider the application. It is recommended that the application be conditionally approved.
Owner:	GMF Contractors	
Author:	Michael Daymond – Senior Planner	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	8 October 2010	
Previously	SD006/07/10 & SD110/06/08	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Officer Recommended Resolution:

That:

- A. Council note that an application for review has been lodged with the State Administrative Tribunal in respect of its decision to refuse an application for planning approval for Lot 54 (595) King Road, Oldbury.
- B. Council note that matters before mediation proceedings at the State Administrative Tribunal are confidential in nature.
- C. The proposed Commercial Vehicle Parking, Equestrian Activity (Equine Facility), Industry Rural and Caretaker's Dwelling on Lot 54 (595) King Road, Oldbury be approved subject to the following conditions:

PLANNING

1. This approval is specific to the landowner and shall not be transferred or assigned to any other person.
2. The Caretaker's Dwelling may only be occupied by persons having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.
3. The approved 'Industry Rural' shall comprise the processing of green waste only.
4. A maximum of ten (10) commercial vehicles are to be parked within the designated area of the subject property (transport depot) at any one time. No commercial vehicles are to be parked anywhere else on the subject lot.

5. A separate application for planning approval including a plan or description of all signs for the proposed development shall be submitted and approved by the Director Development Services prior to the erection of any signage on site.
6. All external lighting to be hooded and orientated so that the light source is not directly visible outside the property boundary.
7. The hours of operation for the Industry Rural use are restricted to 7:00am to 7:00pm Monday to Saturday only. No works are permitted on Sundays or public holidays.
8. Commercial vehicles are to enter/exit the property between the hours of 7:00am to 7:00pm Monday to Saturday only. No Commercial vehicles are permitted to enter/exit the property on Sundays or public holidays.
9. Final details of the Caretaker's Dwelling are to be submitted for approval by Director Development Services prior to commencement of site works.

ENGINEERING

10. Prior to commencement of any site works, a Drainage and Nutrient Management Plan shall be prepared and approved by the Director Engineering. Once approved, the Drainage and Nutrient Management Plan must be implemented in its entirety.
11. Prior to commencement of any site works, a Construction and Environmental Management Plan shall be prepared and approved. Once approved the Construction and Environmental Management Plan must be implemented in its entirety.
12. The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted.
13. Inert fill including concrete, brick, building materials, asbestos, tiles, wood and the like, is not permitted to be placed on the land. The inert fill is permitted to contain small quantities of naturally occurring or unworked crushed or semi crushed limestone.
14. The existing crossover into the site to be relocated south to a location that allows for safe access and egress to the satisfaction of the Director Engineering.
15. Crossovers to be designed and constructed in accordance with the Shire of Serpentine Jarrahdale standard industrial crossover specifications and thereafter maintained to the satisfaction of the Director Engineering.
16. A concrete or 40mm asphalt apron shall be constructed between the crossover to Lot 54 and the sealed surface of King Road to the satisfaction of the Director Engineering. The access point to the site shall be constructed to incorporate a drainage culvert, sized according to the requirements of the Director Engineering.
17. All internal roadway surfaces are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit the generation of dust. Any potholes or other breaks in the internal road surface are to be rectified immediately.
18. Any damage caused to the surface on King Road by vehicle movements turning into and out of the site shall be repaired at the applicant's expense.
19. Engineering drawings detailing the proposed earthworks including locations and construction details of all internal access tracks are to be approved by the Shire prior to the commencement of site works.
20. Earthworks are to meet all adjoining land at natural ground level and any earthworks batter is to be no greater than 1:6 (18%).
21. All works shall be conducted in accordance with Local Government and Council's policies, Engineering Standards and specifications.
22. Stockpiling of spoil material must not exceed a nominal height of 2.0 metres. The spoil material is permitted to be spread on any exposed batters.
23. Stockpiling of fill material shall be in a location separated from the worked areas by at least 2.0 metres. No fill material is permitted to be stockpiled higher than

- 1.0 metre. The locations of all proposed stockpiles must be clearly indicated on earthworks plans, which are to be submitted to and approved by the Shire prior to the commencement of works.
24. Gradings, scrapings or excavated materials from this site are not to be used for fill unless prior approval for that use is specified in a comprehensive geotechnical report prepared by a NATA Certified practicing Geotechnical Engineering organization that includes soil testing, groundwater and Acid Sulphate Soil investigations. This report is to be provided to the Shire's Director Engineering prior to works commencing if any material from the site is intended to be used for fill.
 25. Prior to the commencement of earthworks (filling of the land) a Traffic Management Plan shall be prepared by the proponent and approved by the Shire. The Traffic Management Plan is to address safe use of the existing road reserves during the earthworks stage. The Traffic Management Plan shall be implemented immediately prior to and during earthworks.
 26. Prior to commencement of any site works, a Dust Management Plan shall be prepared by the proponent and approved by the Shire. Once approved, the Dust Management Plan shall be implemented at all times.

ENVIRONMENTAL

27. No unauthorised filling, excavation, mining, effluent disposal, drainage, construction material, rubbish or other deleterious matter or clearing of vegetation is permitted in Bush Forever Area 68, the Environmental Protection Policy Lake (EPP) and Resource Enhancement category wetland (REW).
28. Prior to the commencement of site works a Landscape and Vegetation Management Plan shall be prepared and approved by the Director Strategic Community Planning.
29. The implementation of the approved Landscape and Vegetation Management Plan shall commence within 12 months of the development approval being granted and is to be completed within two years of the development approval being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter to the satisfaction of the Director Strategic Community Planning.
30. Stock proof fencing shall be erected, at the cost of the landowner, along the 50 metre buffer to the Resource Enhancement management category wetland (REW) boundary as identified on the site plan dated 8 December 2009 prior to the commencement of site works.
31. Manure shall not be disposed of onsite and all temporary stockpiles of manure are to be contained in covered storage compounds which maintain them in a dry condition and do not allow access by flies until removed from the site for disposal at an approved facility. Removal from the site is to take place at a frequency that prevents insect infestation and/or other nuisance arising from the presence of the manure.

ENVIRONMENTAL HEALTH

32. The applicant shall undertake the recommendations as specified in the Environmental Acoustic Assessment dated January 2010 prepared by Herring Storer Acoustics and the revised noise information submitted 14 May 2010. This includes, but is not limited to:
 - a) The opening for the feed tub grinder being oriented in a north east direction;
 - b) The bunding being constructed in accordance with the revised 'operation plan', including the modification to the western bund;
 - c) Operations being limited to only one piece of equipment being operated at any one time; and

- d) Truck movements to be limited to remain within the assigned levels.
33. The development must maintain compliance with the *Environmental Protection (Noise) Regulations 1997* at all times.

EMERGENCY SERVICES

34. A Fire and Emergency Management Plan shall be submitted to and approved by the Shire prior to the commencement of construction activities.
35. In carrying out the development the approved Fire and Emergency Management Plan must be complied with at all times.

Advice Notes:

1. With respect to various conditions requiring the preparation of management plans, the Shire recommends including these in the one overarching management plan for the site.
2. The Landscape and Vegetation Management Plan shall include, but is not limited to:
 - a) Screening the western and southern lot boundaries;
 - b) Screening of the earth bunds;
 - c) Screening of the commercial vehicle parking area; and
 - d) The rehabilitation of the designated Environmentally Sensitive Area (ESA) along the northern boundary of the site. This ESA comprises the Resource Enhancement category wetland, Bush Forever Area 68 and the Environmental Protection Policy Lake (EPP).
3. A planning consent is not an approval to commence any works. A building licence must be obtained for all proposed building works.
4. The storage of chemicals, pesticides and other toxic or hazardous substances on the site is to be in accordance with the Department of Water's Water Quality Protection Note 65 (April 2006) *Toxic and Hazardous Substances – Storage and Use*.
5. The proponent is advised that the proposal is located within the Peel-Harvey catchment and the provisions of the Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992 and the State Planning Policy No. 2.1 – Peel Harvey Coastal Plain Catchment (SPP 2.1) shall apply.
6. The applicant is advised that in accordance with provision 6.2.1 of SPP 2.1, the use of conventional on-site effluent disposal systems will only be supported where it can be demonstrated that there is at least a 2 metre vertical separation between the base of the leach drain and the highest known groundwater level and a 100 metre horizontal separation between the disposal system and the nearest water body.
7. The Department of Water advises that the subject area is located within the Serpentine Groundwater Area as proclaimed under the *Rights in Water and Irrigation Act 1914*. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the Department of Water.
8. The Department of Water recommends minimum habitable floor levels of 11.75 m AHD to ensure adequate flood protection.
9. The Public Transport Authority advise that the level of protection at the King Road rail level crossing may need reassessment and upgrading (if deemed necessary by the Level Crossing Committee) at the developer's cost.
10. Horses are not permitted to be agisted, stabled or grazed on the property without the landowner first obtaining planning approval from the Council.
11. The Shire recommends that the Caretaker's Dwelling to be compliant with AS 2107:2000 – *Acoustics - Recommended design sound levels and reverberation times for building interiors*.

OCM024/11/10 COUNCIL DECISION:

Moved Cr Hoyer, seconded Cr Harris
That:

- A. Council note that an application for review has been lodged with the State Administrative Tribunal in respect of its decision to refuse an application for planning approval for Lot 54 (595) King Road, Oldbury.
- B. Council note that matters before mediation proceedings at the State Administrative Tribunal are confidential in nature.
- C. The proposed Commercial Vehicle Parking, Equestrian Activity (Equine Facility), Industry Rural and Caretaker's Dwelling on Lot 54 (595) King Road, Oldbury be approved subject to the following conditions:

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2. The Caretaker's Dwelling may only be occupied by persons having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.
3. The approved 'Industry Rural' shall comprise the processing of green waste only.
4. A maximum of ten (10) commercial vehicles are to be parked within the designated area of the subject property (transport depot) at any one time. No commercial vehicles are to be parked anywhere else on the subject lot.
5. A separate application for planning approval including a plan or description of all signs for the proposed development shall be submitted and approved by the Director Development Services prior to the erection of any signage on site.
6. All external lighting to be hooded and orientated so that the light source is not directly visible outside the property boundary.
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13. Inert fill including concrete, brick, building materials, asbestos, tiles, wood and the like, is not permitted to be placed on the land. The inert fill is

- permitted to contain small quantities of naturally occurring or unworked crushed or semi crushed limestone.
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 17. All internal roadway surfaces are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit the generation of dust. Any potholes or other breaks in the internal road surface are to be rectified immediately.
 18. Any damage caused to the surface on King Road by vehicle movements turning into and out of the site shall be repaired at the applicant's expense.
 19. Engineering drawings detailing the proposed earthworks including locations and construction details of all internal access tracks are to be approved by the Shire prior to the commencement of site works.
 20. Earthworks are to meet all adjoining land at natural ground level and any earthworks batter is to be no greater than 1:6 (18%).
 21. All works shall be conducted in accordance with Local Government and Council's policies, Engineering Standards and specifications.
 22. Stockpiling of spoil material must not exceed a nominal height of 2.0 metres. The spoil material is permitted to be spread on any exposed batters.
 23. Stockpiling of fill material shall be in a location separated from the worked areas by at least 2.0 metres. No fill material is permitted to be stockpiled higher than 1.0 metre. The locations of all proposed stockpiles must be clearly indicated on earthworks plans, which are to be submitted to and approved by the Shire prior to the commencement of works.
 24. Gradings, scrapings or excavated materials from this site are not to be used for fill unless prior approval for that use is specified in a comprehensive geotechnical report prepared by a NATA Certified practicing Geotechnical Engineering organization that includes soil testing, groundwater and Acid Sulphate Soil investigations. This report is to be provided to the Shire's Director Engineering prior to works commencing if any material from the site is intended to be used for fill.
 25. Prior to the commencement of earthworks (filling of the land) a Traffic Management Plan shall be prepared by the proponent and approved by the Shire. The Traffic Management Plan is to address safe use of the existing road reserves during the earthworks stage. The Traffic Management Plan shall be implemented immediately prior to and during earthworks.
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ENVIRONMENTAL

27. No unauthorised filling, excavation, mining, effluent disposal, drainage, construction material, rubbish or other deleterious matter or clearing of vegetation is permitted in Bush Forever Area 68, the Environmental Protection Policy Lake (EPP) and Resource Enhancement category wetland (REW).

28. Prior to the commencement of site works a Landscape and Vegetation Management Plan shall be prepared and approved by the Director Strategic Community Planning.
29. The implementation of the approved Landscape and Vegetation Management Plan shall commence within 12 months of the development approval being granted and is to be completed within two years of the development approval being granted. Vegetation on site is to be maintained in accordance with the approved Landscape and Vegetation Management Plan thereafter to the satisfaction of the Director Strategic Community Planning.
30. Stock proof fencing shall be erected, at the cost of the landowner, along the 50 metre buffer to the Resource Enhancement Management Category Wetland (REW) boundary as identified on the site plan dated 8 December 2009 prior to the commencement of site works.
31. In respect of conditions 29 and 30, a bond of \$50 000 for fencing and revegetation shall be paid in the form of a bond as per Local Planning Policy LPP1- Bonds and Bank Guarantees prior to the commencement of site works.
32. Manure shall not be disposed of onsite and all temporary stockpiles of manure are to be contained in covered storage compounds which maintain them in a dry condition and do not allow access by flies until removed from the site for disposal at an approved facility. Removal from the site is to take place at a frequency that prevents insect infestation and/or other nuisance arising from the presence of the manure.

ENVIRONMENTAL HEALTH

33. The applicant shall undertake the recommendations as specified in the Environmental Acoustic Assessment dated January 2010 prepared by Herring Storer Acoustics and the revised noise information submitted 14 May 2010. This includes, but is not limited to:
 - a) The opening for the feed tub grinder being oriented in a north east direction;
 - b) The bunding being constructed in accordance with the revised 'operation plan', including the modification to the western bund;
 - c) Operations being limited to only one piece of equipment being operated at any one time; and
 - d) Truck movements to be limited to remain within the assigned levels.
34. The development must maintain compliance with the *Environmental Protection (Noise) Regulations 1997* at all times.

EMERGENCY SERVICES

35. A Fire and Emergency Management Plan shall be submitted to and approved by the Shire prior to the commencement of construction activities.
36. In carrying out the development the approved Fire and Emergency Management Plan must be complied with at all times.

Advice Notes:

1. With respect to various conditions requiring the preparation of management plans, the Shire recommends including these in the one overarching management plan for the site.
2. The Landscape and Vegetation Management Plan shall include, but is not limited to:
 - a) Screening the western and southern lot boundaries;

- b) Screening of the earth bunds;
 - c) Screening of the commercial vehicle parking area; and
 - d) The rehabilitation of the designated Environmentally Sensitive Area (ESA) along the northern boundary of the site. This ESA comprises the Resource Enhancement category wetland, Bush Forever Area 68 and the Environmental Protection Policy Lake (EPP).
3. A planning consent is not an approval to commence any works. A building licence must be obtained for all proposed building works.
 4. The storage of chemicals, pesticides and other toxic or hazardous substances on the site is to be in accordance with the Department of Water's Water Quality Protection Note 65 (April 2006) *Toxic and Hazardous Substances – Storage and Use*.
 5. The proponent is advised that the proposal is located within the Peel-Harvey catchment and the provisions of the Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992 and the State Planning Policy No. 2.1 – Peel Harvey Coastal Plain Catchment (SPP 2.1) shall apply.
 6. The applicant is advised that in accordance with provision 6.2.1 of SPP 2.1, the use of conventional on-site effluent disposal systems will only be supported where it can be demonstrated that there is at least a 2 metre vertical separation between the base of the leach drain and the highest known groundwater level and a 100 metre horizontal separation between the disposal system and the nearest water body.
 7. The Department of Water advises that the subject area is located within the Serpentine Groundwater Area as proclaimed under the *Rights in Water and Irrigation Act 1914*. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the Department of Water.
 8. The Department of Water recommends minimum habitable floor levels of 11.75 m AHD to ensure adequate flood protection.
 9. The Public Transport Authority advise that the level of protection at the King Road rail level crossing may need reassessment and upgrading (if deemed necessary by the Level Crossing Committee) at the developer's cost.
 10. Horses are not permitted to be agisted, stabled or grazed on the property without the landowner first obtaining planning approval from the Council.
 11. The Shire recommends that the Caretaker's Dwelling to be compliant with AS 2107:2000 – *Acoustics - Recommended design sound levels and reverberation times for building interiors*.

CARRIED 8/1

Council Note: The Officer Recommended Resolution was changed by adding Condition 31.

COUNCIL DECISION

Moved Cr Randall, seconded Cr Lowry

The meeting was re-opened to the public at 8.56pm.

CARRIED 9/0

10. CHIEF EXECUTIVE OFFICER'S REPORT

OCM025/11/10		INFORMATION REPORT
Proponent	Suzette van Aswegen – Acting Chief Executive Officer	In Brief Information Report.
Officer	Trish Kursar - Personal Assistant to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:	Suzette van Aswegen – Acting Chief Executive Officer	
Date of Report	19 November 2010	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

OCM025.1/11/10 COMMON SEAL REGISTER REPORT – OCTOBER 2010

The Common Seal Register Report for the month of October 2010 as per Council Policy G905 - Use of Shire of Serpentine Jarrahdale Common Seal is with the **attachments marked [OCM025.1/11/10](#)**.

OCM025.2/11/10 POLICY FORUM – 2 November 2010

The following items were discussed at the 2 November 2010 Policy Forum:

Strategic Planning
Forum with <i>Janet Holmes à Court AC</i>
Byford Beautification
SAT updates
L803 South Western Highway, Byford Local Structure Plan
Development Application for a place of worship in Darling Downs
Space Planners presentation
Engineering update on Regional Traffic Modelling

OCM025.3/11/10 COUNCIL & COMMITTEE MEETING DATES 2011 (A0429)

In the attachments marked [OCM025.3/11/10](#) (E10/5489) is the dates for the Ordinary Council Meeting, Sustainable Development and Corporate Governance & Asset Management Committee Meetings for January to December 2011.

OCM025.4/11/10 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) SOUTH EAST METROPOLITAN ZONE AGENDA – 24 NOVEMBER 2010 (A1164-02)

In the attachments marked [OCM025.4/11/10](#) (IN10/17553) is the agenda of the South East Metropolitan Zone Meeting to be held on 24 November 2010.

OCM025.5/11/10 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
(WALGA) PEEL ZONE AGENDA – 25 NOVEMBER 2010 (A1164-02)

In the attachments marked [OCM025.5/11/10](#) (IN10/17512) is the agenda of the Peel Zone Meeting to be held on 25 November 2010.

OCM025.6/11/10 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
(WALGA) STATE COUNCIL AGENDA – 1 DECEMBER 2010
(A1164-02)

In the electronic attachments marked [OCM025.6/11/10](#) (IN10/17217) is the agenda of the WALGA State Council meeting to be held on 1 December 2010.

OCM025/11/10 COUNCIL DECISION/Officer Recommended Resolution:

**Moved Cr Ellis, seconded Cr Randall
The Information Report to 19 November 2010 is received.
CARRIED 9/0**

10. URGENT BUSINESS:

The Presiding Member accepted an item of urgent business.

AC007/11/10 FINANCIAL MANAGEMENT REVIEW REPORT (A0001)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To receive the Auditors Report and the Management Report for the financial year ended 30 June 2010.
Owner:	Not applicable	
Officer:	Casey Mihovilovich Executive Manager Finance Services	
Senior Officer:	Alan Hart Director Corporate Services	
Date of Report	10 November 2010	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Pursuant to Sections 7.2, 7.3 and 7.9 of the Local Government Act 1995, local governments are required each year, to have the accounts and the annual financial report of the Council audited by an auditor appointed by the local government.

Council’s Auditor, UHY Haines Norton, has provided Council with the Audit report and Management Report for the financial year ended 30 June 2010.

A copy of the Independent Audit Report is attached and marked [AC007.1/11/10](#) (IN10/17117).

A copy of the Independent Concise Audit Report is attached and marked [AC007.2/11/10](#) (IN10/17118).

A copy of the Management Report is attached and marked [AC007.3/11/10](#) (IN10/17119).

A copy of 2010 Financial Report is attached and marked [AC007.4/11/10](#) (E10/5676).

A copy of 2010 Concise Financial Report is attached and marked [AC007.5/11/10](#) (E10/5677).

Statutory Environment:

Section 7.2 of the Local Government Act 1995 states that *“the accounts and financial statements of a local government for each financial year are to be audited by an auditor appointed by the local government.”*

Section 7.3 of the Local Government Act 1995 states *‘A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint a person, on the recommendation of the audit committee, to be its auditor’.*

Section 7.9 (1) of the Act states *“An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of the report to –*

- a) The Mayor or President,*
- b) The CEO of the local government, and*
- c) The Minister.”*

Policy/Work Procedure Implications:

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

Financial Implications:

A budget provision has been made in the 2010/2011 budget to accommodate the costs associated with this audit.

Strategic Implications:

This proposal relates to the following Focus Areas:-

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
OUR COUNCIL AT WORK	Success and Sustainability	39	Achieving Sustainability	Projects and goals are realistic and resourced.
	Customer and Market	55	Gaining and using	Improve the accessibility of Shire services.

Vision Category	Focus Area	Objective Number	Objective Summary	Objective
	Focus		knowledge of customers and markets	
		60	Customer perception of value	Address the barriers to doing business in a positive way.
		62		Utilise marketing to promote the Shire's vision
		79		All staff and councillors will have completed a level of training commensurate with their role and responsibilities.
	Process Management, Improvement and Innovation	96	Process Outputs	Ensure sufficient oversight of projects and programs by senior management and adequate staff training and tools

Community Consultation:

Required: No

Comment:

At the completion of the audit, UHY Haines Norton advises that there was one non-compliance issue that have been identified and that was the following;

1. When Council imposed differential rates in 2009/2010 (imposed July 2009), the rates were lower than what was advertised in the local public notice. As per the Financial Management Regulation 23(b)(ii) Council was required to include in the annual budget the reason for the differences. This has been noted by officers.

UHY Haines Norton has advised that there is one management issue in their Management Report for the financial year ended 30 June 2010. The point brought to Councils attention is below;

1. Delegations were not reviewed in the 2009/2010 financial year as per Local Government Act 1995. Shire officers are currently reviewing the delegations for the 2010/2011 financial year and this will be presented to Council within the next few months for their consideration.

A concise financial report was prepared for the purpose of including this in the annual report that will be published within the next couple of months. The concise financial report is as per the Accounting Standards, and is a condensed version of the full financial report. The financial report will be available upon request or via the Serpentine Jarrahdale Shire website.

Voting Requirements: Simple Majority**Committee/Officer Recommended Resolution:**

That the Audit Committee;

1. Adopt the Independent Audit Report and the Concise Independent Audit Report from UHY Haines Norton for the financial year ended 30 June 2010.
2. Receive the Management Report.
3. Receive the Audited Financial Report and the Concise Audited Financial Report for the Shire of Serpentine Jarrahdale for the financial year ended 30 June 2010.
4. Adopt that the Annual Report will include the Concise Financial Report and will provide access to the public for the Full Financial Report in person, or via website.

AC007/11/10 COUNCIL DECISION:

Moved Cr Hoyer, seconded Cr Harris

That Council;

- 1. Adopt the Independent Audit Report and the Concise Independent Audit Report from UHY Haines Norton for the financial year ended 30 June 2010.**
- 2. Receive the Management Report.**
- 3. Receive the Audited Financial Report and the Concise Audited Financial Report for the Shire of Serpentine Jarrahdale for the financial year ended 30 June 2010.**
- 4. Adopt that the Annual Report will include the Concise Financial Report and will provide access to the public for the Full Financial Report in person, or via website.**

CARRIED 9/0

Council Note: The Committee/Officer Recommended Resolution was changed by replacing the 'Audit Committee' with 'Council'.

11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

Nil

12. CLOSURE:

There being no further business, the meeting closed at 9.00pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 20 December 2010.

.....
Presiding Member

.....
Date

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

SD047/11/10		PROPOSED OVERSIZE AND OVERHEIGHT OUTBUILDING (SHED) – LOT 122 (234) ABERNETHY ROAD, BYFORD (P01690/02)
Proponent:	Mark & Susan Brogle	In Brief Application for the construction of overheight and oversize outbuilding (shed). Approval subject to conditions is recommended.
Owner:	As above	
Author:	Helen Maruta - Planning Officer	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	15 October 2010	
Previously	None	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

Voting Requirements: Simple Majority**SD047/11/10 Committee Decision/Officer Recommended Resolution:****Moved Cr Twine, seconded Cr Hoyer**

That the application for approval to commence development for an oversize and overheight shed on Lot 122 (234) Abernethy Road, Byford be approved subject to the following conditions:

- 1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.**
- 2. All storm water to be disposed of within the property. This shall be achieved by either soakwells or spoon drains or the use of storm water retention/re-use methods such as rainwater tanks or the grading of hardstand areas to lawns and garden beds. Direct disposal of storm water onto the road, neighbouring properties, watercourses or drainage lines is not permitted.**

Advice Notes:

- 1. The shed is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation.**
- 2. A building licence is required to be issued prior to the commencement of development including earthworks.**

CARRIED 7/0

Committee Note: The wording of condition 2 was altered and deemed a minor amendment that does not change the intent of the Officer's Recommended Resolution.

SD048/11/10 PROPOSED OVERSIZE AND OVERHEIGHT SHED - LOT 7 COCKRAM STREET, MUNDIJONG (P03190/04)		
Proponent:	Avalon Sheds and Stables	In Brief Application for an overheight and oversized outbuilding on Lot 7 Cockram Street, Mundijong. It is recommended the proposal be conditionally approved.
Owner:	B and J McMillan	
Officer:	Casey Rose – Planning Assistant	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	18 October 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

Voting Requirements: Simple Majority

SD048/11/10 Committee Decision/Officer Recommended Resolution:

Moved Cr Hoyer, seconded Cr Twine

That the proposed oversize and overheight outbuilding on Lot 7 Cockram Street, Mundijong be approved subject to the following conditions:

- 1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.**
- 2. All storm water to be disposed of within the property. This shall be achieved by either soakwells or spoon drains or the use of storm water retention/re-use methods such as rainwater tanks or the grading of hardstand areas to lawns and garden beds. Direct disposal of storm water onto the road, neighbouring properties, watercourses or drainage lines is not permitted.**

Advice Notes:

- 1. The shed is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems. Please contact Council's Health Services for setbacks and requirements to other systems.**
- 2. A building licence is required to be issued prior to the commencement of development including earthworks.**

CARRIED 7/0

SD049/11/10 PROPOSED OVERSIZE SHED AND LEAN-TO – LOT 4 WATKINS ROAD, MUNDIJONG (P04035/01)		
Proponent:	M and M Spindler	In Brief Application for an additional outbuilding on Lot 4 Watkins Road Mundijong. It is recommended the proposal be conditionally approved.
Owner:	As Above	
Officer:	Casey Rose – Planning Assistant	
Senior Officer:	Brad Gleeson – Director Development Services	
Date of Report	18 October 2010	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

Voting Requirements: Simple Majority

SD049/11/10 Committee Decision/Officer Recommended Resolution:

Moved Cr Hoyer, seconded Cr Lowry

That the proposed oversize outbuilding on Lot 4 Watkins Road, Mundijong be approved subject to the following conditions:

- 1. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.**
- 2. All storm water to be disposed of within the property. This shall be achieved by either soakwells or spoon drains or the use of storm water retention/re-use methods such as rainwater tanks or the grading of hardstand areas to lawns and garden beds. Direct disposal of storm water onto the road, neighbouring properties, watercourses or drainage lines is not permitted.**

Advice Notes:

- 1. The shed is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems. Please contact Council's Health Services for setbacks and requirements to other systems.**
- 2. A building licence is required to be issued prior to the commencement of development including earthworks.**

CARRIED 7/0

SD055/11/10 DEVELOPMENT SERVICES INFORMATION REPORT		
Proponent:	N/A	In Brief To receive the Information Report to 18 October 2010.
Owner:	N/A	
Author:	Various	
Senior Officer:	Brad Gleeson - Director Development Services	
Date of Report	18 October 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

Voting Requirements: Simple Majority

SD055/11/10 Committee Decision/Officer Recommended Resolution:

**Moved Cr Hoyer, seconded Cr Geurds
That Council accept the Information Report.
CARRIED 7/0**

CGAM020/11/10 MONTHLY FINANCIAL REPORT – OCTOBER 2010 (A0924/07)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To receive the October 2010 Monthly Financial Report.
Owner:	Not Applicable	
Author:	Financial Accountant	
Senior Officer:	Director Corporate Services	
Date of Report	October 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution CGAM064/02/08	

CGAM020/11/10 Committee Decision/Officer Recommended Resolution:

**Moved Cr Lowry, seconded Cr Harris
That Council receives the Monthly Financial Report for October 2010, in accordance with Section 6.4 of the Local Government Act 1995.
CARRIED 7/0**

CGAM021/11/10		CONFIRMATION OF PAYMENT OF CREDITORS (A0917)
Proponent:	Not Applicable	In Brief To confirm the creditor payments made during the period 21 September 2010 to 20 October 2010.
Owner:	Not Applicable	
Author:	Joanne Egitto - Finance Officer	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	22 October 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM021/11/10 Committee Decision/Officer Recommended Resolution:

Moved Cr Twine, Seconded Cr Hoyer

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

CARRIED 7/0

CGAM023/11/10		INFORMATION REPORT
Proponent:	Not Applicable	In Brief To receive the information report to 26 October 2010.
Owner:	Not Applicable	
Author:	Various	
Senior Officer:	Alan Hart - Director Corporate Services	
Date of Report	26 October 2010	
Previously	Not Applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution CGAM064/02/08	

CGAM023/11/10 Committee Decision/Officer Recommended Resolution:

Moved Cr Twine, Seconded Cr Harris

That the Information Report to 26 October 2010 be received.

CARRIED 7/0

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