



Ferguson Valley Advisory Group Meeting

Ferguson Hall

Wednesday, 6 October 2021

NOTES

Attendance

Elected Representatives

Cr. T Gardiner	Chairperson
Cr. Peter Robinson	Advisory Group Member
Cr. C Boyce	Advisory Group Member

Community

Mr. Stuart Brandreth	Community
Ms. Merinda Smith	Community
Mr. Stephen Miller	Community
Mr. Russell Harvie	Community
Mr. Andrew White	Community
Mr. Phil Smith	Community
Ms. Wendy Perdon	Community
Mr. Danial Wind	Community
Ms. Anita Robinson	Community
Ms. Kath Keefe	Community
Ms. Jane Fry	Community
Mr. Phil Depiazzi	Community

Staff

Mr. Andre Schönfeldt	Chief Executive Officer
Ms. Susan Oosthuizen	Director Sustainable Development
Ms. Lucy Owen – Conway	Manager Place and Community Engagement
Mr. Nathan Ryder	Manager Infrastructure Planning & Design
Ms. Peta Nolan	PA – Director Infrastructure

Apologies

Cr. M T Bennett	Shire President
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Meeting Open - 5.05pm

Welcome

Welcome and Acknowledgement of County by Chairperson, Cr. T Gardiner

Overview of Governance

New Members

Cr. T Gardiner welcomed the new members to the Group and directed members to the Terms of Reference and paperwork required for new members.

Mr André Schönfeldt advised members that the Local Government Elections are being held on the 16th October 2021 and under the Local Government Act all Committees and Advisory Groups are ceased and then reinstated with members from the newly elected Council. Members will receive an email to call for nominations in the near future.

Declaration of Interest

Cr. T Gardiner called for any declarations of interest for the group.

The following members declared a proximity interest:-

Mr. Phil Smith	Community
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The following members declared an impartiality interest:-

Mr. Phil Smith	Community
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It was agreed that member would participate in all discussion.

Update – Cleanaway Application – Lot 2 Banksia Road

Ms. Susan Oosthuizen - Director Sustainable Development

Ms. Susan Oosthuizen advised that the Council adopted its Local Development Plan (LDP) in January 2021 and Cleanaway subsequently submitted its own LDP to the Shire in April 2021. Under the *Town Planning and Development Regulations* the Shire has processed and advertised the Cleanaway LDP as changes to the adopted Shire of Dardanup LDP. In the Cleanaway LDP it has more succinct notes setting out the development context and statutory framework and omits background notes on past master planning that are irrelevant to the statutory form of a local development plan and a revision of the height to 149m.

The Shire has advertised the Cleanaway LDP comments and numerous comments were received. Simultaneously the Shire also received from Cleanaway a Development Application for landfill cells 9, 10 and 12A which is to be determined by the JDAP which will have an ultimate finished top of waste height of 149m AHD and a further 2m for capping. Cleanaway in April 2021 self-referred the JDAP application to the EPA. The EPA after receiving public submissions and considering the technical information supplied by Cleanaway, has requested additional information in order to determine the environmental impact as a result on how the implementation of the proposal is managed. The EPA has determined that they would assess the application and they will decide on the level of assessment, which is the proposal-specific requirements that the EPA determines are necessary to assess the proposal. The EPA's decision to assess a proposal and the level of assessment is not appealable. The Cleanaway proposal is now in Stage 2 of the referral process. There is 4 stages in the EPA assessment process. At the completion of the assessment, the EPA prepares a report and recommendations for the Minister for Environment. The assessment report sets out what the EPA considers are the key environmental factors identified in the course of the assessment, the EPA's recommendations as to whether or not the proposal

may be implemented and the conditions and procedures to which implementation should be subject. The EPA's report and recommendations are made publically available on the EPA's website.

The Shire has notified Cleanaway that we can't consider or make a decision on the LDP as under s41 of the *Environmental Protection Act 1986* we are restricted in making a decision until the environmental assessment process has been concluded. In terms of the JDAP application, Council is not the decision-making authority and the Chairperson of the JDAP is the only person that can allow for the consideration of the decision to be deferred. The Shire officers sought an extension of time from Cleanaway on the JDAP application to defer it until the EPA has concluded its assessment, the applicant however did not agree to this request. A report on the JDAP application is currently being prepared by Shire officers for Council's consideration.

The following questions and discussion was held by the Group

- What is the timeframe for EPA? – These processes can go on for a number of months or as long as years. Shire staff are unable to advise a timeframe at this time.
- The EPA have called for Cleanaway to undertake the following additional reports – Hydrological assessment and water management plan, Visual Impact Assessment, Greenhouse Gas estimates, Air quality Assessment for odour and particulates and Geotechnical of ell construction.
- The Shire cannot process the LDP until the EPA assessment process has been finalised. Cleanaway has been advised that the Shire cannot assess the LDP until they have an outcome from the EPA.
- The EPA makes its assessment and then there is another consultation period.
- What is the risk to Cleanaway if they go ahead with the installation? Fines are high being up to \$250,000 and \$50,000 per day under the Planning and Development Act.
- The appeals process is totally independent.
- When the JDAP has made a decision on the DA application, Cleanaway can appeal the decision to the State Administrative Tribunal (SAT).
- SAT may ask the JDAP to reconsider the decision.
- The community submissions received to date by Council are submitted to the JDAP. The community will also have an opportunity to make submissions to EPA/Minister on the EPA assessment decision. The community will need to keep an eye on the EPA website if they wish to make submissions at this point. The EPA will notify stakeholders – being the Shire, etc. The Shire will place the notification on its' website.
- The Shire received over 50 public submissions on the DA for Cells 9, 10 and 12A.
- What is Cleanaway intention to do a self-assessment? Some organisations choose this approach to remove doubt about the proposal.

Ferguson Valley Public Art Trail Concept Plan

Lucy Owen-Conway Manager Place & Community Engagement

Ms. Lucy Owen-Conway advised that at the previous meeting the Group spoke about funding potential for the Ferguson Valley Public Art Trail Concept Plan. The Group agreed to proceed. A grant application was submitted to the Department of Local Government Sport and Community and the Shire was successful in receiving over \$60,000 for the project.

The proposal includes a contract for an external consultant to consult with community and deliver the project. The project will consist of the preparation of a concept plan and the delivery of the first artwork. The Shire will host the artist in residence.

The next steps include the preparation of the RFQ and then proceed to call for quotations. There will be extensive promotion within the community to attract the best applicants. Please promote to your connections.

The plan is for the artist to be appointed for January/February 2022. The project must be completed by the end of the financial year.

The artist selection is open to everyone and the selection criteria must be addressed. The selection process will place high importance on excellent consultation skills with and ability to source an artist.

The Concept Brief requires that there is a connection with the Wellington Dam Mural and Collie Art Trail.

There was discussion about the selection panel and who makes the decision of the successful applicant. It was advised that there will be an internal staff selection panel which will align with the Shire procurement process. It is expected that there will be a range of submissions from individual artists to larger organisations. Once appointed, the successful arts consultant will work with community and at which time the community will be involved in the decision making about the delivery of the project. It is acknowledged that it is important that local artists and experts are involved throughout the process.

It was reiterated that this part of the process is the selection of the consultant to deliver a project plan, not to deliver the actual art projects. This will follow and there will be a design charrette which will contribute to a project plan for the implementation of artworks in the future at certain locations. Delivery of art installations will occur as funds become available.

The idea of the project is to spend a lot of time in the community to develop the plan. The plan will then be presented to the Ferguson Valley Advisory Group for comment and then to Council for endorsement.

The Request for Quote will be sent out to members of the Advisory Group when it is ready.

It was asked if we could do a RFP instead of RFQ – this will be considered however the minimum requirements will be included in the RFP.

It was advised that the Shire expects that there will be quite varied submissions. The Shire panel will have to make a decision on what will best fit the community.

Tourism development in Ferguson Valley.

Discussion to include aspirations for tourism development in the Ferguson Valley, current permitted uses and considerations, and marketing options to drive tourism development. In conclusion the group was encouraged to contact the Place and Community Engagement team if they have any ideas or feedback about the events and programs.

André Schönfeldt Chief Executive Officer

Lucy Owen-Conway Manager Place & Community Engagement

Mr André Schönfeldt advised that he has worked in a variety of tourism locations – South Africa, Margaret River, Broome and Serpentine Jarrahdale. When coming to Dardanup he has seen that there are a lot of opportunities for tourism. In talking with Ferguson Valley Marketing, it has been identified that it is important that the local tourism industry and residents talk about their collective vision to function together.

This introduction led into the following discussion and comments:-

- Tourism developments need to be appropriate to the properties and surrounding area. One size does not fit all. Some local governments cap the number of chalets and accommodation per property size to keep the ambience of the area.
- Conversations need to be had with infrastructure to include the use of Roads and what is achievable in this regard.
- A Tourism Plan will be developed to keep the unique character of the Ferguson Valley. Contributor need to think about the sustainability for the people living and working here.
- There are matters that have been experienced by business owners:-
 1. Open houses or gardens – in the past there have been Shire restrictions on health requirements (tea and coffee) which have hindered the development of this. It was advised that there is now a policy in place to deal with this.
 2. There is a large need for accommodation – Tents and Yerkes on paddocks or glamping. It was asked if this is something residents would be happy to accept? Can the Shire develop some guidelines so that this type accommodation can be accommodated? The guidelines should address the level of amenity for the development. The rural nature of the Valley needs to be protected to retain diversity of the area.

- Ms Wendy Perdon introduced herself as the newly appointed Chairperson of Ferguson Valley Marketing (FVM). She stated we do not want to be Margaret River or an Observation City however there is a need for a balance. Over the last 10 years there has been a reduction of 10 businesses in the area. FVM are working hard to attract business rather than just lifestyle options. There is a need to find a balance for business that are at a scale to make it viable and open 7 days a week. There has been discussion about how do we achieve this.
- The Bun Geo Tourism Partnership has been set up to market the region and local governments in the area, including Shire of Dardanup, fund the partnership. Ferguson Valley is an important part of tourism in this region.
- Ferguson Valley is on the map and there is an appetite for tourism however there is an issue with accommodation and mid-week activities for people. FVM are asking the Shire to assist with prospectus to encourage more business.
- There is also an issue with lack of venues for evening meals for visitors. Some businesses cannot open because of bush fire risk. The Shire needs to work within the state regulations. Risk management plans need to be made.
- When you bring tourists to the area they need to be protected because they do not necessarily know the area.
- Would community entertain a caravan park? It was suggested that yes however there is a need for creating guidelines around tourism so that when an application for such a facility comes there is a vision of what this will look like and is it a good fit for the area. Not necessarily a big glossy caravan park.
- Chalets in forests should be encouraged. We need to enable people however sometimes the rules are set and these can be cost prohibitive for businesses.
- Varying bushfire regulations would be difficult however businesses are encouraged to work with the right consultants to achieve better results for their proposals.
- Is there a place for local government to work through regulations to see what can be done? Not really. Local Government has been working with state government and some rules have been relaxed.
- Lifestyle businesses are complimentary to the area however this needs to be added to a core of businesses that open all the time.
- Where to from here? The Shire is working on a prospectus for the northern part of Waterloo, and the south eastern part of Waterloo. There is thinking of a tourism prospectus for Ferguson Valley. What you can or can't do in the Ferguson Valley. This will be prepared and presented to the group by email.
- There is a new town planning scheme being developed which will include tourism. The prospectus has to be supported by some level of guidance.

2021/2022 Budget Delivery – Projects Update

Mr Nathan Ryder – Manager Infrastructure Planning and Design

- **Ferguson Valley and Surrounds Community Facility Plan** –Eight weeks of community consultation and then back to Council for final endorsement on 25/8/2021. As an outcome, a new project was added - to improve the alignment, width and overall safety of the culvert over the Henty Brook on Lennard Road The Plan will be used for future planning and prioritisation of projects.
- **Gnomesville public toilets installation, paths and boardwalk** – this project is almost complete. Remaining pathway – contractor appointed and work should be complete by the end of October.
- **Gnomesville public toilets artwork** – screens on the toilet block in progress. Staff are talking to locals to come up with designs to finalise.
- **Road projects**

Pile Road – this project was tendered and the price came back well over budget. The matter was taken to Council at the September meeting, who decided not to proceed at this stage and have reallocated money to the Harris Road widening project. Final seal and reseal sections of Pile Road are still scheduled to occur in 21/22.

Venn Road – the project will proceed with 700m of road enhancement – raised and sealed along the existing alignment.

Hynes Road – there will be an asphalt overlay this year in November/December.

Harris Road – 1.2km in length from City of Bunbury boundary, 11m overall width. Works expected to commence November /December and take approx. 4months to complete.

Henty Road – 2 x 3km sections of road – designs complete and section near Ferguson Farmstay expected to commence in February 2022. 3km section near Lennard Road. Clearing permit pending. Discussions with Harvey Water about bridge widening.

also section near Lennard Road – work to be done as clearing permits and bridge widening involved

Ferguson Road – 6km section back from the Gnomesville roundabout. Road design progressing. Substantial clearing and land acquisition required to facilitate the widening. This year, design and preliminary works only.

- **Wellington Mills BFB toilet** – Design complete. RFQ and prices exceeded budget even in consideration of Council's contribution of additional funds. Staff have gone out for further quotes with very little interest. One builder said they were interested and would provide a quote back by end of October. A group member asked if the Bush Fire Brigade could get an owner-builder's licence to construct the toilet. Shire staff to investigate.
- **Waterloo BFB Building and Internal Road** – almost finished. Expected to reach practical completion by the end of October. The internal road will then be constructed and sealed.
- **Bushfire brigade water tanks (Wellington Mill BFB and Joshua Crooked Brook BFB)** – Has been challenging to get contractors interested. Both tanks are installed. Local electrician engaged to install the pumps, however, plumbing works remaining. Very limited funds remaining. It was suggested to approach a local contractor to quote for the work. It was suggested that the materials could be provided to the BFB to do the plumbing work. Shire will look into it.
- **Japonica View Fire Emergency Access upgrade** – this access way has now been sealed and the project is complete.

Advisory Group Comments

Gnomesville Toilets - The Group identified that cleaning of the new toilets is currently an issue. The Group suggested that, with visitation being up to 300 people a day, the toilets should be cleaned each day. The Shire will look into the matter.

Dowdells Line – A group member asked about Dowdells Line and if it would be upgraded. Widening to minimum standards is in forward plans but a major upgrade e.g. for the road to become a truck route, is not currently planned and would require the road to be reclassified.

Wellington Mill Road – a Group member advised there have been two near misses with motorcycles. It was suggested that a centreline be installed to keep people on the correct side of the road.

Wellington Forest Road – Some Group members mentioned there were issues with the road surface. This road is managed by DBCA. If no action by DBCA then the Shire can potentially become involved or carry out repair works on behalf of DBCA.

Speed limit – around the Valley – Group members discussed having a mixed speed limit in the Ferguson Road near Pile Road area confuses people and some of the bends are dangerous. It was advised that speed zones are the responsibility of MRWA and that the reduction of 100km/hr to 80 km/hr has been requested by the Shire of a number of occasions in the past, to which MRWA did not provide support. The Group advised that there are single vehicle accidents that are not reported. Could the shire undertake some traffic counters around the valley and include the signage in a revised submission to MRWA? The Shire can look into it.

Lost and Found events – This was a hugely successful event that occurred 2 weeks ago. The organisers are looking to do it again next year. This was made possible with Shire and government funding. Thank you to Shire for their support. An evaluation has been sent through to Shire today.

Congratulations to FVM for a job well done.

Next Meeting – will be in 2022. To be advised.

Close - 6.35 pm
