



CONFIRMED

MINUTES

ORDINARY MEETING

Held

29 August 2018

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council eg. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When Council reviews decisions made by Officers.
Quasi-Judicial	<p>When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

DISCLAIMER

"Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request."

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 29 AUGUST 2018, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr. M T Bennett, declared the meeting open at 5.00pm, welcomed those in attendance and referred to the Disclaimer, Acknowledgement of Country, Emergency Procedure and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

Acknowledgement of Country

The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region by recognising the strength, resilience and capacity of Wardandi people in this land.

Affirmation of Civic Duty and Responsibility

Councillors and Officers of the Shire of Dardanup collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the Shire's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

Emergency Procedure

In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, please proceed to the Assembly Area points located to the western side of the front office car park near the skate park and gazebo where we will meet (and complete a roll call).

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Cr. Michael Bennett	-	Shire President (Chairperson)
Cr. Peter Robinson	-	Elected Member
Cr. Carmel Boyce	-	Elected Member

Cr. Tyrrell Gardiner	-	Elected Member
Cr. Luke Davies	-	Elected Member
Cr. James Lee	-	Elected Member
Cr. Janice Dow	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Mr Mark Chester	-	Chief Executive Officer
Mr Phil Anastasakis	-	Director Corporate & Community Services
Mr Luke Botica	-	Director Engineering & Development Services
Ms Cathy Lee	-	Manager Governance & HR
Mrs Gaylene Godfrey	-	PA to Chief Executive Officer & Shire President
Mr Steve Potter	-	Manager Development Services
Mrs Natalie Hopkins	-	Manager Financial Services
Mr Allan Hutcheon	-	Procurement Officer
Mrs Lee Holben	-	Manager Community Services
Mr Mick Saunders	-	Manager Assets
Mrs Vicki Pretorius	-	Landscape Design Officer

2.2 Apologies

None.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

- 4.1 Master Aiden Cusack – Presentation in relation to Item 12.2 – Proposed Parkridge Estate Structure Plan – Lots 9004 and 9503 Eaton Drive, Eaton (Calibre Professional Services Pty Ltd on behalf of Parkridge Group Pty Ltd)

Master Cusack read aloud the following:

Mr President and Councillors

My name is Aiden Cusack and I would like to say that I am very concerned about the possibility of the local endangered species being disturbed during the future

Parkridge development. I understand we have a lot of endangered Ringtail Possums in the area and I know they cannot be rehomed so this is of great concern.

Thank you for listening.

Shire President, Cr. M T Bennett advised that Council will be discussing having a Flora and Fauna study undertaken as part of the proposed structure plan.

4.2 *Mrs Jill Cross, Chairperson, Dardanup Bull & Barrel Festival – Statement in Relation to Item 12.13 – 2018 Dardanup Bull and Barrel Festival Financial Request*

Mrs Jill Cross read aloud the following:

The Council 1st agreed to pay S&Js to undertake traffic management plans and controlling in 2016 which was the year the Festival was cancelled so no cost to the Shire as far as I know. This decision was initiated by Council. The Shire did pay S&Js traffic management costs and controlling in 2017 which resulted in a huge improvement to traffic management around the Festival site.

Can I draw your attention to the Shire Support details table.

The 12 days hall hire of \$3,600 is not a regularly organised activity by the Festival and I consider that it is an in kind cost as is the \$1,800 for hall hire during the Festival. This year the Festival Committee was successful in a grant to enable our community to create some giant puppets in a series of workshops in the hall during the school holidays, thus the 12 days of hall use. These puppets will be carried around the fire sculpture before it is burnt and will tell the story of the indigenous naming of Dardanup; Place of White Ochre. The grant will allow Troy Bennell and WA artist Karen Hethey to work with our community and we would argue that the \$3,600 in kind hall hire costs will provide our community with a fantastic cultural experience to be showcased at the Festival.

This year we have requested ranger support to enforce the no dogs policy thus the \$1,000 for the ranger and \$600 for the ad. We have had problems with uninvited dogs fighting, attacking the camels and distressing our penned animals. We do advertise the Festival as No Dogs and police this fact ourselves on the day but we do need more support, thus the request for ranger services.

The Shire hasn't paid for the wheelie bin hire since 2015 and we don't envisage the Shire paying for this anytime in the future as we currently have a sponsorship arrangement with Cleanaway and they supply the bins.

So if you deduct the in kind hall hire and the bins then the \$20,113.20 is reduced to \$13,663.20 which we think reflects the current financial support from the Shire which includes the \$4,281 for traffic management costs.

Comparison to other Community events.

We think that when you compare events and funding provided by the Shire you also need to take into consideration the duration of the event, contribution by the community and the benefits to the community and the Shire.

The Festival is without a doubt the largest event in the Shire, attracting visitors from outside the Shire as well as from the Perth metro area. Every year the Festival employs Smart Events to undertake a visitor survey interviewing about 200 visitors. Last year 172 visitors were interviewed and the survey showed that 12% of the visitors were from Perth and 47% were from outside the Shire.

The Dardanup Tennis Club, Eaton Dardanup Soccer Club, Dardanup Basketball Club, Dardanup Playgroup, Dardanup P&C and P&F all benefit financially from the Festival, not to mention local businesses, wineries and accommodation. It has been estimated by Smart Events in 2017 that \$302,000 was spent at the Festival or because of the Festival. 60% of this money was spent on stalls, food and drink. 11% in the wine marquee and 14% on accommodation. Our Festival receive 39% of our income from govt grants, 23% from stalls, 17% from sponsors and 4% from the Shire of Dardanup. This doesn't include in kind costs that the Shire contributed.

Community support. Not sure where to start calculating this. We have a volunteer committee of 25 who attend meetings for 10 months of the year. Added to this is the work that the Committee does outside Committee meetings such as 2 days for 2 people visiting the sponsors and processing 150 stall applications. We applied for 5 grants this year, involving many hours of work and were successful with 3. The week of the Festival, 2 of our Committee are at the oval for 3 full days and then they are joined by many more from Thursday til Friday. We have about 50 volunteers on Saturday (8 of us work from 6am-8pm) and a similar number on Sunday to cleanup. It doesn't stop there as our Treasurer has to pay bills and we have to acquit grants, thank our sponsors, return equipment, etc, then apply for grants as the next year has started.

We have been working hard on attracting more corporate support and have been successful in more funding this year from Cleanaway and Wespine. We currently don't have a big surplus of funds and we lost \$10,000 in the year we cancelled and it's not inconceivable that another wet event at some time will reduce our income. We were only reckoning on a small surplus at this year's Festival so the extra funding support from the Shire is very important.

Thank you for listening and understanding a bit more about the operations of the Bull and Barrel Festival.

4.3 Ms Kanella Hope, Manager Planning, Calibre Group – Statement in Relation to Item 12.2 Proposed Parkridge Estate Structure Plan – Lots 9004 and 9503 Eaton Drive, Eaton (Calibre Professional Services Pty Ltd on behalf of Parkridge Group Pty Ltd)

Ms Kanella Hope read aloud the following:

Thank you Shire President & Councillors for the opportunity to present. I am Kanella Hope, Manager Planning from Calibre and I represent the Parkridge Group, proponents for the Parkridge Estate Structure Plan at Item 12.2.

As outlined earlier today to you all via email, my clients concern hinges on the level of detail being sought as requirements of the Structure Plan. Whilst the Shire makes a recommendation to the WAPC, and it is the WAPC that is the decision maker in this matter, it is critical to set provisions in a Structure Plan that are realistic and able to be reasonably implemented in subsequent stages of subdivision.

Detailed conditions of subdivision, as against high level overarching Structure Plan principles, are dealt with after approval of the Structure Plan, via staged subdivision applications.

With regards to the recommendation circulated by Officers late Monday – this is the result of constructive discussion with Officers, which we thank them for – my client continues to seek to have parts 1.b) and c) removed. These set a level of detail and obligation that is difficult, and in some instances impractical and financially difficult, to meet. They establish detail design complexity that is premature.

As the requirements of the Structure Plan already set out, there is the next level of detailed investigation including further management plans, technical reports, design and infrastructure detail, negotiation with agencies and service providers, including the Shire, that is still to be determined.

In making this request, I highlight that the Shire will retain its opportunity to negotiate and determine these detailed matters, this is not lost by deleting these provisions, this will occur at subdivision stage.

The Structure Plan as proposed conforms with the Structure Plan Framework and Liveable Neighbourhoods. We seek not to guess and pre-empt subdivision conditions, especially those that might be difficult to satisfy, before this high level approval has advanced.

Thank you for the opportunity to present.

Discussion:

Councillors discussed with the consultant the flora and fauna study, streetlights and footpaths. Ms Hope advised that she had no issue with these details, she was simply concerned that it was being included in the structure plan instead of being addressed at the subdivision stage.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Councillor Cleanaway Waste Site Tour – 10 August 2018

Shire President, Cr. M T Bennett invited Deputy Shire President, Cr Peter Robinson to address the meeting.

Deputy Shire President, Cr Peter Robinson advised that:

“On Friday 10 August 2018, a number of Councillors and Shire Staff attended the Cleanaway Waste Site on Banksia Road. Mr Louis Sparks, Cleanaway Site Manager, had invited us to attend the property for a site visit as a consequence of his attendance at a previous Council meeting. We were given considerable information about the operation, had our questions answered and then were transported around the site by bus. Several stops were made where we were able to alight from the bus and observe. As a result we are better informed. At the conclusion of the tour both the CEO and I expressed our appreciation of the offer of the tour and its conduct. I ask that our thanks be extended to Mr Sparks, his team and Cleanaway.”

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Meeting Held 8 August 2018

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

271-18 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT the Minutes of the Ordinary Meeting of Council held on 8 August 2018, be confirmed as true and correct subject to no corrections:

CARRIED
8/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Title: Tourism WA – Ferguson Valley & Wellington Forest Funding

Reporting Department: Corporate & Community Services

Reporting Officer: Mr Phil Anastasakis – Director Corporate & Community Services

Legislation: Local Government Act 1995

It is recommended that Council go behind closed doors toward the end of the meeting in accordance with Shire of Dardanup Standing Orders & Local Government Act 1995 Section 5.23 (2)(e)(ii) - Matters for Which Meeting May Be Closed:

Standing Order and the Local Government Act 1995 provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

- S 5.23 (1) *Subject to subsection (2), the following are to be open to members of the public-*
- (a) *all Council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -*
- (a) *a matter affecting an employee or employees;*
 - (b) *the personal affairs of any person;*
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
 - (e) *a matter that if disclosed, would reveal -*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) *a matter that if disclosed, could be reasonably expected to -*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property; or*

- (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
 - (g) *information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Note: Shire President, Cr. M T Bennett advised that the meeting will go behind closed doors toward the end of the meeting to discuss a matter that has a commercial value to a person.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

Discussion:

Shire President, Cr. M T Bennett asked Councillors and staff if there were any Declarations of Interest to be made.

There were no Declarations of Interest made.

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 Title: Proposed Amendment 199 to Town Planning Scheme No. 3 and Associated Proposed Structure Plan – Lot 383 Padbury Road, Dardanup West (Graham Houghton on behalf of Mr A. Pantlin)

Reporting Department: Engineering & Development Services
Reporting Officer: Suzanne Occhipinti - Senior Planning Officer
Legislation: Planning and Development Act 2005

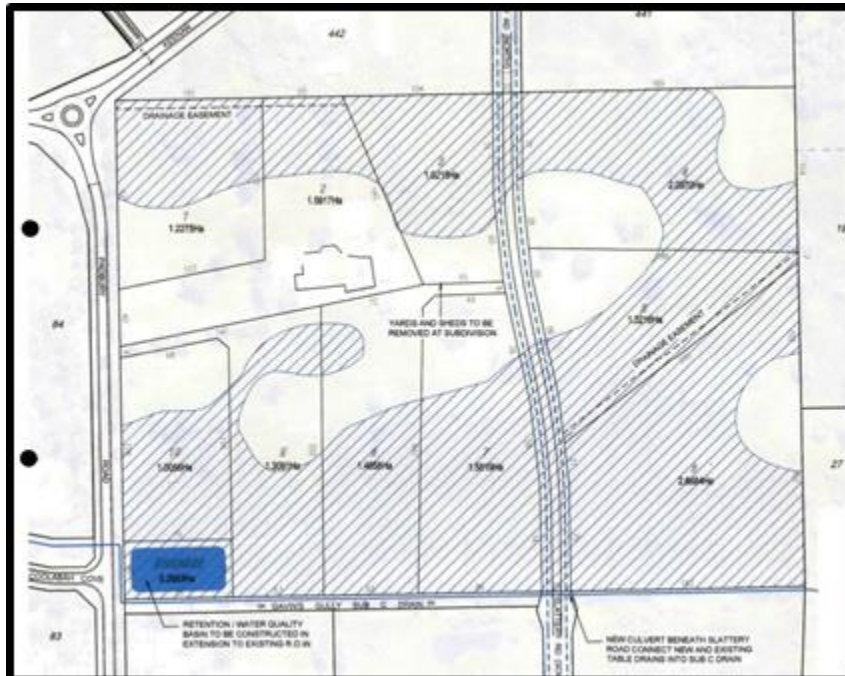
Overview

Note: This item was deferred from the 8 August 2018 meeting at the request of the applicant to allow them to consider the report in detail and determine whether they may be able to address officer concerns through a modified lot layout.

Further to public advertising, Council is requested to consider a proposed structure plan over Lot 383 Padbury Road, Dardanup and a corresponding scheme amendment (Amendment 199) to rezone the property from “General Farming” to “Small Holding” zone. Officers recommend that Council advises the Western Australian Planning Commission that it supports the proposed structure plan, subject to modifications, and Amendment 199.

Location Plan –



Site Plan –Proposed Lot Layout –

Note: Cross Hatched Areas are 'Building Exclusion Areas' (See Appendix ORD: 12.1A)

Background

At its meeting held 13 December 2017, Council resolved to initiate standard Amendment 199 to the Shire of Dardanup Town Planning Scheme No.3 (TPS3), which proposes the following modifications:

- a) Rezoning Lot 383 Padbury Road, Dardanup West from 'General Farming' zone to 'Small Holding' zone;

- b) Amending Local Planning Scheme No. 3 scheme map to identify Lot 383 Padbury Road, Dardanup West as 'Small Holding' zone as per the Scheme Amendment map; and
- c) Including Lot 383 Padbury Road, Dardanup West into Area No. 14 of Appendix VIII of TPS No. 3, Additional Requirements – Small Holding Zone.

In addition to the proposed Scheme Amendment, a proposed Structure Plan over Lot 383 was simultaneously submitted, identifying 10 'Small Holding' lots ranging in area from 1ha to 2.8ha. A local road connecting two existing culs-de-sac of Slattery Way (north and south) is proposed to service the lots, along with the existing Padbury Road to the west of the site. Environmental constraints, including a high water table in certain areas and the presence of Bushfire Prone Vegetation on neighbouring land, has significantly influenced the proposed lot layout. A copy of the proposed Structure Plan is provided in (Appendix ORD: 12.1A).

- *Advertising*

Pursuant to Council's resolution, Amendment 199 was referred to the Environmental Protection Authority (EPA), which advised that the amendment was not required to be assessed under the *Environmental Protection Act 1986*, and that it was not necessary for the authority to provide any advice or recommendations (Appendix ORD: 12.1B).

Both the proposed amendment and Structure Plan were concurrently advertised in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015* (Regulations).

The advertising involved the following:

- Public Notice placed in the South Western Times on 25 January 2018;
- Public Notice placed on site for the duration of the advertising period;
- Public Notice displayed on the Shire's website for the duration of the advertising period;
- Letters sent to surrounding landowners; and
- Letters sent to the following agencies:
 - Western Power;
 - Water Corporation;
 - Department of Health;
 - Department of Planning, Lands and Heritage (Department of Aboriginal Affairs; Department of Lands);
 - Department of Fire and Emergency Services;
 - Department of Mines, Industry Regulation and Safety;
 - Department of Primary Industries and Regional Development (Department of Agriculture and Food);
 - Department of Biodiversity, Conservation and Attractions;
 - Harvey Water;
 - Aqwest;
 - Department of Water and Environmental Regulation; and
 - Western Australian Planning Commission.

In response to the advertising, 17 submissions (including eight public submissions) were received. Copies of each are provided in (Appendix ORD: 12.1C).

It is noted that subject to the advertising period, the applicant submitted an 'Addendum' to address some of the concerns raised, particularly those raised by the Department of Fire and Emergency Services (DFES) and Department of Water and Environmental Regulation (DWER) (Appendix ORD: 12.1D). This information is summarised in a separate table further in the report.

The submissions are summarised in the below Schedule of Submissions:

	Submitter	Submitter Comment	Officer Comment
1.	Water Corporation	<p>Comment.</p> <p>Notes that reticulated water and sewerage services are not currently available to the subject land.</p>	<p>Noted. TPS3 requires the landowner to install a sufficient rainwater tank or bore to provide potable water.</p> <p>TPS3 requires disposal of effluent to be via alternative effluent disposal systems to the specifications and satisfaction of the Local Government and the Department of Health, which will be included as a condition at the subdivision stage as per the recommended modified provisions on the Structure Plan.</p>
		<p>Advises that the subject area falls within the Gavin's Gully Main Drain catchment in the Collie River Drainage District, a rural drainage system.</p>	<p>Noted.</p>
		<p>Advises that developments within this catchment are required to contain the flows from one in one hundred year storm event on site.</p>	<p>Noted. TPS3 requires an Urban Water Management Plan (UWMP) to be prepared prior to subdivision (to be submitted with subdivision application). This requirement will be included as a recommended modification on the Structure Plan.</p>
		<p>Advises that discharge to the Water Corporation drains must be compensated to pre-development levels.</p>	<p>Noted, as above.</p>
		<p>Advises that the developer of this land should be advised to liaise with the Water Corporation at the preliminary planning stage to determine detailed planning requirements as this area could be prone to future flooding.</p>	<p>Noted. This can be included as part of Council's resolution.</p> <p>TPS3 requires an Urban Water Management Plan (UWMP) to be prepared prior to subdivision (to be submitted with subdivision application). This requirement will be included as a recommended modification on the Structure Plan.</p> <p>A condition of subdivision will require the endorsed UWMP to be implemented to the satisfaction of the</p>

	Submitter	Submitter Comment	Officer Comment
		<p>Advises that at the time of development the developer may be required to provide calculations from a consulting engineer to demonstrate, to the satisfaction of the Water Corporation, that the runoff from the development has been restricted to pre-development levels.</p>	<p>Local Government and the Department of Water.</p> <p>The proposed Local Structure Plan shows clearly defined building exclusion areas that are susceptible to seasonal water logging and inundation.</p> <p>Noted – this will form a component of the Urban Water Management Plan (UWMP) to be prepared prior to subdivision (to be submitted with subdivision application) by a suitably qualified practitioner and assessed at the subdivision stage.</p>
		Notes that to determine the flood level the developer should contact the Department of Water regarding the Drainage and Water Management Plan which includes this subject area.	Noted – the application was referred to the Department of Water & Environmental Regulation (DWER) and their comments are addressed further in the report.
2.	Western Australian Planning Commission (WAPC) / Department of Planning, Lands & Heritage (DPLH)	<p>Comment:</p> <p>Advises that the WAPC/DPLH will be required to formally consider this matter following Council's assessment, and in doing so will need to have regard to:</p> <p>i. The recommendation of the Council (including the proposal's suitability and any recommended modifications); and</p> <p>ii. Any issues raised during the advertising period (i.e. from the public and government agency submissions).</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
		Advises that given that the above matters are currently unknown; it would be premature for the Department to provide comment at this time, as this could potentially prejudice the WAPC's consideration of the proposal.	Noted.
3.	Department of Primary Industries and Regional Development (DPIRD)	<p>No Objection.</p> <p>Advises that DPIRD does not object to the rezoning of the above mentioned lot as this area</p>	Noted.

	Submitter	Submitter Comment	Officer Comment
		has been previously identified for this purposed in the WAPC endorsed ' <i>Crooked Brook / West Dardanup Structure Plan</i> '.	
4.	Department of Health (DoH)	<p>Comment.</p> <p>Advises that the proposed development is required to be in accordance with the draft <i>Country Sewerage Policy</i>.</p> <p>Advises that the amendment should require that all developments are to have access to sufficient supply of potable water that is of the quality specified under the <i>Australian Drinking Water Quality Guidelines 2004</i>.</p> <p>Advises that approval is required for any on-site waste water treatment process.</p>	<p>Prior to developing any lot, approval will need to be granted by the Shire of Dardanup and the Department of Health (if necessary) for the installation of an alternative effluent disposal system.</p> <p>TPS3 requires the landowner to install a sufficient rainwater tank or bore to provide potable water.</p> <p>Prior to developing any lot, approval will need to be granted by the Shire of Dardanup and the Department of Health (if necessary) for the installation of an alternative effluent disposal system.</p>
5.	Harvey Water	No Objection.	Noted.
6.	Department of Fire and Emergency Services (DFES)	<p>Comment.</p> <p>Siting & Design – Assessment (A2.1) – not demonstrated:</p> <p>Notes that the Structure Plan map dated 26 October 2017 included within the scheme amendment report identifies ten proposed lots, and the BMP identifies eleven proposed lots on a '<i>Proposed Subdivision</i>' plan (Figure 5 page 10) – clarification is required.</p> <p>Advises that the Structure Plan map dated 26 October 2017 identifies significant areas susceptible to seasonal waterlogging and inundation and unsuitable for development. These areas are identified as '<i>building exclusion areas</i>'.</p> <p>Advises that the BMP does not identify Asset Protection Zones or more broadly, the 'developable areas' within each proposed lot. Developable areas are those areas in which a building can be built, and include areas of BAL-29 and below. This</p>	<p>The Addendum submitted confirms the proposal is for 10 lots.</p> <p>Noted.</p> <p>The BAL contour map submitted with the Addendum shows building exclusion zones, the required setbacks under TPS3, aerial photography and the BAL contours.</p> <p>The Structure Plan in the addendum also shows building exclusion zones.</p>

	Submitter	Submitter Comment	Officer Comment
		should also include other site constraints, such as scheme setbacks and in this instance, areas outside of the 'building exclusion areas'.	<p>This results in clearly defined developable areas for each lot. It is recommended a modification to the Structure Plan and BMP be required to clearly identify developable areas for each lot including:</p> <ul style="list-style-type: none"> • Building Exclusion Areas; • TPS3 boundary setbacks; and • Areas subject to a rating of BAL-29 and above.
		<p>Action:</p> <p>It is recommended that all figures in the BMP are updated to reflect the correct Structure Plan as necessary. Figure 10 of the BMP also needs to reflect the 'building exclusion areas' and overlay areas of BAL 29 or below.</p>	Noted, as above.
		<p>Vehicular Access – Assessment (A3.4) – not demonstrated.</p>	<p>Vehicular Access:</p>
		<p>Advises that in bushfire prone areas, lots with battle-axe access legs should be avoided because they often do not provide two-way access and egress for residents and may be easily blocked by falling trees or debris during a bushfire event.</p>	<p>The BAL Contour map in the Addendum proposes battle-axe legs be widened to 10m to allow for two cars to pass, however this has not been shown on the Addendum's Structure Plan itself.</p> <p>Officers considers the two battle-axe legs proposed to Lots 7 and 9 are acceptable as they are only reasonably short in length (49 and 68m).</p> <p>It is recommended that Council require a modification to the Structure Plan, which states that, as a condition of subdivision, all battle-axe legs are to be widened to 10m and are to contain a minimum 6m wide, formed driveway.</p>
		<p>DFES recommends the Structure Plan may be modified to ensure through-access thereby avoiding the need for battle-axe lots.</p>	<p>Noted, however officers consider the widening of the battle-axe legs will adequately address DFES concerns.</p>
		<p>Action:</p> <p>It is requested that justification is provided for non-compliance or modify the Structure Plan accordingly.</p>	<p>Noted.</p> <p>Officers considers the two battle-axe legs proposed are acceptable as they are only reasonably short in length (49m and 68m) and are proposed to be widened to 10m to enable two vehicles to pass.</p>

	Submitter	Submitter Comment	Officer Comment
		Water – Assessment (A4.2) – not demonstrated.	
		Advises that the BMP at 6.2.4 details the requirement for a dedicated 50,000 litre water tank supply.	Noted.
		The BMP details that 'Council have instructed that the water tank is to be provided at the West Dardanup fire brigade station located on Garvey Road'.	Council's Engineering Department has confirmed that the Dardanup West Bushfire Brigade site has provision for two additional 50,000L tanks to be installed at this site and is the preferred site due to its central location and suitable access. The Shire's Chief Bush Fire Control Officer (CBFCO) has also advised that he is satisfied with locating the tank at the station as proposed.
		The BMP also details that this location exceeds the maximum two-kilometre distance as required by the Guidelines.	It is acknowledged that 'Acceptable Solution - 4.2' of SPP3.7 indicates a maximum of a 2km distance between the water supply and the furthestmost house site of a subdivision (furthest property is approximately 2.7km from the Dardanup West BFB). The Shire's preference has previously been to co-locate water tanks for developments in this area at the Dardanup West BFB which has good road access to the development area and sufficient area to provide for the tanks and emergency vehicle movements. The proposed location has been deemed acceptable by the Director Engineering and Development Services and the Shire's CBFCO.
		Action(s): It is requested that justification is provided from the local government for the location of the water tank or modify the location accordingly.	Noted. As above.
		Notes that DFES has assessed the BMP for the proposed scheme amendment and associated Structure Plan, and has identified a number of issues that need to be addressed prior to the support of the proposal.	The issues raised are considered to have been addressed by the applicant through the submitted Addendum to the Structure Plan.

	Submitter	Submitter Comment	Officer Comment
		Notes that it is recommended that the proposal be deferred pending the required modifications outlined in the table above.	Officers believe the areas of concern have been adequately addressed and a recommendation from the Shire can be provided to the WAPC accordingly.
7.	Aboriginal Heritage Directorate (AHD) of the Department of Planning, Lands and Heritage (DPLH)	<p>Comment.</p> <p>1. Advises they have reviewed the Register of Sites and Objects and advises there are no Aboriginal sites within the area of the proposal.</p>	Noted.
		2. Recommends that developers undertaking activities within the proposal area take into consideration the DPLH's Aboriginal Heritage Due Diligence Guidelines when planning specific developments. Notes that these guidelines have been developed to assist proponents to identify any risks to Aboriginal heritage and to mitigate risk where heritage sites may be present.	Noted.
8.	Department of Water and Environmental Regulation (DWER)	<p>Comment:</p> <p>1. The amendment is to rezone Lot 383 Padbury Road, Dardanup West from General Farming zone to Small Holding zone to allow for the subdivision and development of 10 rural residential lots.</p>	Noted.
		2. The purpose of the Structure Plan is to facilitate the subdivision and development of the land for rural residential lots (~1-3ha).	Noted.
		3. The proposal is part of the larger Dardanup West / Crooked Brook Structure Plan area.	Noted.
		4. A main feature of this development is the construction of Slattery Way that runs in a North /South direction, that separates the development into east and west portions.	Noted.
		5. The subject land is over a 'Multiple Use' palusplain wetland and subject to localised seasonal flooding.	Noted.

	Submitter	Submitter Comment	Officer Comment
		6. It is noted from the Stormwater Management Plan in the Structure Plan report that the Gavin's Gully Sub C Drain is owned by the Water Corporation, to which this development is proposed to drain into and eventually flows into the Preston River about 2km downstream.	Noted, however officers have confirmed that there is currently no management order over Gavin's Gully Sub C Drain and therefore it is not 'owned' by the Water Corporation. It is the expectation of the Director Engineering and Development Services that the Shire will take over the management of this asset at the time of subdivision.
		7. Due to the increased runoff from impervious surfaces (with the land use change) with the slow and limited stormwater flow rate of Gavin's Gully (that was designed to accept flows from agricultural land use only), the Structure Plan proposes to construct a detention basin to mitigate against the increased flows and volumes.	Noted.
		8. The proposal is within the Bunbury Groundwater Area as proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> .	Noted.
		9. The proposal is located within a non-proclaimed area for surface water under the <i>Rights in Water and Irrigation Act 1914</i> .	Noted.
		10. In view of the above situation, the Department identifies the following risks:	
		Risk of contamination of groundwater if there is insufficient vertical separation of onsite sewage disposal systems to groundwater or the soils PRI is insufficiently amended.	The proposed Local Structure Plan includes a notation requiring a Section 70A notification be placed on the certificates of title for all lots at subdivision stage requiring a vertical separation of at least 500mm from the base of the irrigation area of an Alternative Effluent Treatment System and the highest known water table. The use of alternative effluent disposal systems in the locality will also address nutrient retention. Effluent disposal systems may need to be raised to achieve the required groundwater separation, through the installation of sand pads or similar, which is commonplace in the Dardanup West locality.
		Potential of surface water contamination if the onsite sewerage disposal system is within an area subject to inundation or is located too close to a drainage system.	Appendix VIII Area No.14 in TPS3 requires effluent disposal systems to be located a minimum of 50m from any watercourse or wetland, and this is achieved through a notation on the Structure Plan which indicates a

	Submitter	Submitter Comment	Officer Comment
			<p>condition of subdivision approval will prohibit effluent disposal systems being located within the Building Exclusion Areas.</p> <p>TPS3 also requires a site and soil evaluation for each lot to be undertaken at the subdivision stage to determine an appropriate onsite domestic waste water treatment system and its location, to meet health and environmental objectives to the satisfaction of the Local Government and Department of Health.</p>
		<p>The Stormwater Management Plan information (in the Structure Plan report) states that the 1:100 flood level is estimated at 18.6m AHD (where Sub C Drain enters the main gully), but no details have been provided as to how the estimation was made. It may therefore be possible that the finished floor level could be insufficient posing a flooding risk.</p>	<p>TPS3 requires an Urban Water Management Plan (UWMP) to be prepared prior to subdivision (to be submitted with subdivision application). This requirement will be included as a recommended modification on the Structure Plan.</p> <p>The UWMP will need to demonstrate there will be no increase to pre-development flows and will indicate appropriate finished floor levels for construction.</p> <p>A condition of subdivision will require the endorsed UWMP to be implemented to the satisfaction of the Local Government and the Department of Water.</p>
		<p>Management of surface water from lots and roadside drainage into the Water Corporation owned Gavin's Gully; noting that Water Corporation may not be willing to accept additional discharge.</p>	<p>Noted, however officers have confirmed that there is currently no management order over Gavin's Gully Sub C Drain and therefore it is not 'owned' by the Water Corporation. It is the expectation of the Director Engineering and Development Services that the Shire will take over the management of this asset at the time of subdivision.</p>
		<p>As the agricultural drains are to remain in private ownership (proposed Lots 7-11) and if these are to continue to perform a drainage function, there is a risk that this infrastructure may not be managed appropriately or to a sufficient standard that may cause drainage issues.</p>	<p>There is no longer a 'Lot 11' proposed.</p> <p>It is appropriate to require easements to be created at subdivision stage over the drainage channels in Lots 1, 5, 7, 8, 9 and 10 to ensure they are kept clean and efficient.</p> <p>It is recommended an additional notation be included on the Local Structure Plan requiring as a condition of subdivision approval that easements be established over Lots 7-10 in the location of the existing agricultural drain.</p>

	Submitter	Submitter Comment	Officer Comment
		In the absence of 'whole of catchment information', there is a stormwater management risk that the infrastructure (i.e. culvert beneath Slattery Road, drainage easements and detention basin) proposed in the Structure Plan may not be of a sufficient capacity to attenuate increased flows from adjacent development resulting in increased flooding risk.	Applicant will need to ascertain flows from adjacent development to ensure culvert pipe proposed under Slattery Road is of sufficient size to cater for any increased runoff. The Urban Water Management Plan will determine the suitability of the proposed measures and culverts etc. are of a suitable capacity.
		To mitigate against the above risks, the Department provides the following advice:	
		The Shire should satisfy itself that estimated flood levels have been assessed to a sufficiently rigorous level to ensure that building finished floor levels can be adequately set against flooding.	The UWMP will need to be prepared by a suitably qualified consultant and will need to identify the extent of fill and finished floor level requirements.
		The Building Exclusion Area, drainage easements and drains (as identified in the Structure Plan) should also exclude on-site sewage disposal areas, noting that in accordance with section 6.2.2 of the Government Sewerage Policy (Nov 2017), an on-site sewage disposal system is not to be located within 100 metres of a drainage system (that discharges directly into a waterway) and any area subject to inundation and/or flooding in a 10 per cent Annual Exceedance Probability (AEP) rainfall event.	All development (including alternative effluent disposal systems) is not permitted in the identified Building Exclusion Areas.
		More details should be provided regarding the sizing and capacity of the detention basin (including drainage easements and culvert); in the view of ensuring sufficient capacity to service the Structure Plan area, and also future adjacent developments.	This will need to be addressed in the UWMP, to be prepared and assessed at the subdivision application stage.
		Agreement from the Water Corporation would be required to ensure that the additional flows into Gavin's Gully (from the Structure Plan area and future adjacent developments) would be acceptable, noting the need for management/maintenance.	There are currently no management orders over Gavin's Gully Sub C Drain. However, Council has historically spent funds maintaining the drain, and therefore the Director Engineering and Development Services has advised it is likely that Council will accept management of it in the future.

	Submitter	Submitter Comment	Officer Comment
		<p>Recommendations:</p> <p>Additional detail should be provided in the Structure Plan supporting information (i.e. Stormwater Management Plan) to mitigate against the above risks.</p>	<p>TPS3 requires an Urban Water Management Plan (UWMP) to be prepared prior to subdivision (to be submitted with subdivision application). This requirement will be included as a recommended modification on the Structure Plan.</p> <p>A condition of subdivision will require the endorsed UWMP to be implemented to the satisfaction of the Local Government and the Department of Water.</p>
		<p>The Shire commissions a drainage and groundwater study over the entire Crooked Brook/Dardanup West Structure Plan to:</p>	<p>“Shire officers are investigating the possibility of undertaking a drainage assessment of this locality in light of resourcing and budget implications.”</p>
		<p>a) Investigate the need for drainage upgrades as outlined in the Hydrological Review of the Crooked Brook Structure (JDA 2005), and</p>	<p>“Shire officers are investigating the possibility of undertaking a drainage assessment of this locality in light of resourcing and budget implications.”</p>
		<p>b) Develop a more rigorous understanding of the groundwater regime to enable on-site effluent system applications to be appropriately assessed.</p>	<p>“Shire officers are investigating the possibility of undertaking a drainage assessment of this locality in light of resourcing and budget implications.”</p>
		<p>Further comment (23 March 2018):</p> <p>Advice has been provided as per the email below for the next portion of TPS3 Area no.14 Dardanup West / Crooked Brook Structure Plan – Lot 383 Padbury Road, Dardanup West.</p>	<p>Noted. This comment refers to the advice provided on 7 March 2018, which has been discussed above.</p>
		<p>Assessing and providing good advice on these small incremental stages of Area No. 14 is problematic. There are constraints predominately related to drainage (seasonal inundation and flood) and high groundwater (affecting on-site domestic waste water systems) but the applications are of a scale that makes it hard to justify application of BUWM (Better Urban Water Management), which is a requirement in Appendix VIII of the TPS 3 at sub-division stage.</p>	<p>TPS3 requires an Urban Water Management Plan (UWMP) to be prepared prior to subdivision (to be submitted with subdivision application). This requirement will be included as a recommended modification on the Structure Plan.</p> <p>A condition of subdivision will require the endorsed UWMP to be implemented to the satisfaction of the Local Government and the Department of Water.</p>

	Submitter	Submitter Comment	Officer Comment
		<p>In most instances the Department will recommend a drainage and groundwater management plan should be developed to support a Structure Plan in this area and of these scales. However, to avoid cumulative impacts, a management plan should be done for the entire remaining undeveloped portion of Area 14, noting that approximately half of the entire area is yet to be developed. A similar message was provided in the attached previous email for Lot 503 Garvey Road, Dardanup West.</p>	<p>“Shire officers are investigating the possibility of undertaking a drainage assessment of this locality in light of resourcing and budget implications.”</p>
		<p>Consideration is needed of the potential cumulative impact of on-site domestic waste water systems, which is raised as a consideration in the Draft Government Sewerage Policy (WAPC 2016). Noting the area lies within the Lower Ferguson and Lower Preston sub-catchments of the Leschenault Estuary water quality improvement plan (DoW 2013), which are both recovery catchments for which there is recommended to be no increase in TN or TP inputs. It is worth noting that previous discussions regarding the issue of on-site domestic waste water systems have occurred with Shire EHOs.</p>	<p>As indicated in structure plan, Alternative Effluent Treatment Systems will be required as a condition of subdivision, which include nutrient retention capabilities.</p>
		<p>It is noted that DWER’s previous response omitted to detail that this area is a sewage sensitive area in accordance with the Draft Government Sewerage Policy (WAPC 2016) and as such secondary treatment systems are required to be used (e.g. Anaerobic Treatment Units). As a condition of subdivision, a notification, pursuant to Section 70A of the ‘Transfer of Land Act 1893’ should be placed on the certificate(s) of title of the proposed lot(s). The notification should state:</p> <p><i>“A reticulated sewerage service is not available to the lot(s). As such, an on-site secondary treatment and disposal system for sewage, which includes</i></p>	<p>As above.</p>

	Submitter	Submitter Comment	Officer Comment
		<i>nutrient removal, will be required. Therefore, the developable area of the lot is reduced. There are ongoing landowner obligations to ensure that the treatment and disposal system is regularly maintained in accordance with relevant health regulations. Contact the local government for further information."</i>	
9.	Department of Biodiversity, Conservation and Attractions (DBCA)	<p>No Comment.</p> <p>1. Advises that the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service South West Region has no comment on the above proposal.</p> <p>2. Notes that it is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework.</p>	Noted.
10	Kevin and Sue Burkett 44 Slattery Way	<p>Objection.</p> <p>1. Advises that, we Kevin and Sue Burkett totally object to the rezoning and dividing into small holdings and the construction of the Slattery Way through road.</p> <p>2. Notes that when purchasing this house at 44 Slattery Way in 2014, we investigated and contacted the Shire and asked if the road was to be extended from the end of the cul-de-sac. We were advised it was never going to happen.</p>	<p>Noted.</p> <p>Officers are unaware of the basis for this comment as the Dardanup West/Crooked Brook Structure Plan (DWCBSP) was endorsed in 2007 by the WAPC, which as a result has provided strategic support for a future road in this location, and for rezoning of the subject lot to 'Small Holding', for 11 years.</p> <p>The Dardanup West/Crooked Brook Structure Plan (DWCBSP, 2007) states that it is "an indicative framework for future development, detailed planning, which will formalise development proposals, which will be undertaken at the rezoning and subdivision stage".</p> <p>The DWCBSP shows indicatively the extension of Slattery Way towards the north as "proposed other roads</p>

	Submitter	Submitter Comment	Officer Comment
			(indicative)". The location of the indicative road on that plan is consistent with the location and extent of the proposed road on the proposed Local Structure Plan.
		3. Notes that last year – 2017 we contacted the Shire to ask if there were any plans to allow sub-dividing of properties into smaller holding and we were advised that there were no plans.	Officers are unaware of the basis for this comment as the Dardanup West/Crooked Brook Structure Plan (DWCBSPP) was endorsed in 2007 by the WAPC, which as a result has provided strategic support for a future road in this location, and for rezoning of the subject lot to 'Small Holding', for 11 years. The DWCBSPP also provides strategic support for future road connectivity from Slattery Way to Dardanup town site, along a future extension of Keenan Road. Much of this road linkage has not yet been approved, as local structure planning and rezoning of the lots to the east have not been applied for at this time.
		4. Advises that having no house or buildings adjacent to our property and the cul-de-sac was another reason we purchased our property. If this development proceeds we would have a building zone and houses directly in our view, higher traffic volumes, probable vehicles accessing the area that are already causing road problems, therefore destroying the relaxed walking access currently available. This will be creating a race track road in the area.	It is noted that due to the unsuitability of some of the subject land for development, there are 'building exclusion areas' between the developable areas of the proposed southern lots, and the existing dwellings on Slattery Way. This includes a strip of mature, native vegetation along the southern boundary of the subject land. The building exclusion areas will result in future dwellings being located over 200m from the objectors' dwelling, whilst the nearest existing dwelling to the objectors is 65m away, and there are currently two other dwellings within 200m of the objectors' dwelling.
		5. Believes the opening of Slattery Way will increase traffic flow down Slattery Way and therefore the quietness and appeal for us which were one of our main reasons for purchasing 44 Slattery Way. This decision takes away our living situation choices and will now reduce the appeal and saleability of our investment if we choose to sell.	Noted. As discussed above.
		6. If this proceeds you have taken away the main	Noted. However, as discussed above, the subject land has had strategic

	Submitter	Submitter Comment	Officer Comment
		reason for purchasing a home in a quiet area that does not have adjacent properties in our view. This will also de-value our property significantly.	justification for 'Small Holding' type development since 2007.
		7. Queries where is the walkway reserve from Slattery Way through to Padbury Road gone? – this does not show on the map.	Council's Engineering Department has advised that when Slattery Way is made a through-road, a maintenance track alongside the drain will need to be kept to allow access to the drain, which will double as a walkway.
		8. Queries why isn't the Shire investing in the already struggling drainage system down Slattery Way, in particular along the front of our property, the cul-de-sac culvert and drain way, and the drain way and verges down the walkway from Slattery Way through to Padbury Way. Surely upgrading these and other areas infrastructure such as drains, culverts, investing in verge and tree maintenance, road maintenance such as guide posts, signage and pot holes would maintain and improve the existing infrastructure.	The proposed Structure Plan indicates a new culvert under Slattery Way. The developer will be required to upgrade the culvert and open drain between the existing southern Slattery Way cul-de-sac and Padbury Road, which will be dealt with at subdivision stage, with the detailed design informed by the Urban Water Management Plan. Council's Engineering staff advise that the roadside drain along Slattery Way appears to perform adequately. There are a number of existing (old) guide posts on Slattery Way, however, Council can review and install additional guide posts where required. Advice was sent to the objector advising of this, and that the Shire is willing to attend to road, drain or tree maintenance issues. The developer will be required to install a suitably sized culvert under Slattery Way to cope with increased flow, as well as upgrading the drain between Slattery Way and Padbury Road. A detention basin upstream of Padbury Road will also assist with attenuating stormwater drainage which will also be dealt with at subdivision stage and informed by the UWMP.
		9. Queries that if this development goes ahead, why can't the entry to the properties be from Padbury Road. The entry road from Padbury Road would provide a more direct access to the proposed properties and significantly reduce road construction costs?	There is no requirement for the applicant to achieve access from Padbury Road. The connection of the two culs-de-sac are identified in the DWCBSP and therefore the access as proposed is considered appropriate, with the cost of all road and drainage upgrades to be borne by the applicant.

	Submitter	Submitter Comment	Officer Comment
		<p>It would also appear that the road extension would require significant dollars to ensure that drainage would be effective as the area that has been identified on your map for the through road is deemed as a building exclusion due to waterlogging and inundation and unsuitable for development. This is on both sides of the proposed development area. Because of these reasons why would you consider the road construction here?</p>	
		<p>10. Furthermore, the building envelope areas will be raised and therefore create further water run-off towards the already struggling drainage system at the end of the current Slattery Way cul-de-sac, which is supposed to then fall away into the walkway drain towards Padbury Road - which it doesn't because the drain and reserve have not been fenced.</p> <p>The cattle have therefore had free rein to enter the reserve and drain and have collapsed the walls of the drain, filling the drain with silt and soil and the fall has been partially reversed and the water does not flow away fast enough.</p> <p>It continues to backfill towards the cul-de-sac and encroaches on our property at the cul-de-sac corner and then fills the drain in front of our property.</p>	<p>The UWMP to be provided at subdivision stage will need to demonstrate no increase to pre-development flows.</p> <p>Noted. Upgrades to drainage associated with the development will be addressed at the subdivision stage.</p> <p>As above.</p>
		<p>11. This drain caused major flooding issues late 2017 that the Shire did not attend to in a satisfactory way or timeframe. Please advise why?</p>	<p>Council's Engineering Department believes the objectors are referring to very heavy rains in mid-August 2017 in which leaves etc. in restricted flow, blocked the culvert and water backed up and caused temporary minor inundation of the cul-de-sac and some very minor undermining around one of the headwalls.</p> <p>It may have been the case that the Engineering Department did not respond that weekend, as they were attending to a number of high priority flooding and flood damage in other areas, however later attended to clear out the open drain and remove exposed roots of some verge trees.</p>

	Submitter	Submitter Comment	Officer Comment
11.	GP & VA Smith 23 Slattery Way	Comment 1. Notes that they are not against the lot development so much, but object to the planning of what will change what sign is posted as Slattery Road on the north side of the proposed lot development, to Slattery Way which is on the South side of the proposed development, in which on the plans will join up and become Slattery Road.	Even though the Structure Plan indicates the road will become 'Slattery Road' this will be formally dealt with at subdivision stage. Officers consider the road name of 'Slattery Way' should remain and apply to the entire road.
		2. Advises that they reside at 23 Slattery Way with their family and purchased this property in January 2009, after looking at several properties of this size at the time. States they chose 23 Slattery Way because of the fact it was a no through road and only had local traffic, after living in the central Bunbury area in a street that had a lot of unruly traffic and did not want to have the worry of raising two very young children in this area.	Noted. The through road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).
		3. Advises that what concerns them with this road change is that all the residents on the north east side of this development will now short cut through towards Garvey Road increasing the traffic volume of the Slattery Way.	Noted.
		4. Believes that with the property break ins that have happened in the Dardanup, Ferguson and surrounding areas over the last 24 months and still happening will make it easier for thieves to plan a better escape route being able to exit the street from either end once this road goes through, and after looking at Shire plans of the area notice that there will be access from Harold Douglas Road, in the near future giving more access for these types.	Noted.
		5. Advises that the people of Slattery Way have banded together and take great notice of vehicles that use our street and have noticed our properties being cased out from time to time and place notifications on	Noted.

	Submitter	Submitter Comment	Officer Comment
		the Dardanup resident's page on Facebook which warns others in our area and also warns us with reports from others on the page.	
		6. Advises that there will also be the inconvenience of mail address changes from Slattery Way to Slattery Road, Slattery Way has been here for about 18 years from what I have heard from neighbours, why should we have the inconvenience of this having nine properties in our street to change address compared to 3 at the northern side.	Even though the Structure Plan indicates the road will become 'Slattery Road' this will be formally dealt with at subdivision stage. Officers consider the road name of 'Slattery Way' should possibly remain and apply to the entire road.
		7. Queries why the access for the proposed properties can't be gained from Padbury Road, through the centre of the proposed area, ending where Slattery Road is planned. (It could) have a right turn at property 4 and 5 and a cul-de-sac at property 5 and 6, creating a local traffic only for the 10 properties. (This would) keep traffic down (and) create a safer environment for future families with children like us, and I believe creating better property value because of this.	The through-road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).
12.	Amanda Farr <i>14 Keenan Road</i>	Objection 1. Advises that they oppose the new development of 10 small new blocks. 2. Advises that they bought in this small holdings zoned area for the lifestyle and we aren't really happy that we will suddenly acquire so many new neighbours on top of each other because the building envelopes in the smaller blocks are so small. 3. Believes that the traffic will also increase in our area which is a huge negative and just the overall 'feel' of the rural area will be indeed lost. This will have a big impact on the area so	Noted. Due to the unsuitability of some of the subject land for development, the building exclusion areas will result in some separation between dwelling sites by default. However, even where the developable sites are close to one another, the distance between them is not dissimilar to the pattern of development existing in the southern part of Slattery Way. The through-road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).

	Submitter	Submitter Comment	Officer Comment
		I hope all neighbours voices are heard and recognised.	
		4. Notes that as a neighbour who is directly impacted, I wanted to voice my thoughts on this matter.	Noted.
13.	Briony Thomson 24 Slattery Way	<p>Objection</p> <p>1. Notes that as a resident of Dardanup West, at 24 Slattery Way I, and my neighbours regard both with dismay and dread to learn at the proposal, not only to connect the 2 sections of Slattery Way/Slattery Road; but to also connect the two sections of Dardanup West via Keenan Road to Harold Douglas Drive.</p> <p>2. Believes that this connection will allow more traffic to both now isolated communities, thereby largely negating the very reason for which the residents in Slattery Way chose to live, and enjoy our lives here.</p> <p>This was constituted principally by our enjoyment of comparative peace and isolation from the masses and traffic of the city environment.</p> <p>3. Believes that this action will reduce the quality of our lifestyle, as do the placing of street lights which destroy the wonder of the night sky. Please allow the city dwellers to enjoy that part of society and leave us country folk to enjoy the peace and reality of nature.</p>	<p>The rezoning and through-road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).</p> <p>The through road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).</p> <p>The DWCBSP was endorsed in 2007 by the WAPC, which as a result has provided strategic support for a future road in this location, and for rezoning of the lot to Small Holding Zone, for 11 years.</p> <p>Noted.</p>
14.	Clyde & Nola Shawcross 14 Slattery Way	<p>Objection:</p> <p>1. Notes that we object to changing our address by renaming Slattery Way to Slattery Road. We have lived here for almost 12 years and may cause undue stress by us having to change our address. When we purchased the property there was no indication that Slattery Way would change and therefore made the property more attractive for purchase.</p> <p>2. Notes that we object to</p>	<p>Even though the Structure Plan indicates the road will become 'Slattery Road' this will be formally dealt with at subdivision stage. Officers consider the road name of 'Slattery Way' should possibly remain and apply to the entire road.</p> <p>The through road has had broad</p>

	Submitter	Submitter Comment	Officer Comment
		making our quiet cul-de sac into a through road for hoons to use. We have friendly and observant neighbourhoods who keep watch out for each other's property and by making the road a main thoroughfare this would make life much more difficult to assess unwanted vehicles in the area.	strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).
		3. We suggest that the road for the new subdivision come off Keenen Road to service lots 3, 4, 5 6, 7 & 8. By doing this Slattery Way would not have to be altered.	The through road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).
15.	Glen, Norm & Lorraine Thuel 38 Slattery Way	Objection 1. Advises that we would like to petition against the proposed Slattery Way to Slattery Road North, due to the increase of traffic and noise in the area.	The through road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).
		2. Advises that in the 3 years we have lived in Slattery Way we have taken part in Neighbourhood Watch due to the increase of theft on our and many other properties which we fear will increase once again if the proposed thorough fare is to go ahead.	Noted.
		3. Believes that all the proposed blocks in the Structure Plan would be easily accessed by continuation of Slattery Road north a short distance and cost to the Council will be minimal compared to the proposed plans.	Noted.
		4. Advises that a good percentage of the reason why we purchased this property was due to it being a cul-de-sac or no through road.	Noted.
16.	JL & LJ Hilder 18 Slattery Way	Objection 1. Advises that they are against the continuation of Slattery Way through to Slattery Road North as this will continue to cause a thoroughfare and increase road traffic and noise in this area.	The through road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).

	Submitter	Submitter Comment	Officer Comment
		2. Advises that they have spent many years encouraging Rural Watch with the help of people in this area to ensure safety and welfare of all those in the area.	Noted.
		3. Believes that this action would make it increasingly difficult to ensure the rural watch scheme would be affective.	Noted.
		4. Believes that all the proposed blocks of land in the Structure Plan could be accessed easily by the continuation of Slattery Road North a short distance with minimal cost as there is already provisions for 'Battle-axe' blocks in the plan.	Noted.
		5. Advises that when they and many of their neighbours purchased their land, it was due to Slattery Way being a cul-de-sac or no through road.	The through road has had broad strategic support since 2007, by way of the WAPC approved Dardanup West/Crooked Brook Structure Plan (DWCBSP).
17.	Will & Jasmine White 11 Padbury Road	Objection 1. Advises that they would like to submit their strong objection to the proposed amendment 199. 2. Advises that they purchased the adjoining land to the south in 1997 as a small holding or special zoned rural. 3. Advises that all blocks in the two Peppermint Ridge stages and the following Innisfail subdivision were minimum 5 acres – 2.02 hectares (their lot) – most were 2.08 to 2.5 or more. Notes that they purchased the property for the lifestyle – minimal housing and traffic, peace and quiet, livestock and space between residences.	Noted. Noted. Due to the building exclusion areas, the closest dwellings will be approximately 110m (Lot 9) and 140m (Lot 10) from the objectors' northern boundary. It is noted that objectors presently have a dwelling approximately 110m to the east. It is also noted that the boundaries of the objectors' lot are significantly planted with mature vegetation, such that it would provide some degree of visual screen to the north when combined with the existing vegetation on the subject lot.

	Submitter	Submitter Comment	Officer Comment
		<p>4. Advises that the property was subject to Dardanup Council provisions including in brief:</p> <p>a) Maintaining the rural character to the area including not removing existing trees;</p> <p>b) Blocks under 2 hectares were limited to one residence only;</p> <p>c) Blocks were not subject to any further subdivision – i.e. minimum 2 hectare lots were maintained;</p> <p>d) Blocks of 2 hectares or more were limited to one dwelling only;</p> <p>e) Thirty trees to be planted by developer on each property.</p> <p>A large number of other provisions were included predominately to maintain a peaceful and rural lifestyle.</p>	<p>Appendix VIII Area No. 14 in TPS3:</p> <ul style="list-style-type: none"> • prohibits the felling of vegetation other than for approved development works, fire management, or if the vegetation is dead, diseased or dangerous. • requires that Council request that the WAPC impose a condition of subdivision requiring the preparation and implementation of a tree planting programme; • prohibits the development of more than one dwelling on each new lot; • requires a minimum lot size of 1ha (with an average of 2ha), unless varied through an adopted Subdivision Guide Plan (Structure Plan).
		<p>5. Advises that the new proposed subdivision opposes what they signed up for – they are all bar 2 less than 2 hectare lots. Majority are 1 hectare.</p> <p>There will be at a minimum four 1 hectare lots in a row to our northern boundary with all houses in such close proximity due to the topography that it will be akin to a town site street.</p>	<p>The proposed lot sizes comply with the requirements in Appendix VIII Area No.14 in TPS3, which requires that “The minimum lot size shall be 1 hectare, with an average of 2 hectares <i>unless varied through the adopted Subdivision Guide Plan</i>”.</p> <p>The proposed Structure Plan complies with the minimum lot size of 1ha and has an average lot size of 1.52ha, which is reasonably consistent with those elsewhere in Area 14 north of Keenan and Padbury Road and along Garvey Road.</p>
		<p>6. Notes that the water table in Dardanup is notoriously high and the rainfall here is higher than average.</p>	<p>Noted.</p>
		<p>7. Notes that they have strict building restrictions to cater for this including our pool needing to be 600mm above ground height with no option for a concrete pool due to the high water table. We have a drain next to the current bridle path that presently does not in any way cater for the current winter rainfall. It consistently floods.</p>	<p>Noted.</p>

	Submitter	Submitter Comment	Officer Comment
		8. Notes that the current owners have been unable to run cattle or cut hay in the southern side to their property due to the lake that is created every winter. As neighbours we have saved drowning wildlife caught in the water.	Noted.
		9. Notes that the Structure Plan map clearly shows approximately 80% of the land is unable to be built on due to "seasonal water logging and inundation and unsuitable for development". Believes that in itself shows how completely impractical this subdivision is with only 20% of the land able to be utilized for any form of structure including homes, sheds, chook pens, stables, swimming pools, patios, etc. or habitation of livestock.	The 'developable areas' of the lots will be addressed in the Officer Comment section of the report. TPS3 requires an Urban Water Management Plan (UWMP) to be prepared prior to subdivision (to be submitted with subdivision application). This requirement will be included as a recommended modification on the Structure Plan. A condition of subdivision will require the endorsed UWMP to be implemented to the satisfaction of the Local Government and the Department of Water.
		10. Notes that Dardanup West has a particular interest in homing of horses and the equestrian club exists within 5km of most properties. There is a high percentage of home owners and those looking to buy in this area who are equestrian oriented. The small blocks of land offered in this subdivision are unsuitable for stock due to the flooding of land.	TPS3 restricts the keeping of horses in this locality to one horse per hectare of land, which may result in one/two horses being permitted on the subject lots.
		11. Advises that the current owners have had the option to only run less than 20 head of cattle at any one time and move them accordingly or sell. That won't be possible with small lots with small building envelopes and no room to relocate animals.	Noted, as above.
		12. Please consider in relation to above point the property located on the corner of Kentucky Drive and Garvey Road in Dardanup West previously owned by D'agastinos. There was a manmade island on the block surrounded by a	Noted.

	Submitter	Submitter Comment	Officer Comment
		<p>minimum of 6 months of the year a very large and quite deep lake/moat.</p> <p>Two small house paddocks were utilised for only 2 horses. The rest had to be agisted elsewhere due to loss of usable land.</p> <p>The new owners in an attempt to create flat land for their numerous horses when they purchased the land in summer flattened the island and redistributed the soil including trucking in soil. They also removed many trees by ring barking, felling or pushing over with large machinery.</p> <p>The result was the drains were overflowing on the road, the water pushed across into surrounding properties (particularly Scott's to the east), the whole paddock still flooded and the water backed up for kms in the surrounding drains.</p> <p>Their aim to create usable land for their horses had far reaching negative consequences.</p> <p>Clearly this is a possibility in the proposed sub - division - owners searching for usable land in their rural purchase that is just not feasible due to the size of the blocks and water issues.</p>	<p>Noted.</p> <p>Noted. Technically all development (which includes the importing of fill and removal of vegetation) in this locality requires development approval which officers will investigate further in response to the claims made.</p> <p>Noted, as above.</p> <p>Noted, as above.</p> <p>Appendix VIII Area No. 14 in TPS3, states that prior to subdivision approval, the subdivider is to submit an Urban Water Management Plan (UWMP) for assessment.</p> <p>Any development application to modify existing ground levels (other than for the construction of dwellings and associated outbuildings, effluent disposal systems etc), would be assessed to determine the potential impact on drainage and neighbouring landowners.</p>
		<p>13. Advises that they strongly object to the number/size of the blocks proposed.</p> <p>The proposal is impractical and goes against the Shires own provisions that all current owners in proximity had to sign. We are happy to meet any Council representative including on site to discuss in depth the impact of living, the lay of land and water we have witnessed in</p>	<p>Noted.</p> <p>Noted, however officers are unaware of what the submitter is referring to when they state the proposal 'goes against the Shires own provisions that all current owners in proximity had to sign.'</p>

	Submitter	Submitter Comment	Officer Comment
		20 years and the consequences of the proposed scheme.	Officers consider the number and size of lots is acceptable, subject to some minor modifications as per the officer recommended resolution.

Subsequent to advertising, the applicant was provided with the concerns raised by DFES and DWER and submitted additional information, initially in a response by prepared by Lushfire and subsequently in an Addendum to the Structure Plan:

Submitter	Comment	Applicant's Comments:	Officer Response.
Department of Fire and Emergency Services (DFES)	Siting & Design – Assessment (A2.1) – not demonstrated:		
	Notes that the Structure Plan map dated 26 October 2017 included within the scheme amendment report identifies 10 proposed lots, and the BMP identifies eleven proposed lots on a 'Proposed Subdivision' plan (Figure 5 page 10) – clarification is required.	<i>Lushfire Response:</i> The BMP will be altered to reflect the latest version of the Structure Plan design and the building exclusion areas. These are already shown on the attached BAL Contour Map. <i>Response in Addendum to Structure Plan:</i> The Addendum to the Structure Plan and Scheme Amendment shows 10 lots.	Noted. Noted.
	Advises that the Structure Plan map dated 26 October 2017 identifies significant areas susceptible to seasonal waterlogging and inundation and unsuitable for development. These areas are identified as 'building exclusion areas'.	No comment provided.	Noted.
	Advises that the BMP does not identify Asset Protection Zones or more broadly, the 'developable areas' within each proposed lot. Developable areas are those areas in which a building can be built, and include areas of BAL-29 and below. This should also include other site constraints, such as scheme setbacks and in this instance, areas outside of the 'building exclusion areas'.	<i>Response in Addendum to Structure Plan:</i> Because the building area on Lot 5 did not give the lot owner much discretion about where they could site buildings, the area was increased by changing the boundary between Lots 4 and 5. The attached BAL Contour Plan shows the building exclusion areas and the minimum boundary setbacks	Noted. Noted. Officers consider this should also be indicated on the Structure Plan.

Submitter	Comment	Applicant's Comments:	Officer Response.
		<p>provided for in the Planning Scheme, i.e. 20m front boundary; 10m side and rear boundaries.</p> <p>There are minor portions of lots which have a BAL-40 or BAL-FZ rating encroaching past these setbacks.</p> <p>However, any BAL assessment that results in a BAL 40 or FZ rating will then trigger a Development Application pursuant to Clause 78D of the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>As part of this application local government can require the dwelling to be sited so as to achieve a BAL-29 rating.</p>	<p>This specifically relates to Lots 1, 2 and 10, however there is sufficient land rated BAL-29 or below which is suitable for development.</p> <p>Noted.</p> <p>Agreed.</p>
	<p><i>Action:</i></p> <p>It is recommended that all figures in the BMP are updated to reflect the correct Structure Plan as necessary. Figure 10 of the BMP also need to reflect the 'building exclusion areas' and overlay areas of BAL 29 or below.</p>	<p>Noted, as above.</p>	<p>Noted. Officers consider all exclusion areas (including TPS3 boundary setbacks) should also be indicated on the Structure Plan.</p>
	<p>Vehicular Access – Assessment (A3.4) – not demonstrated</p> <p>Advises that in bushfire prone areas, lots with battle-axe access legs should be avoided because they often do not provide two-way access and egress for residents and may be easily blocked by falling trees or debris during a bushfire event.</p>	<p>Vehicular Access:</p> <p><i>Lush Fire Response:</i></p> <p>Noted. Provision A3.4 of the Guidelines state that Battle-axe access leg should be avoided in bushfire prone areas. Where no alternative exists, all of the design requirements are to be achieved (this will need to be demonstrated by the proponent).</p> <p>The only alternatives are</p>	

Submitter	Comment	Applicant's Comments:	Officer Response.
		<p>to:</p> <p>a) Reorientate Lots 8 & 9 to remove the battle axe leg;</p> <p>b) Construct a road connection between Slattery Way and Padbury Road; or</p> <p>c) Construct a cul-de-sac which may have connecting emergency access way.</p> <p>Due to the building exclusion areas it is not feasible to re-orientate Lots 8 & 9.</p> <p>Construction of a public road "seems to be overkill", especially as there are existing east-west connections provided by both Keenan Road and Slattery Way.</p> <p>DFES has stated that the concerns with a battle axe driveway are:</p> <p>d) They often do not provide two-way access and egress for residents;</p> <p>e) May be easily blocked by falling trees or debris during a bushfire event.</p> <p>Lushfire suggests that the battle axe leg be widened to 10m with the driveway having a 6m formed compacted gravel surface with 1m shoulder. This will then be as wide as a subdivision road and allow for vehicles to pass each other.</p> <p>An additional 1m on each side is then available for the provision of services and drainage</p> <p>The Structure Plan can also then limit the planting of trees within proximity to the battle axe legs and if necessary the trees along the side of the existing</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Agreed.</p> <p>A connecting road between Slattery Way and Padbury Road is not considered necessary to access only Lots 8 & 9.</p> <p>Officer are supportive of this approach.</p> <p>As above.</p> <p>Officers do not consider this necessary and consider that existing vegetation should be retained on Lot 2.</p>

Submitter	Comment	Applicant's Comments:	Officer Response.
		<p>driveway to Lot 2 can be removed.</p> <p>Response in Addendum to Structure Plan:</p> <p>DFES concerns about the battle axe driveways will be addressed as follows.</p> <p>(a) The battle axe legs will be widened to 10m.</p> <p>(b) The driveways will be a 6m formed compacted gravel or limestone marl surface with 1m shoulders.</p> <p>(c) On either side of the battle axe leg boundaries no trees are to be planted and any shrubs planted are not to exceed 2m in height. All existing vegetation that does not comply with these specifications is to be removed.</p>	<p>Noted.</p> <p>Noted.</p> <p>Officers do not consider this to be necessary and consider that all existing vegetation should be retained in accordance with Scheme provisions.</p>
	<p>DFES recommends the Structure Plan may be modified to ensure through-access thereby avoiding the need for battle-axe lots.</p>	<p>Response in Addendum to Structure Plan:</p> <p>The suggestion of the Dept. that a road take the place of the battle axe legs is considered unnecessary. There are more than enough east-west roads in this locality. The Shire do not want a road. The above measures satisfy the concerns of the Dept.</p>	<p>Supported.</p>
	<p><i>Action:</i></p> <p>It is requested that justification is provided for non-compliance or modify the Structure Plan accordingly.</p>		<p>Officers consider the measures proposed adequately address the concerns of DFES.</p>
	<p>Water – Assessment (A4.2) – not demonstrated</p>	<p>Water Tank:</p>	
	<p>Advises that the BMP at 6.2.4 details the requirement for a dedicated 50,000 litre water tank supply.</p>	<p><i>Lush Fire Response:</i></p> <p>A 50,000 litre water tank is required for the subdivision, and the issue is where it will be located.</p>	<p>Noted.</p>

Submitter	Comment	Applicant's Comments:	Officer Response.
	<p>The BMP details that 'Council have instructed that the water tank is to be provided at the West Dardanup fire brigade station located on Garvey Road'.</p>	<p><i>Lushfire Response:</i></p> <p>To comply with the Guidelines, it should be located within the subdivision on a separate reserve.</p> <p>The size of the reserve depends on whether a truck turnaround is included or whether a road side parking bay is used for filling.</p>	<p>Noted.</p> <p>Noted.</p>
	<p>The BMP also details that this location exceeds the maximum two-kilometre distance as required by the Guidelines.</p>	<p><i>Lushfire Response:</i></p> <p>Lushfire acknowledges Council's desire to co-ordinate the tanks in one location, however the furthest lot will be more than 2kms distance by road.</p> <p>This is a broader strategic issue for Council to address with the Department of Planning, Lands and Heritage, as Council is not bound by the Bushfire Protection Criteria.</p>	<p>Officers preference is to centralise the tanks with existing tanks at Dardanup West BFB rather than creating a new reserve with a single tank on it.</p> <p>This approach is supported by the Shire's Chief Bushfire Control Officer (CBFCO).</p>
	<p><i>Action(s):</i></p> <p>1. It is requested that justification is provided from the local government for the location of the water tank or modify the location accordingly.</p>	<p><i>Lushfire Response:</i></p> <p>Lushfire suggests that the BMP and Structure Plan show the tank site within the subject land, with a footnote stating that Council will further consider this as part of an overall strategic provision of water supplies in the area.</p> <p>Response in Addendum to Structure Plan:</p> <p>The location of a tank site is a strategic issue between the Shire and DFES.</p>	<p>Shire officers recommend a modification be made to the Structure Plan and BMP, requiring the provision of a water tank at the Dardanup West BFB.</p> <p>Noted.</p>

Submitter	Comment	Applicant's Comments:	Officer Response.
		If it is finally resolved to have a site on Lot 383, the proponent will designate an agreed site on the Slattery Road extension. The size of the site and the reserve description will need to be determined.	As above.
	<p><i>Comments:</i></p> <p>Notes that DFES has assessed the BMP for the proposed scheme amendment and associated Structure Plan, and has identified a number of issues that need to be addressed prior to the support of the proposal.</p>	No comment provided.	Officers consider the concerns of DFES have been adequately addressed.
	Notes that it is recommended that the proposal be deferred pending the required modifications outlined in the table above.		Council has three options and can only support the proposal (with or without modifications), or recommend to the WAPC that it be refused. Council does not have the option of deferring the proposal due to statutory timeframes.
Department of Water and Environmental Regulation (DWER)	<p><i>Comment:</i></p> <p>Risk Mitigation:</p> <p>To mitigate against the above risks, the Department provides the following advice:</p> <ul style="list-style-type: none"> The Shire should satisfy itself that estimated flood levels have been assessed to a sufficiently rigorous level to ensure that building finished floor levels can be adequately set against flooding. <p>The Building Exclusion Area, drainage easements and drains</p>	<p><i>Response in Addendum to Structure Plan:</i></p> <p>The only issue to be addressed in the Structure Plan is dot point two in 'Risk mitigation', the eastern drainage easement.</p> <p>All the other issues are ones that are dealt with in the development stage between the Shire Engineering Dept. and the Consultant Engineer and by the Shire Building Dept.</p> <p>The drainage easement between lots 4 and 5 has</p>	

Submitter	Comment	Applicant's Comments:	Officer Response.
	<p>(as identified in the Structure Plan) should also exclude on-site sewage disposal areas, noting that in accordance with section 6.2.2 of the Government Sewerage Policy (Nov 2017), an on-site sewage disposal system is not to be located within 100 metres of a drainage system (that discharges directly into a waterway) and any area subject to inundation and/or flooding in a 10 per cent Annual Exceedance Probability (AEP) rainfall event.</p> <p>More details should be provided regarding the sizing and capacity of the detention basin (including drainage easements and culvert); in view of the ensuring sufficient capacity to service the structure plan area, and also future adjacent developments.</p> <p>Agreement from the Water Corporation would be required to ensure that the additional flows into Gavin's Gully (from the Structure Plan area and future adjacent developments) would be acceptable, noting the need for management/maintenance.</p>	<p>been realigned to a new lot boundary between lots 5 and 6. This alignment will provide a set-back of 50m which is the required setback under the Shire of Dardanup TPS No.3, Appendix VIII Area 14-Dardanup West/Crooked Brook Structure Plan, sec. 3.</p> <p>A modified Structure Plan Map and modified Indicative Structure Plan Map are attached that show the boundary change and the realigned drainage easement.</p> <p>It is included for information and changes will be made to both maps at the Modification stage.</p> <p>Also a changed Stormwater Drainage Plan is attached.</p>	

Legal Implications - None.

Strategic Community Plan

- Strategy 2.1 - To protect, enhance and responsibly manage our natural environment and public open spaces.
- Strategy 2.2 - To be environmentally sustainable.
- Strategy 2.3 - Land use provisions within the rural, industrial and urban areas reflect current and future needs
- Strategy 2.6 - Be a place of diverse built form.
- Strategy 5.1 - To be a connected community.

Environment

The requirement for an Urban Water Management Plan to be prepared prior to subdivision, will ensure that drainage and water management is adequately addressed and development has sufficient separation from groundwater to avoid any environmental concerns.

Precedents

A number of lots within the Dardanup West/Crooked Brook Structure Plan area have undergone rezoning in recent years from 'General Farming' to 'Small Holding' in conjunction with the adoption of a Structure Plan.

Budget Implications - None

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

The proposal is consistent with the Shire's Local Planning Strategy, TPS3 and the Dardanup West / Crooked Brook Structure Plan.

Officer Comment

- *Planning Framework*

Both the Structure Plan and Amendment 199 are supported by the following documents:

- Shire of Dardanup Local Planning Strategy (the Strategy);
- Dardanup West/Crooked Brook Structure Plan (DWCBSP);
- Greater Bunbury Region Scheme (GBRS); and
- Town Planning Scheme No. 3 (TPS3);

Each of the above and its relationship to the Structure Plan and Amendment 199 are summarised below:

- *Shire of Dardanup Local Planning Strategy*

The Strategy identifies Lot 383, being contained within the Dardanup West/Crooked Brook area, for future rural-residential expansion. Officers consider the proposal to be consistent with the Strategy.

- *Dardanup West/Crooked Brook Structure Plan*

The DWCBSP provides the strategic guidance for rezoning to 'Small Holding' with Local Structure Planning. Lot 383 is contained within the DWCBSP area and the proposal is therefore supported.

- *Shire Of Dardanup Town Planning Scheme No. 3*

Amendment 199 seeks to incorporate Lot 383 into the existing Area No. 14 of Appendix VIII of TPS3 – 'Additional Requirements – Small Holding Zones'. Appendix VIII of TPS3 provides the statutory development and subdivision provisions that apply to particular 'Small Holding' zoned properties within the DWCBSP area.

The 'Area 14' provisions are considered to be the most contemporary and relevant set of provisions for this area, and therefore the proposal to utilise these provisions

for Lot 383 is supported. A copy of the Area 14 provisions has been included in (Appendix ORD: 12.1E).

- *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*

SPP3.7 provides direction for any planning proposal (Structure Plan, Scheme Amendment, Subdivision or Development Application) located within a designated Bushfire Prone Area.

The Bushfire Hazard Level (BHL) assessment submitted identified some areas of Lot 383 as having either a 'Moderate' or 'Extreme' hazard rating. Despite this, it indicates that there is sufficient area to cater for residential development, with a maximum BHL rating of 'Moderate'. It therefore supports rural residential development subject to suitable bushfire mitigation measures being implemented throughout the relevant planning stages. The BHL was replaced in an Addendum to the Structure Plan by a more detailed BAL Contour map, and is included in (Appendix ORD:12.1F).

- *Structure Plan*

In considering the proposed Structure Plan Council is required to make its recommendation to the WAPC as to whether it:

- supports the Structure Plan as presented;
- supports the Structure Plan subject to modifications; or
- does not support the Structure Plan.

Council's resolution will be referred to the WAPC with all accompanying documents, which will make the final determination on the Structure Plan.

- *Modifications to Structure Plan*

Whilst officers consider that there are no significant flaws that would prevent officers from recommending Council to support the proposed Structure Plan, a number of modifications are suggested to ensure development is of an appropriate standard.

Of particular concern with the proposal is the amount of developable space on Lot 3, once the Building Exclusion Area and development setbacks under TPS3 are taken into account. The following table illustrates the very limited amount of space available for development on Lot 3.

Lot	Lot size	Building Envelope Size	Percentage of Lot
1	12,275m ²	2704m ²	22%
2	15,917m ²	6882m ²	43%
3	10,215m ²	604m ²	6%
4	20,970m ²	2591m ²	11%
5	13,216m ²	1553m ²	12%
6	26,684m ²	1961m ²	8%
7	15,819m ²	1703m ²	11%
8	14,658m ²	2965m ²	20%
9	13,091m ²	2659m ² (2 separate areas)	20%
10	10,056m ²	1302m ²	13%

Officers consider that any future landowners in the locality would have an expectation of being able to develop a reasonable portion of their property for the provision of dwellings, outbuildings, effluent disposal and other ancillary infrastructure; however this is significantly constrained on Lot 3, with the developable area akin to a residential lot in a townsite, rather than meeting the standards of most rural residential type properties.

Officers assume that the lot layout has been designed in this way to enable existing outbuildings to be retained on Lot 2, however consider this results in an unacceptably insufficient amount of developable area on Lot 3. As a result, officers are recommending that the boundary between Lots 2 and 3 be amended to provide Lot 3 with a minimum developable area of at least 1500m², with a minimum dimension of 20m, despite this possibly requiring the removal and/or relocation of existing buildings and other infrastructure.

The other recommended modifications respond to concerns raised in the advertising period and address site constraints, particularly drainage considerations and the high groundwater table prevalent in the locality. For clarity all recommended modifications are summarised as follows:

1. Modifications to Physical Plan:

- a) Boundary between Lots 2 and 3 to be realigned on the Structure Plan to ensure Lot 3 has a minimum developable area of at least 1500m² with a minimum dimension of 20m (exclusive of boundary setback areas).
- b) Battle-axe legs to Lots 8 and 9 to be shown to have a minimum width of 10m on the Structure Plan.
- c) In addition to the identified 'Building Exclusion Areas' the Structure Plan is to clearly indicate TPS3 boundary setbacks (20m from front/roadside boundaries, 10m from sides, 10m from rear) to demonstrate developable areas.
- d) The proposed drainage basin is to be re-designed on the Structure Plan to achieve a natural form (rather than a regular rectangular shape). The basin shall be designed so as to be an extension of the Gavin's Gully Sub C Drain with a connecting culvert to the waterway on the western side of Padbury Road. The drainage reserve may be of a uniform shape.
- e) In addition to the proposed drainage easements on Lot 1 and Lot 5, additional drainage easements are to be clearly identified on the Structure Plan in the location of the existing agricultural drains traversing Lots 7, 8, 9 and 10. Such drainage and accompanying easements shall extend to the proposed drainage basin in the south west of the site.

2. Modifications to Structure Plan 'Notes'

- a) Create new **Section 1** with the heading: "**Prior to subdivision**"
- b) Under the new heading "**Prior to subdivision**" include the following provision:

- i) Pursuant to Appendix VIII, Area 14, 3(d) of TPS3, at the time of applying for subdivision the subdivider is to prepare and submit and Urban Water Management Plan (UWMP) giving due regard to the content and format recommended in the Department of Water document *“Urban water management plans: guidelines for preparing plans and for complying with subdivision conditions”* (2008). The UWMP is to be prepared by a suitably qualified practitioner and shall address local drainage measures to ensure no increase in pre-development flows, required drainage easements, infrastructure requirements (including size and capacity), details regarding the nature and function of the proposed drainage basin, fill requirements and finished floor levels for construction.

- c) Create new **Section 2** with the heading **“Recommended Subdivision Conditions”**

- d) Under **Section 2, Point 1** (Section 70A Notifications) the following amendments to be made:
 - i) No change;
 - ii) No change;
 - iii) To be re-worded as follows: *“The area may be subject to seasonal inundation and significant Building Exclusion Areas apply as indicated on the endorsed Structure Plan dated xx/xx/xxxx applicable to the land (Ref: xxxxxx).”*;
 - iv) No change; and
 - v) The word ‘Alternate’ to be replaced with the word ‘Alternative’.

- e) **Section 2, Point 2** – To be modified to read: *“Preparation and implementation of a landscaping plan. This is to include suitable landscaping of the re-designed ‘Drainage Basin’ using endemic vegetation to create a natural environment.”*

- f) **Section 2, Point 3** – no change

- g) **Section 2, Point 4** – no change

- h) **Section 2, Point 5** – no change
- i) **Section 2, Point 6** – To be modified to read: *“The measures outlined in the approved UWMP shall be implemented by the subdivider, to the satisfaction of the Western Australian Planning Commission and the local government.”*

- j) **Section 2, Point 7** – No change.

- k) **Section 2, Point 8** – New provision to read *“Lots 7, 8, 9 and 10 to establish drainage easements in the location of the existing agricultural drain which shall flow into the proposed detention basin. Easements to be shown on a plan of subdivision. Width of the easements to be a minimum of 7m.”*

- l) **Section 2, Point 9** – New provision to read “*Any existing buildings and/or structures are required to be removed or re-located so as not to be within the boundary setbacks as identified in TPS3 for any lot.*”
- m) **Section 2, Point 10** – New provision to read “*Battle-axe legs to Lots 8 and 9 are to be a minimum width of 10m and are to contain a formed driveway of a minimum width of 6m, constructed of compacted gravel or limestone marl surface, with 1m wide shoulders, to the satisfaction of the local government.*”
- n) **Section 2, Point 11** – New provision to read “*Uniform rural style boundary fencing in accordance with Appendix VIII, Area 14, Cl. (o) to be provided to all boundaries of all newly created lots.*”
- o) **Section 2, Point 12** – New provision to read “*Alternative Effluent Treatment Systems with nutrient removal capabilities shall be used to ensure Phosphorous Retention Index (PRI) requirements are met, unless otherwise agreed to in writing by Council.*”

- **Scheme Amendment 199**

Subsequent to the advertising period finishing, Council is required to resolve to:

- support the proposal as presented;
- support it subject to further modifications; or
- not to support the application.

Council’s resolution and accompanying documentation will be referred to the Western Australian Planning Commission (WAPC), which will make a recommendation to the Minister for Planning. The Minister will make the final determination for the Scheme Amendment.

- **Officer Recommendation**

It is recommended that Council resolves to advise the Western Australian Planning Commission (WAPC) that it supports the Structure Plan (subject to the modifications outlined in the officer recommended resolution) and Amendment 199 to TPS3 .

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Resolves to support Amendment 199 to the Shire of Dardanup Town Planning Scheme pursuant to Part 5, Division 1, r.50(3)(b) of the Planning and Development (Local Planning Scheme) Regulations (Regulations) 2015 by:
 - a) Rezoning Lot 383 Padbury Road, Dardanup West from ‘General Farming’ zone to ‘Small Holding’ zone;

- b) Amending Local Planning Scheme No. 3 scheme map to identify Lot 383 Padbury Road, Dardanup West as 'Small Holding' zone as per the Scheme Amendment map; and
 - c) Including Lot 383 Padbury Road, Dardanup West into Area No. 14 of Appendix VIII of TPS No. 3, Additional Requirements – Small Holding Zone.
2. Pursuant to Pt. 5, Div. 3, r. 53 of the Regulations provides the Western Australian Planning Commission a copy of Amendment 199 and all relevant information with a request for final approval by the Minister for Planning.
 3. Pursuant to Sch.2, Pt.4, cl.20 of the Regulations, recommends to the Western Australian Planning Commission that the Structure Plan for Lot 383 Padbury Rd Dardanup West be approved, subject to the following modifications:
 - a) *Modifications to Physical Plan:*
 - i) Boundary between Lots 2 and 3 to be realigned on the Structure Plan to ensure Lot 3 has a minimum developable area of at least 1500m² with a minimum dimension of 20m (exclusive of boundary setback areas).
 - ii) Battle-axe legs to Lots 8 and 9 to be shown to have a minimum width of 10m on the Structure Plan.
 - iii) In addition to the identified 'Building Exclusion Areas' the Structure Plan is to clearly indicate TPS3 boundary setbacks (20m from front/roadside boundaries, 10m from sides, 10m from rear) to demonstrate developable areas.
 - iv) The proposed drainage basin is to be re-designed on the Structure Plan to achieve a natural form (rather than a regular rectangular shape). The basin shall be designed so as to be an extension of the Gavin's Gully Sub C Drain with a connecting culvert to the waterway on the western side of Padbury Road. The drainage reserve may be of a uniform shape.
 - v) In addition to the proposed drainage easements on Lot 1 and Lot 5, additional drainage easements are to be clearly identified on the Structure Plan in the location of the existing agricultural drains traversing Lots 7, 8, 9 and 10. Such drainage and accompanying easements shall extend to the proposed drainage basin in the south west of the site.

b) *Modifications to Structure Plan 'Notes'*

- i) Under the 'Notes' section create a new Section 1 with the heading: "Prior to subdivision"
- ii) Under the new heading "*Prior to subdivision*" include the following provision:
 - iii) "*Pursuant to Appendix VIII, Area 14, 3(d) of TPS3, at the time of applying for subdivision the subdivider is to prepare and submit and Urban Water Management Plan (UWMP) giving due regard to the content and format recommended in the Department of Water document "Urban water management plans: guidelines for preparing plans and for complying with subdivision conditions" (2008). The UWMP is to be prepared by a suitably qualified practitioner and shall address local drainage measures to ensure no increase in pre-development flows, required drainage easements, infrastructure requirements (including size and capacity), details regarding the nature and function of the proposed drainage basin, fill requirements and finished floor levels for construction.*"
- iv) Under the 'Notes' section create a new Section 2 with the heading "*Recommended Subdivision Conditions*".
- v) The existing wording on the Structure Plan immediately following the 'Notes' heading which states: '*At subdivision stage Local Government shall request the Western Australian Planning Commission impose the following (but not limited to) as conditions of subdivision*' is to be retained after the new Section 2 heading "*Recommended Subdivision Conditions*".
- vi) Under Section 2, Point 1 (Section 70A Notifications) the following amendments to be made:
 1. No change
 2. No change
 3. To be re-worded as follows: "*The area may be subject to seasonal inundation and significant Building Exclusion Areas apply as indicated on the endorsed Structure Plan dated xx/xx/xxxx applicable to the land (Ref: xxxxxx).*"
 4. No change
 5. The word 'Alternate' to be replaced with the word 'Alternative'.

- vii) Section 2, Point 2 – To be modified to read: *“Preparation and implementation of a landscaping plan. This is to include suitable landscaping of the re-designed ‘Drainage Basin’ using endemic vegetation to create a natural environment.”*
- viii) Section 2, Point 3 – no change
- ix) Section 2, Point 4 – no change
- x) Section 2, Point 5 – no change
- xi) Section 2, Point 6 – To be modified to read: *“The measures outlined in the approved UWMP shall be implemented by the subdivider, to the satisfaction of the Western Australian Planning Commission and the local government.”*
- xii) Section 2, Point 7 – No change.
- xiii) Section 2, Point 8 – New provision to read *“Lots 7, 8, 9 and 10 to establish drainage easements in the location of the existing agricultural drain(s) which shall flow into the proposed detention basin. Easements to be shown on a plan of subdivision. Width of the easements to be a minimum of 7m.”*
- xiv) Section 2, Point 9 – New provision to read *“Any existing buildings and/or structures are required to be removed or re-located so as not to be within the boundary setbacks as identified in TPS3 for any lot.”*
- xv) Section 2, Point 10 – New provision to read *“Battle-axe legs to Lots 8 and 9 are to be a minimum width of 10m and are to contain a formed driveway of a minimum width of 6m, constructed of compacted gravel or limestone marl surface, with 1m wide shoulders, to the satisfaction of the local government.”*
- xvi) Section 2, Point 11 – New provision to read *“Uniform rural style boundary fencing in accordance with Appendix VIII, Area 14, Cl. (o) to be provided to all boundaries of all newly created lots.”*
- xvii) Section 2, Point 12 – New provision to read *“Alternative Effluent Treatment Systems with nutrient removal capabilities shall be used to ensure Phosphorous Retention Index (PRI) requirements are met, unless otherwise agreed to in writing by Council.”*

4. Advises that the Water Corporation has requested the developer liaise with the Water Corporation at the preliminary planning stage to determine detailed planning requirements as this area could be prone to future flooding.

Note: The following information was provided to elected members prior to the commencement of the meeting:

FURTHER INFORMATION

Manager Development Services Comment

Further to the report contained in the Council agenda for Item 12.1, the applicant has submitted additional information for Council's consideration which is contained in (Appendix ORD: 12.1G).

The additional information submitted, which takes the form of an amended plan, seeks to address the concerns of officers raised in the report with regards to the developable area within each of the lots, particularly as it relates to Lot 3 which originally indicated a developable area of approximately 604m². The applicant has sought to address this concern by:

- Making an adjustment in the position of the boundary separating Lots 2 and 3 to increase the size of Lot 3; and
- Moving the shared boundary between Lots 2, 3 and Lot 8 slightly south, which results in an increase to Lots 2 and 3 and minor changes to the developable areas of Lots 7 and 8.

In addition to the above, the applicant has incorporated the officer recommendation for battle-axe legs to have a minimum width of 10m in the submitted plan, which has resulted in some minor amendments to the sizes of affected lots (Lots 8 and 10).

It is noted that the submitted plan is hand-drawn and somewhat rudimentary in nature which makes accurate estimates difficult, however officers have undertaken an assessment of the information provided to ascertain the outcome of the proposed boundary adjustments on the developable areas within the lots, particularly Lot 3. Although the figures in the below table may not be entirely accurate, officers believe they are sufficient for considering the amended plan and have prepared a table similar to that within the report (page 38) for comparison purposes.

Lot	Lot size	Building Envelope (BE) Size	Net change to original plan (BE)
1	12,275m ²	2704m ²	Nil
2	16,487m ²	8371m ²	+ 1489m ²
3	11,468m ²	1147m ²	+ 543m ²
4	20,970m ²	2591m ²	Nil
5	13,216m ²	1553m ²	Nil
6	26,684m ²	1961m ²	Nil
7	14,854m ²	1595m ²	- 108m ²
8	14,243m ²	3052m ²	+ 87m ²
9	13,147m ²	2659m ² (2 separate areas)	Nil
10	10,000m ²	1170m ²	-132m ²

In reviewing the above, it can be observed that the proposed adjustments have resulted in a considerable increase in the developable area of Lot 3 and whilst slightly reducing the developable areas of two other lots, the remaining developable areas are considered acceptable.

It is noted that the submitted plan is not to a professional standard, however officers consider it provides Council with sufficient information to progress the structure plan. If supported by the WAPC, the applicant will be required to produce plans of a professional standard reflecting the modified boundaries and any other requirements including building setbacks in line with Scheme requirements.

In light of the above, officers are recommending a modified officer recommended resolution for Item 12.1 as follows:

Change to Officer Recommendation - None.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

272-18 MOVED - Cr. J Lee SECONDED - Cr. P S Robinson

THAT Council:

1. **Resolves to support Amendment 199 to the Shire of Dardanup Town Planning Scheme pursuant to Part 5, Division 1, r.50(3)(b) of the Planning and Development (Local Planning Scheme) Regulations (Regulations) 2015 by:**
 - a) **Rezoning Lot 383 Padbury Road, Dardanup West from 'General Farming' zone to 'Small Holding' zone;**
 - b) **Amending Local Planning Scheme No. 3 scheme map to identify Lot 383 Padbury Road, Dardanup West as 'Small Holding' zone as per the Scheme Amendment map; and**
 - c) **Including Lot 383 Padbury Road, Dardanup West into Area No. 14 of Appendix VIII of TPS No. 3, Additional Requirements – Small Holding Zone.**
2. **Pursuant to Pt. 5, Div. 3, r. 53 of the Regulations provides the Western Australian Planning Commission a copy of Amendment 199 and all relevant information with a request for final approval by the Minister for Planning.**
3. **Pursuant to Sch.2, Pt.4, cl.20 of the Regulations, recommends to the Western Australian Planning Commission that the Structure Plan contained in (Appendix: ORD 12.1G) for Lot 383 Padbury Rd Dardanup West be approved, subject to the following modifications:**
 - a) ***Modifications to Physical Plan:***

- i) The lot layout contained in (Appendix ORD: 12.1G) is to be reflected in a professionally produced Structure Plan to the satisfaction of the Western Australian Planning Commission which should clearly identify:
- modified boundaries as per (Appendix ORD: 12.1G) so as to ensure that any lot within the structure plan area has a minimum developable area of 1100m², exclusive of any building setbacks or exclusion areas;
 - building exclusion areas;
 - development setbacks as per Town Planning Scheme No. 3 applicable to the Small Holding zone; and
 - development setbacks resulting from the bushfire hazard assessment.
- ii) The proposed drainage basin is to be re-designed on the Structure Plan to achieve a natural form (rather than a regular rectangular shape). The basin shall be designed so as to be an extension of the Gavin's Gully Sub C Drain with a connecting culvert to the waterway on the western side of Padbury Road. The drainage reserve may be of a uniform shape.
- iii) In addition to the proposed drainage easements on Lot 1 and Lot 5, additional drainage easements are to be clearly identified on the Structure Plan in the location of the existing agricultural drains traversing Lots 7, 8, 9 and 10. Such drainage and accompanying easements shall extend to the proposed drainage basin in the south west of the site.

b) ***Modifications to Structure Plan 'Notes'***

- i) Under the 'Notes' section create a new **Section 1** with the heading: "*Prior to subdivision*"
- ii) Under the new heading "*Prior to subdivision*" include the following provision:
- iii) "*Pursuant to Appendix VIII, Area 14, 3(d) of TPS3, at the time of applying for subdivision the subdivider is to prepare and submit and Urban Water Management Plan (UWMP) giving due regard to the content and format recommended*

in the Department of Water document “Urban water management plans: guidelines for preparing plans and for complying with subdivision conditions” (2008). The UWMP is to be prepared by a suitably qualified practitioner and shall address local drainage measures to ensure no increase in pre-development flows, required drainage easements, infrastructure requirements (including size and capacity), details regarding the nature and function of the proposed drainage basin, fill requirements and finished floor levels for construction.”

- iv) Under the ‘Notes’ section create a new **Section 2** with the heading ***“Recommended Subdivision Conditions”***
- v) The existing wording on the Structure Plan immediately following the ‘Notes’ heading which states: ***‘At subdivision stage Local Government shall request the Western Australian Planning Commission impose the following (but not limited to) as conditions of subdivision’*** is to be retained after the new Section 2 heading ***“Recommended Subdivision Conditions”***.
- vi) Under Section 2, Point 1 (Section 70A Notifications) the following amendments to be made:
 - 1. No change.
 - 2. No change.
 - 3. To be re-worded as follows: ***“The area may be subject to seasonal inundation and significant Building Exclusion Areas apply as indicated on the endorsed Structure Plan dated xx/xx/xxxx applicable to the land (Ref: xxxxxx).”***
 - 4. No change.
 - 5. The word ‘Alternate’ to be replaced with the word ‘Alternative’.
- vii) Section 2, Point 2 – To be modified to read: ***“Preparation and implementation of a landscaping plan. This is to include suitable landscaping of the re-designed ‘Drainage Basin’ using endemic vegetation to create a natural environment.”***
- viii) Section 2, Point 3 – no change.

- ix) **Section 2, Point 4 – no change.**
- x) **Section 2, Point 5 – no change.**
- xi) **Section 2, Point 6 – To be modified to read: *“The measures outlined in the approved UWMP shall be implemented by the subdivider, to the satisfaction of the Western Australian Planning Commission and the local government.”***
- xii) **Section 2, Point 7 – No change.**
- xiii) **Section 2, Point 8 – New provision to read *“Lots 7, 8, 9 and 10 to establish drainage easements in the location of the existing agricultural drain(s) which shall flow into the proposed detention basin. Easements to be shown on a plan of subdivision. Width of the easements to be a minimum of 7m.”***
- xiv) **Section 2, Point 9 – New provision to read *“Any existing buildings and/or structures are required to be removed or re-located so as not to be within the boundary setbacks as identified in TPS3 for any lot.”***
- xv) **Section 2, Point 10 – New provision to read *“Battle-axe legs to Lots 8 and 9 are to a minimum width of 10m and are to contain a formed driveway of a minimum width of 6m, constructed of compacted gravel or limestone marl surface, with 1m wide shoulders, to the satisfaction of the local government.”***
- xvi) **Section 2, Point 11 – New provision to read *“Uniform rural style boundary fencing in accordance with Appendix VIII, Area 14, Cl. (o) to be provided to all boundaries of all newly created lots.”***
- xvii) **Section 2, Point 12 – New provision to read *“Alternative Effluent Treatment Systems with nutrient removal capabilities shall be used to ensure Phosphorous Retention Index (PRI) requirements are met, unless otherwise agreed to in writing by Council.”***
- c) **Advises the Water Corporation has requested the developer liaise with the Water Corporation at the preliminary planning stage to determine detailed planning requirements as this area could be prone to future flooding.**

CARRIED
8/0

12.2

Title: Proposed Parkridge Estate Structure Plan – Lot 9004 and 9503 Eaton Drive, Eaton – (Calibre Professional Services Pty Ltd on behalf of Parkridge Group Pty Ltd)

Reporting Department: Engineering & Development Services

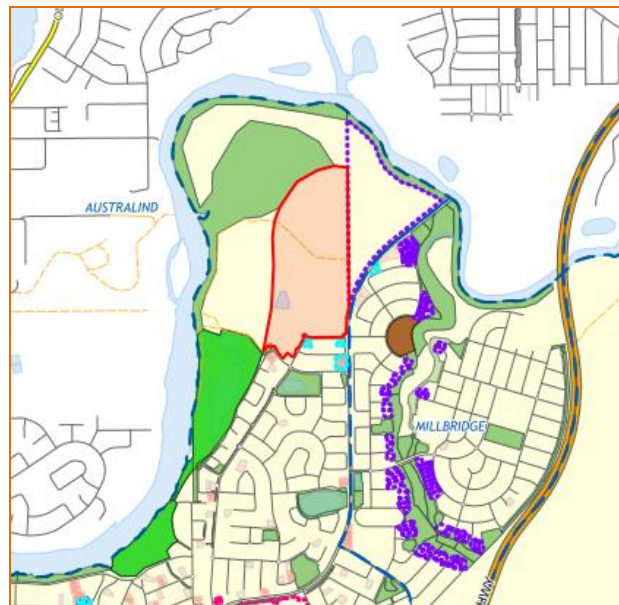
Reporting Officer: Mrs Cecilia Muller - Principal Planning Officer

Legislation: Planning and Development Act 2005

Overview

Council is requested to consider the proposed Parkridge Estate Structure Plan (PESP) over Lots 9004 and 9503 Eaton Drive, Eaton. Officers recommend that Council advises the Western Australian Planning Commission that it supports the proposed structure plan subject to modifications.

Location Plan



Site Plan



Background

Council has received a proposed structure plan (Parkridge Estate Structure Plan (PESP)) to guide the urban development of part Lot 9004 and part Lot 9503 Eaton Drive, Eaton. A full copy of the PESP is provided for Councillors in drop box with a copy of the physical plan provided in (Appendix ORD: 12.2A).

The subject land has a combined area of 32.1533 hectares and is zoned 'Development'. It is mostly cleared however there are several stands of remnant vegetation across the site. The land abuts developed residential land to the south, undeveloped residential land and Eaton Drive to the east and Regional Open Space (ROS) and the Collie River to the north and west.

The PESP proposes residential development with the majority of the site having a residential density range of 'R25-R40', with one section identified for 'R60' development. Overall the development has an estimated lot yield of 521 lots.

Two sub-precincts are identified in the PESP for staged subdivision, identified as the 'South Stage' and the 'North Stage'. The proposed South Stage contains residential development at R25-R40 and includes the R60 coded land and all Public Open Space. The North Stage proposes residential development at R25 - R40 densities.

The PESP is connected to residential development to the south via Glen Huon Boulevard and Peninsula Lakes Drive which in turn provides access onto Eaton Drive. The PESP has been assessed against the structure plan for the adjacent land to the east (Garden of Eaton Structure Plan (GESP)) and has been determined to appropriately match the neighbouring land in terms of road and lot alignments.

- *Advertising*

The proposed Structure Plan was advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The advertising involved the following:

- Public Notice placed in the South Western Times for two consecutive weeks from Thursday 31 May 2018;
- Public Notices placed on the site for the duration of the advertising period;
- Public Notice displayed on the Shire's website for the duration of the advertising period;
- Public Notices displayed at the Shire's offices in Eaton and Dardanup;
- Letters sent to landowners within approximately 500m of the application site;
- Letters sent to the following agencies:
 - Atco Gas Australia;
 - Australind Police;
 - Department of Fire & Emergency Services (DFES);
 - Department of Aboriginal Affairs;
 - Department of Conservation, Biodiversity and Attractions (DBCA);
 - Department of Education and Training;
 - Department of Health;
 - Department of Planning, Lands and Heritage (WAPC) – (DPLH);

- Department of Water and Environmental Regulation (DWER);
- St John Ambulance;
- Telstra;
- Water Corporation; and
- Western Power.

In response to the advertising, 12 submissions (including five public submissions) were received. Copies of each are provided in (Appendix ORD: 12.2B)

The submissions are summarised in the below Schedule of Submissions:

	Submitter	Submitter Comment	Officer Comment
1.	Department of Education	<p>Comment:</p> <p>Advises that the Department has reviewed the document and advises that the proposed 521 residential lots are to be included into the catchment boundary for the proposed Millbridge primary school.</p>	Noted.
		Advises that there is no objection to this proposed structure plan.	Noted.
2.	Water Corporation	<p>Comment:</p> <p>Water & Wastewater Servicing</p> <p>The Corporation has provided conceptual long term planning for both water and wastewater for the subject site. The Corporation generally acknowledges the consultants servicing report in the Structure Plan with the following provisos:</p> <p><i>Water Supply</i> The Corporation is yet to prepare a water reticulation plan outlining any potential headworks and reticulation pipe sizing requirement based on more detailed demand scenarios being provided at subdivision stage.</p> <p><i>Waste Water</i> The structure plan site straddles both gravity and vacuum systems. At subdivision stage the Corporation will be able to determine more accurately the preferred servicing strategy.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
		The principle followed by the Water Corporation for funding of subdivision or development is one of user pays.	Noted.
		The developer is expected to provide all water and sewerage reticulation if required.	Noted.

	Submitter	Submitter Comment	Officer Comment
		A contribution for Water, Sewerage and Drainage headworks may also be required.	Noted.
		In addition the developer may be required to fund new works or the upgrade of existing works and protection of all works.	Noted.
		Any temporary works needed are required to be fully funded by the developer.	Noted.
		Notes that the information provided above is subject to review and may change.	Noted.
		If the proposal has not proceeded within the next six months, the Water Corporation should be contacted to confirm that this information is still valid.	Noted.
3.	Department of Planning, Lands and Heritage (Heritage) (DPLH)	<p>Comment:</p> <p>Advises that a review of the Register of Places and Objects as well as the Aboriginal Heritage Database concludes that Lots 9004 and 9503 Eaton Drive, Eaton do not intersect with any known Aboriginal sites or heritage places, therefore no approvals are required under the Aboriginal Heritage Act 1972.</p>	Noted.
		Advises that DPLH recommends that proponents refer to the State's Aboriginal Heritage Due Diligence Guidelines (Guidelines). The Guidelines can be found on the DPLH website.	Noted.
		Advises that the Guidelines allow proponents to undertake their own risk assessment regarding any proposal's potential impact on Aboriginal Heritage.	Noted.
4.	Department of Health	<p>Comment:</p> <p>Advises that Department of Health (DOH) provides the following comment:</p> <p><i>Water Supply and Wastewater Disposal:</i></p> <p>Advises that the Structure Plan is to require that all future developments be connected to scheme water, reticulated sewerage and be in</p>	Provision and connection to reticulated scheme water and sewer is a standard requirement for residential development of this

	Submitter	Submitter Comment	Officer Comment
		accordance with the draft Country Sewerage Policy.	type and will form a condition of subdivision. It is not considered necessary to note this on the structure plan.
		Advises that approval is required for any on-site waste water recycling process with such proposals being in accordance with DOH publications which may be referenced and downloaded from DOH website.	Noted.
		<p><i>Public Health:</i></p> <p>Advises that DOH has a document on 'Evidence supporting the creation of environments that encourage healthy active living' which may assist with planning elements related to this structure plan.</p>	<p>The location of local parks and neighbourhood parks is a requirement under Element 4 (R4) of Liveable Neighbourhoods, which is a Western Australian Planning Commission operational policy that guides structure planning and subdivision for greenfield and large brownfield sites.</p> <p>An assessment of the PESP under Liveable Neighbourhoods is contained in the 'Officer Comment' section of the report where consideration is given to this matter.</p>
		<p>Further design elements that should be considered include:</p> <ul style="list-style-type: none"> • A range of quality public open spaces should be provided to contribute towards the recreation, physical activity, health and social needs of the community; • Parks and open spaces should be located within walking distance of most residents along well-lit connected routes and be co-located with other community facilities to encourage access by walking or cycling; • The design of parks and open space and the infrastructure provided within them should cater for a variety of users to undertake a mix of activities that increase physical activity and prevent injury. 	<p>As above.</p> <p>As above.</p> <p>As above.</p>

	Submitter	Submitter Comment	Officer Comment
		<p><i>Medical Entomology:</i></p> <p>Advises that the proposal is located in an area that is prone to mosquito prevalence particularly if wetlands are in the vicinity.</p> <p>A mosquito management plan is required and should be implemented prior to the occupation of the development.</p> <p>Advises that the structure plan should consider development conditions that minimise the potential for mosquito breeding.</p>	<p>Pursuant to clause 1.4.4 of the Structure Plan report the applicant has indicated that the requirement for a mosquito management plan will be implemented at subdivision stage.</p> <p>It is recommended that Council requests a modification to the Structure Plan to include the following notation:</p> <p><i>“Prior to subdivision the applicant/ landowner shall be required to prepare a mosquito management plan and a Section 70A notification will be required to be placed on all certificates of title at subdivision stage advising of the prevalence of mosquitoes in the locality.”</i></p>
5.	<p>Department of Water and Environmental Regulation (DWER)</p> <p>Note: <i>The original LMWS was referred to DWER for review and comment was provided which included a number of recommended modifications.</i></p> <p><i>DWER's comments were provided to the applicant who subsequently made modifications to the LWMS and resubmitted it for DWER's further assessment.</i></p> <p><i>The comments in this table refer to DWER's response to the modified LWMS and not the original.</i></p>	<p>Comment:</p> <p>Notes that DWER has previously reviewed and provided comments on the associated Local Water Management Strategy (LWMS), which was included in Appendix D of the SP.</p> <p>Notes that Appendix E of the SP 'Engineering Service Report, Calibre Professional Services, March 2018' (ESP) anticipates that a 'Drainage Management Plan' will be requested for the site, as a planning condition.</p> <p>Advises that comments were forwarded to the SoD in a spreadsheet on 14 June 2018 and DWER has requested that the SoD return any comment it might have, in order that they may be put into a combined response.</p> <p>Advises that as a clearance agency for the LWMS, in accordance with 'Better Urban Water Management (WAPC 2008)', DWER would prefer to provide the proponent with a single set of comments. After any amendments have been made and agreement has been achieved on the LWMS, DWER will be in a position to clear the document, which is its key task in assessing the SP.</p>	<p>Noted.</p> <p>Noted. Officers recommend Council request a modification to the Structure Plan to include an additional notation that states:</p> <p><i>“An Urban Water Management Plan is required to be submitted and endorsed prior to subdivision.”</i></p> <p>The Shire Project Development Engineer has informed DWER that the Shire is supportive of the comments provided by DWER regarding the Local Water Management Strategy.</p> <p>It is noted that DWER is not 'clearing' the LWMS, rather it is providing advice as to whether the LWMS provides sufficient information for the proposed Structure Plan to be supported at this stage.</p> <p>In this instance, DWER's comments were provided to the applicant who made some modifications to the LWMS, which were re-considered by DWER.</p>

	Submitter	Submitter Comment	Officer Comment
		<p>Advises that essentially DWER's clearance of the LWMS will have given due consideration to the structure plan.</p>	<p>Noted, as above.</p>
	<p>DWER (additional comment)</p> <p><i>Note: The modified LWMS submitted by the applicant was referred back to DWER for review which advised it was generally satisfied with the modifications, however raised queries regarding two points.</i></p>	<p>1. Stormwater being retained on site.</p> <p>Question:</p> <p>Does the additional comment on section 2.2 (regarding connection to district drainage) need to be considered?</p> <p>2. Provision of a fit-for-purpose water supply for irrigating POS.</p> <p>Comment:</p> <p>The options provided in the current version of the LWMS, which are proposed to be considered by the proponent at later planning stages, are in the view of the department unlikely to be viable for a development of this scale.</p> <p>The only viable option for such a small area will be a trade under the Rights in Water and Irrigation Act 1914, which is not guaranteed.</p> <p>Is the Shire accepting of the risk of</p>	<p>Officers consider that Section 2.2 of the LWMS should reflect requirements under Council's policy for stormwater discharge from buildings (CP060).</p> <p>The LWMS states; "Lots < 300m2 assumed to have lot connections to the road system with no lot storage provided".</p> <p>Shire Policy CP060 requires: "Soak wells or other means of collecting, storing and soaking of stormwater shall be provided on the property and maintained in all instances where the aggregate impervious area including roofs, carparks, driveways, carports and patios exceeds 250m² or where the lot size is less than 400m²."</p> <p>It is recommended that Council request that Council require a modification to the LWMS attached to the Structure Plan requiring an amendment to Section 2.2 to indicate stormwater for lots less than 400m² is to be retained on site.</p> <p>The Principal Parks and Environment Supervisor has advised that the Shire's water licence for the Parkridge locality has capacity to irrigate up to 5ha of public open space and therefore this will not be an issue in the future.</p> <p>However, it is recommended that the applicant be responsible for installing all infrastructure required for the irrigation of the POS, which will also require an iron filter on the bore. It is</p>

	Submitter	Submitter Comment	Officer Comment
		leaving the need to secure a fit for purpose water supply for irrigation of POS until the next planning stage, noting the options are limited and not guaranteed to provide a solution?	recommended a notation be included as follows: <i>"At subdivision of the first stage, the applicant is required to install a suitable bore for the irrigation of all areas of public open space. The bore shall include the installation of a suitable iron filter."</i>
6.	Department of Fire and Emergency Services (DFES)	Comment: Notes that DFES refers to the email dated 6 June 2018 regarding the submission of a Bushfire Management Plan (BMP) (revision B), prepared by Lush Fire and dated 14 March 2018, for the above Structure Plan.	Noted.
		Advises that DFES provides the following comments with regard to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines).	Noted.
		a) Advises that there is non-compliance with the bushfire prone criteria – Vehicular Access - Emergency Access Ways.	State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) requires strategic proposals such as the proposed PESP to be accompanied by information demonstrating that compliance with the bushfire protection criteria can be achieved in subsequent planning stages. It is recommended Council request a modification to the Structure Plan to include the following note: <i>"At subdivision the applicant/ landowner shall be required to demonstrate compliance with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the Guidelines for Planning in Bushfire Prone Area (Guidelines). This shall include the provision of emergency access in two different directions to two different destinations being provided at the first stage of development."</i>
		b) Advises that access is required for each stage of development in two different directions to two different destinations. It is acknowledged	As above.

	Submitter	Submitter Comment	Officer Comment
		that public access to the east is not available prior to the future development of Lot 3001.	
		c) Advises that the proposed EAW services the northern stage, which is likely to be developed last. It may be necessary to provide an EAW as a temporary measure elsewhere to service different stages of the structure plan.	As above.
		d) Advises that the BMP refers to a landowner agreement for the establishment of the EAW. This should be finalised and included with the subsequent subdivision proposals.	At subdivision the applicant/ landowner will be required to demonstrate a public access easement in gross following the alignment of the intended emergency access way. This will require negotiations with adjoining landowners (Ardross) for formal access to be established prior to the submission of an application.
		Advises that further information/ modification will be required at subsequent planning stages.	Noted.
		Advises that the BMP has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria could be achieved at subsequent planning stages.	Noted.
		Advises that DFES re-iterates the importance of ensuring that further consideration is given to bushfire protection criteria, specifically Element 3: Vehicular Access, at subsequent planning stages to reduce the vulnerability of the development from the impact of a bushfire to ensure continued compliance with SPP3.7 and the Guidelines.	Noted. It is recommended Council request a modification to the Structure Plan to include the following note: <i>"At subdivision the applicant/ landowner shall be required to demonstrate compliance with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the Guidelines for Planning in Bushfire Prone Area (Guidelines). This shall include the provision of emergency access in two different directions to two different destinations being provided at the first stage of development."</i>
7.	Department of Biodiversity, Conservation and Attractions (DBCA)	Comment. Parks and Wildlife Services South West Region has no objection to this application subject to the following advice.	Noted.

	Submitter	Submitter Comment	Officer Comment
		The northern portion of Lot 9004 contains native vegetation associated with the adjacent Conservation Category Wetlands (CCW) on the Collie River floodplain.	Noted.
		Shelley et al, 2014 mapped the northern Lot 9004 vegetation as being High Quality habitat suitability (Category Class B) for western ringtail possums (WRP) High Quality habitat suitability is important in maintaining the integrity of WRP habitat, which is required to increase the reproductive output of the species and to counter declining populations and losses due to habitat loss and predation.	Noted.
		WRP (Schedule 1) is listed as critically endangered species under the Commonwealth of Australia's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and Western Australia's Wildlife Conservation Act 1950.	Noted.
		It appears that 2 to 3ha of this high quality WRP habitat will be cleared if the current structure plan is implemented. These areas are also very close, if not overlapping, the environmentally sensitive area associated with the CCW.	The map contained in (Appendix ORD:12.2C) identifies the Conservation Category Wetland (CCW) referred to which is outside of the PESP area and not impacted by the proposal. The vegetated area in the northern part of the site that will be subject to clearing is estimated by staff to be approximately 1.7ha.
		The central portion of the structure plan shows that about 1ha of mapped medium quality WRP habitat is to be cleared and the rest retained in Public Open Space (POS).	Noted.
		While the application provided some vegetation classification information, it did not include any flora or fauna survey information.	The structure plan report (Page 10) states that the PESP area has previously been assessed by the EPA during the preparation of the Greater Bunbury Region Scheme, and subsequent amendments to the Local Planning Scheme when the land was re-zoned to 'Development' zone (Amendment 187). It also states that the site has previously been subject to an approved subdivision design that

	Submitter	Submitter Comment	Officer Comment
			<p>proposed to clear the remnant vegetation, however officers are unclear as to what this is referring to as the most recent subdivision was refused.</p> <p>Notwithstanding, it is recommended that Council requests a modification to the Structure Plan to include the following notation:</p> <p><i>“At subdivision the applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.”</i></p>
		<p>DBCA advises that the proposed clearing should be referred to the Department of Water and Environmental Regulation specifically for consideration under the Environmental Protection Act, Native, Vegetation Clearing regulations.</p>	<p>Council's consideration of the proposal does not remove the responsibility of the landowner to comply with the Environment Protection Act 1986 regarding the clearing of vegetation.</p> <p>The Structure Plan was referred to DWER for comment as required.</p>
		<p>The proposed structure plan depicts an area of Local Open Space which retains some bushland and a small strip of Regional Open Space (ROS) along the northern and western Lot 9004 boundary. However, it would be desirable to also retain the northern Lot 9004 treed vegetation, to retain the High Quality WRP habitat within Public Open Space. Amongst these areas, the highest priority for protection would be the lines of mature trees immediately inside the northern structure plan boundary, just outside the proposed ROS, associated with the GBRS floodway and flood fringe boundary. This will also retain valuable established trees for the CCW buffer.</p>	<p>It is recommended that Council requests a modification to the Structure Plan to include the following note:</p> <p><i>“At subdivision the applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.”</i></p>
		<p>The proponent should consider referral requirements to the Federal Department of the Environment and Energy under the EPBC Act in terms of significant impacts on WRP habitat.</p>	<p>Council's consideration of the proposal does not remove the responsibility of the landowner to comply with the EPBC Act regarding the clearing of vegetation.</p>

	Submitter	Submitter Comment	Officer Comment
		DBCA supports the use of a fauna spotter during clearing and recommends that the fauna spotter is used during all clearing works associated with the development footprint. A wildlife protection management plan could be prepared and implemented to manage threatened species during approved clearing works.	Noted. The flora and fauna study will identify the presence of any native animals within the areas identified for clearing. If determined appropriate DWER may place conditions regarding the requirement for a fauna spotter and/or a wildlife protection management plan on the clearing permit.
8.	Ardross Estates (SA) Pty Limited	<p>Comment.</p> <p>Advises that page 11 Section 2.4 Bushfire Hazard states <i>"Until the adjoining Lot 3001 to the east is developed, an Emergency Access way will be created through Lot 3001 along the alignment of the proposed subdivision road giving secondary access to Eaton Drive."</i></p> <p>Advises that page 24 Appendix B, Bushfire Management Plan, Section 4.1, dot point 7 states: <i>"In order to provide two access roads, it will be necessary to have a temporary access way connecting through Lot 3001 to Eaton Drive pending the development of Lot 3001"</i>.</p> <p>Advises that Ardross Estates (S.A.) Pty Limited (Ardross) is the owner of Lot 3001.</p> <p>Advises that in relation to both references above, the proponent has not made contact with Ardross regarding the Emergency Access way through Lot 3001.</p> <p>Advises that the proponent will need to make arrangements, to the complete satisfaction of Ardross, for the Emergency Access Way to be located on Ardross's land.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>In order to comply with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the Guidelines for Planning in Bushfire Prone Area (Guidelines) specifically Element 3 of the bushfire protection criteria the applicant/landowner would need to demonstrate at subdivision that the emergency access way provides a public access easement in gross to ensure accessibility to the public and the fire services during an emergency.</p> <p>At subdivision the applicant/landowner will be required to demonstrate a public access easement in gross following the alignment of the intended emergency access way. This will</p>

	Submitter	Submitter Comment	Officer Comment
			require negotiations with adjoining landowners (Ardross) for formal access to be established prior to the submission of an application.
9.	Pamela Schultz 11 Holstein Drive	Objection Advises that she objects to the proposed plan.	Noted.
		Advises that this undeveloped land is an asset to the area and becoming increasingly hard to find and enjoy. The area is well used for bike riding, dog walking, fishing, bush walking, bird watching, picnicking etc. by many families.	The land is privately owned and not open to the public for any activity without first obtaining the permission of the landowner.
		Advises that there is amazing bird life and many kangaroos inhabit the area as well as farmed cows, and important native vegetation.	Noted.
		Notes that there does not seem to be a thorough environmental impact statement included in the proposal.	Noted. It is recommended that Council requests a modification to the Structure Plan to include the following note: <i>"At subdivision the applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value."</i>
		Queries what is going to be the effect on the native fauna and flora?	As above.
		Notes that if you are a member of the Facebook community pages of surrounding suburbs you will see that not all humans and their domestic pets can live in harmony with wildlife, kangaroos are often subjected to cruelty for fun, and that concerns myself and family.	Noted.
		Advises that walking trails, bbq areas and playgrounds, while greatly appreciated do not help flora and fauna.	Noted.
		Advises that it is also a concern that the magnificent trees will mostly have to go.	Many of the trees in the identified Public Open Space will be retained, although it is anticipated the proposal will result in the clearing of some vegetation.

	Submitter	Submitter Comment	Officer Comment
			<p>It is recommended that Council requests a modification to the Structure Plan to include the following note:</p> <p><i>“At subdivision the applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.”</i></p>
		<p>Advises that when they chose to live in Eaton, they particularly picked Glen Huon Primary School for their children as they loved its ethos to the environment and the wonderful wetlands. Part has been turned into a road and even more upsetting, it is now being eradicated and built on.</p>	<p>Noted, however this is not relevant to the subject proposal.</p>
		<p>Notes that on one hand plastic bags are being banned to save the environment and on the other hand beautiful natural land are being destroyed to build even more houses, roads and concrete paths.</p>	<p>Noted.</p>
		<p>Believes that we have to preserve some more nature for ourselves and future generations.</p>	<p>Noted.</p>
10.	<p>Kelly Cusack</p> <p>2 Lipizzaner Turn</p>	<p>Comment.</p> <p>Advises that many members of the Parkridge and Millbridge community are concerned about the ongoing development of the area and other areas of Eaton.</p>	<p>Noted.</p>
		<p>Notes that as one of the Councillors pointed out, most cannot be bothered to put their concerns in writing which is unfortunate for all concerned.</p>	<p>Noted.</p>
		<p>Notes that the Parkridge expansion is a lovely plan, but there are many rate-paying members of the community who would like Council to listen to them regarding the issues they have.</p>	<p>Noted.</p>
		<p>Traffic congestion:-</p> <p>Advises that anyone who lives in Parkridge knows that at peak hour it is horrendous trying to turn right on Eaton Drive.</p>	<p>A traffic impact assessment has been prepared by Riley Consulting and is contained in the Structure Plan Report.</p>

	Submitter	Submitter Comment	Officer Comment
		<p>Advises Traffic is bumper to bumper and more than once they have witnessed near misses at the Peninsular Lakes Drive and Glenhuon Blvd intersections along Eaton Drive.</p> <p>Believes that when the expansion goes ahead, the traffic will increase again, which in turn will compound the current issues.</p> <p>Believes that intervention for cars turning right from Peninsular Lakes Drive intersection is of great importance and believes this needs to be addressed before 500 plus residences are added into the traffic mix.</p>	<p>The traffic impact assessment has been reviewed by the Shire of Dardanup Engineering Department, and it has identified that the intersection at Peninsula Lakes/Eaton Drive will require upgrades due to the increased traffic volumes.</p> <p>The required upgrade to achieve the ultimate design of the Peninsula Lakes / Eaton Drive intersection form part of the works funded through the Joint Town Planning Scheme to which this development will make a contribution.</p>
		<p>Wildlife:-</p> <p>Notes that there are not a huge number of trees in the area, especially the Parkridge Estate side.</p>	<p>Noted.</p>
		<p>Advises that she has already heard the argument that developers only need to leave 10% of the current vegetation, but she requests that Councillors reconsider this rule for the Parkridge expansion.</p>	<p>The 10% refers to the requirement to provide public open space (POS), rather than retention of vegetation.</p>
		<p>Notes that there are limited trees or native vegetation mostly in the wetlands near Cleveland Bay Drive and a large tree on Glenhuon Blvd.</p>	<p>Noted.</p>
		<p>Advises that the area she would like to see left native vegetation is not massive and in the plans, most are taken up within the park which will not provide an income for the Dardanup Shire Council or the developer.</p>	<p>Many of the trees in the identified Public Open Space will be retained, although it is anticipated the proposal will result in the clearing of some vegetation.</p> <p>It is recommended that Council requests a modification to the Structure Plan to include the following note:</p> <p><i>“At subdivision the applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.”</i></p>
		<p>Advises that as residents they appreciate seeing native animals and enjoy having birds around their homes. If 90% of the trees and</p>	<p>As above.</p>

	Submitter	Submitter Comment	Officer Comment
		vegetation is removed, the local fauna population and animals will be pushed out and most likely die in the process.	
		Believes that they have seen this happen too many times in Australia with animals that people used to see as pests, such as the ring tail possum, are now on the critically endangered list because humans continually destroy their habitats.	As above.
		Believes that the Shire of Dardanup must look towards a sustainable future for both humans and the native flora and fauna and not just the potential rate monies.	As above.
		Requests that the Shire insist developers leave all the current trees in the area and work around them in their planning.	As above.
		Request that the developers make a considerable contribution to a greener Parkridge with more verge tree planting and attractive, native animal friendly landscaping.	As above. The applicant/landowner is responsible for the development of a landscape plan at subdivision stage which will also address the street tree requirements under Liveable Neighbourhoods.
		Park:- Notes that as above it is requested that all the current trees are retained, and a more natural setting is sought.	Most of the trees within the identified POS area will be retained, however Council is required to strike an appropriate balance between providing active and passive open space.
		Believes that a nature park would be ideal where children can enjoy nature instead of plastic and metal. A nature park would be a big draw card for the area as more and more parents are seeing the benefits of their children playing in natural settings and not man-made playgrounds that do not engage children in truly stimulating play.	Noted – this can possibly be considered by Council in the future.
		Believes that a nature park would only need a small section of the current trees and would be a lovely addition to the area, as it would save the trees that are to be retained, provide a park and keep developers happy as they can still develop and sell all the land around it.	As above.

	Submitter	Submitter Comment	Officer Comment
		Believes that a nature park would provide children with a wholesome area to explore and develop their curiosity and passion for nature and the world they live in.	As above.
		Requests as residents of Parkridge and Millbridge that the Shire listen to their concerns and give them serious consideration.	Noted.
		Believes that most people cannot be bothered putting their concerns into writing, so therefore she is of the opinion that if only 1 or 2 letters from concerned residents are received that there would be many more who are time poor and have not responded to the plans in writing.	From a Planning perspective Council is only able to consider written submissions received.
		Advises that prior to the Council rubber-stamping this development it needs to consider what current residents would like the development of Parkridge to look like.	It is noted that Council is not 'approving' this development, rather it is required to make a recommendation to the WAPC, who will determine the proposal. This report contains all of the submissions received during the consultation period and Council is to consider the submissions prior to making its recommendation to the WAPC.
11.	Summer Cusack 2 Lipizzaner Turn	Objection Please do not bulldoze the Parkridge Estate there are native animals.	It is recommended that Council requests a modification to the Structure Plan to include the following note: <i>"At subdivision the applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value."</i>
		Advises that we need trees to live because they produce oxygen.	Noted and agreed.
		Believes that it would be nice to have trees near houses rather than just houses.	Noted.
		Believes that the bushland should be left untouched.	The land is privately owned land that is zoned "Development" under TPS3. Under the Scheme, the land is appropriately zoned to allow future urban development.

	Submitter	Submitter Comment	Officer Comment
12.	Aiden Cusack 2 Lipizzaner Turn	Objection. Please do not bulldoze Parkridge Estate.	It is recommended that Council requests a modification to the Structure Plan to include the following note: <i>“At subdivision the applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.”</i>
		Queries where would all the animals live and is of the opinion that if the land is bulldozed the Shire will be the cause of death of possums, kangaroos and birds (possibly more).	As above.
		Believes that it would be better to look at something natural rather than boring old houses, rooves and roads.	Noted.
		Believes it would be better if the Shire left the land alone with no modern day structure and architecture.	The land is privately owned land and is zoned “Development” under TPS3. The land is appropriately zoned to allow future development.
		Believes it would be better for all of the children to have a nice little bush play area or to go bushwalking and to go bird watching.	The PESP borders a large Regional Open Space reservation under the Greater Bunbury Region Scheme which is subject to the Leschenault Regional Park Establishment Plan. The intent of the plan is to conserve areas of high conservation value in proximity to urban areas.
		Believes that in conclusion Parkridge Estate bush land should be left alone.	The land is privately owned land that is zoned “Development” under TPS3. Under the Scheme, the land is appropriately zoned to allow future development. Fauna study to identify the presence of threatened flora and fauna within the site to be protected.

Legal Implications - None.

Strategic Community Plan -

Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)

Strategy 5.1.6 - To encourage urban developments that foster connectivity between residents. (Service Priority: Moderate)

Environment

The land is affected by the flood fringe associated with the Collie River, and the proposal was therefore referred to the Department of Water and Environmental Regulation (DWER) for comment.

The structure plan did not provide any flora or fauna survey information and concerns have been raised by the Department of Biodiversity, Conservation and Attractions that remnant vegetation inside the northern structure plan boundary may hold some conservation value due to it being Western Ringtail Possum (WRP) habitat.

A recommended modification to the structure plan will require the landowner to undertake a flora and fauna assessment prior to subdivision.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost

At subdivision stage, the developer will be responsible for the design and construction of the roads, drainage infrastructure, and the development of the Public Open Space (POS) to the satisfaction of the Shire of Dardanup. Eventually the Shire will take over the management and maintenance of the new infrastructure and the POS.

Council Policy Compliance

CP052 – Pathways – Provision for and contribution by Developer

This policy requires preliminary pathway layouts to be included on local structure plans with all pathways being constructed as part of subdivision works.

The PESP shows a shared path traversing the POS only, and does not provide information regarding footpaths in the remainder of the residential area. It is therefore recommended that Council request a modification of the PESP to demonstrate the location of:

- 2.5m wide dual use paths along the length of Peninsula Lakes Drive on the side of the road abutting the Regional Open Space, and along the road reserve linking with the northern access onto Eaton Drive; and
- 2m shared paths along one side of all other streets in the structure plan area.

CP061 – Planting of Street Trees

Suggested tree species for planting within POS and street verges are listed in this policy.

At subdivision stage the applicant/landowner will be required to prepare a landscape plan for the Structure Plan area at which stage the applicant will need to demonstrate that consideration has been given to the tree species listed in this policy.

CP062 – Clearing of vegetation as part of the subdivision of urban land

The objective of this policy is to ensure that suitable vegetation is identified for retention during the development of Structure Plans and such vegetation is retained where possible when subdividing land for urban development.

The proposal demonstrates that the majority of vegetation located within the subject site is identified in the main area of Public Open Space. Notwithstanding this there are several stands of remnant vegetation in the northern part of the site which the DBCA suggests may be important Western Ringtail Possum habitat.

The structure plan did not provide any flora or fauna survey information and therefore a recommended modification to the structure plan will require the landowner to undertake a flora and fauna assessment prior to subdivision.

CP095 – Local Biodiversity

The objective of this policy is to preserve significant areas of remnant vegetation, wetlands and waterways as well as key biodiversity corridors for future generations. With regard to Eaton, the policy requires identification and protection of reserves for conservation and recreation, particularly adjacent to significant waterways (Collie River and Millars Creek).

The policy requires a suitable interface between residential development and Regional Open Space to reduce impacts on natural vegetation. The policy also requires the identification and protection of significant vegetation on Council owned or managed land including POS, road reserves and drainage reserves. Proposed road layout design is to accommodate tree and understorey retention wherever possible.

The proposal demonstrates that the majority of vegetation located within the subject site is identified in the Public Open Space.

A Local Water Management Strategy (LWMS) has also been prepared to support the PESP. The application states that the objectives of the LWMS are to detail the best management practice approach to water management in accordance with Better Urban Water Management (WAPC, 2008). This will include managing, protecting and conserving the total water cycle of the local environment and the greater catchment.

The LWMS has demonstrated that substantial fill may be required to achieve the required separation from the 1% Average Event Period (AEP) event flood level of the

Collie River of 3.61m AHD. It may not be practical to retain existing trees in road reserves where substantial fill is to occur.

CP120 – Environment

The objective of this policy relevant to the proposal is to ensure that policies, strategies and management plans are prepared and implemented for natural reserves, endemic flora and fauna and natural landscape areas in care, control and management of the Shire.

As indicated previously, the applicant will be required to undertake a flora and fauna assessment to determine any areas of environmental significance on the site. The outcomes of this assessment will further inform whether additional management plans or policies are required.

Risk Assessment - Low.

The proposal is consistent with the Shire's Local Planning Strategy and TPS3. Some modifications to the Structure Plan are required to ensure planning requirements are met.

Officer Comment

The following section provides an assessment of the proposed PESP under various planning documents relevant to the proposal:

- Shire of Dardanup Local Planning Strategy (LPS);
- Greater Bunbury Region Scheme (GBRS);
- Shire of Dardanup Town Planning Scheme No.3 (TPS3);
- Shire of Dardanup and Shire of Harvey Joint Town Planning Scheme No.1 (JTSPS);
- State Planning Policy 3.7 Planning in Bushfire Prone Areas; and
- Liveable Neighbourhoods 2009.

Each of the above and its relationship to the Structure Plan is summarised below:

- *Shire of Dardanup Local Planning Strategy (LPS)*

The subject land is identified for 'Urban' development under the LPS and therefore the proposal is consistent with the Strategy.

- *Greater Bunbury Region Scheme (GBRS)*

Under the GBRS the subject land is mostly zoned 'Urban'. A small strip of land along the northern boundary of Lot 9004 is reserved for 'Regional Open Space' (ROS) however does not form part of the Structure Plan area.

The Structure Plan boundary extends beyond the lot boundary of Lot 9004 including part of Lot 9503 which is a narrow strip of ROS which runs along the western lot boundary. This strip of ROS will accommodate stormwater management infrastructure such as vegetated swales and potentially drainage basins, however whether the width indicated is sufficient for its intended purpose will need to be considered further at the subdivision design stage. The use of the land and works in

the ROS will require the approval of the Department of Planning, Lands and Heritage (DPLH) under the Greater Bunbury Region Scheme.

- *Shire of Dardanup Town Planning Scheme No.3 (TPS3)*

The subject land is mostly zoned 'Development' under TPS3.

The objective of the 'Development' zone is to provide for orderly planning of large areas of land through a comprehensive structure plan which is able to respond to changing circumstances throughout the developmental stages of the area.

- *Shire of Dardanup and Shire of Harvey Joint Town Planning Scheme No.1*

The land is subject to the Joint Town Planning Scheme (JTPS) and therefore the applicant/landowner will be required to contribute towards works in accordance with the requirements of the JTPS.

- *State Planning Policy 3.7 Planning in Bushfire Prone Areas*

Under Clause 6.3 of SPP 3.7 strategic proposals such as the proposed PESP are to be accompanied by information demonstrating that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages.

A Bushfire Management Plan prepared by Lush Fire & Planning is contained in the PESP report. The BMP relates to Lot 9004, 9503 and 9504 with a total area 53ha which also includes land outside of the PESP area.

Clause 6.2 of the *Guidelines for Planning in Bushfire Prone Areas* set out the roles and responsibilities that local governments have in relation to the implementation of SPP3.7, which includes ensuring that the BMP aligns with the objectives and measures of the policy in consultation with DFES.

The BMP was referred to DFES for comment, which advised that the BMP has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria could be achieved at subsequent planning stages.

Notwithstanding this DFES raised some concerns which have been addressed in the schedule of submissions. In addition, officers have also identified the following matters that require further consideration prior to subdivision:

- The BMP has been prepared based on the assumption that all vegetation, other than that contained within the main area of POS, will be cleared as demonstrated in the BMP on Figure 5 (Appendix ORD: 12.2D). A clearing permit from DWER may be required.
- The BMP requires the interface with the adjoining ROS to be managed by providing an 18m wide boundary subdivision road and an additional 9m wide area of low threat vegetation which in conjunction with the road reserve will provide a BAL29 rating for the front boundary lots.

Officers recommend the PESP be modified to clearly indicate the width of Peninsula Lakes Drive, and the location of the low threat vegetation which officers consider will

need to be on the Regional Open Space side of the road to avoid impacting on the primary street setback of any of the residential lots along Peninsula Lakes Drive.

Some minor modifications to the Structure Plan are required to ensure the outcomes of the BMP can be met in future subdivision stages.

- *Liveable Neighbourhoods 2009 (LN)*

An officer assessment of the PESP against the requirements of Liveable Neighbourhoods 2009 has identified some minor modifications to the Structure Plan be considered, these are listed in the table below:

Requirement under LN	Assessment of the PESP against LN	Recommendation
Element 1 – Community Design		
Neighbourhood And Town Structure		
<p>R5 of Element 1, LN 2009 –</p> <p>The layout should connect well to existing, committed or proposed development on adjacent sites.</p> <p>The urban structure of new areas should take into account the existing urban structure of adjoining areas and should endeavour to enhance its contribution to a more sustainable urban structure, wherever practical.</p>	<p>The Parkridge Estate Structure Plan (PESP) appears to integrate with the road layout of the adjoining endorsed Garden of Eaton Structure Plan (GESP) to the east.</p> <p>To ensure a suitable interface with the GESP, residential densities of those street blocks on the PESP sharing a common boundary with the GESP should match the densities of the endorsed GESP.</p>	<p>It is recommended Council request a modification to the Structure Plan to include the following note:</p> <p>“PESP to demonstrate that the residential densities of those blocks sharing a common boundary with the GESP are to match the ‘R20’ densities of the endorsed GESP.”</p>
Density And Mix Of Housing Types		
<p>R17 of Element 1, LN 2009 –</p> <p>Local structure plan detailing street blocks and land uses must specify the residential density in dwellings per site hectare.</p> <p>The plan should also identify those areas for which a detailed area plan is required, to deliver a variety of lot sizes or dwelling types.</p>	<p>The PESP provides for a density range for much of the site (R25-R40), plus a designated area of R40.</p>	<p>It is recommended that Council requests a modification to the Structure Plan specifying ‘R40’ as the designated density on lots to the north and south of the Public Open Space.</p>
<p>R18 of Element 1, LN 2009 –</p> <p>Lot layout should provide a mix of housing types, with smaller residential lots and higher density housing in areas close to town and neighbourhood</p>	<p>The density coding range (R25-40) and R60 development provides for a range of housing types.</p>	<p>As above.</p>

Requirement under LN	Assessment of the PESP against LN	Recommendation
centres, near public transport stops and in areas with high amenity such as next to parks.		
Element 2 – Movement network		
Arterial Routes		
<p>R4 of Element 1, LN 2009 – Development should front arterial roads wherever possible.</p> <p>Service roads should generally be provided to enable development to front. If street frontage is not provided, alternative means of accommodating fronting development with appropriate vehicle access should be used.</p>	<p>The Parkridge Estate SP does not demonstrate indicative lot layout, and therefore it is difficult to assess compliance with this element.</p>	<p>It is recommended that Council requests a modification to the PESP to include a notation stating:</p> <p><i>“All residential development is to be oriented towards arterial roads within the development area, including Peninsula Lakes Drive and Eaton Drive, and any road adjacent to the public open space.”</i></p>
Local Streets		
<p>R6 of Element 1, LN 2009 – Local streets should be designed to discourage traffic travelling long distances from passing through.</p>	<p>Peninsula Lakes Drive is approximately 1.1km long, however is not a through road.</p> <p>No information has been provided with the PESP demonstrating how traffic calming may be achieved.</p>	<p>It is recommended that Council consider a modification to the PESP to include a notation stating the following:</p> <p><i>“Traffic calming measures along Peninsula Lakes Drive are to form part of the road design at the subdivision stage to improve safety for residents, motorists, pedestrians and cyclists.”</i></p>
Traffic Speed		
<p>R27 of Element 1, LN 2009 - Streets designated as bus routes should have the indicative widths specified for the street types.</p>		<p>The street width of Peninsula Lakes Drive and the northern access onto Eaton Drive through the GESP should demonstrate suitability as a bus route with streets being 20m wide.</p> <p>It is recommended that Council request a modification of the PESP to demonstrate this.</p>
Footpaths And Shared Path In Streets		
<p>R30 of Element 1, LN 2009 - Arterial roads and neighbourhood connector streets must have footpaths for or shared paths on both sides and constructed to an approved construction standard.</p>	<p>The PESP demonstrates a shared path traversing the POS only, however does not provide information regarding footpaths in residential areas.</p>	<p>It is recommended that Council request a modification of the PESP to demonstrate the location of 2.5m wide dual use paths along the neighbourhood connector streets and 2m shared paths along one side of all other streets.</p>

Requirement under LN	Assessment of the PESP against LN	Recommendation
Element 3 - Lot Layout		
Density And Diversity		
<p>R7.1 of Element 1, Draft LN 2015 –</p> <p>To enable density and diversity in the right locations residential density codes ranges are encouraged.</p> <p>Where density ranges are proposed, the proponent will need to outline the criteria for determining density at the time of subdivision.</p>	<p>Lot sizes have not yet been demonstrated, however, based on the proposed densities the average lot sizes will be 350m² for the R25 coded lots and 220m² for the R40 coded lots which will provide choice.</p> <p>There is also a small pocket of R60 (150m²) coded lots abutting the POS.</p> <p>As stated in the PESP a Density Plan that determines the R-Code allocation will be required for each stage of subdivision.</p>	<p>It is recommended Council requests a modification to the Structure Plan to include the following note:</p> <p><i>“A Density Plan indicating the proposed R-Code allocation is required for each stage of subdivision.”</i></p>
Frontage To Parks And Natural Areas		
<p>R28 of Element 1, LN 2009 -</p> <p>Lots with boundaries that abut parkland should be provided with uniform fencing which addresses appropriate height, character, visual permeability and appropriate relationship to the parkland.</p> <p>LDP may be required to correctly orientate buildings towards the parkland.</p>	<p>There is a single area of R60 development abutting the parkland in the PESP.</p>	<p>It is recommended that Council requests a modification to the Structure Plan requiring ‘R40’ as the specified density on lots to the north and south of the Public Open Space.</p> <p>It is recommended a Modification to the PESP is requested to state the following:</p> <p>“All R40 and R60 zoned land will require a Local Development Plan to be prepared and approved prior to development to address the following:</p> <ul style="list-style-type: none"> • orientation of development is to be towards the POS, whilst maintaining a suitable interface to the streetscape; • provision and location of vehicle parking is not to adversely impact on either the streetscape or the amenity of the public open space; • landscaping; • provision of permeable and uniform fencing abutting the POS.”
Element 4 – Public parkland		
Neighbourhood Parks		
<p>R16 of Element 1, LN 2009 -</p> <p>The neighbourhood park should have streets on all sides, but in some instances may have a portion of its perimeter (generally no more than 25 per cent), directly abutting</p>	<p>The main POS has streets on all sides, other than for the area of proposed R60 development.</p> <p>No visitor parking to the POS is indicated on the submitted structure plan.</p>	<p>It is recommended Council requests a modification to the Structure Plan to indicate on-street parking surrounding the POS and along Peninsula Lakes Drive adjoining the ROS.</p>

Requirement under LN	Assessment of the PESP against LN	Recommendation
<p>development that has only footpath frontage.</p> <p>In such instances the design should provide adequate measures so that nearby buildings overlook the park and provide sufficient road frontage to accommodate visitor parking.</p>		

- *Recommended Modifications*

Whilst officers are generally supportive of the proposed Structure Plan, a number of modifications are suggested to ensure development is of an appropriate standard. Some modifications also respond to concerns raised during the advertising period.

- Modifications to the Structure Plan (Plan No:17-002497P-SP-01F) to demonstrate the following:
 1. The location of the low threat vegetation on the Regional Open Space side of the road along Peninsula Lakes Drive to be clearly identified.
 2. Residential densities of those blocks directly to the north and south of the Public Open Space to reflect a density coding of 'R40'.
 3. Residential densities of those blocks sharing a common boundary with the Garden of Eaton Structure Plan to match the 'R20' densities of the endorsed Garden of Eaton Structure Plan.
 4. The street width of Peninsula Lakes Drive and the northern access onto Eaton Drive through the Garden of Eaton Structure Plan shall be a minimum of 20m wide.
 5. The location of dual use paths and shared paths, in particular:
 - 2.5m wide dual use paths along the length of Peninsula Lakes Drive on the side of the road abutting the Regional Open Space, and along the road reserve linking with the northern access onto Eaton Drive; and
 - 2m shared paths along one side of all other streets.
 6. An additional road reserve is to be created in the location marked in red in Appendix E. (Appendix ORD: 12.2E).
- The Structure Plan (Plan No:17-002497P-SP-01F) to include a new heading "At subdivision stage:" Under the new heading the following provisions are to be included:
 1. The applicant/landowner shall be required to prepare a mosquito management plan prior to subdivision and a section 70A Notification is

- to be placed on all certificates of title advising of the prevalence of mosquitoes in the locality at creation of titles.
2. The applicant/landowner shall be required to demonstrate compliance with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the Guidelines for Planning in Bushfire Prone Area (Guidelines) and shall include the provision of emergency access to two different locations in two directions at the first stage of subdivision.
 3. The applicant/landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.
 4. A Density Plan indicating the proposed R-Code allocation is required for each stage of subdivision.
 5. All residential development is to be oriented towards arterial roads within the development area, including Peninsula Lakes Drive and Eaton Drive, and any road adjacent to the public open space.
 6. All R40 and R60 zoned land will require a Local Development Plan to be prepared and approved prior to development to address the following:
 - a) orientation of development is to be towards the POS, whilst maintaining a suitable interface with the streetscape;
 - b) provision and location of vehicle parking is not to adversely impact on either the streetscape or the amenity of the public open space;
 - c) landscaping; and
 - d) provision of permeable and uniform fencing abutting the POS.
 7. An Urban Water Management Plan is required to be prepared consistent with an approved Local Water Management Strategy in consultation with DWER and to the satisfaction of the Shire of Dardanup. The UWMP is to be implemented at subdivision.
 8. Traffic calming measures along Peninsula Lakes Drive are to form part of the road design to improve safety for motorists, pedestrians and cyclists prior to subdivision approval being sought.
 9. Provision is to be made for on-street parking surrounding the Public Open Space and at regular intervals along the length of Peninsula Lakes Drive adjoining the Regional Open Space.
 10. The land is subject to the Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme (JTPS) No. 1 and therefore the applicant/landowner will be required to contribute towards works in accordance with the requirements of the JTPS.

11. The applicant/landowner shall be required to prepare a Landscape Plan for the Structure Plan area to the satisfaction of the local government, which is to address the following:
 - a) The provision of street trees in accordance with Council Policy CP061 and Liveable Neighbourhoods;
 - b) The Public Open Space areas are to be landscaped in accordance with Element 4, R37 of Liveable Neighbourhoods to:
 - i) demonstrate a balance between conservation, and active and passive recreational uses, and implement the function/s (sport, nature, recreation) identified for the site;
 - ii) confirm that no more than 2% of POS is to be used for urban water management purposes;
 - iii) Provide details of earthworks, reticulation with a connection to a water source, grassing of key areas, pathways that form part of the overall pedestrian/cycling network and provision of lighting where appropriate,
 - iv) Provide details of ongoing management, including the landowner/applicant being responsible for management of the POS areas for a minimum of the first two years.
 - v) Provision of an arborist report to be included to ensure that trees to be retained are safe with no risk of falling branches.
 - vi) The development, infrastructure and landscaping proposed for public open space should:
 - Implement the use of native endemic and waterwise plant species to preserve local landscape character;
 - Make use of local resources and materials that are robust, and environmentally sound;
 - Be sensitive to limited water availability through innovation rather than limitation; and
 - Establish a suitable interface between the development and the Regional Open Space.
 12. All Public Open Space (POS) within the structure plan area shall be created, and developed in accordance with the approved Landscape Plan, prior to any subdivision commencing in the 'North Stage'.
 13. At subdivision of the first stage, the applicant is required to install a suitable bore for the irrigation of all areas of public open space. The bore shall include the installation of a suitable iron filter.
- Modifications to the Structure Plan Report to replace the original LWMS with the revised Version B dated 1 August 2018, subject to the following modification to Version B of the LWMS:

- Section 2.2 to be modified to indicate stormwater for lots less than 400m² is to be retained on site, rather than connecting to district drainage.
- *Officer Recommendation:*

In considering the proposed structure plan, Council is required to make its recommendation to the WAPC as to whether it:

- Supports the structure plan as presented;
- Supports the structure plan subject to modifications; or
- Does not support the structure plan.

Council's resolution will be referred to the WAPC with all accompanying documents, which will make the final determination on the Structure Plan.

Officers recommend that Council advises the Western Australian Planning Commission that it supports the proposed structure plan subject to the modifications contained in the officer recommended resolution.

For ease of reference recommended physical modifications contained in Resolution 1(a) are demonstrated on a marked up version of the PESP provided in (Appendix ORD: 12.2E).

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Pursuant to Sch.2, Pt.4, cl.20 of the Planning and Development (Local Planning Schemes) Regulations 2015, recommends to the Western Australian Planning Commission that the Parkridge Estate Structure Plan for Lots 9004 and 9503 Eaton Drive, Eaton be approved, subject to the following modifications:
 - a) Modifications to the physical Structure Plan (Plan No:17-002497P-SP-01F) to demonstrate the following:
 - i. The location of the low threat vegetation on the Regional Open Space side of the road along Peninsula Lakes Drive to be clearly identified.
 - ii. Residential densities of those blocks directly to the north and south of the Public Open Space as identified in Appendix 'F' to reflect a density coding of 'R40'.
 - iii. Residential densities of those blocks sharing a common boundary with the 'Garden of Eaton Structure Plan' as identified in (Appendix ORD:

12.2E) to match the 'R20' densities of the endorsed 'Garden of Eaton Structure Plan'.

- iv. The street width of Peninsula Lakes Drive and the northern access road linking to Eaton Drive (through the 'Garden of Eaton Structure Plan' area), as identified in (Appendix 'ORD: 12.2E) shall be a minimum of 20m wide.
 - v. The location of dual use paths and shared paths, in particular:
 - 2.5m wide dual use paths along the length of Peninsula Lakes Drive on the side of the road abutting the Regional Open Space, and along the street linking with the northern access onto Eaton Drive (through the 'Garden of Eaton Structure Plan' area); and
 - 2m shared paths along one side of all other streets.
 - vi. An additional road reserve is to be created in the location marked in red in (Appendix: ORD 12.2E).
- b) The Structure Plan (Plan No:17-002497P-SP-01F) to include a new heading within the 'Notes' part of the Structure Plan on the right side to be entitled "At subdivision stage."

Under the new heading the following provisions are to be included:

- i) The applicant/landowner shall be required to prepare a mosquito management plan prior to subdivision and a section 70A Notification is to be placed on all certificates of title advising of the prevalence of mosquitoes in the locality at creation of titles.
- ii) The applicant/ landowner shall be required to demonstrate compliance with State Planning Policy 3.7 (SPP3.7) Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Area (Guidelines) which shall include the provision of emergency access to two different locations in two directions at the first stage of subdivision.
- iii) The applicant/ landowner shall be required to undertake a flora and fauna study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.

- iv) A Density Plan indicating the proposed R-Code allocation is required for each stage of subdivision.
- v) All residential development is to be oriented towards arterial roads within the development area, including Peninsula Lakes Drive and Eaton Drive, and any road along the public open space.
- vi) All R40 and R60 zoned land will require a Local Development Plan to be prepared and approved prior to development to address the following:
- orientation of development is to be towards the POS, whilst maintaining a suitable interface with the streetscape;
 - provision and location of vehicle parking is not to adversely impact on either the streetscape or the amenity of the public open space;
 - landscaping; and
 - provision of permeable and uniform fencing abutting the POS.
- vii) An Urban Water Management Plan (UWMP) is required to be prepared consistent with an approved Local Water Management Strategy in consultation with the Department of Water and Environmental Regulation and to the satisfaction of the Shire of Dardanup. The UWMP is to be implemented at subdivision.
- viii) Traffic calming measures along Peninsula Lakes Drive are to form part of the road design to improve safety for motorists, pedestrians and cyclists with details of such measures to be provided at subdivision stage.
- ix) Provision is to be made for on-street parking surrounding the Public Open Space and at regular intervals along the length of Peninsula Lakes Drive adjoining the Regional Open Space.
- x) The land is subject to the Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme (JTPS) No. 1 and the applicant/landowner will be required to contribute towards works in accordance with the requirements of the JTPS.
- xi) The applicant/landowner shall be required to prepare a Landscape Plan for the Structure Plan area to the satisfaction of the local government, which is to address the following:
- The provision of street trees in accordance with Council Policy CP061 and Liveable Neighbourhoods;

- Public Open Space areas are to be landscaped in accordance with Element 4, R37 of Liveable Neighbourhoods to:
 - demonstrate a balance between conservation, and active and passive recreational uses, and implement the function/s (sport, nature, recreation) identified for the site;
 - confirm that no more than 2% of POS is to be used for urban water management purposes;
 - Provide details of earthworks, reticulation with a connection to a water source, grassing of key areas, pathways that form part of the overall pedestrian/cycling network and provision of lighting where appropriate;
 - Provide details of ongoing management, including the landowner/applicant being responsible for management of the POS areas for a minimum of the first two years;
 - Provision of an arborist report to ensure that trees to be retained are safe with no risk of falling branches.
- The development, infrastructure and landscaping proposed for public open space should:
 - Implement the use of native endemic and waterwise plant species to preserve local landscape character;
 - Make use of local resources and materials that are robust, and environmentally sound;
 - Be sensitive to limited water availability; and
 - Establish a suitable interface between the development and the Regional Open Space.
- xii) All Public Open Space (POS) within the structure plan area shall be created, and developed in accordance with the approved Landscape Plan, by the applicant/landowner prior to any subdivision commencing in the 'North Stage'.
- xiii) The applicant/landowner is required to install a suitable bore for the irrigation of all areas of public open space. The bore shall include a suitable iron filter.

- c) The Structure Plan Report is to replace the original Local Water Management Strategy (LWMS) with the revised Version B dated 1 August 2018, subject to the following modification to Version B of the LWMS:
- i) Section 2.2 to be modified to indicate stormwater for lots less than 400m² is to be retained on site, rather than connecting to district drainage.

Note: The following information was provided to elected members via email prior to the commencement of the meeting:

FURTHER INFORMATION

Manager Development Services Comment

Since the finalisation of the Council agenda, ongoing discussions have occurred between Planning staff and the landowner's consultant with regards to the officer recommended resolution relevant to Item 12.2.

Much of the discussion has centred around the level of detail that is being requested by officers through modifications and additional notations on the structure plan. From officers' perspective, the proposed modifications and notations result in an increased level of detail being provided at the structure plan stage to ensure that all major expectations and requirements are clearly noted, which provides a level of certainty for all concerned parties prior to subdivision and development commencing. This approach is likely to avoid complications in the future when such provisions on the structure plan inform development or subdivision conditions.

It is noted that the Western Australian Planning Commission operational policy *Liveable Neighbourhoods* guides both structure planning and subdivision for greenfield sites and has been used by Planning staff to assess the proposed structure plan. As *Liveable Neighbourhoods* applies at both the structure planning and subdivision stages, the applicant has contended that much of the detail required will be provided later at the subdivision stage. However, for the reasons outlined above, officers consider there are advantages to clarifying certain matters earlier in the planning process.

The discussion between staff and the consultant has resulted in officers reviewing the elements within the original officer recommended resolution in light of comments provided by the consultant. As a result of the ongoing discussion, officers and the consultant have reached a point where each party has expressed their viewpoints and the resulting outcomes fall into one of three categories:

- Officers and the consultant have agreed on the original recommended provision contained in the officer recommended resolution, which is recommended to remain unchanged;
- Officers and the consultant have agreed on a proposed change to the provision contained in the officer recommended resolution and therefore an alternative recommendation has resulted;

- Officers and the consultant have failed to reach a consensus on a provision contained in the officer recommended resolution.

Provided in (Appendix ORD:12.2F) are three separate tables which summarise the status of the provisions within the officer recommended resolution in light of the above.

It is noted that one of the outstanding objections of the consultant is the inclusion of 1.b) in its entirety (containing 13 separate points) and 1.c). In the tables provided in (Appendix ORD:12.2F) all individual points contained within 1.b) have therefore been addressed.

In considering the report and the further information, it is important to reiterate that Council is not the responsible authority for 'approving' the proposed structure plan and therefore any of the recommended provisions contained in the officer recommended resolution (if supported by Council) will be forwarded to the Western Australian Planning Commission (WAPC) which will undertake its own assessment and may or may not agree with Council's recommendations in making the final decision.

In light of the above and the information contained in (Appendix ORD:12.2F), the following amended officer recommended resolution is provided.

In addition, a modified version of the marked up structure plan contained in (Appendix ORD:12.2D) has been updated to reflect the amended recommendation and is provided in (Appendix ORD:12.2G).

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Pursuant to Sch.2, Pt.4, cl.20 of the Planning and Development (Local Planning Schemes) Regulations 2015, recommends to the Western Australian Planning Commission that the Parkridge Estate Structure Plan for Lots 9004 and 9503 Eaton Drive, Eaton be approved, subject to the following modifications:
 - a) Modifications to the physical Structure Plan (Plan No:17-002497P-SP-01F) to demonstrate the following:
 - i) The location of the low threat vegetation on the Regional Open Space side of the road along Peninsula Lakes Drive to be clearly identified.
 - ii) Residential densities of those blocks sharing a common boundary with the 'Garden of Eaton Structure Plan' as identified in (Appendix ORD 12.2G) to match the 'R20' densities of the endorsed 'Garden of Eaton Structure Plan'.
 - iii) An additional road reserve is to be created in the location marked in red in (Appendix: ORD 12.2G).

- b) The Structure Plan (Plan No:17-002497P-SP-01F) to include a new heading within the 'Notes' part of the Structure Plan on the right side to be entitled "At subdivision stage:"

Under the new heading the following provisions are to be included:

- i) The applicant/owner shall make provision for footpaths throughout the development area in accordance with the following:
- 2.5m wide dual use paths along the length of Peninsula Lakes Drive on the side of the road abutting the Regional Open Space, and along the street linking with the northern access onto Eaton Drive (through the 'Garden of Eaton Structure Plan' area); and
 - 2m shared paths along one side of all other streets.
- ii) The applicant/owner is to prepare and implement a Mosquito Management Plan.
- iii) The applicant/landowner shall be required to undertake a Flora and Fauna Study to identify the presence of threatened flora and fauna within the site being regarded as being of biodiversity and conservation value.
- iv) A Density Plan indicating the proposed R-Code allocation is required for each stage of subdivision.
- v) All 'R40' and 'R60' zoned land will require a Local Development Plan to be prepared and approved prior to development.
- vi) An Urban Water Management Plan (UWMP) is required to be prepared consistent with an approved Local Water Management Strategy in consultation with the Department of Water and Environmental Regulation and to the satisfaction of the Shire of Dardanup. The UWMP is to be implemented at subdivision.
- vii) Traffic calming measures along Peninsula Lakes Drive are to form part of the road design at subdivision stage.
- viii) Provision is to be made for on-street parking surrounding the Public Open Space and at regular

intervals along the length of Peninsula Lakes Drive adjoining the Regional Open Space.

- ix) The applicant/landowner shall be required to prepare a Landscape Plan for the Structure Plan area to the satisfaction of the local government, which is to address the following:
- The provision of street trees in accordance with Council Policy CP061 and Liveable Neighbourhoods;
 - Public Open Space (POS) areas are to be landscaped and the Landscape Plan shall provide details of development, management and future maintenance requirements in accordance with the requirements of Liveable Neighbourhoods.
- x) All Public Open Space (POS) within the structure plan area shall be created, and developed by the applicant/landowner in accordance with the approved Landscape Plan, prior to any subdivision commencing in the 'North Stage'.
- c) The Structure Plan Report is to replace the original Local Water Management Strategy (LWMS) with the revised Version B dated 1 August 2018, subject to the following modification to Version B of the LWMS:
- i) Section 2.2 to be modified to indicate stormwater for lots less than 400m² is to be retained on site, rather than connecting to district drainage.

Discussion:

Shire President, Cr. M T Bennett referred Councillors to an alternate resolution provided at the request of Cr. C N Boyce. The resolution was an amended version of the original Officer Recommended Resolution with the addition of conditions regarding a Flora and Fauna Study and zoning density.

Note: Councillors were given time to read the alternate resolution. The 'further information resolution' as above was not discussed.

Cr. C N Boyce moved the alternate resolution and Cr. J Lee seconded.

Manager Development Services, Mr Steve Potter advised that he had provided the resolution as a request from Cr. C N Boyce for a Flora and Fauna Study and zoning density concerns to be included. Cr. C N Boyce requested R20-R40 with a minimum of 80% being at that level. The majority will be R20 but it does include the opportunity for flexibility.

Mr Potter advised that Flora and Fauna is something that is required due to the vegetation. There was some expectation that there would be public open space for playing fields. There has to be a balance between conserving the vegetation and providing public open space.

Shire President, Cr. M T Bennett queried at what stage the regional open space would be available for community use. Chief Executive Officer, Mr Mark Chester advised that the regional open space would be a condition at the subdivision application stage.

Following discussion, Manager Development Services, Mr Steve Potter clarified with Cr. C N Boyce that the following resolution (as outlined below) was what she had moved. Cr Boyce agreed.

Shire President, Cr. M T Bennett put the new Councillor resolution.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

Requiring the Flora and Fauna survey prior to the structure plan being endorsed will ensure that any environmentally significant areas are identified early in the planning process; future subdivision design will be able to avoid any areas of environmental significance; and failure to undertake the flora and fauna study at the structure plan stage will greatly diminish the Shire's ability to protect any identified environmentally significant areas in the future.

The densities proposed are considered to be at odds with the existing densities in neighbouring developments (existing areas of Parkridge and Millbridge); there is not currently any 'R60' development in the area and it is not considered necessary or warranted in this locality.

COUNCIL RESOLUTION

273-18 MOVED - Cr. C N Boyce SECONDED - Cr. J Lee

THAT Council:

- 1. Recommends to the Western Australian Planning Commission that prior to endorsement of the proposed Parkridge Estate Structure Plan that the applicant/landowner be required to undertake a Flora and Fauna Study to identify the presence of threatened flora and fauna within the site being regarded of biodiversity and conservation value. Should the study identify any flora or fauna as having biodiversity and conservation value then those areas should be identified on the Parkridge Estate Structure Plan and retained for conservation purposes.**

- 2. Subject to the Flora and Fauna study first being prepared, assessed, and any amendments made to the Parkridge Estate Structure Plan to identify and retain environmentally significant areas in accordance with Resolution 1.a) (if required), pursuant to Sch.2, Pt.4, cl.20 of the Planning and Development (Local Planning Schemes) Regulations (2015), recommends to the Western Australian Planning Commission that the Parkridge Estate Structure Plan for Lots 9004 and 9503 Eaton Drive, Eaton be approved, subject to the following modifications:**
- a) Modifications to the physical Structure Plan (Plan No:17-002497P-SP-01F) to demonstrate the following:**
- i. The location of the low threat vegetation on the Regional Open Space side of the road along Peninsula Lakes Drive to be clearly identified.**
 - ii. Residential densities of those blocks sharing a common boundary with the 'Garden of Eaton Structure Plan' as identified in Appendix ORD 12.2E to match the 'R20' densities of the endorsed 'Garden of Eaton Structure Plan'.**
 - iii. The street width of Peninsula Lakes Drive and the northern access road linking to Eaton Drive (through the 'Garden of Eaton Structure Plan' area), as identified in Appendix ORD 12.2E shall be a minimum of 20m wide.**
 - iv. The location of dual use paths and shared paths, in particular:**
 - 2.5m wide dual use paths along the length of Peninsula Lakes Drive on the side of the road abutting the Regional Open Space, and along the street linking with the northern access onto Eaton Drive (through the 'Garden of Eaton Structure Plan' area); and**
 - 2m shared paths along one side of all other streets.**
 - v. An additional road reserve is to be created in the location marked in red in (Appendix: ORD 12.2E).**
 - vi. Under the 'Legend' heading on the Structure Plan the reference to 'Residential R25-40' is to be amended to 'Residential R20-40'.**

- vii. (v) Under the 'Legend' heading on the Structure Plan the reference to 'Residential R60' is to be amended to 'Residential R40'.
- b) The Structure Plan (Plan No:17-002497P-SP-01F) to include a new heading within the 'Notes' part of the Structure Plan on the right side to be entitled "*At subdivision stage:*"

Under the new heading the following provisions are to be included:

- i) The applicant/landowner shall be required to prepare a mosquito management plan prior to subdivision and a section 70A Notification is to be placed on all certificates of title advising of the prevalence of mosquitoes in the locality at creation of titles.
- ii) The applicant/landowner shall be required to demonstrate compliance with State Planning Policy 3.7 (SPP3.7) Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Area (Guidelines) which shall include the provision of emergency access to two different locations in two directions at the first stage of subdivision.
- iii) A Density Plan indicating the proposed R-Code allocation is required for each stage of subdivision.
- iv) All residential development is to be oriented towards arterial roads within the development area, including Peninsula Lakes Drive and Eaton Drive, and any road along the public open space.
- v) All land to be developed at the R40 density will require a Local Development Plan to be prepared and approved prior to development to address the following:
 - orientation of development is to be towards the POS, whilst maintaining a suitable interface with the streetscape;
 - provision and location of vehicle parking is not to adversely impact on either the streetscape or the amenity of the public open space;
 - landscaping; and
 - provision of permeable and uniform fencing abutting the POS.

- vi) **A minimum of 80% of land subject to the 'R20-40' density range is to be developed at the 'R20' density coding.**
- vii) **An Urban Water Management Plan (UWMP) is required to be prepared consistent with an approved Local Water Management Strategy in consultation with the Department of Water and Environmental Regulation and to the satisfaction of the Shire of Dardanup. The UWMP is to be implemented at subdivision.**
- viii) **Traffic calming measures along Peninsula Lakes Drive are to form part of the road design to improve safety for motorists, pedestrians and cyclists with details of such measures to be provided at subdivision stage.**
- ix) **Provision is to be made for on-street parking surrounding the Public Open Space and at regular intervals along the length of Peninsula Lakes Drive adjoining the Regional Open Space.**
- x) **The applicant/landowner shall be required to prepare a Landscape Plan for the Structure Plan area to the satisfaction of the local government, which is to address the following:**
- **The provision of street trees in accordance with Council Policy CP061 and Liveable Neighbourhoods;**
 - **Public Open Space areas are to be landscaped in accordance with Element 4, R37 of Liveable Neighbourhoods to:**
 - **demonstrate a balance between conservation, and active and passive recreational uses, and implement the function/s (sport, nature, recreation) identified for the site;**
 - **confirm that no more than 20% of POS is to be used for urban water management purposes;**
 - **provide details of earthworks, reticulation with a connection to a water source, grassing of key areas, pathways that form part of the overall pedestrian/cycling network and provision of lighting where appropriate;**
 - **provide details of ongoing management, including the landowner/applicant being**

- responsible for management of the POS areas for a minimum of the first two years;**
- provision of an arborist report to ensure that trees to be retained are safe with no risk of falling branches.**
 - The development, infrastructure and landscaping proposed for public open space should:**
 - implement the use of native endemic and waterwise plant species to preserve local landscape character;**
 - make use of local resources and materials that are robust, and environmentally sound;**
 - be sensitive to limited water availability; and**
 - establish a suitable interface between the development and the Regional Open Space.**
 - xi) All Public Open Space (POS) within the structure plan area shall be created, and developed by the applicant/landowner in accordance with the approved Landscape Plan, prior to any subdivision commencing in the 'North Stage'.**
 - xii) The applicant/landowner is required to install a suitable bore for the irrigation of all areas of public open space. The bore shall include a suitable iron filter.**
- c) The Structure Plan Report is to replace the original Local Water Management Strategy (LWMS) with the revised Version B dated 1 August 2018, subject to the following modification to Version B of the LWMS:**
- i) Section 2.2 to be modified to indicate stormwater for lots less than 400m² is to be retained on site, rather than connecting to district drainage.**
- d) The Structure Plan Report is to be amended to:**
- (i) replace any reference to the 'R25-40' density range with 'R20-40'; and**
 - (ii) replace any reference to the 'R60' density coding with 'R40'.**

CARRIED
8/0

12.3

Title: Application for Development Approval – Lot 9000 (97) Illawarra Drive, Eaton – Proposed 34 Grouped Dwellings (Calibre) Professional Services Pty Ltd on Behalf of Bethanie Esprit

Reporting Department: Engineering & Development Services

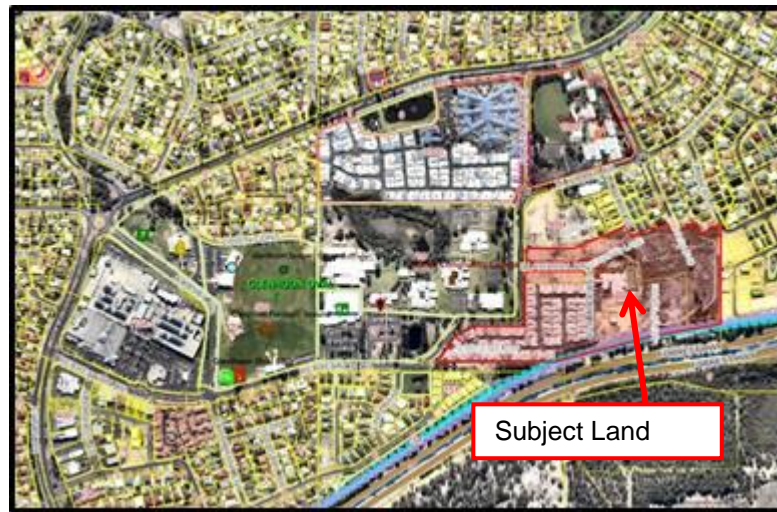
Reporting Officer: Suzanne Occhipinti – Senior Planning Officer

Legislation: Planning and Development Act 2005

Overview

Council has received an Application for Development Approval for 34 'Grouped Dwellings' (Aged or Dependent Person's Dwellings) at Lot 9000 (97) Illawarra Drive, Eaton. Officers are recommending the proposal be approved subject to appropriate conditions.

Location Plan



Site Plan



Approximate extent of development area shown



Zoning Plan



Background

Council has received an Application for Development Approval for the construction of 34 'Grouped Dwellings' (Aged or Dependent Person's Dwellings) at Lot 9000 (97) Illawarra Drive, Eaton. Full details of the proposal are contained in (Appendix ORD: 12.3A).

Under Town Planning Scheme No. 3 (TPS3) the 9.56ha lot is primarily zoned 'Other Community' with a strip of 'Recreation' reserve running along a portion of the property's southern boundary in the locality of the vegetated noise bund adjacent to Forrest Highway. TPS3 also identifies the property as being within an 'Additional Use' zone (A18) for the purposes of 'Lifestyle Village including Aged Person's Accommodation, Clubhouse and Workshop'.

The lot abuts developed residential areas to the north and east, the Eaton Community College ('Public Purpose' reserve) to the west, and the Forrest Highway to the south. There are a few small patches of remnant vegetation along the southern boundary and a natural drainage system runs from the end of the constructed western portion of Illawarra Drive in a north-easterly direction, where it then generally follows the northern boundary of the lot in an eastward direction.

The lot currently contains the Bethanie Esprit Lifestyle Village, which thus far has been developed with 84 single dwellings, a clubhouse/reception, enclosed swimming pool, bowling green, woodshop and visitor parking. Access is via Illawarra Drive, which has been constructed from the intersection with Edith Cowan Avenue to the main access, located at the intersection with Endicott Boulevard (internal road).

A Structure Plan has been approved for the lot and is contained in (Appendix ORD: 12.3B). The plan was approved by the WAPC on 21 September 2017, which shows indicative future development and lot layout, subject to subdivision and development requirements which are detailed on the plan.

The current proposal is for 34 single storey 'Grouped Dwellings' (Aged or Dependent Person's Dwellings), a wood storage shed, landscaped park with gazebo, landscaped 'greenbelt', and associated road and drainage works. The dwellings are proposed to be clustered in the vacant areas south of the existing swimming pool and east of the bowling green, and represent an easterly expansion of the lifestyle village. At the closest points, the proposed dwellings will be setback approximately

26m from Forrest Highway to the south, 135m from the lots to the east, and 70m from the nearest dwellings to the north.

The application proposes four dwelling styles with floor areas of between 158-160m², to be laid out consecutively along each of the internal roads in a 'terrace house' arrangement. Each dwelling contains an internal courtyard, a double garage and a porch that will either face the street or the landscaped greenbelt area.

The development area comprises approximately 1.08ha of the lot, and development will be carried out in three stages as follows:

- Stage 1: construction of the westernmost dwellings (Units 1-10), the landscaped park, wood store and woodshed parking area;
- Stage 2: construction of Units 11 - 16 and Units 20 – 25; and
- Stage 3: construction of Units 17-19 and Units 26 - 34.

Each of the stages also includes associated roadworks which will be constructed on an 'as required' basis to extend an internal road (Cumberland Court) and construct visitor parking and a loop road around the park.

A Master Site Plan (MSP) was submitted as part of the application (contained in Appendix ORD: 12.3A), which indicates the extent of the proposed development under this application.

The MSP indicates a temporary emergency access point, and the applicant has advised they are agreeable to connecting the proposed northern extension of Cumberland Court to the constructed intersection of Endicott Boulevard/Illawarra Drive via a temporary Emergency Access Way, although this is not indicated on the plans. This is discussed in greater detail further in the report.

Visitors to the property will use the existing access to Endicott Boulevard, however 26 existing visitor parking spaces will be relocated from Endicott Boulevard to elsewhere within the development site. Despite this, Endicott Boulevard will retain a total of 17 visitor parking spaces.

- *Advertising*

The use proposed is permitted under 'Additional Use 18' in TPS3 and is consistent with the established use of the land. The development of the land is not expected to impact on any adjoining properties, and therefore has not been advertised.

Legal Implications

Appeal rights exist at the State Administrative Tribunal.

Strategic Community Plan

Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)

- Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)
- Strategy 3.4.2 - Maintain appropriate emergency services and planning. (Service Priority: Very High)
- Strategy 3.5.1 - To protect public health and safety. (Service Priority: High)
- Strategy 5.1.1 - To provide an efficient road network for efficient movement of people and goods by road. (Service Priority: Very High)
- Strategy 5.1.5 - A series of interconnected walkways, pathways and cycle ways that meets community needs and expectations. (Service Priority: High)
- Strategy 5.1.6 - To encourage urban developments that foster connectivity between residents. (Service Priority: Moderate)

Environment - None.

Precedents - None.

Budget Implications

As per Council Resolution [99/17], Bethanie Esprit has been declared as 'non-rateable land' by Council and therefore the proposed 34 grouped dwellings will not generate additional rates to Council.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officers consider the proposed Grouped Dwelling development is unlikely to detract from the streetscape of Illawarra Drive when it is extended in the future, subject to the deletion of Unit 34 from the proposed development which is discussed further in the report. It is also considered unlikely to adversely impact on any neighbouring properties due to the substantial setbacks discussed earlier in this report.

Officer Comment

Officers have assessed the application against the provisions of TPS3 and have determined that the following sections are relevant:

- Clause 3.15.1 'Additional Use Zone'; and
- Appendix IV – Additional Use Zones (A18).

Officers have also assessed the proposal against the following:

- State Planning Policy 3.1 – Residential Design Codes; and
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

Each of the above will be addressed individually below.

- *Town Planning Scheme No.3 (TPS3)*

Officers have assessed the application against the provisions of TPS3 including Appendix IV 'Additional Use Zone No. 18', which permits a Lifestyle Village on the property subject to certain conditions, including that;

Development is to be in accordance with a Structure Plan endorsed by the Western Australian Planning Commission, and shall comply with the following development criteria-

- i) Development to be generally in accordance with the R40 code.*
- ii) No more than 55% of the total site shall be occupied by buildings.*
- iii) All areas not used for buildings, parking, access and drying purposes shall be planted, established, mulched and reticulated at the time of occupancy. These areas are to be maintained as landscaped areas to the satisfaction of Council.*
- iv) The accessway(s), parking area and turning area(s) shall be constructed, kerbed, formed, graded, drained and finished with a hard standing surface or equivalent by the developer to an approved design and shall be maintained to a standard satisfactory to Council.*
- v) Drainage outfall from development to be restricted to pre-development flows.*
- vi) Landscape buffer treatment works identified as the landscape buffer area on Lot 9000 and the proposed Landscape Buffer reserve to the south of Lot 9000 is to be undertaken by the owner(s) of Lot 9000 at the standard determined by Main Roads WA and the Shire of Dardanup.*

- **Structure Plan**

Under Schedule 2, Part 9, clause 67(h) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is required to have 'due regard' to 'any structure plan, activity centre plan or local development plan that relates to the development'. The meaning of 'due regard' is somewhat problematic and has been the subject of much legal debate in the State Administrative Tribunal (SAT). Council will therefore need to determine that despite there being some variances between the proposal and the approved Structure Plan, that those variances are acceptable.

To this effect, in having due regard to the Structure Plan officers consider that the proposal as presented could be considered to be acceptable for the following reasons:

- The proposal is for aged or dependent person's accommodation which is consistent with the intent of the structure plan;
- The internal road layout has some variations, but is largely consistent with that indicated in the approved structure plan; and
- Despite the structure plan and Scheme provisions indicating that double storey development may occur, there are no specific conditions requiring double storey development.

- *Road / Lot Layout*

The Structure Plan shows the planned future alignment of Illawarra Drive through Lot 9000, which will eventually connect the existing constructed western and eastern portions. The indicative road reserve is shown immediately north of Bethanie Esprit, and contains a dual use path on the southern side of the road, between the road and the lifestyle village.

In reviewing the internal/external road layout indicated in the development application against the Structure Plan it is considered the road layout proposed is considered to be reasonably consistent with that indicated.

However, officers have identified an issue with proposed Unit 34 which encroaches on the future alignment of Illawarra Drive and the associated dual use path. In assessing the location of Unit 34 against the Structure Plan, officers contend that the structure plan clearly indicates a development setback from the future front boundary of the development site in the locality of Unit 34 consistent with the constructed bowling green (orange line in Figure 1 below), however this appears to have been disregarded in the development design the subject of this application. In addition to its impact on the road and footpath alignment, officers consider a dwelling in this location is likely to result in traffic noise impacts and loss of privacy for occupants of that dwelling.

The following two diagrams illustrate the difference between the endorsed structure plan and proposed Unit 34:

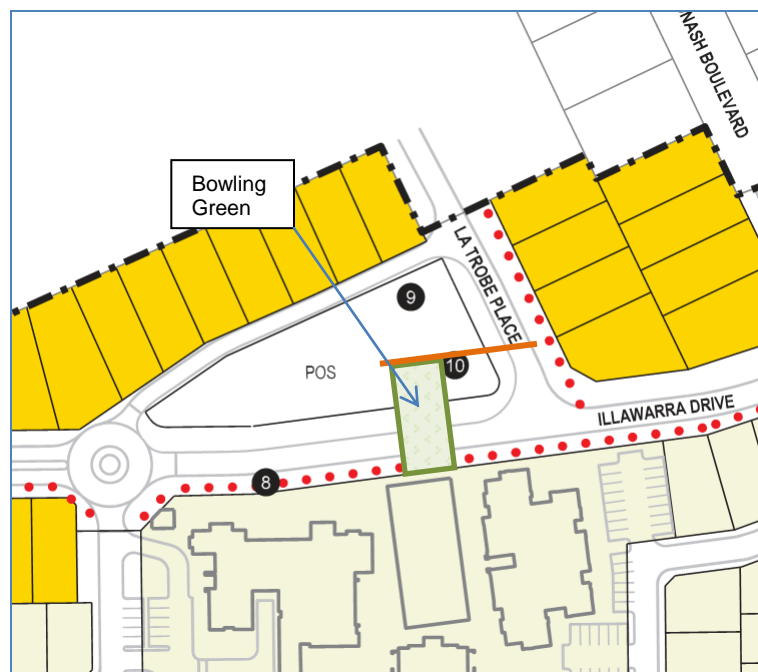


Figure 1: Portion of approved Structure Plan indicating development setback from front boundary with Illawarra Drive in line with front of bowling green (orange line) and the footpath alignment (red dots) running along southern side of Illawarra Drive.

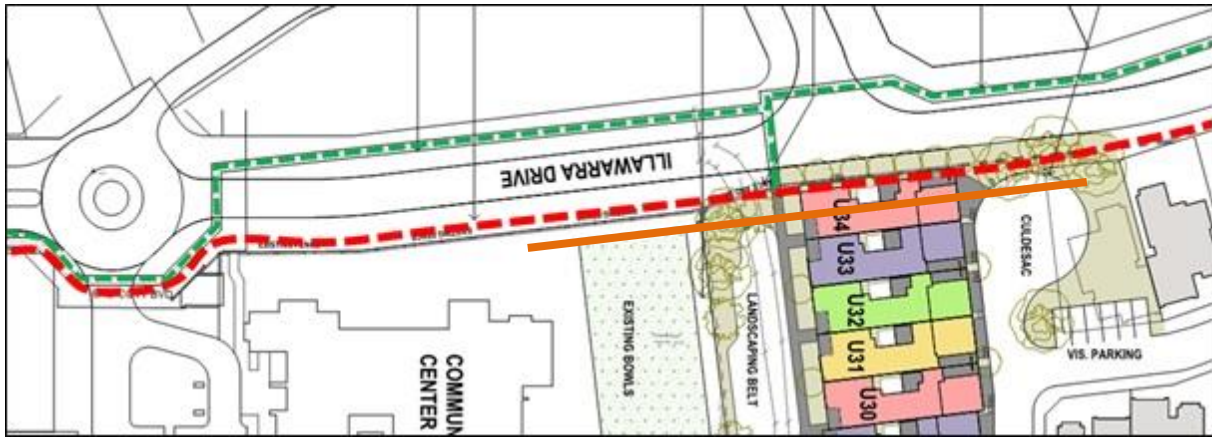


Figure 2: Diagram shows the original location of the footpath in red, the indicated development setback under the Structure Plan in orange and the proposed amended footpath alignment in green.

Despite being made aware of officer concerns, rather than amending the application, the applicant has submitted additional information (contained in Appendix ORD: 12.3C) which includes a revised Master Site Plan suggesting the footpath be permitted to traverse Illawarra Drive and run along the northern boundary of the road reserve.

In terms of justifying the proposed departure from the structure plan, the applicant has provided the following:

Further to our suggested changes for the shared footpath and alignment of Illawarra Drive, we provide a more detailed plan of how this will work.

This shows a fence alongside U34, then separation to the possible future road alignment. This is an indicative 2.7m setback to the road, and 4.2m setback to U34. It also demonstrates how the shared path can work on the northern rather than southern side of Illawarra Drive, plus it depicts how the fence angles back to align with the future stage of Bethanie to the north. Locating this future footpath alongside the open space reserve that will eventuate here is considered more desirable than a path on the opposite side of the road to the reserve.

In considering the proposal, officers are of the opinion that the proposal results in a disjointed pedestrian network in which pedestrians and cyclists on Illawarra Drive would need to cross to the opposite side of the road at the Endicott Boulevard intersection to continue along the path. Furthermore the existing footpaths on both the constructed eastern and western portions of Illawarra Drive are on the southern side and therefore the continuation of the footpath as planned for in the structure plan to join the two sections on the southern side of the road is considered to represent orderly and proper planning.

Further to the above, the proposed location of Unit 34 is considered to result in a streetscape that will have an inconsistent alignment with neighbouring development; both existing development to the west and future development to the east. Unit 34 is considered to 'jut out' from neighbouring dwellings and is likely to prejudice the future alignment of the road and development of the eastern portion of the site.

For the above reasons it is recommended that if Council grants approval to the overall development, it be subject to amended site plans being submitted removing

Unit 34, with the alignment of the unconstructed parts of Illawarra Drive and the dual use paths required to be consistent with the approved Structure Plan and existing development for this lot.

- *R40 R-Code standards*

As indicated in the Scheme provisions relevant to this site, development is to be 'generally in accordance' with the 'R40' development standards of the R-Codes. The application has been assessed having due regard to the 'R40' code requirements for 'Grouped Dwellings' and for 'Aged or Dependent Person's Dwellings' given that this is the purpose of the development. Whilst officers consider the proposal generally complies with the relevant R-Code provisions there are several areas of variance as discussed below.

Part 5.1.2 – 'Street Setbacks': Whilst the proposed front street setbacks for Units 1-10 to internal roads may not comply with the R-Code requirements, the proposal is consistent with existing development within the facility and does allow for casual surveillance and increased opportunities for the residents to interact, both of which are important features for the proposed use and therefore officers have no objections.

With regards to the setback of garages to rear lane access ways and internal roads (Cumberland Court, Units 20-34), these also involve 'nil' setbacks for the garages which technically do not meet the deemed to comply provisions of the R-Codes, however, are considered to make efficient use of space and are consistent with existing development and therefore officers have no objections to their approval.

Part 5.1.3 – 'Lot Boundary Setbacks': C3.2 of the R-Codes permits walls to be built up to side boundaries subject to meeting certain criteria including the following:

- (i) *Where the wall abuts an existing or simultaneously constructed wall of similar or greater dimension, behind the front setback;*
- (ii) *In areas coded R30 or higher, walls not higher than 3.5m with an average of 3m or less, for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary only.*

In assessing the proposal against the above, it is noted that significant portions of the proposed dwellings will have boundary walls, however in most cases these walls are abutting a wall of equal or greater dimension as indicated in point (i) and therefore generally meet this requirement. However, there are two portions of the proposed dwellings where this is not the case, which are:

- boundary walls in the 'front' setback area; and
- in the localities of the outdoor living areas, where there is not a boundary wall on the adjoining lot.

In terms of the first dot point, officers note that the boundary walls in the front setback area all abut a wall of greater or equal dimension and therefore do not have any objections on this point.

With regards to the second point, the existence of boundary walls in the localities of the outdoor living areas has the capacity to result in some overshadowing during winter months and this aspect is addressed in more detail in Part 5.4.2 below.

Parts 5.1.4 and 5.1.5 – ‘Open Space’: The Grouped Dwellings meet the minimum open space requirements. The dwellings will achieve an open space of approximately 38% of the ‘site’ area for each dwelling, or approximately 69m², taking into account a proportionate share of communal open space areas. It is noted that whilst technically no open space is provided on each site (i.e. none that is unenclosed on at least two sides as per the R-Codes definition), given that each dwelling has a front porch, many of which are open to larger communal open space areas, officers consider the expected amenity for residents will be acceptable.

Part 5.3.1 – ‘Outdoor Living Area’: The Outdoor Living Areas provided exceed the minimum area requirement, however it does not meet the minimum dimension requirement. Nevertheless, given that almost twice the area required under the R-Codes is provided, officers consider the expected amenity for residents to be acceptable.

Part 5.3.5 – ‘Vehicular Access’: The proposal shows the driveways for Unit 10 and Unit 20 being within 6m of a street corner, which will result in cars reversing out of those driveways close to blind corners. Whilst it is acknowledged that this is a low speed environment, Council officers and the applicant have agreed that it would be appropriate to include a condition requiring the installation of mirrors at the corners to improve sight lines.

Part 5.4.2 – ‘Solar Access for Adjoining Sites’: The applicant has provided solar access diagrams which demonstrate that the courtyards for each Grouped Dwelling will be fully shaded during much of the day in winter, however will receive additional direct sun at other times of the year, particularly in summer where the outdoor living areas will receive close to full sun. Furthermore, the solar access in winter does permit direct sun into the habitable living areas adjacent to the outdoor living areas. Whilst the proposal may not technically meet the deemed-to-comply provisions of the R-Codes, officers are satisfied that sufficient direct sunlight will be available, when assessed against the design principle elements, due to the fact that proposed dwellings will be single storey and direct sun will be available to the main habitable living areas during winter.

Part 5.5.2 - ‘Aged or Dependent Person’s Dwellings’: Development is to comply with the requirements of Part 5.5.2, as well as “*all other provisions of Table 1 and Part 5 as relevant*”. Part 5.5.2 of the R-Codes ‘Aged or Dependent Person’s Dwellings’ recognises that the occupants of such dwellings may prefer smaller indoor and outdoor living areas, and therefore allows for relaxation to some of the standards that apply to typical single dwellings. However, in order to accommodate aged or dependent persons, this provision also requires Aged or Dependent Person’s Dwellings to include the necessary features to allow occupants to age in place, such as compliance with some of the Australian Standard for Adaptable Housing (AS4299).

Officers have assessed the proposed development against the provisions of Part 5.5.2 and determined they are generally compliant.

- *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*

Officers are concerned that the proposed layout will reduce the ability for residents in both the existing 84 dwellings and the proposed 34 dwellings on the site, who may be aged and have limited mobility, to safely and quickly exit in the case of a bushfire or other emergency. Presently there is only one entry/exit road, being Endicott Boulevard. Therefore, the residents from all 118 dwellings would need to exit through this road in the event of a bushfire or other emergency, which may result in congestion and potentially requiring residents to travel towards a bushfire if it is located to the south of the site.

It is recommended that a temporary emergency access way be provided until such time as the western section of Illawarra Drive is extended to connect with the constructed portion of Illawarra Drive to the east in the future.

The Master Site Plan indicates a temporary emergency access ‘point’ but does not show an emergency access way linking to the existing constructed western portion of Illawarra Road. The applicant has advised that they are agreeable to a condition requiring construction of a temporary emergency access way in this location. In the event of a bushfire, it would be practical for the occupants of Units 1 - 10 to exit via Endicott Boulevard, being the closest route. However, the occupants of Units 11 - 34 would utilise the emergency access way in order to take the shortest route, and so as not to contribute to any traffic congestion in Endicott Boulevard. Officers consider it reasonable to require the construction of the emergency access way prior to occupation of any of the proposed Grouped Dwellings in Stages B and C (second and third stages of development). This requirement is recommended as a condition of approval.

- *Officer Recommendation*

Officers have assessed the application having regard to the relevant planning provisions in TPS3, as well as relevant State Planning Policies.

Whilst it is acknowledged that the proposal has some variations to the approved Structure Plan, officers have given ‘due regard’ to the Structure Plan and have assessed the proposal against the relevant provisions of TPS3, the endorsed Structure Plan, ‘R40’ requirements of the R-Codes and SPP3.7. In doing so, it has been determined that the proposal is generally in accordance with the Structure Plan and relevant provisions, in that it is providing aged care accommodation in a format that meets the needs of the aged community. Subject to some modifications as indicated in the recommended resolution, officers recommend that Council approves the application subject to appropriate conditions.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

second or subsequent stages of the development.

- c. Scaled and dimensioned floor plans and elevations for the proposed 'wood storage shed'.**
 - d. Amended elevation diagrams showing:**
 - i. any proposed blank walls of dwellings longer than 6.6m facing an internal road are to be modified to include architectural features to add visual interest;**
 - ii. Unit 34 is to be modified or deleted from the elevation diagrams as per Resolution 1(a).i.**
- 2. All amended plans required under Resolution (1) must be to the satisfaction of the Director Engineering and Development Services and once approved in writing will form part of this approval.**
 - 3. The layout of the site and the size, design and location of buildings and works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written advice of Council.**
 - 4. The hereby approved development must not prejudicially affect the amenity of the neighbourhood due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.**
 - 5. Prior to development commencing, a Dust Management Plan must be submitted to and approved in writing by the Director Engineering and Development services.**
 - 6. Once approved, the Dust Management Plan is to be implemented for the entire duration of the construction period of the proposed development.**
 - 7. The occupancy of the Grouped Dwellings (Aged Person Accommodation) is restricted to at least one permanent occupant of the dwelling being over 55 years of age and/or a disabled or physically dependent person, or is the surviving spouse of such a person.**
 - 8. Prior to occupation, a detailed Landscaping Plan must be submitted to and approved by the Director Engineering and Development Services, which must as a minimum, provide the following:**
 - a) Describe the extent of landscaping, means of reticulation, and ongoing maintenance regime for**

- each stage of the development, consistent with the approved Staging Plan;
- b) **Include lighting to pathways, communal open spaces, and visitor parking areas;**
 - c) **Show signage to visitor parking spaces (designated as 'visitor parking only');**
 - d) **Shade trees to be provided where more than six consecutive parking spaces are proposed and along any internal roads dominated by garage frontages at a rate of one tree per four garages (or part thereof).**
9. **At least one visitors car parking space being a wheelchair accessible car parking space with a minimum width of 3.8m in accordance with AS4299 shall be provided in a suitable location, to the satisfaction of the Director Engineering and Development Services.**
10. **Prior to occupation, an accessible footpath connecting all visitor car parking areas to living units shall be constructed in accordance with the requirements of AS4299 clause 3.3.2 (as amended).**
11. **Prior to occupation, the applicant is to install corner mirrors to improve driver sight lines to the corners adjacent to Units 10 and Unit 20.**
12. **Prior to the occupation of any Grouped Dwelling shown in the second and subsequent stages of the development on the approved Staging Plan, the following requirements must be complied with:**
- a) **All landscaping for Stage 1 on the approved Landscaping Plan must be fully implemented;**
 - b) **An Emergency Access Way must be provided in accordance with the endorsed plans. The Emergency Access Way must be surfaced with crushed rock or as otherwise approved in writing by the Director Engineering and Development Services, and must be maintained to a trafficable standard, until such time as the entire length of Illawarra Drive is formally constructed.**
13. **The approved Stormwater Management Strategy (Pippin Civil Engineering, dated 13 April 2018) must be implemented in accordance with the approved Staging Plan, whereby the works required in each stage must be constructed prior to the**

commencement of the following stage of development, to the satisfaction of Council.

- 14. Any external fixtures such as television aerials, essential plumbing and down pipes are to be located, screened or otherwise treated to integrate with the building and are not permitted to be visually obtrusive.**

Advice Notes:

- i. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of the determination, the approval will lapse and be no further effect.**
- ii. Where an approval has lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.**
- iii. If an applicant or owner is aggrieved by this determination there is right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.**
- iv. The applicant is advised that this is not a Building Permit. A Building Permit should be obtained prior to the commencement of construction.**
- v. The development must comply with all relevant clauses of AS4299.**
- vi. In relation to Resolution 1.a) iii, consideration may be given to modifying the internal residential unit layout to achieve the requirements of Resolutions 1.a)i and 1.a)ii.**

**CARRIED
6/2**

12.4 Title: South West Blueprint Review – South West Development Commission

Reporting Department: Executive

Reporting Officer: Mr Mark L Chester - Chief Executive Officer

Legislation: Local Government Act 1995

Overview

The South West Development Commission is facilitating a review of the South West Blueprint that was adopted in 2014.

This report is to provide Council with the opportunity to review, comment and recommend any changes to the Blueprint. A copy of the Blueprint is at provided for Councillors via Dropbox and can also be viewed on the South West Development Commission website.

Background

The following email has been received from the South West Development Commission: -

As you may be aware the [South West Regional Blueprint 2014](#) is currently under review. An SWDC internal review has now been completed, whereby the projects and priorities were assessed for currency and relevance.

The next stage of the 2018 review of the document will include the opportunity for our respective State and Local Government partners to have input. We are aware some LGAs have already completed their own individual reviews or are currently undertaking this process however if you have not yet done so we would really appreciate your assistance with this as soon as possible.

As you are aware, the Blueprint is a vital strategic document which can be used to support concept proposals, business cases and funding applications. As such, we encourage all LGAs within the South West to embrace this opportunity to contribute to the continued value and relevance of the document.

In addition to identifying elements which have been completed, stakeholders are encouraged to go through the document and identify elements which remain (or are evolving as) a focus to underpin economic development, safety, sustainability and community capability and capacity. Where a stakeholder has a shared strategic focus areas with other LGAs and/or regional groups, it would be worth including a note on these.

*Individual review comments on the Blueprint should be sent back to the SWDC representative by **31 August 2018** so that this information can be absorbed into the mix as part of the external review by all key stakeholders currently underway.*

Script at page 55 of the Blueprint states;

“the intent of the South West Regional Blueprint is to identify how jobs can be created by helping industry to grow. Improving national and international market access, improving competitiveness through productivity and skills development and reducing the costs of doing business in the South West through infrastructure that overcomes the barrier of distance are

key elements. The region's market brand should be premium quality goods attracting higher rates of return in prestige and niche markets.

In achieving jobs growth it is important that the region provides high quality lifestyle opportunities, collaboration and engaged communities and recognise the important environmental values that encourage people to choose to live here. If the region can successfully balance its growth with protection and enhancement of the environment it can become a region of excellence.” (SW Regional Blueprint page 55)

Legal Implications - None.

Strategic Community Plan

- Strategy 1.5.1 - Participate in and seek collaborative resource sharing opportunities. (Service Priority: High).
- Strategy 4.3.1 - To attract and retain major investment in the region. (Service Priority: High).
- Strategy 5.3.1 - To provide community facilities that enable a healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant community, sporting, cultural and artistic organisations and artistic organisations and pursuits (Service Priority: Moderate).
- Strategy 5.4.1 - To support the community to feel safe and secure while using public open spaces, reserves and Council facilities. (Service Priority: Moderate).

Environment - None.

Precedents

All local governments including the Shire of Dardanup contributed to the original Blueprint adopted in 2014.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The Blueprint was developed in collaboration with the state government and local governments of the South West to set a foundation that would help drive the economy to make the vision for the South West to have a population of 500,000 people by 2050, become achievable.

The following table shows the objectives and priorities of the 2014 Blueprint with officer comments on the status of each.

It should be noted that the Blueprint was adopted before Wanju and the Waterloo Industrial Park became a reality, therefore many of the recommended changes call

for state government focus on providing support for the future development of Wanju and the industrial park.

The Blueprint was also adopted before the Bunbury Geographe Growth Plan Strategy was developed and endorsed (March 2017). This document only covers the local government districts of Bunbury, Capel, Dardanup and Harvey, however the strategies and objectives have positive outcomes for the South West.

Refer to table 8, from page 66 of the Blueprint report.

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
Water Security	<ul style="list-style-type: none"> • Collie-Kemerton water management. • Irrigation for food production. • Water conservation. • New or expanded water sources. • Wastewater management/sewerage. 	<p>This objective relates also to the Water for Food program, now funded.</p> <p>Use of treated waste water and stormwater harvesting for public open space is a key objective of the Wanju development</p> <p>The Blueprint was adopted before Wanju became a reality.</p> <p>It is recommended that the state government include in forward estimates the development of infrastructure and services to cater for the population of Bunbury Geographe, including Wanju, securing the required land in the most advantageous location for government facilities, including waste water processing, storm water harvesting and reticulation to public open space and government facilities (schools, hospitals, university, government buildings).</p>
Ready Export/Import Hubs Supported by Safe, Efficient Interconnected Transport Networks.	<ul style="list-style-type: none"> • Bunbury Port. • Regional road network. • Busselton Regional Airport. • Manjimup airport. • Bunbury airport. • Interconnected rail link with Perth metropolitan area. 	<p>The Shire of Dardanup actively supports the development of major infrastructure.</p> <p>This priority and objectives should be retained in the revised Blueprint.</p> <p>It is recommended that the development of Wanju and the Waterloo Industrial Park be included in the state governments forward estimates to secure the required land and provide the infrastructure needed to support the development of the Industrial Park, the Agri Food Precinct and access to:</p> <ul style="list-style-type: none"> • the Bunbury Port; • The Margaret River Busselton Airport ; and

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
		<ul style="list-style-type: none"> • Intermodal transport locations
High Capital Digital Communications	<ul style="list-style-type: none"> • High capacity broadband. • Mobile coverage. 	<p>This priority and objectives should be retained in the revised Blueprint.</p> <p>It is recommended that the state and federal government include in forward estimates the development of communications, infrastructure and services to cater for the population of Bunbury Geographe, including at Wanju, securing the required land in the most advantageous location for government facilities, and building in the capacity for WiFi and IoT technology.</p>
Sustainable Energy Supply	<ul style="list-style-type: none"> • Support renewable energy due to depleting coal stocks. 	<p>Renewable energy supply is a key objective for Wanju.</p> <p>This priority and objectives should be retained in the revised Blueprint.</p>
Sustaining Environmental Qualities	<ul style="list-style-type: none"> • Maintaining environmental values. • Carbon capture storage. • Regional waste. 	<p>This priority and objectives should be retained in the revised Blueprint.</p> <p>It is recommended that the state government work with local government to develop a South West Regional Waste Strategy that will identify and secure land for a future regional waste management facility that will include recycling and waste to energy technology.</p>
Land for Industry	<ul style="list-style-type: none"> • Sufficient land is set aside for industry needs to 2050. 	<p>This priority and objectives should be retained in the revised Blueprint.</p> <p>It is recommended that the state government include in forward estimates the development of infrastructure and services to cater for the population of Bunbury Geographe at Waterloo Industrial Park including securing the required land in the most advantageous location for government facilities.</p>
Export Opportunities	<ul style="list-style-type: none"> • Skill local business and industry in Asian and Indian business culture, language, finance and export procedures. • Establish market and 	<p>This priority and objectives should be retained in the revised Blueprint.</p> <p>Timber processing for building materials at Wespine and value add products such as Laminex</p>

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
	brand awareness in key markets.	<p>Group are significant contributors to the Bunbury Geographe regional economy, both employ significant numbers of employees, both source natural material and both compete with Eastern States based suppliers.</p> <p>The value of the timber industry and associated value adding industries should be identified in the revised Blueprint.</p>
Manufacturing	<ul style="list-style-type: none"> Facilitate growth in the metal fabrication, food, beverage and related sectors. 	<p>This priority and objectives should be retained in the revised Blueprint.</p> <p>The value of particle board and Laminex products should be identified as an industry worthy of support and focus.</p> <p>Without access to pine wood the timber hub industries will struggle. Long term investment in pine plantations needs to be a priority for the state government and the Forest Products Commission.</p> <p>Plantation investment takes 30 years to reach the optimum harvest yield, therefore long term commitments are required today to keep these industries sustainable.</p>
Downstream Processing	<ul style="list-style-type: none"> Mining and mineral processing. Power plant heat transfer. 	<p>This priority and objectives should be retained in the revised Blueprint.</p> <p>The value of the timber industries in the region should also be highlighted as timber for construction, furniture, value added products, wood chip and pine log export are all highly valuable to the Bunbury Geographe region.</p>
Creative Industries	<ul style="list-style-type: none"> Exploit the opportunity of high-value digital animation, media, publishing, film, art and music in the South West Develop and promote a unique south west aboriginal art industry with a focus on market development and art investment. 	<p>Develop and promote a unique south west aboriginal art industry with a focus on market development and art investment, should be retained as a priority and objective in the revised Blueprint.</p> <p>The digital animation proposal has not progressed and it is unclear as to what more can be done to kick start this initiative. It is recommended that this objective be downgraded or removed from the Blueprint.</p>

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
Agriculture, Forestry and Timber Processing	<ul style="list-style-type: none"> • Agriculture and food • Agricultural food processing • Dairy industry • Livestock • Horticulture • Wine • Timber • Agricultural education and innovation 	<p>Primary production is gaining a foothold as the foundation of the new economy therefore the South West Development Commission and government, state and federal, are to be lobbied to commit resources to the south west to secure the research, infrastructure and development needed to sustain these industries.</p> <p>This priority and objectives should therefore be retained in the revised Blueprint with an added objective to develop the Agri Food Precinct identified in the Waterloo Industrial Park District Structure Plan.</p> <p>It is recommended that the timber industries of the Bunbury Geographe region be given a higher priority given the 30 year planning horizon that is required.</p>
Tourism	<ul style="list-style-type: none"> • Increase the number of high quality international events. • Improve the quality of visitor experiences. • Create vibrancy and activation in the region's main tourism centres, focused on main streets. • Improve the quality of iconic attractions within the south west to support both local and international visitation incorporating nature-based and marine tourism. 	<p>The Busselton Jetty, Gnomesville and the Donnybrook playground are examples of three manmade iconic attractions in the south west, the majority of the other attractions are natural and need to be managed and exploited to their full potential in a safe and sustainable way.</p> <p>Improving quality is very challenging, making access safe and easier for people to enjoy is attainable through funding the improvements that are needed.</p>
Regional Capital: Greater Bunbury	<ul style="list-style-type: none"> • Position Greater Bunbury as a well-connected city of choice through access to high quality services, affordable housing, economic opportunity and high quality amenity in both recreational and public open space areas. 	<p>This priority and objectives should be retained in the revised Blueprint, with a change to the description from Greater Bunbury to Bunbury Geographe.</p> <p>It is recommended that the state government include in forward estimates the development of infrastructure and services to cater for the population of Bunbury Geographe at Wanju, including securing the required land in the most advantageous location for government facilities, including: - - Hospitals</p>

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
		<ul style="list-style-type: none"> - University - Primary Schools - High Schools - State Government Departments.
Regional City: Busselton	<ul style="list-style-type: none"> • Establish Busselton as a major lifestyle city based on tourism, wine and food, creative industries, events and high-value professional services. 	This priority and objectives should be retained in the revised Blueprint.
SuperTowns	<ul style="list-style-type: none"> • Manjimup; • Margaret River; and • Collie. 	<p>The SuperTowns concept has not achieved the economic and population growth that was expected from the investment of millions of dollars in each of these towns.</p> <p>This objective and concept should be removed from the Blueprint.</p>
Affordable Housing	<ul style="list-style-type: none"> • Housing affordability and choice. • Ageing in place. 	<p>This priority and objective should be retained in the revised Blueprint.</p> <p>Local government should direct the WA Local Government Association to continue the battle with the state government to deal with the inequity that is related to the rate exemptions that apply to not-for-profit community and aged housing providers.</p> <p>If the state continues to refuse to put a stop to this inequity, then a compromise position for local government should be to lobby the state government to reimburse local government with the loss of rating income from these rate exemptions.</p> <p>Local governments are severely criticised for increasing rates above inflation, yet the state and federal government give no acknowledgement that the value lost to exempt rates would reduce the need for higher rate increases, a burden on those that have to pay. The same services have to be provided to the people that benefit from the exemption (lost revenue).</p>

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
Education	<ul style="list-style-type: none"> • Ensure primary and high schools meet forecast population growth. • Improve the opportunity for young people to remain in higher education. • Innovative models of service delivery training that can rapidly adapt to changing industry needs. 	<p>This priority and objectives should be retained in the revised Blueprint, with more emphasis on a wider range of university courses and a greater focus on promoting trades to year ten, eleven and twelve students to encourage more to study a trade and to develop a much needed skilled workforce.</p> <p>More effort will be required from government to help small and medium sized businesses to take on apprentices with increased support for wages, supervision and training.</p> <p>Wanju has eight primary schools and five high schools included in the District Structure Plan (a mix of public and private schools).</p> <p>The construction of the East Millbridge Primary School has not progressed. Land has been set aside for this school. The school should be identified within this section of the Blueprint.</p> <p>It is recommended that the state government include these facilities in the Education Department's strategic plans.</p>
Health	<ul style="list-style-type: none"> • General practice. • Primary health care: social determinants of health. • Healthy minds. 	<p>This priority and objectives should be retained in the revised Blueprint, with a greater focus and investment in resources to help people with mental health issues and people that are in distress that have yet to develop into mental health status.</p> <p>More education is required for young people from year seven to prepare them with the knowledge to know the danger and damage of illicit drugs and what these drugs will do to their minds and bodies and equip them with the courage to say no.</p> <p>It is recommended that the state government include in forward estimates the development of a new hospital to cater for the population of Bunbury Geographe at Wanju, including securing the required land in the most advantageous location.</p>

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
Sport and Recreation	<ul style="list-style-type: none"> Ensure adequate land area is developed to provide an expansion of team based sports facilities. 	<p>This priority and objectives should be retained in the revised Blueprint.</p> <p>It is recommended that the development of regional recreation facilities at Wanju become a second priority to the redevelopment of Hay Park, providing Hay Park is developed within the next ten years.</p>
Improved Regional Capacity and Engagement	<ul style="list-style-type: none"> Ensure not-for-profit and community sector is engaged in regional development and has the capacity to grow and develop services with population increase. 	<p>This priority and objectives should be retained in the revised Blueprint.</p>
Leadership and Collaboration	<ul style="list-style-type: none"> Shared vision. 	<p>This priority and objective should be retained in the revised Blueprint, with an added objective being to provide a system and process to develop leadership.</p> <p>Some local governments support the Leeuwin Sailing Ship program, a great foundation for developing young people and their leadership skills, schools have leadership programs, some sporting clubs have leadership programs, local governments and industry, community based service groups run leadership development, however, it is recommended that the South West Development Commission with Edith Cowan University develop a community wide program that will provide a pathway for interested and identified young people, to develop their leadership skills.</p>
Volunteerism	<ul style="list-style-type: none"> Volunteerism is recognised, valued and respected within the region. 	<p>This priority and objectives should be retained in the revised Blueprint, with an additional objective to encourage volunteerism through the community Colleges and High Schools.</p>
Community Safety	<ul style="list-style-type: none"> Combat and recovery capacity exceeds modelled events. 	<p>This priority and objectives should be retained in the revised Blueprint, with more emphasis on capacity building of volunteers to cope with helping out during natural disasters and the recovery phase.</p>

REGIONAL PRIORITIES	OBJECTIVES	OFFICER COMMENT
Community Enterprise	<ul style="list-style-type: none"> Develop community enterprise models for building inclusion in civic and commercial activity by disadvantaged groups. 	This priority and objectives should be retained in the revised Blueprint.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Discussion:

Cr. T G Gardiner requested that the Boyanup Sale Yards be listed as a priority project.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

Item k) had the addition of the reference to the relocation and funding of the Boyanup Sale Yards being listed as a priority project as the Shire has been supporting the Shire of Capel with lobbying for this project to proceed.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

275-18 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council: -

- Submit to the South West Development Commission and the local governments of the South West that the following recommendations be included in the South West Blueprint:**

	REGIONAL PRIORITIES	OBJECTIVES	RECOMMENDATION
a.	Water Security	<ul style="list-style-type: none"> Collie-Kemerton water management Irrigation for food production Water conservation New or expanded water sources Wastewater management / sewerage 	It is recommended that the priority and objectives be retained and that the state government include in forward estimates the development of infrastructure and services to cater for the population of Bunbury Geographe, including at Wanju, securing the required land in the most advantageous location for government facilities, including waste water processing, storm water harvesting and reticulation to public open space and government facilities (schools, hospitals, university, government buildings).

	REGIONAL PRIORITIES	OBJECTIVES	RECOMMENDATION
b.	Ready Export/Import Hubs Supported by Safe, Efficient Interconnected Transport Networks	<ul style="list-style-type: none"> Bunbury Port. Regional road network. Busselton Regional Airport. Manjimup airport. Bunbury airport. Interconnected rail link with Perth metropolitan area. 	<p>It is recommended that the priority and objectives be retained and that the development of Wanju and the Waterloo Industrial Park be included in the state governments forward estimates to secure the required land and provide the infrastructure needed to support the development of the Industrial Park, the Agri Food Precinct and access to:</p> <ul style="list-style-type: none"> the Bunbury Port; The Margaret River Busselton Airport; and Intermodal transport locations.
c.	High Capital Digital Communications	<ul style="list-style-type: none"> High capacity broadband. Mobile coverage. 	<p>It is recommended that the priority and objectives be retained and that the state and federal government include in forward estimates the development of communications infrastructure and services to cater for the population of Bunbury Geographe, including at Wanju, securing the required land in the most advantageous location for government facilities, and building in the capacity for WiFi and IoT technology.</p>
d.	Sustainable Energy Supply	<ul style="list-style-type: none"> Support renewable energy due to depleting coal stocks. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint.</p>
e.	Sustaining Environmental Qualities	<ul style="list-style-type: none"> Maintaining environmental values. Carbon capture storage. Regional waste. 	<p>It is recommended that the priority and objectives be retained and that the state government work with local government to develop a South West Regional Waste Strategy that will identify and secure land for a future regional waste management facility that will include recycling and waste to energy technology.</p> <p>It is further recommended that the expansion and sustainability of the timber industry be recognized as a high priority by the state government.</p>
f.	Land for Industry	<ul style="list-style-type: none"> Sufficient land is set aside for industry needs to 2050. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint</p>

	REGIONAL PRIORITIES	OBJECTIVES	RECOMMENDATION
			and that the state government include in forward estimates the development of infrastructure and services to cater for the population of Bunbury Geographe at Waterloo Industrial park including securing the required land in the most advantageous location for government facilities.
g.	Export Opportunities	<ul style="list-style-type: none"> • Skill local business and industry in Asian and Indian business culture, language, finance and export procedures. • Establish market and brand awareness in key markets. 	It is recommended that this priority and objectives be retained in the revised Blueprint.
h.	Manufacturing	<ul style="list-style-type: none"> • Facilitate growth in the metal fabrication, food, beverage and related sectors. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint.</p> <p>It is recommended that manufacturing of timber for building material and value adding chipboard for building and furniture making be identified as a priority.</p>
i.	Downstream Processing	<ul style="list-style-type: none"> • Mining and mineral processing. • Power plant heat transfer. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint.</p> <p>It is recommended that manufacturing of timber for building material and value adding chipboard for building and furniture making be identified as a priority.</p>
j.	Creative Industries	<ul style="list-style-type: none"> • Exploit the opportunity of high-value digital animation, media, publishing, film, art and music in the south west. Develop and promote a unique south west aboriginal art industry with a focus on market development and art investment. 	It is recommended that this priority and objectives be retained in the revised Blueprint, with the exemption of the digital animation as the digital animation proposal has not progressed and it is unclear as to what more can be done to kick start this initiative. It is recommended that this objective be downgraded or removed from the Blueprint.
k.	Agriculture, Forestry and Timber Processing	<ul style="list-style-type: none"> • Agriculture and food. • Agricultural food processing. • Dairy industry. • Livestock. 	It is recommended that this priority and objectives be retained as primary production is gaining a foothold as the foundation of the new economy;

	REGIONAL PRIORITIES	OBJECTIVES	RECOMMENDATION
		<ul style="list-style-type: none"> • Horticulture. • Wine. • Timber. • Agricultural education and innovation. • Boyanup Saleyards relocation. 	<p>therefore the South West Development Commission and government, state and federal, are to be lobbied to commit resources to the south west to secure the research, infrastructure, and development needed to sustain these industries with an added objective to develop the Agri Food Precinct identified in the Waterloo Industrial Park District Structure Plan.</p> <p>It is recommended that the relocation and funding of the Boyanup Sale Yards be listed as a priority project.</p>
I.	Tourism	<ul style="list-style-type: none"> • Increase the number of high quality international events. • Improve the quality of visitor experiences. • Create vibrancy and activation in the region's main tourism centres focused on main streets. • Improve the quality of iconic attractions within the south west to support both local and international visitation incorporating nature-based and marine tourism. 	It is recommended that this priority and objectives be retained in the revised Blueprint.
m.	Regional Capital: Greater Bunbury	<ul style="list-style-type: none"> • Position Greater Bunbury as a well-connected city of choice through access to high quality services, affordable housing, economic opportunity and high quality amenity in both recreational and public open space areas. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint, with a change to the description from Greater Bunbury to Bunbury Geographe.</p> <p>It is further recommended that as the Blueprint was adopted before Wanju became a reality that the state government include in forward estimates the development of infrastructure and services to cater for the population of Bunbury Geographe at Wanju, including securing the required land in the most advantageous location for government facilities, including:</p> <ul style="list-style-type: none"> - - Hospitals; - University;

	REGIONAL PRIORITIES	OBJECTIVES	RECOMMENDATION
			<ul style="list-style-type: none"> - Primary Schools; - High Schools; and - State Government Departments.
n.	Regional City: Busselton	<ul style="list-style-type: none"> • Establish Busselton as a major lifestyle city based on tourism, wine and food, creative industries, events and high-value professional services. 	It is recommended that this priority and objectives be retained in the revised Blueprint.
o.	SuperTowns	<ul style="list-style-type: none"> • Manjimup; • Margaret River; and • Collie. 	It is recommended that as the SuperTowns concept has not achieved the economic and population growth that was expected from the investment of millions of dollars in each of these towns that this objective and concept be removed from the Blueprint.
p.	Affordable Housing	<ul style="list-style-type: none"> • Housing affordability and choice. • Ageing in place. 	It is recommended that this priority and objectives be retained in the revised Blueprint, with a condition that the South West Development Commission and local governments lobby the state government to reimburse local government with the loss of rating income for rate exemptions from community housing and housing providers that qualify for charitable status and therefore are able to successfully claim property rate exemptions.
q.	Education	<ul style="list-style-type: none"> • Ensure primary and high schools meet forecast population growth. • Improve the opportunity for young people to remain in higher education. • Innovative models of service delivery training that can rapidly adapt to changing industry needs. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint, with more emphasis on a wider range of university courses and a greater focus on promoting trades to year ten, eleven and twelve students to encourage more to study a trade and to develop a much needed skilled workforce.</p> <p>It is further recommended that as Wanju has eight primary schools and five high schools included in the District Structure Plan (a mix of public and private schools) that the state government include these facilities and the East Millbridge Primary School in the Education Department's strategic facilities plans.</p>

	REGIONAL PRIORITIES	OBJECTIVES	RECOMMENDATION
r.	Health	<ul style="list-style-type: none"> • General practice. • Primary health care: social determinants of health. • Healthy minds. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint, with a greater focus and investment in resources to help people with mental health issues and people that are in distress that have yet to develop into mental health status.</p> <p>It is further recommended that more education is provided for young people from year seven to prepare them with the knowledge to know the danger and damage of illicit drugs and what these drugs will do to their minds and bodies and equip them with the courage to say no; and</p> <p>That the state government include in forward estimates the development of a new hospital to cater for the population of Bunbury Geographe at Wanju, including securing the required land in the most advantageous location.</p>
s.	Sport and Recreation	<ul style="list-style-type: none"> • Ensure adequate land area is developed to provide an expansion of team based sports facilities. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint.</p> <p>And it is further recommended that the development of regional recreation facilities at Wanju become a second priority to the redevelopment of Hay Park, providing Hay Park is developed within the next ten years.</p>
t.	Improved Regional Capacity and Engagement	<ul style="list-style-type: none"> • Ensure not-for-profit and community sector is engaged in regional development and has the capacity to grow and develop services with population increase. 	<p>It is recommended that this priority and objectives be retained in the revised Blueprint.</p>
u.	Leadership and Collaboration	<ul style="list-style-type: none"> • Shared vision. 	<p>It is recommended that this priority and objective be retained in the revised Blueprint, with an added objective being to provide a regional system and process to develop leadership.</p> <p>It is recommended that the South West Development Commission with Edith Cowan</p>

	REGIONAL PRIORITIES	OBJECTIVES	RECOMMENDATION
			University develop a regional wide program that will provide a pathway for interested and identified young people to develop their leadership skills.
v.	Volunteerism	<ul style="list-style-type: none"> Volunteerism is recognised, valued and respected within the region. 	It is recommended that this priority and objectives be retained in the revised Blueprint, with an additional objective to encourage volunteerism through the community Colleges and High Schools.
w.	Community Safety	<ul style="list-style-type: none"> Combat and recovery capacity exceeds modelled events. 	It is recommended that this priority and objectives should be retained in the revised Blueprint, with more emphasis on capacity building of volunteers to cope with helping out during natural disasters and the recovery phase.
x.	Community Enterprise	<ul style="list-style-type: none"> Develop community enterprise models for building inclusion in civic and commercial activity by disadvantaged groups. 	It is recommended that this priority and objectives be retained in the revised Blueprint.

2. **Submit to the South West Development Commission and the local governments of the South West that the reference to SuperTowns, Manjimup, Margaret River and Collie be removed from the South West Blueprint.**

3. **Refer the South West Development Commission to the 2017 Bunbury Geographer Growth Plan Strategy, with the view to incorporating the endorsed strategies in the South West Blueprint.**

CARRIED
8/0

12.5 Title: Minister for Aboriginal Affairs – New Advocate Proposal for Aboriginal People

Reporting Department: Executive

Reporting Officer: Mr Mark L Chester - Chief Executive Officer

Legislation: Local Government Act 1995

Overview

The Minister for Aboriginal Affairs and Treasurer of Western Australia, the Hon. Ben Wyatt has issued a discussion paper seeking feedback from local governments and the broader community on a proposal to create a new organisation to hold government accountable for the way it works with Aboriginal people.

The officer recommendation is that the Shire of Dardanup make no comment on the proposed new organisation, as the matter of Aboriginal affairs is a matter for the state government and the structure and accountabilities required of a state based organisation is governed by the Public Sector Commissioner and associated policy and regulations as made and amended from time to time.

It is however, recommended that the Shire register support for the appointment of an advocate for Aboriginal people to provide a conduit to government and to provide a resource for advice to Aboriginal people in relation to their interaction with the government and the policies that affect them directly.

Background

The Government abolished the Department of Aboriginal Affairs and is now looking at creating a new organisation to be an advocate for Aboriginal people in Western Australia.

The removal of the Department shifted the responsibility for policy in relation to Aboriginal people to the Department of Premier and Cabinet, a strategy designed to centralise the affairs of Aboriginal people at a high level within government.

As explained in the discussion paper that is included at (Appendix ORD: 12.5A), these changes leave Aboriginal people with no independent entity with the express function of holding Ministers and agencies accountable for improving opportunities for Aboriginal people.

Within the Appendices are the following documents for reference: -

(Appendix ORD: 12.5B) - Letter from the Minister

(Appendix ORD: 12.5C) - Community Information Sheet

(Appendix ORD: 12.5A) - Discussion Paper – Accountability and Advocacy

Page 2 of the discussion paper suggests that:

“the proposal in this discussion paper for a new independent office for accountability and advocacy in Aboriginal affairs is progressing the Government’s reform agenda. Taken in isolation, the impact of any one of these initiatives is likely to be modest. But together, the

Government expects them to drive real change in the lives of Aboriginal people, and improve how the public sector works across the board.”

The paper advocates for the creation of an entity with statutory powers and independence from the Government of the day, (page 3 of the discussion paper).

This statement suggests the entity is proposed to be an individual, in which case it is likely that the title would be something like a Commissioner, examples of Commissioners with statutory powers that influence Government policy and have a high level of independence are; the Commissioner for Police, the Electoral Commissioner and the Public Sector Commissioner, to name a few.

Legal Implications - None.

Strategic Community Plan

Strategy 1.5.2 - Foster strategic alliance with major industry groups and government agencies. (Service Priority: High)

Strategy 5.3.1 - To provide community facilities that enable a healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant community, sporting, cultural and artistic organisations and artistic organisations and pursuits (Service Priority: Moderate).

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

In keeping with the adopted Strategic Community Plan, Council supports collaboration between agencies and the development of a healthy community. The ideal behind the proposed new Aboriginal affairs advocates office is to strive to improve the health and well-being of Aboriginal people throughout the state. This objective should be supported.

Page 11, of the discussion paper sets out the structure and powers of the new office and establishes that the entity is to be an individual that should be an Aboriginal person. This requirement should be supported as the person will need to have a very clear and detailed understanding of the needs of all Aboriginal people.

Without question, the task ahead for this position is enormous when taking into account the size of Western Australia and the location of many small Aboriginal communities that are scattered throughout the remote and isolated areas of WA.

It is recommended that Council register support for the appointment of an advocate for Aboriginal people to provide a conduit to government and to provide a resource for advice to Aboriginal people in relation to their interaction with the government and the Policies that affect them directly; and that no comment be made on the proposed structure and resourcing of the organisation or its functions as these are matters for and the responsibility of the State Government.

Council Role - Advocacy.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

276-18 MOVED - Cr. P S Robinson SECONDED - Cr. P R Perks

THAT Council:

1. Advise the Minister for Aboriginal Affairs the Hon. Ben Wyatt, MLA that Council supports the appointment of an advocate for Aboriginal people to provide an independent voice for Aboriginal people in relation to their interaction with the government on Policies and Government decisions that directly affect them; and
2. Make no comment on the proposed structure and resourcing of the organisation or its functions as these are matters for and the responsibility of the State Government.

CARRIED
7/1

12.6 Title: Policy Review – CP033 – Mobile Traders on Eaton Foreshore Reserve 24359 & Reserve 25471

Reporting Department: Executive

Reporting Officer: Miss Jasmine Sillifant - Executive Governance Officer

Legislation: Local Government Act 1995

Overview

A revised version of CP033 - Mobile Traders on Eaton Foreshore [Reserve 24359 & Reserve 25417] is being submitted to Council for endorsement.

Background -

In recent months Council has undertaken a full review of its Council Policies. At the Special Meeting held 26 July 2018 Council completed this review and adopted a revised Council Policy Manual. CP033 formed part of this review and the policy was adopted by resolution [251-18].

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.2 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

Environment - None.

Precedents - None.

The policy manual is reviewed regularly.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

On review of Council's revised policy manual it has been identified that CP033 – *Mobile Traders on Eaton Foreshore [Reserve 24359 & Reserve 25417]* (Appendix ORD: 12.6A) was not updated at the time of the review and the amended policy now requires endorsement by Council.

An amended version of the policy, CP033 – *Traders on Shire Reserves* (Appendix ORD: 12.6B) has been provided for Council's review and endorsement.

The change being that the new policy covers all reserves, not just the Eaton Foreshore.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

277-18 MOVED - Cr. P S Robinson SECONDED - Cr. J Lee

THAT Council:

1. **Deletes CP033 – Mobile Traders on Eaton Foreshore [Reserve 24359 & Reserve 25417] from the Council Policy Manual (Appendix ORD: 12.6A)**
2. **Adopts the updated version CP033 – Traders on Shire Reserves as follows:**



POLICY NO:-
CP033 – TRADERS ON SHIRE RESERVES

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION						
History:	1	NEW	OCM	14/12/16	Res: 352/16	Synopsis: Policy created.
	2	CP033	SCM	26/07/18	Res: 251-18	Synopsis: New Council Policy Document endorsed
Version:	3	CP033	OCM	08/08/18	Res: ???	Synopsis: Reviewed and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Development Services Directorate – Environmental Health Department

2. PURPOSE OR OBJECTIVE

The purpose of this Policy is to provide direction to the Shire of Dardanup Council in the processing of applications for Stallholder's and Trader's Permits to trade from public places within the Shire of Dardanup in accordance with the Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2009'.

The objectives of this Policy include:

- To identify and designate appropriate locations for vendors to operate;
- To allow for stallholders and mobile traders to operate in a manner that does not conflict with the normal functions of the Shire;
- To protect existing levels of public amenity experienced on the Shire's reserves and other public places;
- To set minimum standards in the interest of public safety, environmental protection and social amenity.

3. REFERENCE DOCUMENTS

- The Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2009'

4. DEFINITIONS

The terms used in this Policy and their definitions are as follows :

Term	Definition
Public Place, Stall, Stallholder, Stallholder's Permit, Trader's	As per Local Law

Permit, Trader, Trading	
Trading permit	A stallholder's or trader's permit
Mobile Trader	A trader selling goods and services in a public place whose vehicle / equipment can be completely removed from site at the end of each day.
Roaming Trade	Trading from a vehicle on the road reserve, with the trader remaining in a particular location for as long as there is a customer making a purchase and then moving on from that location.
Local Law	Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Amendment Local Law'

5. POLICY

This policy applies to mobile traders within the Shire of Dardanup and includes the following types of mobile traders:

1. **Type 'A'** - Mobile traders utilising a vehicle, caravan, trailer or stall for the purpose of trading in a public place;
2. **Type 'B'** - Mobile traders providing a service for which minimal equipment is required and which are flexible in terms of location (i.e. fitness, yoga, tai-chi classes etc);.
3. **Type 'C'** - Roaming Mobile traders utilising a vehicle, caravan or trailer for the purpose of trading utilising a public road reserve and remaining in a particular location for as long as there is a customer making a purchase and then moving on from that location.

This Policy provides specific application and operational requirements for all mobile trading occurring on the Eaton Foreshore Reserves and other public places within the Shire of Dardanup.

'Type A' Traders – Public Notification and Application Process - Eaton Foreshore Only

- a) The approved area for 'Type A' permits on Eaton Foreshore will be allocated by the Principal Parks and Gardens Supervisor.
- b) A maximum of three (3) 'Type A' permits will be concurrently granted by Council to operate within the Eaton Foreshore approved trading area at any one time, at specific trading locations.
- c) Permits will be allocated to a particular location, which will represent the approved location for the business activity for the duration of the permit, unless otherwise approved in writing by Council.
- d) Existing permit holders will be required to submit a new application if they wish to be considered for the following financial year.
- e) Prior to 30 June of each year the Shire will call for expressions of interest by way of newspaper and website advertising to ascertain levels of interest from operators wishing to be granted one of the 'Type A' permits available for the following financial year. All applications must be submitted by the date advised in the public notice using the form specified under the Local Law. When applications received exceed the number of trading positions available, an officer's report is to be presented to Council by June 30th of each year to determine the approved permits for the following financial year.

- f) In determining applications, Council reserves the right to refuse an application even if all available trading positions have not been allocated for a particular financial year, if Council determines the proposed use is incompatible with the area or of a standard that is unacceptable.
- g) If applications received during the Expression of Interest process do not exceed the available trading positions, such applications may be approved by Staff under the delegated authority of Council, subject to the application meeting all requirements.
- h) If available trading positions are not all occupied following the expression of interest process, Council can approve an application received outside of the above process for any of the remaining trading positions, for the remainder of the applicable financial year expiring 30 June. Such applications may be approved by Staff under the delegated authority of Council, subject to the application meeting all requirements.
- i) Successful applicants will be advised of the outcome, and must submit any supporting information requested and pay the application fee and annual fee (pro rata for applications outside the above process) for the issue of a trading permit in this location within one month of being advised of their successful application. If the fee and any information requested is not received within one month of notification, then the offer has lapsed and the trading position will be offered to another applicant at the discretion of Council staff.

Application Process

- 'Type A' Traders – Balance of Shire Reserves and Other Public Places but Excluding Gnomesville
 - 'Type B' Traders – Any Public Place including Eaton Foreshore but Excluding Gnomesville
 - 'Type C' Traders – Roaming Trade
- a) Applications can be submitted at any time throughout the year.
 - b) Applications involving a single vehicle / van / stall (including Type C) may specify more than one trading location and will be required to pay only one application fee and fee for trading duration and be issued with a single permit.
 - c) Applications involving multiple vehicles / vans / stalls will be required to pay a separate application fee and fee for trading duration for each vehicle / van / stall, and will be issued with a separate permit for each vehicle / van / stall.
 - d) Applications may be approved by staff under the delegated authority of Council.
 - e) There are no limits on the number of Type B traders that may be granted a permit for a reserve or other public place, or on the number of Type C traders permits issued for roaming trade.
 - f) Limits may be imposed on the number of 'Type A' traders that are permitted to operate at a specific location any one time. When these limits are imposed, exercise of trading permits shall be on a "first come, first served" basis.
 - g) 'Type A' permits may be restricted to specific locations or general trading areas within specific reserves or other public places.
 - h) 'Type B' traders are not restricted to a particular location within a specific reserve or other public place but may be excluded from particular locations on the reserve or other public place.
 - i) The existing operation of a similar business on a reserve or other public place will not be a means to refuse any application for a trading permit.
 - j) Trader's permits for roaming trade will only authorise trading within town site boundaries.

General Matters (Applicable to 'Type A', 'Type B' and 'Type C'):

- a) Traders permits will not be issued for trading at Gnomesville for reasons of public safety. This Policy will be amended to address trading at Gnomesville when the Gnomesville Masterplan has been approved by Council, provided the approved Masterplan provides for the issue of traders permits for the location.
- b) Traders activities are not to interfere with other users of the reserve or other public place.
- c) Traders whose trading involves the selling or distribution of food and/or drinks are to comply with the Food Act 2008 and the Food Standards Code.
- d) Traders shall ensure compliance with the *Environmental Protection (Noise) Regulations 1997* at all times.
- e) The Shire reserves the right to vary the conditions of a stallholder's or trader's permit at any time.
- f) The Shire may cancel a stallholder's or trader's permit pursuant to Clause 6.9 of the Local Law if the trader has not complied with a condition of the permit or provision of any written law which may relate to the activity regulated by the permit.
- g) All stallholder's and trader's permits will be issued for a maximum of 12 months and will be valid from 1 July to 30 June of the following year. If granted after 1 July, stallholder's and trader's permits will be valid from the date of issue to 30 June of the following year.
- h) Where an Organisation has an existing agreement with Council for the use of a reserve or other public place, written approval from that Organisation must be submitted with any trading permit application seeking approval to trade from the public place subject to an existing agreement.
- i) Where an Organisation or individual has a lease agreement giving them the exclusive right of access to an area of public land, trading activities on that portion of land to which they are granted exclusive rights of access will not be subject to the Local Law or this policy as the land subject to the lease is not within the definition of a public place.
- j) A trader shall not conduct trading on any day that there is a Shire of Dardanup approved 'event' on the reserve or other public place for which the right to authorise trading has been granted to the organiser by the Shire, unless otherwise approved by the event organiser (e.g. Shire organised events, Eaton Foreshore Festival, Dardanup Bull and Barrel Festival).
- k) When a Permit holder for a particular class of goods or services at the Eaton Foreshore is unavailable to trade at a particular time, or there is no permit holder for a particular class of goods or services at the Eaton Foreshore, an event organiser may invite another trader to trade at their approved event subject to the approval of the Shire Environmental Health Officer and to the trader having a current Traders Permit with the Shire of Dardanup.
- l) In determining applications for trading permits, Council will have regard to Clause 5.5 of the Local Law and the following criteria:
 - Benefit to the community;
 - Experience of the trader;
 - Appearance and quality of the operation and equipment;
 - Safety management measures implemented by the trader;
 - Risk management measures implemented by the trader;
 - The appropriateness of the activity/ business having regard to pedestrian, patron and vehicular safety within the area;
 - The appropriateness of the activity/ business having regard to the purpose for which the land is reserved, used or zoned;

- The potential impacts (i.e. parking, traffic, noise etc.) of the trading activity on nearby residences and landowners;
- The availability of ablution facilities if required for the trading activity: and
- The extent to which previous trading permits have been utilised, if applicable.

Conditions of Approval (Applicable to 'Type A', 'Type B' and 'Type C')

If Council determines to approve an application for a stallholder's or trader's permit, conditions can be imposed on the permit including, but not limited to, the conditions of Clause 5.2, 5.3 and 5.6 of the Local Law and the following:

- The trader shall not deposit or store any item associated with their activity on any footpath, vehicle access way or thoroughfare so as to create an obstruction.
- The trader shall provide confirmation to the Shire of a valid public liability insurance policy to operate the subject trading activity, prior to commencement of the trading activity which is to be thereafter maintained. The Policy shall indemnify both the trader and the Shire against any death or injury to a person or property arising from the approved trading for a minimum value of \$10 million.
- The solicitation of customers by touting or the use of public address systems shall not be permitted at any time.
- The trader shall keep their area of operation clean and tidy at all times to the satisfaction of the Shire.
- The trader shall ensure that no debris, litter, cleaning agents, detergents or waste of any kind result from their activities.
- This permit cannot be transferred to another trader.
- This permit is valid for a maximum period of 12 months, expiring on 30 June.
- The trader shall cease trading upon notification from the Shire of any maintenance works or any other matter as determined by the Shire that may be required to be conducted on the reserve or other public place which shall not recommence until such time as the trader is further notified in writing by the Shire.
- The trader shall make all reasonable attempts to utilise their trading permit to its full extent. If the local government determines that a trading permit is not being utilised sufficiently, the local government may revoke the trading permit (Eaton Foreshore only)
- A trader shall not request any member of the public using the trading area to relocate from the designated trading area at any time.

Revocation of Stallholder's or Trader's Permit

Council may revoke a trading permit for the following reasons:

- a) The nature of the trade is different to that approved;
- b) Vehicles and/or equipment are not as described in the application;
- c) Conditions of approval are not being adhered to;
- d) The approved trader is not utilising the approval at least one day per week (Type A traders for Eaton Foreshore only)
- e) The activity is causing a nuisance to other users of the public place or nearby residences/landowner.

CARRIED
8/0

12.7 Title: Eaton Foreshore Project – Budget Variance

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Luke Botica – Director Engineering & Development Services
Legislation: Local Government Act 1995

Overview –

Shire staff are seeking Council approval for the following budget variance in the 2018-2019 Budget:

1. Increasing the expenditure allocation for the Eaton Foreshore Stage 2 Project (J11594) to \$200,000 with the scope of works to include the supply and installation of a flying fox and shade sails at the Colin Spragg Adventure Playground and a new shelter over the nearby barbecue; and
2. Confirm the income for the project consisting of the following sources:
 - a) Donations totalling \$52,000;
 - b) Transfer of unspent funds of \$65,700 held in reserve; and.
 - c) Grant funding of \$82,300 (to be sourced).

The net cost to Council is zero.

Shire staff are also seeking endorsement of Council to commence the process of sourcing the necessary grant funding to bring the project to fruition.

Background

An expression of interest had been received from a member of the community outlining their desire to make a financial donation to the Shire of Dardanup for the expansion of the Colin Spragg Adventure Playground, in particular the installation of a flying-fox. A donation of \$50,000 has been received by the Shire for this installation.

In conjunction to this, the Lions Club of Eaton have also expressed their interest in financially contributing to the installation of a shelter over the new accessible barbecue facility (donated by the Lions Club of Eaton) located near the nature park playground.

Shire staff have packaged a project including the supply and installation of three shade sails, barbecue shelter and an accessible flying fox at the Colin Spragg Adventure Playground. The proposed flying fox will have one accessible seat with harness, and a non-harness seat. The current budget allocation is insufficient for the type and style of flying fox proposed.

The Eaton Foreshore Redevelopment is a staged project borne from the Eaton Foreshore Masterplan. Stage one, completed in 2016, saw the demolition of the old public toilet facility, installation of a new public toilet facility and creation of the Colin Spragg Adventure Playground.

An upgrade to the boat ramp parking facilities, lighting, stormwater drainage and barbecue facilities formed stage two of the project and was completed in 2017. However, the offers of donation, combined with unspent project funds from Stage 2 of the project have enabled additional works to be considered and included in the 2018-2019 budget. This includes the provision of shade sails and an extension to the playground consisting of a flying fox.

As part of the Strategic Community Plan survey, conducted in 2017, a high number of responses conveying a need for shade at the Colin Spragg Adventure Playground were received.

Legal Implications - None.

Strategic Community Plan -

- Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)
- Strategy 3.2.1 - To encourage social connectedness in our community through participation in positive social networks, interaction and events. (Service Priority: Very High)
- Strategy 5.2.1 - To encourage physical activity by providing services and recreational facilities that encourage our community towards an active and healthy lifestyle. (Service Priority: Very High)

Environment

Predominantly an interactive space, inclusion of the proposed new facilities will improve the cultural, social and community environment of the precinct.

Precedents

The Eaton Foreshore Playground forms part of the Eaton Foreshore Redevelopment Master Plan, adopted via the previous Strategic Community Plan:

OUTCOME	COUNCIL ACTIONS	ANTICIPATED TIMEFRAME	PERFORMANCE MEASURE
3.15 Eaton Foreshore Redevelopment.	Acknowledge that the Eaton Oval and Foreshore Redevelopment is included in Strategic Financial Plan.	Short & Medium *	When plan is adopted and project completed.
	Consider appointing an independent consultant to review the Foreshore Plan and alternative enhancements and improvements.	Short	When decision has been made.

Budget Implications

A Budget variance is required to amend the expenditure and income amounts for the project into the 2018-2019 Budget:

1. An expenditure amount of \$200,000 for the supply and installation of a flying fox and shade sails at the Colin Spragg Adventure Playground and a new shelter over the nearby barbecue; and
2. Income for the project consisting of the following sources:
 - a) Donations totalling \$52,000.
 - b) Transfer of unspent funds of \$65,700 held in reserve.
 - c) Grant funding of \$82,300 (to be sourced).

The net cost to Council is zero.

Unspent funds of \$65,700 held in reserve are surplus funds remaining from job number J11594 – Eaton Foreshore – Stage 2 (boat ramp carpark and associated infrastructure).

The community donations are as follows:

Private Donation	\$50,000
Donation from Eaton Lions Club	\$ 2,000

It should be noted that the \$50,000 donation has been received by the Shire.

Preliminary costs of the proposed works are as follows:

Shade Sails	\$45,000
Flying-Fox with earthworks & rubber soft fall	\$150,000
Barbecue Shelter	\$5,000
TOTAL	\$200,000

The Shire will need to source another \$82,300 towards the project from an external funding source to ensure that the project has no net cost to Council.

Budget – Whole of Life Cost

Maintenance activities and asset inspections will be ongoing and scheduled as per the Parks & Reserves Asset Management Plan.

Council Policy Compliance - None.

Risk Assessment - Low.

A risk assessment has been conducted regarding the financial and reputation risk to Council. The Shire will need to source a significant portion of external funding to allow the project to be delivered. The project will not commence until such time as all funding for the project is secured.

Community feedback indicates that a minor adverse reputation to Council currently exists due to lack of sun protection. This proposed development acts as mitigating action that is expected to facilitate a positive culture towards Council.

Officer Comment

Unspent funds from the Eaton boat ramp car park project can be utilised to secure grant funds to further enhance the services provided at the Eaton Foreshore.

The donor has a vested interest in the area and community at large and is strongly in favour of including a flying-fox at the Colin Spragg Adventure Playground, and has committed \$50,000 to the proposed project.

The Lions Club of Eaton have expressed concern over weather protection of the barbecue facilities near the playground, and have agreed to commit \$2,000 towards the installation of a shelter over the facility.

The shade sails, flying fox and barbecue shelter were not originally included as part of Stages 1 and 2 of the Eaton Foreshore. Since its completion, the Shire has received regular positive feedback from the community regarding the playground quality and style. However, there have been comments regarding the summertime temperatures of various components. The playground consists of various materials and colours that absorb and hold heat, making the playground perhaps not ideal for use during the middle of warmer summer days. This is a problem that is not uncommon for playgrounds situated in relatively unshaded areas. Shade sails would assist in addressing this issue, as well as reduce the exposure to the sun for children using the playground and any adults accompanying them at the playground.

It should be noted by sourcing additional grant funding over and above the donations and Council sourced funds will not only enable the project to occur, it will also enable the styling of the flying fox, shade sails and shelter to the current style and theme of the nature playground. In other words, Shire staff could reduce the cost of the project but this would result in a less desirable and perhaps a somewhat mismatched style to the components to be installed.

It is recommended that the project budget is amended in the 2018-2019 Budget and that Shire staff, through the assistance of the Shire's Community Development section, seek the necessary external grant funding to make the project possible. The project will not be commenced until such time that all the necessary income is sourced for the project ensuring that the project will have no net cost impact on the budget.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

278-18 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council:

- 1. Acknowledges the receipt of a \$50,000 donation for further expansion of the Colin Spragg Adventure Playground at the Eaton Foreshore, through the provision of a flying fox at the playground.**

2. **Acknowledges the commitment of a donation of \$2,000 by the Lions Club of Eaton towards the supply and installation of shelter over the barbecue adjacent to the Colin Spragg Adventure Playground at the Eaton Foreshore.**
3. **Supports further development of the Eaton Foreshore through the provision of the following works:**
 - a) **Supply and installation of shade sails covering three areas of the Colin Spragg Adventure Playground;**
 - b) **Supply and installation of flying-fox play equipment at the Colin Spragg Adventure Playground; and**
 - c) **Supply and installation of a shelter structure over the barbecue facilities adjacent to the Colin Spragg Adventure playground.**
4. **Approves a variance to the 2018-2019 Budget as follows:**

Job No.	Expenditure	Income			Net Cost to Council
		C/Fwd Reserve	Donations	Grant Funding	
J11594	\$200,000	\$65,700	\$52,000	\$82,300	\$0

5. **Authorises the Chief Executive Officer to seek grant funding for the project as required in Point 2 above, and no works are undertaken until the grant funding is secured.**

CARRIED

8/0

By Absolute Majority

12.8 Title: *Unbudgeted Expenditure – Bush Fire Brigade Extensions*

Reporting Department: Engineering & Development Services

Reporting Officer: James Reilly – Project Development Engineer

Legislation: Local Government Act 1995

Overview

Officers are recommending that Council approve unbudgeted expenditure for upgrades to three Bush Fire Brigade buildings.

Grant funding from the Department of Fire and Emergency Services has been approved to cover the project costs.

Background

In June 2018 an application was made to the Department of Fire and Emergency Services requesting:

- \$26,684 (excluding GST) to carry out renovations to the existing Upper Ferguson Bush Fire Brigade. The renovations will include an office, training room, kitchen cupboards and air conditioning.
- \$39,800 (excluding GST) to carry out upgrades to the toilet, shower, PPC wash basins and change room at the West Dardanup Bush Fire Brigade building.
- \$386,609 (excluding GST) for a new two appliance bay facility and amenities including furniture fitout at the Waterloo Bush Fire Brigade site.

On 31 July 2018 the Shire received notification that the above requests were approved and the Shire received three grants worth a total of \$460,393 (excluding GST) for the 2018/2019 financial year. This includes an additional \$7,300 (excluding GST) for the Waterloo Bush Fire Brigade project.

This notification was received after the 2018/2019 budget and therefore not all items are listed in the current budget. The budget will require amendment to include all of the funded works.

Legal Implications

Local Government Act 1995, Section 6.8 requires the prior approval of Council before unbudgeted funds are expended.

Strategic Community Plan

- Strategy 3.3.1 - To promote and encourage volunteering within the Shire of Dardanup. (Service Priority: High)
- Strategy 3.3.2 - Support volunteer groups within the Shire of Dardanup. (Service Priority: High)

Environment - None.

Precedents

Council has previously approved unbudgeted expenditure. In this case the expenditure is offset by a grant to cover the cost of the projects.

Budget Implications - Unbudgeted.

Schedule 5 – Law & Order in the 2018-2019 Budget currently contains the following capital projects:

Job No.	Project	Expenditure \$	Income \$		Net Cost to Council \$
			Building Reserve	Grant	
J05005	West Dardanup Building Extension	72,100	2,100	70,000	0
J05006	New Waterloo BFB Building	418,807	32,198	386,609	0
Total		490,907	34,298	456,609	0

The following amendment is requested:

Job No.	Project	Expenditure \$	Income \$		Net Cost to Council \$
			Building Reserve	Grant	
J05005	West Dardanup Building Extension	72,100	2,100	70,000	0
J05006	New Waterloo BFB Building	426,107	32,198	393,909	0
New	Upper Ferguson BFB Building Improvements	26,684	0	26,684	0
New	West Dardanup Building Renovations	39,800	0	39,800	0
Total		564,691	34,298	530,393	0

It should be noted that the requested changes will have no net cost to Council.

Budget – Whole of Life Cost

Ongoing operating cost will be included in future Brigade Operating Grants from the ESL for this asset.

Council Policy Compliance - None.

Risk Assessment - Low.

The risk is low as the majority of the expenditure is covered by the grant and the Council is complying with s6.8 of the LGA by pre approving the expenditure.

Officer Comment

Officers recommend accepting the grants worth a total of \$460,393 from the Department of Fire and Emergency Services for the three projects.

The Bush Fire Brigades provide a vital service for the local community and upgrading of facilities is highly endorsed by staff.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

279-18 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council:

- 1. Amends the following budget allocation in the 2018-2019 Budget:**

Job No.	Project	Expenditure \$	Income \$		Net Cost to Council \$
			Building Reserve	Grant	
J05006	New Waterloo BFB Building	426,107	32,198	393,909	0

- 2. Includes the following building projects into the 2018-2019 Budget:**

Job No.	Project	Expenditure \$	Income \$		Net Cost to Council \$
			Building Reserve	Grant	
New	Upper Ferguson BFB Building Improvements	26,684	0	26,684	0
New	West Dardanup Building Renovations	39,800	0	39,800	0

- 3. Delegates authority to the Chief Executive Officer to call and award tenders for Job No. J05006; and**
- 4. Authorises the Shire President and Chief Executive Officer to sign and execute contracts for tenders awarded in accordance with point 3 above.**

CARRIED
8/0

By Absolute Majority

12.9 *Title: Request for Electrical Works at the Eaton Hall (Bunbury Repertory Club)*

Reporting Department: Engineering & Development Services

Reporting Officer: Mr James Reilly - Project Development Engineer

Legislation: Local Government Act 1995

Overview

Officers are asking that Council consider unbudgeted expenditure for electrical upgrades to the Eaton Hall.

Background

The Bunbury Repertory Club who are currently leasing Eaton Hall contacted the Shire to raise concerns about electrical safety of the building.

The concerns they raised are as follows;

- Power entering the building is insufficient. This has meant the club are unable to use the hard wired wall heaters and one of the stoves is permanently out of commission. There is only sufficient power to run the stage lighting and little else.
- During summer there is no cooling aside from the walls fans to assist with moving the hot air around in an attempt to make the auditorium slightly more comfortable. With a power upgrade the club are looking to install some split systems in the hall.
- Concerns have also been raised about the condition of the current wiring in the building and whether or not it needs to be fully replaced.

Due to the timing of the matters being raised with the Shire there has not been an opportunity to consider this matter in time for the Strategic Planning process that would have led to funds being allocated in the 2018-2019 Budget. Therefore, the matter is brought to Council for consideration for potentially unbudgeted expenditure.

Legal Implications

There is a lease agreement that outlines the responsibilities of each party to the agreement. The agreement is signed for a period of ten years from 1 February 2016 to 31 January 2026 with two options of further extension, each of ten years duration.

Item 11 of the current lease agreement states the following in regards to electrical equipment:

Item 11 Additional Terms and Conditions

- 11.1 *The Lessee shall be responsible for ensuring all **ELECTRICAL EQUIPMENT** is subject to appropriate checks, tests and inspections necessary to reduce the risk of injury or harm occurring to a person at the premises. The Lessee shall provide written confirmation to the Lessor that all electrical equipment at the premise meets the relevant standards and, where applicable, meets the requirements of Regulation 4.37 of the Occupational Safety and Health Regulations 1996 (Note: this does not include equipment that is hard wired). This shall be in the form of an Electrical Test and Tag Register. **Confirmation detailing the annual Tests and Tag compliance shall be provided by the Lessee to the Lessor annually, by the 31st August each year.***

Recently, an addendum has been added to the agreement that provides a more detailed schedule of maintenance for the current lease. This is used to apportion the responsibilities for expenses and are as follows:

Item	Lessee Responsibility	Lessor Responsibility
Water Supply & Charges– Building & Surrounds	Payable by Bunbury Repertory Club Inc	
Sewer Rates and Charges	Payable by Bunbury Repertory Club Inc	

Item	Lessee Responsibility	Lessor Responsibility
Power Supply	Payable by Bunbury Repertory Club Inc	
Gas Supply	Payable by Bunbury Repertory Club Inc	
Telephone	Payable by Bunbury Repertory Club Inc	
Internet	Payable by Bunbury Repertory Club	
Insurance – Contents, Workers Compensation, Professional indemnity and Public Liability	Taken out by the Bunbury Repertory Club inc and payable by Bunbury Repertory Club Inc.	
Insurance – Building	Payable by Bunbury Repertory Club Inc per the lease agreement. (Item 11.5)	Taken out by the Shire, premium reimbursed by the Bunbury Repertory Club, per the lease agreement. (Item 11.5)
Maintenance, Replacement and Repairs to any Fitout Items in relation to any damage or actions attributable to the Lessee and which is occurring before its normal serviceable life expectancy.	Payable by Bunbury Repertory Club Inc	
The replacement of Fitout items that form part of the leased premises, in relation to fair wear and tear and reaching its normal serviceable life expectancy.		Lessor, timing subject to scheduling within asset programs.
Cleaning, including tidy, unobstructed and free from dirt and rubbish.	Payable by Bunbury Repertory Club Inc	
Structural repair, replacement and/or maintenance in relation to any damage or actions attributable to the Lessee, and which is occurring before its normal serviceable life expectancy.	Payable by Bunbury Repertory Club Inc	Lessor may make a contribution, but is not obligated to do so. Any contribution must be agreed by the lessee and lessor prior to the work being undertaken.
The replacement of structural components and building materials that form part of the leased premises, in relation to fair wear and tear and reaching its normal serviceable life expectancy.		Lessor, timing subject to scheduling within asset programs.
Supplies and Consumables	Payable by the Bunbury Repertory Club Inc.	
Landscaping	No adding or removal of trees, shrubs or hedges without the Lessor approval.	Landscaping including shrubs and lawns is to be maintained by the Lessor
Alterations to the Premises	Payable by the Bunbury Repertory Club. No works permitted without the prior written approval of the Lessor.	Must be approved in writing by the Lessor. Lessor may make a contribution, but is not obligated to do so. Any contribution must be agreed by the lessee and lessor prior

Item	Lessee Responsibility	Lessor Responsibility
		to the work being undertaken.
Signage	Payable by the Bunbury Repertory Club Inc. Installation requires prior approval from the Lessor.	Must be approved in writing by the Lessor
Painting of Building	Minor painting to be payable by the Bunbury Repertory Club Inc in relation to any damage or action attributed to the Lessee and which is occurring before its normal serviceable life expectancy.	Major painting works to be payable by the Lessor
Pest Maintenance	Payable by Bunbury Repertory Club Inc	
Electrical cords and equipment testing	Payable by Bunbury Repertory Club Inc (as per Item 11.1)	
Firefighting Equipment	Maintained by the Bunbury Repertory Club Inc and costs payable by the Bunbury Repertory Club Inc(as per Item 11.2).	

The following definitions of terms are used together with the maintenance schedule above:

Structural: Relates to the main building, including walls, roof and gutters, doors, windows and foundations, but excluding fit-out components.

Fit-Out: All fittings made to the structure of the building, including but not limited to, lighting, electricity, plumbing, heating, air-conditioning, gas fitting and fixtures, cupboards, benches, floorcovering, ovens, toilets, basins, sinks.

Maintenance: Works undertaken to delay and prevent premature deterioration of an asset in order to achieve the expected life expectancy of the asset. Also includes activities required to keep the asset in a condition suitable to performs its intended function.

Repair: Works undertaken to fix an asset or any of its component that has been damaged, whether accidentally or as a result of miss-use.

Strategic Community Plan

Strategy 5.2.1 - To encourage physical activity by providing services and recreational facilities that encourage our community towards an active and healthy lifestyle. (Service Priority: Very High)

Strategy 5.3.1 - To provide community facilities that enable a healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant community, sporting, cultural and artistic organisations an

Strategy 3.1.2 - To promote creative participation by supporting the development of opportunities for artists and creative minds. (Service Priority: High)

Environment - None.

Precedents

Council has previously approved unbudgeted expenditure.

Budget Implications - Unbudgeted.

Any electrical works undertaken at the expense of the Shire, will be unbudgeted. The expenditure can be offset by a transfer of funds from the Shire's Building Reserve.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Medium.

Officer Comment

Shire staff met with members of the Bunbury Repertory Club on Thursday 21 June 2018 and staff agreed to investigate the concerns regarding power to the building.

Staff organised for an electrician to look through the building and give recommendations on action required.

The electrician reported back on 7 August with a quote of \$8,500 (excluding GST) to get the power supply to cover the additional loads requested. This quote allows for a new submain from a pole mounted switchboard to a new switchboard to be mounted inside the hall with additional space.

The quote also allows for light switches to be moved as requested by the club. Currently the light switches are located at the back of the stage and club members have to go through the hall in darkness to access the switches.

Please note that an application has to be made to Western Power to get the power supply upgraded and until the process has been initiated, the cost is unknown.

The electrician has advised after an initial inspection that the wiring in the building appears to be adequate. However if the wiring does turn out to be unsafe and needs to be replaced then the cost to rewire the entire building will be approximately \$15,000. The necessity to rewire the building cannot be fully determined until such time as upgrade works on the building commence.

As per the lease agreement the Shire of Dardanup would be responsible for costs associated with works of this nature. It should be noted that renewal of old wiring (i.e. has reached the end of its serviceable life) is considered renewal works and is normally accepted as being the responsibility of the Shire as the owner of the asset.

The requested works are currently unbudgeted (i.e. no budget allocation in the 2018-2019 Budget). For staff to be able to undertake any such works, whether fully or partially funded by the Shire, a specific allocation is required in the Budget. Upgrade and renewal works cannot be undertaken under the building maintenance budget.

The Bunbury Repertory Club is seeking an upgrade to the electrical system at the building. Normally, such upgrades would be the responsibility of the lessee if the electrics, in its current form, is considered suitable for normal use of the building. However, it is debatable on whether the current electrics are considered as being adequate for normal use, and whether air-conditioning is considered a standard component for such a building. Due to this predicament it is suggested that Council consider an arrangement whereby the electrical upgrade costs are shared between the Shire and the Bunbury Repertory Club. This can be done by the Shire contributing an amount towards the work and the remainder to be funded by the Bunbury Repertory Club.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

280-18 MOVED - Cr. C N Boyce SECONDED - Cr. P R Perks

THAT Council:

1. **Advises the Bunbury Repertory Club that it will contribute 50%, up to a maximum of \$5,000, for the upgrade of the electrical system at the Eaton Hall with the remaining cost required for the works to be paid for by the Bunbury Repertory Club**
2. **Allocates an unbudgeted expenditure amount of \$5,000 in the 2018-2019 Budget for the electrical works at the Eaton Hall;**
3. **Transfers \$5,000 from the Building Reserve to offset the expense.**
4. **The rewiring of Eaton Hall, if required, is to be fully funded by the Shire of Dardanup, except for the upgrade component which will be 50% funded by the Bunbury Repertory Club;**
5. **Allocates an unbudgeted expenditure amount of \$15,000 in the 2018-2019 Budget for the rewiring works at the Eaton Hall, if required; and**
6. **Transfers \$15,000 from the Building Reserve to offset the expense, if required.**

CARRIED

8/0

By Absolute Majority

12.10 Title: Dardanup Community Facilities Plan

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview

The Dardanup Community Facilities Plan (DCFP) has been presented to Officers in Final Draft form.

The DCFP is hereby presented to Council for review. Subsequent to Council review, the DCFP will be released for public advertising.

After Council review and public advertising (and effecting any changes that these two processes may dictate), the final DCFP will be presented to Council for adoption.

Background

In August 2017, Bodhi Alliance were awarded the contract for the preparation of the DCFP.

Bodhi Alliance conducted background studies, stakeholder interviews, two community workshops, a Council briefing and numerous meetings with Officers.

The aim of the study was to produce a plan that provides a visual representation of current facilities and proposed facilities that are the result of research, public and stakeholder consultation. To accompany the plan, a report was to be prepared that detailed the research and consultation performed, together with justification of the proposed facilities.

The DCFP is attached at (Appendix ORD: 12.10A), together with the Baseline Report, at (Appendix ORD: 12.10B).

Legal Implications - None.

Strategic Community Plan

Strategy 1.3.3 - Maximise Shire grant funding. (Service Priority: Flagship)
Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)
Strategy 2.5.1 - Develop, review and implement Townscape Plans. (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications

Any facility, whether existing or proposed, imposes significant budget implications upon the Shire. It should be noted that any single facility that is provided, is done so at the expense of another, either within the Dardanup townsite, or elsewhere within the Shire.

The intent of the DCFP is to provide facilities that meet community expectations, serve multiple purposes and user groups and also have the greatest chance of attracting grant funding.

As such, although the DCFP has substantial budget implications, it has been created in order to assist the Shire manage and minimise the implications, whilst still delivering a high level of service to the community.

There is a budget allocation for the development of the Plan. Funds were initially allocated in the 2017-2018 Budget and unspent funds have been carried forward to the 2018-2019 budget. It should be noted that the project is expected to be completed within the budget allocation.

Budget – Whole of Life Cost

Whole of life cost is a major consideration in the provision of new facilities. Subsequent to the construction of capital projects, the Shire must (generally) bear the cost of operation, maintenance, repair, upgrade and renewal.

The community and stakeholders have received guidance on Whole of Life Cost during the consultation period with the result being a plan that minimises where possible ongoing costs to Council.

Council Policy Compliance - None.

Risk Assessment - Low.

There is a risk that the community and stakeholders will object to some items within the DCFP. However, due to the long consultation period and collaborative approach, this risk has been mitigated as much as possible.

Officer Comment

The DCFP has been produced to reflect the aspirations of the community and stakeholders, combined with sound planning and asset management principles.

Although Council is able to instruct any amendments it deems necessary, we must be mindful that the end result must still be representative of the stakeholder and community aspirations.

Community facilities are generally funded by a range of sources including but not limited to Council funds, developer contributions and grants from organisations such as the Department for Sport and Recreation. As a result, programming of projects must be flexible to reflect the variable nature of funding. Accordingly, reference to timing on the plan (0 to 5 years etc.) has been removed and replaced with Short Term, Medium Term and Long Term.

When adopted by Council, the DCFP will inform future Development and Planning decisions and the Asset Management Plan 10 Year Programs.

The DCFP will effectively become the masterplan for provision of community facilities in the Dardanup Townsite. It should be noted, however, that changes are to be expected, as a result of, but not limited to –

- Change in community expectations;
- Change in rate of development;
- 'One off' type funding opportunities (i.e. fulfilment of election promises); and
- Success or otherwise of routine funding applications (e.g. Black Spot Road Funding).

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

281-18 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT Council:

1. **Receives the draft Dardanup Community Facilities Plan (DCFP).**
2. **Endorses the DCFP to proceed to the formal comment period.**

CARRIED
8/0

12.11 Title: Traders Permits – Approval of Sites for Fixed Location Trading

Reporting Department: Engineering & Development Services

Reporting Officer: Mrs Corinne Shaw - Environmental Health Officer

*Legislation: Local Government Act 1995
Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007*

Overview

Council is being requested to approve five fixed trading locations, for mobile traders to operate on Council owned or managed land. It is recommended that Council approves the designated locations for mobile trade activities, subject to conditions.

Background

Traders and stallholders wanting to operate from Shire Reserves and other public places are required to hold a permit under the Shire of Dardanup “*Activities in Thoroughfares and Public Places and Trading Local Law*” (Local Law).

Permits issued to mobile traders are typically in the form of either a permit allowing roaming trade (e.g. for an ice-cream van), or alternatively allowing trade from a designated fixed location. Currently, the Wellington Mill vehicle rest bay and the Eaton Foreshore are the only locations for which a traders’ permit for a fixed location has been issued by Council.

Council has recently received a number of applications from traders seeking to operate from the following locations as follows:

- Dardanup Hall carpark (Appendix ORD: 12.11A);
- Carramar Park (Appendix ORD: 12.11B);
- Burekup Skate Park (Appendix ORD: 12.11C);
- Eaton Office carpark - outside office hours (Appendix ORD: 12.11D); and
- Australind Bypass in the ‘Fergus the Bull’ information bay (Appendix ORD: 12.11E).*

**Note: additional approvals are likely to be required from Main Roads and the Department of Planning, Lands and Heritage before trade permits can be issued for this location.*

While functions under the Local Law are delegated to staff, one of the difficulties staff have in assessing such applications is that there is minimal policy guidance available. As such, staff are seeking to establish Council’s position as to whether it is supportive of such activities on Shire owned and managed land in the requested locations.

It is important to note that part of this request is for Council to consider approving the locations themselves, rather than considering the individual traders. Endorsement of specific locations will provide staff the necessary guidance to assess and approve future applications under delegated authority in line with Council’s resolution.

Another relevant point is that under this proposal individual traders will not be given exclusive rights to trade over any of the proposed locations and there will be no limit to the number of traders that may be issued a permit for an approved location. Instead, as part of the conditions of approval that accompany a permit, the right to trade will go to the trader (or traders) arriving first at a location. Whilst it is proposed not to limit the total number of traders that may be granted a permit for a fixed location, Council may wish to consider the maximum number of traders that may concurrently operate from a single site and apply limits accordingly.

It is proposed that trade only be permitted between sunrise and sunset to limit any issues of anti-social behaviour, public safety, or nuisance. Trade may be further limited to specific hours dependant on the nature of the trade operation.

Legal Implications - None.

Strategic Community Plan

Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)

Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)

Environment - None.

Precedents

Council has previously approved mobile traders in fixed locations at Wellington Mill and the Eaton Foreshore.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

This report requests Council to consider a number of locations for mobile traders. If supported, guidance is also sought from Council as to the maximum number of traders permitted to operate at the locations, and the days and times that trade is permitted.

If Council endorses the proposed fixed trading locations, it is recommended authority also be granted for staff to issue future approvals, under delegation, to applicants requesting permission to trade at the approved locations. Approvals will be subject to the conditions recommended in this report (in addition to any specific conditions relating to the individual application).

To avoid the risk of traders selling inappropriate or undesirable goods, it is recommended that Council only provide staff with the delegated authority to issue permits for businesses selling food-based products, with any alternative proposals at the approved locations to be brought to Council for determination.

Depending on the nature and requirements of a proposal, a permit may specify a certain area within which the trader is required to operate. This will be determined at time of application, in liaison with Council's Engineering Department, to ensure there is no damage to Council property or adverse impacts on neighbouring landowners or the community.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Endorses the following locations for the operation of mobile food-based traders:
 - Dardanup Hall carpark;
 - Carramar Park;
 - Burekup Skate Park;
 - Eaton Office Car Park, outside of office hours;
 - Australind Bypass 'Fergus the Bull' Information Bay.

2. Places the following restrictions (if applicable) for mobile food-based traders to operate at the approved locations:

Location	Maximum Number of Traders at one time	Approved Days of Operation	Approved Times of Operation
Dardanup Hall carpark	3	All except when Council or third parties have approved events.	7am to 9pm
Carramar Park	1	All except when Council or third parties have approved events.	Daylight hours only.
Burekup Skate Park	2	All except when Council or third parties have approved events.	7am to 9pm
Eaton Office Car Park, outside of office hours	3	All other than Eaton Boomers Football Club home games.	7am to 9pm
Australind Bypass 'Fergus the Bull' Information Bay	1	All days.	Daylight hours only.

3.....[etc.....see below].

Discussion:

Council discussed that the Eaton Office carpark was not suitable due to the proximity to the shopping centre. The maximum number of traders at the Dardanup Hall should be reduced to two due to the possibility of disruption to nearby residents.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

Removal of the Eaton Office carpark location due to the proximity of the shopping centre and various eateries and reduce the number of traders at the Dardanup Hall due to the possibility of disruption to nearby residents.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

282-18 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council:**1. Endorses the following locations for the operation of mobile food-based traders:**

- Dardanup Hall carpark;
- Carramar Park;
- Burekup Skate Park;
- Australind Bypass 'Fergus the Bull' Information Bay.

2. Places the following restrictions (if applicable) for mobile food-based traders to operate at the approved locations:

Location	Maximum Number of Traders at one time	Approved Days of Operation	Approved Times of Operation
Dardanup Hall carpark	2	All except when Council or third parties have approved events.	7am to 9pm
Carramar Park	1	All except when Council or third parties have approved events.	Daylight hours only.
Burekup Skate Park	2	All except when Council or third parties have approved events.	7am to 9pm
Australind Bypass 'Fergus the Bull' Information Bay	1	All days.	Daylight hours only.

3. Authorises the Chief Executive Officer (and on-delegated officers) to approve mobile food-based mobile traders' permits at the approved locations identified in Resolution (1), subject to imposing the following conditions:

- i. Trading shall comply with the provisions of the Shire of Dardanup '*Activities in Thoroughfares and Public Places and Trading Local Law*' at all times.
- ii. Trade is only permitted to occur in the location specified on the Permit.
- iii. Trading shall only occur within the hours specified on the Permit.
- iv. No more than the maximum number of traders listed on the permit are permitted to operate at the trade location, with the first traders arriving at the location having priority to trade.
- v. No trader is permitted to park a vehicle so as to block another trader or member of the public.

- vi. **The trader shall only conduct trading of products and/or services as specified on the trader's permit.**
- vii. **The trader shall not deposit or store any item associated with a trader's permit on any footpath, vehicle access way or thoroughfare so as to create an obstruction.**
- viii. **The trader shall provide confirmation to the Shire of a valid public liability insurance policy to operate the subject trading activity, prior to commencement of the trading activity which is to be thereafter maintained. The Policy should indemnify both the trader and the Shire against any death or injury to a person or property arising from the approved trading for a minimum value of \$10 million.**
- ix. **The solicitation of customers by touting or the use of public address systems is not permitted at any time.**
- x. **The trader shall keep their area of operation clean and tidy at all times to the satisfaction of Council.**
- xi. **The trader shall ensure that no debris, litter, cleaning agents, detergents or waste of any kind result from their activities.**
- xii. **The trader shall not conduct trade at the location on any day in which the following is relevant:**
 - a) **there is a Shire organised and operated event requiring the exclusive use of the land; and/or**
 - b) **there is a Shire approved event organised and operated by a third party that has been granted approval by the Shire for the exclusive use of the land.**
- xiii. **Condition xii shall not apply where written permission to trade at the approved event is granted by the Shire or the approved third party respectively.**
- xiv. **A trader shall not request any member of the public using the trading area to relocate from the designated trading area at any time.**
- xv. **Trade that involves the selling or distribution of food or drinks is to comply with the *Food Act 2008* and the *Food Standards Code*.**

- xvi. **The approved trade activity is not to breach the nuisance provisions of the *Shire of Dardanup Health Local Laws 2000 (As Amended)*, or the *Health Act 1911 (As Amended)*.**
 - xvii. **The approved trade activity is not to breach the *Environmental Protection (Noise) Regulations 1997*.**
 - xviii. **This permit does not allow the erection or installation of road-side signage.**
 - xix. **This permit does not allow the installation of tables, chairs, umbrellas, or any other items on land owned or administered by the Shire of Dardanup.**
 - xx. **All rubbish and waste materials (including liquid waste) are to be suitably contained and removed off-site at the end of each day of trade.**
 - xxi. **The Permit holder shall cease trading upon notification from the Shire of any maintenance works or any other matter as determined by the Shire that may be required to be conducted on the reserve or other public place which shall not recommence until such time as the Permit holder is further notified in writing by the Shire.**
 - xxii. **The Shire may cancel a trader's permit pursuant to Clause 6.9 of the Local Law if the trader has not complied with a condition of the permit or a provision of any written law which may relate to the activity regulated by the permit.**
 - xxiii. **This permit cannot be transferred to another trader under any circumstances.**
- 4. Advises the applicant for the locality of Australind Bypass 'Fergus the Bull' Information Bay that prior to considering a mobile traders' permit planning approval under the Greater Bunbury Region Scheme (GBRS) and written permission from Main Roads WA will be required.**

CARRIED
8/0

Note: Manager Governance & HR, Ms Cathy Lee left the meeting [6.05pm].

12.12 Title: Appointment of Community Members to Shire of Dardanup Townscape Committees

Reporting Department: Corporate & Community Services

Reporting Officer: Mr Phil Anastasakis - Director Corporate & Community Services

Legislation: Local Government Act 1995

Overview

This report provides for the nomination and endorsement of Community members to the Shire of Dardanup Townscape Committees.

Background

At the Council meeting of 8 August 2018, Council recommended the following [261-18].

THAT Council:

1. *Endorse the updated "Townscape Committee - Instrument of Appointment & Terms of Reference - 2018" (Appendix ORD: 12.8B) for the following Committees of Council:*
 - a) *Burekup Townscape Committee;*
 - b) *Dardanup Townscape Committee;*
 - c) *Eaton Townscape Committee.*
2. *Appoint the Manager Community Services to the Burekup Townscape Committee, Dardanup Townscape Committee, and Eaton Townscape Committee as a staff committee member.*
3. *Receive the nomination from Ms Kahlia Murray as a community representative on the Burekup Townscape Committee, and call for Expressions of Interest for community representatives on the Burekup, Dardanup and Eaton Townscape Committees.*

Legal Implications

Local Government Act 1995, Section 5.8, 5.9 and 5.10

Strategic Community Plan

Strategy 1.6.1 - Provide opportunities for the community to engage with Councillors and Staff. (Service Priority: High)

Environment - None.

Precedents - None.

Each year immediately following the elections, Council considers the committees that are in place and the representation on these committees.

At the Special Council meeting held on the 25 October 2017, Council resolved [272-17] under the heading “Appointment of Councillors, Community and Departmental Representatives to various Council & Community Member Committees” the following:

THAT the following Councillors, Staff, Community and Departmental Representatives be elected to the following Council and Community Member Committees:-

Burekup Townscape Committee

- *Cr. M T Bennett - Elected Member*
- *Cr. P Perks - Elected Member*
- *Cr J Dow - Elected Member*
- *Ms Cassie Fry – Community Member*
- *Director Engineering & Development Services – Staff*
- *Manager Development Services – Staff*
- *Manager Assets - Staff*

Dardanup Townscape Committee

- *Cr. L D Harris - Elected Member*
- *Cr J Dow - Elected Member*
- *Cr. P Robinson - Elected Member*
- *Director Engineering & Development Services – Staff*
- *Manager Development Services – Staff*
- *Manager Assets - Staff*

Eaton Townscape Committee

- *Cr. M T Bennett - Elected Member*
- *Cr. J Lee - Elected Member*
- *Cr. C N Boyce - Elected Member*
- *Cr. P Perks – Elected Member*
- *Director Engineering & Development Services – Staff*
- *Manager Development Services – Staff*
- *Manager Assets – Staff*

Budget Implications - None.

Budget – Whole of Life Cost - None.

As no assets/infrastructure is being created, there are no whole of life costs relevant to this item.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The current Townscape Committees are made up of the following members:

Committee	Member
Burekup Townscape Committee	Cr. M T Bennett - Councillor Cr. P Perks - Councillor Cr. J Dow - Councillor Director Engineering & Development Services -Staff Manager Development Services - Staff Manager Assets – Staff Manager Community Services - Staff Ms Cassie Fry – Community Representative
Dardanup Townscape Committee	Cr. P Perks – Councillor Cr. J Dow – Councillor Cr. P Robinson – Councillor Director Engineering & Development Services – Staff Manager Development Services – Staff Manager Assets Manager Community Services – Staff Ms Tracey Moyle – Community Representative Ms Lisa Ferris – Community Representative
Eaton Townscape Committee	Cr. M T Bennett – Councillor Cr. J Lee – Councillor Cr. C N Boyce – Councillor Cr. P Perks – Councillor Director Engineering & Development Services – Staff Manager Development Services – Staff Manager Assets – Staff Manager Community Services – Staff Mrs Julie King – Community Representative Mr Ken Lowth – Community Representative Mr Robert Hooyberg – Community Representative Ms Katrina McKain – Community Representative

A public notice, requesting expressions of interest for nominations to the Townscape Committees was advertised in the South Western Times and the Bunbury Mail, along with the Shires website, Facebook and public notice boards.

An expression of interest has been received (Appendix ORD: 12.12) from the follow community representatives:

Committee	Name
Dardanup Townscape Committee	Ralph Keegan – Dardanup
Dardanup Townscape Committee	Jeanette Thomas
Eaton Townscape Committee	Pankaj Sinha

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Receive the following nominations from the following community representatives:
 - a) Ralph Keegan – Dardanup
 - b) Jeanette Thomas – Dardanup
 - c) Pankaj Sinha - Millbridge

2. Appoint the following community representatives to the Shire of Dardanup Townscape Committees:
 - a) Kahlia Murray – Burekup Townscape Committee
 - b) Ralph Keegan – Dardanup Townscape Committee
 - c) Jeanette Thomas – Dardanup Townscape Committee
 - d) Pankaj Sinha – Eaton Townscape Committee

Discussion:

Chief Executive Officer, Mr Mark Chester, advised Councillors that a nomination had been received last Thursday (before the closing date) from Cassie Fry nominating Jasmine Baker to the Burekup Townscape Committee.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

Addition of Jasmine Baker to the Burekup Townscape Committee membership.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

283-18 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council:

1. **Receive the following nominations from the following community representatives:**
 - a) **Ralph Keegan – Dardanup**
 - b) **Jeanette Thomas – Dardanup**
 - c) **Pankaj Sinha - Millbridge**

2. **Appoint the following community representatives to the Shire of Dardanup Townscape Committees:**
 - a) **Kahlia Murray – Burekup Townscape Committee**
 - b) **Ralph Keegan – Dardanup Townscape Committee**
 - c) **Jeanette Thomas – Dardanup Townscape Committee**
 - d) **Pankaj Sinha – Eaton Townscape Committee**
 - e) **Jasmine Baker – Burekup Townscape Committee**

CARRIED

8/0

By Absolute Majority

12.13 Title: 2018 Dardanup Bull and Barrel Festival Financial Request

Reporting Department: Corporate and Community Services
Reporting Officer: Ms Lee Holben - Manager Community Services
Legislation: Local Government Act 1995

Overview

The Bull and Barrel Festival Committee requests that the Shire of Dardanup fund the cost (\$4,281.20) for traffic management for the 2018 Festival.

Background

Under Section 6.2 of the Local Government Act 1995, Council is required to prepare and adopt an Annual Budget each year. Part of this process includes considering budget submissions from Community Groups to the Chief Executive Officer, which are to be received no later than 31 March annually (refer Council Policy CP018 – Corporate Business Plan Deadline).

Council received a request dated 24 April 2018 from Dardanup Bull and Barrel Festival Committee to increase their yearly funding from \$4,100.00 to \$8,391.20. The request missed the closing date for community requests (31 March 2018) as per Policy CP018 and was therefore not eligible for consideration. The Committee were notified that they could appeal the decision.

Council received a second written request on the 30 July 2018 from the Bull and Barrel Committee. The request being to increase the Bull and Barrel's yearly funding to cover Traffic Management costs of \$4,281.20.

Legal Implications

Local Government Act 1995

Local Government (Financial Management) 1996

Section 6.2 (4) of the *Local Government Act 1995* states:

6.2. Local government to prepare annual budget

(4) *The annual budget is to incorporate —*

(a) *particulars of the estimated expenditure proposed to be incurred by the local government;*

Part 2, Regulation 5 (1) (g) of the *Local Government (Financial Management) 1996* Regulation states:

5. CEO's duties as to financial management

(1) *Efficient systems and procedures are to be established by the CEO of a local government —*

(g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*

Strategic Community Plan

- Outcome 3.2 - To be an inclusive community that promotes active involvement in community life and a strong sense of community pride.
- Outcome 3.3 - To be a community supported by a strong volunteer base where leadership, inclusiveness and supported independence is fostered.
- Outcome 5.1 - To be a connected community.

Environment - None.

Precedents

The cost of Traffic Management for the 2015 and 2017 Bull and Barrel Festival was covered by the Shire of Dardanup's Minor Community Events Assistance budget. The 2016 festival was cancelled due to poor weather conditions.

Over the last twelve months financial support for other Community Events (cycling), Traffic Management Plans have been on a 50/50 basis.

Budget Implications

In the 2018/2019 budget there is an allocation of \$4,182 for the 2018 Bull and Barrel Festival.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Medium.

- *Reputational Risk*

If the request is not supported the Shire may be seen in a negative light.

If the request is supported other ratepayers may be concerned re the amount of dollars that are going to support this festival compared to other events and may see the Shire in a negative light.

Officer Comment

In previous years the Shire has supported the Bull and Barrel Festival in a number of ways, including in-kind support, staff time and financial resources. This has included their yearly annual allocation through the Budget process and the Minor/Community Events Assistance budget.

Below is a table showing the Council's total contribution to this particular event in previous years.

Shire Support Details	Cost
Allocated Shire Funding (cash) 18/19	\$4,182.00
12 full days hall hire – ½ facility for workshops in lead up	(\$300 p/d) \$3,600.00

Shire Support Details	Cost
Hall hire 3 x full days – Entire Facility – bump in, event day, bump out – yet to be decided	(\$600 p/d) \$1,800.00
sand pad and pipe/crossover, installation and removal- contractor hire	\$2,000.00
sand pad and pipe/crossover, installation and removal + retic marking – Shire workers	\$1,000.00
SJ Traffic and full traffic control & TMP yet to be decided	\$4,281.20
Road Closure Public Notice in local paper	(approx.) \$600.00
Demarcated Dog Area Voided for 2018 – Public Notice in Local Paper	(approx.) \$600.00
Ranger on duty at event (cost will depend if senior ranger available - unknown at this point)	(approx.) \$1,000.00
Provision of bins – not requested for 2018 event	\$1,050.00
	Total: \$20,113.20
<i>Other in-kind Shire support</i>	
Use of Shires E-Trailer for 1 week - staff member to move it and set it up. 2 hours.	
Use of large oval lighting towers overnight (for security) and power from oval power boxes	
General wear and tear damage to turf	

Below is a table with Council's financial and in-kind support to other Community supported events for comparison.

Event	Shire Funding	Other In Kind Support	Total \$
Seniors Christmas Dinner – Dardanup	\$1,000.00	- 1 day complimentary Hall Hire (\$1,800)	\$900.00
Eaton Foreshore Festival	\$2,000.00	- Use of power for 2 nights/days (toilet service duct). - Marking out of retic/bollard removal (Shire staff) (2 staff - 4 hours @ \$280). - General wear and tear damage to turf. - Hire of machine to fix damaged turf 2 days (\$700). - 1 operator 2 days (to fix damaged turf) (\$500). - 70 bins delivered/collected (\$763). - Borrowing of Shire 'event ahead' signs. <i>(\$1000 reserve bond mandatory). in previous years Shire has also provided funding for generator hire (however generators were not required in 2018)</i>	\$2,243.00
Australia Day – Eaton	\$8,916.00	- Marking out of retic 2 staff 1 hour (\$140) - 15 bins delivered / collected	\$303.50

Event	Shire Funding	Other In Kind Support	Total \$
		(\$163.50) - Borrowing of Shire 'Event Ahead' signs. (\$1000 reserve bond waived)	
Dardanup Australia Day	\$2,786.00	- Marking of retic (\$140). - 3 Bins delivered / collected (\$32.70). (\$500 reserve bond waived)	\$172.20
Millbridge Easter Egg Hunt	\$2,000.00	- Marking out of retic 2 staff 1 hour (\$140) - bins delivered / collected (\$43.60). - Borrowing of Shire 'Event Ahead signs' (\$500 reserve bond waived)	\$183.60
Lions Christmas on Hunter	\$1,500.00	- Marking out of retic (\$140) - Bins delivered / collected (43.60) - Borrowing of Shire 'Event Ahead' signs. (\$500 reserve bond waived)	\$183.60
Dardanup Arts Spectacular	\$4,000.00	- 1 week complimentary hall hire (\$900 p/day). (\$1,000 hall bond waived).	\$6,300.00
Dardanup Anzac Day	no funding	- Complimentary hall hire half day	\$360.00

In previous years the Shire has covered the cost for 70 wheelie bins for the Bull and Barrel Festival to be delivered and picked up through Cleanaway – valued at approximately \$1,050. This year the organiser has noted the wheelie bins will be covered via sponsorship from Cleanaway.

The Bull and Barrel Committee have submitted a funding application to Lotterywest for \$14,301 for the purpose of equipment hire (such as stage, lighting, PA system etc.). The request has been supported in principal and is currently with the Minister for endorsement.

The Committee are eligible to apply to the Shire of Dardanup's Community grants programs (twice yearly) The current round closes on the 27 August 2018 with the proposed successful applicants going to the 10 October Council meeting for endorsement. The Council meeting date is the week after the 2018 Bull and Barrel Festival (6 October 2018) and therefore not feasible.

The 2018/2019 Budget allocation for Minor/Community Event Assistance has a total allocation of \$32,252 with a current available balance of \$29,147. This financial request, if supported would come out of this allocation.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council support funding fifty percent of the total cost of \$4,281.20 to produce a traffic management plan and provide traffic management for the 2018 Dardanup Bull and Barrel Festival.

Discussion:

Councillors discussed whether to support 50% of costs for traffic management or 100%. As this event benefits the community greatly it was considered by Council appropriate to fund the total cost.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

Councillors decided to provide the Festival the total cost of providing traffic management for the event.

COUNCIL RESOLUTION

284-18 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council support the total cost of \$4,281.20 to produce a traffic management plan and provide traffic management for the 2018 Dardanup Bull and Barrel Festival.

CARRIED
8/0

12.14 Title: Bus Trial Services to Burekup and Dardanup

Reporting Department: Corporate and Community Services

Reporting Officer: Ms Lee Holben - Manager Community Services

Legislation: Local Government Act 1995

Overview

To receive information from the Public Transport Authority in regards to the three month trial bus service to Burekup and Dardanup.

To endorse the decision that the Public Transport Authority is unable to continue to run the bus service due to it being un-financial.

Background

It has been raised through the previous and current Strategic Community Plan that residents would like improved public transport, in particular bus services to and from Burekup and Dardanup to Eaton. There are currently no transport services to Burekup and Dardanup and residents verbally lobbied Councillors and the Shire of Dardanup to provide such services.

In late 2017 the Chief Executive Officer discussed the idea of providing a bus service to the Burekup and Dardanup communities at a Councillor Forum. The concept being that Council would sponsor a service provider to pick up passengers in Burekup and Dardanup and take them to Eaton in the morning and do the return trip in the afternoon.

It was suggested that this would be provided two days per week for a trial period of three months to see if the service was being used, and if successful to use the pilot project to influence the Public Transport Authority (PTA) to start a public transport service between these towns.

At the 24 January 2018 Ordinary meeting of Council the following resolution [06-18] was carried 7/1:

THAT Council:

1. *Direct the Chief Executive Officer to initiate a three month trial of a community bus service for Burekup and Dardanup to and from Eaton for two days per week being Tuesday and Saturday.*
2. *Direct the Chief Executive Officer to draft a service level contract for consideration of suppliers of the service.*
3. *Advise Council's insurers of the initiative and seek advice in relation to risk management and insurance.*
4. *Cap the cost of the three month trial, inclusive of the level of service agreement, an official launch and publicity and the cost of the service at \$15,000.*
5. *Acknowledge that the service is unbudgeted expenditure.*
6. *Require the service to commence by the 1 April 2018 and be reviewed weekly with the trial ending 30 June 2018.*
7. *Require a report on the service to be presented to Council in June 2018.*

The Public Transport Authority commenced a trial bus run to Burekup and Dardanup twice a week (Tuesday and Saturday) for a three month period ending on Saturday 30 June 2018.

Legal Implications

The Shire has the capacity to contract service providers to run a bus service.

Strategic Community Plan

Strategy 5.1.2 – To provide transport choices by increasing the availability of safe, affordable and viable transport options. (Service Priority: High).

Environment - None.

Precedents

The service is not core business of local government but is seen as a Strategic Outcome of Council.

Budget Implications

The 2017/2018 budget had an allocation of \$15,000 to cover the cost of the trial and promotion.

Final costs:

Public Transport Authority	\$10,000.00
Promotion	\$ 2,470.58
Total	\$12,470.58

Additional funding of \$15,000 has been included in the 2018/19 budget. This amount was provided for in the 2018/19 budget as at the time of preparing the budget, it was not known whether the trial would be extended.

Budget – Whole of Life Cost

The proposal was that this service be run as a pilot program for twelve weeks to see if the demand was there; if it was, the Council would be urged to lobby the PTA to provide the service.

Council Policy Compliance

The trial proposal was at odds with *Policy CP007 Cost Shifting Assessment*

4. *Policy*

- i) *The Shire of Dardanup will not undertake any additional function/tasks until an independent analysis has been undertaken, at the cost of the Australian Government, State Government, Department or any other organisation involved in imposing these additional functions/tasks, to determine if additional resources are required to adequately cater for the additional functions/tasks being expected of the Shire.*
- ii) *If the outcome of the analysis is the Shire would need additional resources to undertake the additional functions/tasks then the Shire will perform these functions/tasks whilst such resources are available.*
- iii) *In the event additional resources are not made available for the additional functions/tasks being requested of the Shire, the Shire will formally advise the relevant organisation(s) and all relevant parliamentarians that they cannot perform these functions/tasks. This advice is to state that in the event of any claim against the*

Shire, due to non-compliance with the requirement to perform the additional functions/tasks, the Shire will use as a defence the fact they informed the relevant individuals and organisations of their inability to comply due to adequate resources not accompanying the additional functions/tasks.

Risk Assessment - Medium.

- *Reputational Risk*

The Council has consistently maintained opposition to cost shifting by services provided by the Government being pushed on to Local Government.

The consequence of this perception is that the Shire's reputation as a community leader could be affected, in both a positive and a negative way.

The project may have been seen as a positive because the potential beneficiaries of the services will value that the service is now available.

The number of residents utilising the trial bus service was well below the numbers needed for the Public Transport Authority to continue providing the service, which has left some residents with a negative opinion of the Shire.

Officer Comment

A media promotion was put in place to notify residents of the days and times that the trial was running, and to encourage residents to support and utilise the service. The aim being to get the required participation numbers (minimum six per trip) to ensure continuation after the trial period.

Promotion by the Shire of Dardanup

- *Mail drop to all residents in Dardanup and Burekup:*
 - First mail drop was two weeks before the trial commenced (mid-March).
 - Second mail drop was when the community, through Councillor Dow requested the times of the timetable be changed (mid-May).
 - The first two weeks of the bus trial, which included the school holidays, a Councillor and a Shire officer were at the bus stop thanking people for riding the bus and handing out coffee and cake vouchers to residents and frozen yogurt vouchers to the youth.
 - Quarter page advertisements:
 - 29 March – South West Times;
 - 12 June – Bunbury Herald; and
 - 14 June – South West Times.
 - Early May flyers distributed to Eaton Recreation Centre, Eaton and Dardanup Library, Eaton Administration Centre, Bethanie Esprit, Bethanie Fields, Burekup general store noticeboard, Burekup Country Club, Dardanup community noticeboard, Dardanup Post Office and Caltex community noticeboard in Eaton.
 - Posters placed at the bus stop in Eaton late May.
 - Included as part of the Conquer the Concrete Youth Event advertising as event aligned with bus times – 'kids from Dardanup and Burekup can use the bus service to attend the event'. Event shared on Burekup Community

Noticeboard, Millbridge Community Page, Eaton Locals and Dardanup Locals Face book groups.

- Flyers handed out with bus timetable at Movies by Moonlight, Walk on the Wild side event & Dardanup Tail Tap Skateboarding Clinic.
- Promoted on face book (as detailed below)

- *Six Articles Posted on Website:*

Date Advertised	Website Link
Tuesday, 30 January 2018	https://www.dardanup.wa.gov.au/Shire-to-provide-new-rural-bus-service/
Tuesday, 13 March 2018	https://www.dardanup.wa.gov.au/timetable-dardanup-burekup-to-eaton-bus-service/
Wednesday 4 April 2018	https://www.dardanup.wa.gov.au/new-rural-bus-service-takes-off/
Wednesday, 16 May 2018	https://www.dardanup.wa.gov.au/new-times-for-trial-rural-bus-service/
Friday, 8 June 2018	https://www.dardanup.wa.gov.au/time-ticking-on-rural-bus-service-trial/
Friday, 29 June 2018	https://www.dardanup.wa.gov.au/rural-bus-service-trial-ending/

- *One Event and Eight Posts on Facebook:*

First Trips Facebook event created.

Date	Facebook Posting
Tuesday, 27 March 2018	Join Councillors for first trip and coffee voucher promo
Monday, 2 April 2018	Don't forget to hop on the bus with voucher graphic
Wednesday, 4 April 2018	Bus Takes Off
Friday, 6 April 2018	Don't forget to hop on the bush with voucher graphics
Friday, 13 April 2018	(x2) School holiday catch the bus to the movies promo for Burekup and Dardanup
Thursday, 3 May 2018	Heads up graphic, use it or lose it
Friday, 8 June 2018	Time ticking on trial
Friday, 29 June 2018	Trial ending

- *Three E-Newsletter inclusions:*

Date	Newsletter Title
March 2018	Timetable
April 2018	New service takes off
June 2018	Time ticking on trial.

Promotion was also undertaken by the Public Transport Authority.

- *Participation Numbers*

The chart below tracks the number of riders per trip as recorded from the Public Transport Authority. As can be seen, the majority of trips were well below the minimum number of six (6) required.

Of the two hundred and ten (210) individual trips, only three (3) trips had an average of six or more (average of six needed) number of residents needed to continue the service. Only one (1) of these trips was during the school holidays.

	Start	03-Apr-2018	07-Apr-2018	10-Apr-2018	14-Apr-2018	17-Apr-2018	21-Apr-2018	24-Apr-2018	28-Apr-2018	01-May-2018	05-May-2018	08-May-2018	12-May-2018	15-May-2018	19-May-2018	22-May-2018	26-May-2018	29-May-2018	02-Jun-2018	05-Jun-2018	09-Jun-2018	12-Jun-2018	16-Jun-2018	19-Jun-2018	23-Jun-2018	26-Jun-2018	30-Jun-2018	Average	Total		
846	08:55	0	0	0	0	0	0	0	0	0	0	0	0	1	0														0	1	
	09:40					1	1	1	1							0	0	0	0	0	1	1	0	0	1	0	0	0	0	0	3
	13:30					1	1	1	1							1	0	1	0	0	5	0	2	0	2	1	0	0	1	12	
	14:15	5	1	3	0	3	0	0	0	0	1	0	0	1	2														1	16	
846	09:15	1 4	4	3	0	7	0	3	5	0	2	0	0	0	0														3	38	
	10:00					1	1	1	1							0	0	0	0	0	3	1	2	0	2	0	0	0	1	8	
	13:50					1	1	1	1							0	0	2	0	0	0	0	0	1	1	2	0	0	1	6	
	14:35	0	0	0	0	0	0	0	0	0	0	0	0	0	0														0	0	
847	09:00	0	1	0	0	0	0	0	0	0	0	0	0	0	0														0	1	
	09:45					1	1	1	1							0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	13:30					1	1	1	1							0	0	1	0	0	2	1	0	0	0	1	0	0	0	5	
	14:15	3	1	1	2	2	1	0	1	1	1	0	1	1	0														1	15	
847	09:15	9	1	1	3	4	1	4	0	1	1	0	3	1	0														2	29	
	10:00					1	1	1	1							0	1	1	0	0	1	1	2	0	0	1	0	0	1	7	
	13:45					1	1	1	1							0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	14:30	0	1	0	0	0	0	1	0	0	0	0	0	0	0														0	2	

*Highlighted in yellow – school holidays.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

285-18 MOVED - Cr. M T Bennett SECONDED - Cr. P R Perks

THAT Council: -

1. Receive the information regarding the level of community participation in the three month trial bus service for Burekup and Dardanup to and from Eaton.
2. Acknowledge that the Public Transport Authority is unable to continue the bus service to Burekup and Dardanup due to the inadequate level of participation and it being financially unviable.

CARRIED
8/0

12.15 Title: Monthly Statement of Financial Activity for the Period Ended 30 June 2018

Reporting Department: Corporate and Community Services
Reporting Officer: Mr Ray Pryce - Accountant
Mrs Natalie Hopkins – Manager Financial Services
Legislation: Local Government (Financial Management) Regulations 1996

Overview

This report presents the monthly Financial Statements for the period ended 30 June 2018 for Council adoption.

Background -

The Monthly Statement of Financial Activity is prepared in accordance with the Local Government (Financial Management) Regulations 1996 r. 34 s. 6.4. The purpose of the report is to provide Council and the community with a reporting statement of revenues and expenses as set out in the Annual Budget which were incurred by the Shire of Dardanup during the reporting period.

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. Financial Report

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to —*
 - (a) *be prepared and presented in the manner and form prescribed; and*
 - (b) *contain the prescribed information.*

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

34. Financial activity statement required each month (Act s. 6.4)

- (1A) *In this regulation —*
committed assets *means revenue unspent but set aside under the annual budget for a specific purpose.*
- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the month to which the statement relates; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*

- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*
[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]

Strategic Community Plan

Strategy 1.3.2 - Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations.
 (Service Priority: High)

Environment - None.

Precedents

Each month Council receives the Monthly Financial Statements in accordance with Council Policy and Local Government (Financial Management) Regulations.

Budget Implications

The financial activity statement comprises of budget estimates, actual expenditure, and revenues to the end of the month to which the statement relates. Material variances and explanations of these are included in the notes that form part of the report.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The Statement of Financial Activity for the period ended 30 June 2018 is attached after the Officer recommendation.

The report outlines the results from operating activities. It shows revenue and expenditure by statutory program and also by nature and type, comparing actual results for the period with the annual adopted budget, the amended budget and the year to date budget.

The report also displays capital and infrastructure expenditure and reconciles the statement of financial activity to the statement of net current assets, taking into account the proceeds from sale of assets, reserve and loan funds used, depreciation applied, capital and infrastructure expenditure, transfers to reserves and loan repayments.

Actual values for the year to date are compared to the year to date budget to present a percentage variance as well as the variance amount. Material variances are those that are greater than 10% where the adopted budget general ledger item is equal to or greater than \$10,000. Explanations of material variances are included in this report.

The statement of net current assets provides information on the accounts that make up current assets and current liabilities (liquidity).

Additional reports that have been included in the monthly financial activities are trust fund report, reserve accounts report, statement of investments, debtor balance reports for rates and sundry debts and salaries and wages progress against budget.

Please note that although the accounts are for the year ended 30 June 2018, they are not the finalised annual accounts and are subject to end-of year accruals, adjustments and audit. The final annual accounts will be presented to Council after completion of the audit that is planned for October/November 2018.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

286-18 MOVED - Cr. T G Gardiner SECONDED - Cr. J Dow

THAT the Monthly Statement of Financial Activity for the period ended 30 June 2018 be adopted

CARRIED
8/0

12.16 Title: Schedule of Paid Accounts as at 29 August 2018

Reporting Department: Corporate & Community Services
Reporting Officer: Mrs Renée Thomson– Accounts Payable Officer
Mrs Natalie Hopkins – Manager Financial Services
Legislation: Local Government (Financial Management) Regulations 1996

Overview

Council is presented the list of payments made from the Municipal, Trust and Reserve Accounts under delegation since the last Ordinary Council Meeting.

Background

Council delegates authority to the Chief Executive Officer annually:

- To make payments from Trust, Reserve and Municipal Fund;
- To purchase goods and services to a value of not more than \$200,000;

Legal Implications - None.

Local Government Act 1995

S6.5. *Accounts and records*

Local Government (Financial Management) Regulations 1996

R11. *Payments, procedures for making etc.*

R12. *Payments from municipal fund or trust fund, restrictions on making*

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the Council.*
- (2) *The Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the Council.*

S13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name; and*
 - (b) *the amount of the payment; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
 - (a) *for each account which requires Council authorisation in that month —*
 - (i) *the payee's name; and*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;*

and

- (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —
- (a) presented to the Council at the next ordinary meeting of the Council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Strategic Community Plan

Strategy 1.3.2 - Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations.
(Service Priority: High)

Environment - None.

Precedents -

Council endorses the Schedule of Paid Accounts at each Ordinary Council Meeting.

Budget Implications-

All payments are made in accordance with the adopted annual budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council's Purchasing Policy CP034 – Procurement Policy and processed in accordance with Policy CP035 – Payment of Accounts.

Risk Assessment - Low

Officer Comment

This is a schedule of 'paid accounts' - the accounts have been paid in accordance with Council's delegation.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Discussion:

Shire President, Cr. M T Bennett read out that Chief Executive Officer, Mr Mark Chester advised that EFT29950 was cancelled and should be removed from the Schedule of Paid Accounts list, resulting in a revised total of EFT \$597,308.93 with a full account payment of \$642,219.81.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

EFT29950 was removed from the Schedule of Paid Accounts list as this payment was cancelled. A revised total of EFT \$597,308.93 with a full account payment of \$642,219.81 being recorded.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

287-18 MOVED - Cr. P R Perks SECONDED - Cr. T G Gardiner

THAT Council receive the Schedule of Paid Accounts report as follows:

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
ELECTRONIC FUNDS TRANSFER					
EFT29939	03/08/2018	1st Leschenault Scouts	Kidsport Reimbursement - Chayce Butcher - KS024514	MUNI	150.00
EFT29940	03/08/2018	A&R Engineering	Service To New Holland Tractor T5040 - DA 9781	MUNI	1,045.57
EFT29941	03/08/2018	Alinta	ERC Electricity Usage 19 June 2018 - 16 July 2018	MUNI	3,892.32
EFT29942	03/08/2018	All Aussie Truck And Bobcat Services	Clean Up Tree	MUNI	1,870.00
EFT29943	03/08/2018	Allan Arry Thomas Gell	Crossover Rebate - 61 Evolution Loop Millbridge	MUNI	223.00
EFT29944	03/08/2018	Allan Hutcheon	Uniform Reimbursement	MUNI	382.00
EFT29945	03/08/2018	Andrea Carew-Reid	Uniform Reimbursement	MUNI	192.90
EFT29946	03/08/2018	Archie Hall	ERC Umpire Basketball - 25 July 2018	MUNI	132.00
EFT29947	03/08/2018	Axio Maintenance And Construction	ERC - Maintenance - Male Change Room 3. Install Ipad Mount To Front Reception. Mount Digital Timers In GF Room And Gym. Mount Emergency Board In Gym.	MUNI	896.50
EFT29948	03/08/2018	Alan Charlton	FCO Allowance 2018	MUNI	680.00
EFT29949	03/08/2018	Anton Manning	Uniform Reimbursement	MUNI	58.00
EFT29950	03/08/2018	Brendan Putt	FCO Allowance 2018	MUNI	500.00
EFT29951	03/08/2018	Besafe Building Inspections	New Flagpole - Building Surveyor Certificate	MUNI	620.00
EFT29952	03/08/2018	Bioag Contractors	Application Of Microbial Brew To Shire Ovals	MUNI	4,245.56
EFT29953	03/08/2018	Bodhi Alliance Pty Ltd	Dardanup Townsite Community Facilities Plan Production	MUNI	9,350.00
EFT29954	03/08/2018	Boyanup Botanical	Various Plant Species	MUNI	696.00
EFT29955	03/08/2018	Boyanup Capel Dardanup Football Club -	Catering For Ordinary Council Meeting Dinner - Wednesday 18 July - 13 People	MUNI	357.50
EFT29956	03/08/2018	Building Commission	Building Commission Remittance July 2018	MUNI	4,850.24
EFT29957	03/08/2018	Bunbury Holden	75,000 Km Service DA955	MUNI	332.26
EFT29958	03/08/2018	Bunbury Machinery	Replacement Pin For Side Arm Slasher DA9781	MUNI	136.61
EFT29959	03/08/2018	Bunbury Mower Service	New Blower To Replace Accident Damaged One Stihl BG86C Blower	MUNI	350.00
EFT29960	03/08/2018	Bunbury Retravision	ERC - Cafe Equipment - Breville Smart Grill	MUNI	320.00
EFT29961	03/08/2018	Bunbury Subaru	65 000km Service - Subaru Forester - DA9605	MUNI	371.80
EFT29962	03/08/2018	Bunnings Group Limited	Replacement Tools For Parks Mowing Crew, Environment And Eaton Crew.	MUNI	1,186.55
EFT29963	03/08/2018	Carey Park Scouts Group	Kidsport Reimbursement - Caleb Sainsbury KS024454	MUNI	165.00
EFT29964	03/08/2018	Caroline Mears	Chair Yoga Workshop - July 2018	MUNI	50.00
EFT29965	03/08/2018	Cemeteries & Crematoria Association Of WA	Cemeteries Ordinary Membership 01/07/2018-30/06/2019	MUNI	120.00
EFT29966	03/08/2018	City Of Bunbury	City Of Bunbury Australia Day Event - Skyfest 2019 Allocated Funds	MUNI	5,610.00
EFT29967	03/08/2018	Claire Lee	Uniform Reimbursement	MUNI	101.98
EFT29968	03/08/2018	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection As Per Contract 2014/60	MUNI	4,711.32
EFT29969	03/08/2018	Courier Australia	Postage And Freight - Parks And Reserve	MUNI	257.09
EFT29970	03/08/2018	CS Legal	Legal Costs Incurred - Recovery Of Unpaid Rates (GST Exclusive)	MUNI	1,284.29
EFT29971	03/08/2018	Christopher Hynes	FCO Allowance 2018	MUNI	840.00
EFT29972	03/08/2018	Clay Rose	FCO Allowance 2018	MUNI	680.00
EFT29973	03/08/2018	Dardanup Garage & Service Station	120,000 Klm Service DA588	MUNI	427.03
EFT29974	03/08/2018	Dardanup Gas	Forklift Cylinder Rental 15kg	MUNI	85.51

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT29975	03/08/2018	Discount Auto Parts	Refund For Plans - Unable To Provide Plans Ordered	MUNI	41.00
EFT29976	03/08/2018	Donna Bastow	ERC Umpire Basketball - 25 July 2018	MUNI	110.00
EFT29977	03/08/2018	Dardanup Removals	Remove Library Shelving From BCG To Dardanup Public Library	MUNI	435.00
EFT29978	03/08/2018	Eaton Community College	Allocated Funding As Per Budget 2018 - 2019 Citizenship Awards	MUNI	300.00
EFT29979	03/08/2018	Eaton Pet Vet	Euthanasia Feline CPURNO 161147	MUNI	75.00
EFT29980	03/08/2018	Elliotts Irrigation Pty Ltd	Iron Filtration Service And Check July 2018	MUNI	279.40
EFT29981	03/08/2018	Emily Goyder	ERC Umpire Netball - 30 July 2018	MUNI	50.60
EFT29982	03/08/2018	Forkwest	New TCM Forklift - Parks And Gardens	MUNI	29,484.40
EFT29983	03/08/2018	Fulton Hogan Industries WA	8 Ton Asphalt - Ironstone Road	MUNI	1,575.91
EFT29984	03/08/2018	Harvey Norman	ERC - Ipad Screen Protector	MUNI	38.00
EFT29985	03/08/2018	Heatleys	Protective Clothing - 15 Boxes Of Nitrile Gloves - Dardanup Depot	MUNI	306.10
EFT29986	03/08/2018	Helen Ammon	Uniform Reimbursement	MUNI	153.92
EFT29987	03/08/2018	Jason Signmakers	Black Spot Programme Sign Inc. Posts And Brackets - Crooked Brook Road	MUNI	1,843.60
EFT29988	03/08/2018	Jim's Test And Tag	Test And Tag Events Items - Community Programs	MUNI	226.60
EFT29989	03/08/2018	Josie Phillips	ERC Umpire Netball - 31 July 2018	MUNI	157.50
EFT29990	03/08/2018	Justine Eichner	ERC Umpire Basketball - 25 July 2018	MUNI	110.00
EFT29991	03/08/2018	Karyn Rowe	ERC Umpire Netball - 31 July 2018	MUNI	165.00
EFT29992	03/08/2018	Kenny Pomare	ERC Umpire Basketball - 25 July 2018	MUNI	22.00
EFT29993	03/08/2018	Kings Tree Care	Tree Management - Collie River Road Burekup And Coverley Court Eaton	MUNI	1,892.00
EFT29994	03/08/2018	Kyle Jones	ERC Umpire Basketball - 25 July 2018	MUNI	88.00
EFT29995	03/08/2018	Local Govt Professionals Australia WA	LG Professionals Fellow Membership 2018-19 - Various Members	MUNI	2,333.00
EFT29996	03/08/2018	Malatesta Road Paving And Hotmix	Bobin Street Reseal - 250 Ltr Emulsion - Road Maintenance	MUNI	47,832.00
EFT29997	03/08/2018	Mckayhla Pomare	ERC Umpire Basketball - 25 July 2018	MUNI	44.00
EFT29998	03/08/2018	Melanie Serra	Uniform Reimbursement	MUNI	127.94
EFT29999	03/08/2018	MJB Industries Pty Ltd	Road Maintenance - 300mm Concrete Headwall	MUNI	313.50
EFT30000	03/08/2018	Nites Electrical	Lightpole Maintenance - Millars Creek Walkway	MUNI	3,092.12
EFT30001	03/08/2018	Officeworks Superstores Pty Ltd	Whiteboard 900 X 600mm - For Depot	MUNI	41.97
EFT30002	03/08/2018	One Steel Metaland	Road Maintenance - Caps For Metal Sign Posts	MUNI	56.50
EFT30003	03/08/2018	Onsite Rental Group	Monthly Hire Of Temporary Office Behind Eaton Admin Centre	MUNI	1,150.89
EFT30004	03/08/2018	Paige Vincent	ERC Umpire Basketball - 25 July 2018	MUNI	132.00
EFT30005	03/08/2018	Perfect Landscapes	Mowing Maintenance Contract - Parks And Gardens	MUNI	7,392.00
EFT30006	03/08/2018	Prime Supplies	Batteries And Torches For After Hours Call Outs Ohs	MUNI	364.65
EFT30007	03/08/2018	PVR Industrial Pty Ltd	Martin-Pelusey Depot - Repair Uv Treatment Unit And Leaking Pumps.	MUNI	3,015.14
EFT30008	03/08/2018	Peter Buck	FCO Allowance 2018	MUNI	500.00
EFT30009	03/08/2018	Rexel Electrical Supplies	Network Label Cartridges And Labels	MUNI	748.65
EFT30010	03/08/2018	Ryan Baker	ERC Umpire Basketball - 25 July 2018	MUNI	110.00
EFT30011	03/08/2018	Robert Doherty	FCO Allowance 2018	MUNI	500.00
EFT30012	03/08/2018	Rodney George Bailey	FCO Allowance 2018	MUNI	500.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT30013	03/08/2018	Shire Of Dardanup	Rubbish & Recycle Collection BFB Russell Road Burekup - A2644	MUNI	205.00
EFT30014	03/08/2018	SMR Psychology	Employee Assistance Program - Consultation Staff Members	MUNI	187.00
EFT30015	03/08/2018	Sophie Docker	ERC Umpire Netball - 31 July 2018	MUNI	90.00
EFT30016	03/08/2018	Southern Lock And Security	Pathways Maintenance - 9' Padlock	MUNI	186.90
EFT30017	03/08/2018	Stephen Eaton	Fuel Due To Rejected Fuel Card - DA9295	MUNI	115.74
EFT30018	03/08/2018	Suzanne Occhipinti	Uniform Reimbursement	MUNI	209.95
EFT30019	03/08/2018	Synergy	Electricity Account For Ferguson BFB, Lot 43 Gardin Court Drive	MUNI	79.10
EFT30020	03/08/2018	Southwest Vehicle Group T/A Bunbury Nissan	Purchase Of Nissan X-Trail St AWD - DA9295	MUNI	21,147.00
EFT30021	03/08/2018	Telstra	Telephone Account - Various Shire Numbers	MUNI	119.56
EFT30022	03/08/2018	Terau Aroha Tamatea	ERC Umpire Netball - 31 July 2018	MUNI	148.50
EFT30023	03/08/2018	Therese Price	ERC Umpire Netball - 27 July 2018	MUNI	30.00
EFT30024	03/08/2018	Total Eden Pty Ltd	Castlereagh Park Millbridge - Valve Box 1420 12in Dura	MUNI	278.63
EFT30025	03/08/2018	Turfcare NSW	Herbicide For Selective Weed Control Plus Platinum Xtra 20lt	MUNI	3,884.32
EFT30026	03/08/2018	Vanessa Black	ERC Umpire Netball - 31 July 2018	MUNI	90.00
EFT30027	03/08/2018	Vogue Furniture	Office Shelves For 900 Wide Office Bookshelf Plus 5 Shelf Clips	MUNI	125.00
EFT30028	03/08/2018	Water Corporation	Water Service & Usage Charges - Castlereagh Vista Millbridge Lot 644	MUNI	7.17
EFT30029	03/08/2018	Weathersafe WA	Annual Take Down And Storage Of Shade Sails - Dardanup Community Centre	MUNI	660.00
EFT30030	03/08/2018	Western Australia Treasury Corporation	Western Australian Treasury Principal Payment - Loan 67	MUNI	33,439.65
EFT30031	03/08/2018	Woolworths Group Limited	General Items For Staff Meetings	MUNI	92.15
EFT30032	10/08/2018	Amelia Kaitani	ERC Umpire Recoup Netball 7 August 2018	MUNI	88.00
EFT30033	10/08/2018	Archie Hall	ERC Umpire Recoup Basketball 8 August 2018	MUNI	132.00
EFT30034	10/08/2018	Aurecon Australia Pty Ltd	JTPS Shire Of Dardanup /Shire Of Harvey For Professional Services Rendered	MUNI	2,371.11
EFT30035	10/08/2018	Australian Tax Office	PAYG - Payrun 10-08-2018	MUNI	71,412.00
EFT30036	10/08/2018	Australian Institute Of Prof Councillors	Diploma Counselling - AIPC - C Lee	MUNI	3,950.00
EFT30037	10/08/2018	B & B Street Sweeping Pty Ltd	Flushing Of Culverts On Patterson Rd.	MUNI	1,848.00
EFT30038	10/08/2018	Brendan Putt	FCO Allowance 2018	MUNI	500.00
EFT30039	10/08/2018	Besafe Building Inspections	Waste Transfer Station Transportable - Crooked Brook Road	MUNI	350.00
EFT30040	10/08/2018	Better Telco Solutions Pty Ltd	ERC - Installing An Additional 2 Data Cables For Till Located In Cafe	MUNI	788.13
EFT30041	10/08/2018	Boyles Plumbing And Gas	Repair Water Cooler In Eaton Admin Office	MUNI	430.17
EFT30042	10/08/2018	Brad Brooksby Consulting	Generic Traffic Management Plan Revision.	MUNI	1,042.80
EFT30043	10/08/2018	Brody England	ERC Umpire Recoup Basketball 8 August 2018	MUNI	110.00
EFT30044	10/08/2018	Brownes Foods Operations Pty Ltd	ERC - Milk Order	MUNI	319.31
EFT30045	10/08/2018	Bunbury And Districts Softball Association	Venue Hire - August Workshops	MUNI	100.00
EFT30046	10/08/2018	Bunbury Coffee Machines	ERC - Cafe Stock Purchases	MUNI	382.00
EFT30047	10/08/2018	Bunbury Machinery	Parts To Fix Tractor Top Link - DA9781	MUNI	87.16
EFT30048	10/08/2018	Bunbury Mower Service	Chainsaw MS170 And Tools	MUNI	482.00
EFT30049	10/08/2018	Bunnings Group Limited	Various Purchases Of Tools And Timber For Repairs - Parks/Garden And Depot	MUNI	1,597.61
EFT30050	10/08/2018	Caltex Australia Petroleum Pty Ltd	Fuel - Shire Fleet Monthly Fuel Payment	MUNI	19,872.48

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT30051	10/08/2018	Cleanaway	Waste Contract - Skip Bin Hire - Kerbside Waste Collection And Landfill Waste	MUNI	1,916.13
EFT30052	10/08/2018	Cleanaway Solid Waste Pty Ltd	Waste Contract - Kerbside Waste Collection	MUNI	5,427.44
EFT30053	10/08/2018	Construction Training Fund : BCITF	BCITF - July 2018 Reconciliation	MUNI	2,586.83
EFT30054	10/08/2018	Country Landscaping Pty Ltd	Undertake Cleaning Of Iron Deposits From Bore Pump At Watson Reserve	MUNI	875.00
EFT30055	10/08/2018	Courier Australia	General Postage And Freight	MUNI	22.28
EFT30056	10/08/2018	Craneford Plumbing	ATU Quarterly Inspection - Martin Pelusey Road	MUNI	143.00
EFT30057	10/08/2018	Craven Foods	ERC - Cafe Stock	MUNI	511.09
EFT30058	10/08/2018	CS Legal	Legal Costs Incurred - Recovery Of Unpaid Rates (GST Inclusive)	MUNI	1,009.00
EFT30059	10/08/2018	David Mort	Uniform Reimbursement	MUNI	72.30
EFT30060	10/08/2018	Donna Bastow	ERC Umpire Recoup Basketball 8 August 2018	MUNI	154.00
EFT30061	10/08/2018	Eaton Community Pharmacy	ERC - Reception Stock	MUNI	356.93
EFT30062	10/08/2018	Eco Warehouse	Beeswax Wraps Demo - July	MUNI	495.00
EFT30063	10/08/2018	Emily Goyder	ERC Umpire Recoup Netball 7 August 2018	MUNI	90.00
EFT30064	10/08/2018	Emma Barrett	Personal Grant Funding For Masters Hockey Championship	MUNI	400.00
EFT30065	10/08/2018	Fit2work	Monthly Invoice For Australian Employee Police Checks	MUNI	351.78
EFT30066	10/08/2018	Forkwest	Supply And Install Fire Extinguisher As Per Quote 20607	MUNI	198.00
EFT30067	10/08/2018	Fuji Xerox Australia Pty Ltd	Lease Contract For Shire Photocopiers	MUNI	4,785.00
EFT30068	10/08/2018	Health Insurance Fund Of WA	Payroll Deductions	MUNI	270.00
EFT30069	10/08/2018	Hynes Contracting	Clear Tree Henty Rd	MUNI	990.00
EFT30070	10/08/2018	Isabel Cody	Uniform Reimbursement	MUNI	44.96
EFT30071	10/08/2018	Jo Jingles South West	Early Learning Programs - August	MUNI	2,552.00
EFT30072	10/08/2018	Josie Phillips	ERC Umpire Recoup Netball 7 August 2018	MUNI	90.00
EFT30073	10/08/2018	Justine Eichner	ERC Umpire Recoup Basketball 8 August 2018	MUNI	110.00
EFT30074	10/08/2018	Karyn Rowe	ERC Umpire Recoup Netball 6 August 2018	MUNI	243.75
EFT30075	10/08/2018	Kings Tree Care	Various Parks And Gardens And Road Maintenance As Per Invoices	MUNI	4,180.00
EFT30076	10/08/2018	Kmart	August Library Programs Display Cabinet Items	MUNI	16.00
EFT30077	10/08/2018	Kyle Jones	ERC Umpire Recoup Basketball 8 August 2018	MUNI	110.00
EFT30078	10/08/2018	Landgate	Various - Property Search - Ru Valuation - Gr Valuation And Aerial Imagery	MUNI	844.21
EFT30079	10/08/2018	Landmark Operations Ltd	Biotech Coil Mesh Matting And Ground Staples	MUNI	4,954.40
EFT30080	10/08/2018	Landscape & Maintenance Solutions Pty Ltd	Final Payment For Mowing Contract 2017/2018 - Parks And Gardens	MUNI	4,714.16
EFT30081	10/08/2018	Marketforce	Various Advertising - Public Notices - Recruitment - General News	MUNI	4,020.80
EFT30082	10/08/2018	Melanie Serra	Uniform Reimbursement	MUNI	74.23
EFT30083	10/08/2018	Mick Saunders	Uniform Reimbursement	MUNI	69.95
EFT30084	10/08/2018	Moore Stephens WA Pty Ltd	PAYG Workshop - 15-06-2018 - Suzette Sutton And Cindy Barbetti	MUNI	1,320.00
EFT30085	10/08/2018	Miracle Recreation Equipment	Coil Spring And Clamps For Spring Rider - Hale Street Reserve	MUNI	660.00
EFT30086	10/08/2018	Onsite Rental Group	Monthly Hire Of Ablution Block At Banksia Refuse Site	MUNI	967.59
EFT30087	10/08/2018	Paige Vincent	ERC Umpire Recoup Basketball 8 August 2018	MUNI	66.00
EFT30088	10/08/2018	Perth Cheer And Dance Crew	Hip Hop Dancing Workshop - July	MUNI	80.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT30089	10/08/2018	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	713.55
EFT30090	10/08/2018	Promote You	Staff Uniform Embroidery S Occhipinti - 2 X Knit Vest, 1 X White Blouse	MUNI	38.50
EFT30091	10/08/2018	Raelene Tedd	ERC Umpire Recoup Netball 6 August 2018	MUNI	61.90
EFT30092	10/08/2018	Ryan Baker	ERC Umpire Recoup Basketball 8 August 2018	MUNI	88.00
EFT30093	10/08/2018	Robert Drennan	FCO Payment For 2018/2019	MUNI	500.00
EFT30094	10/08/2018	Safetcard Australia	Monthly Monitoring Fees For Safetcards	MUNI	264.00
EFT30095	10/08/2018	Schweppes Australia Pty Ltd	ERC - Drinks Stock	MUNI	345.81
EFT30096	10/08/2018	Security4transit	ERC- Banking Seals	MUNI	90.12
EFT30097	10/08/2018	Shire Of Dardanup	Building Licence Fees For New Flag Poles At Eaton And Dardanup Offices	MUNI	123.30
EFT30098	10/08/2018	Sophie Docker	ERC Umpire Recoup - Netball 7 August 2018	MUNI	90.00
EFT30099	10/08/2018	SOS Office Equipment	Contract For Photocopier Meter Readings - Various Shire Machines	MUNI	2,990.27
EFT30100	10/08/2018	Spraymow Services	Application Of Wetting Agent To Eaton Foreshore - Targeting Tree Drip Lines	MUNI	577.50
EFT30101	10/08/2018	Suzanne Occhipinti	Uniform Reimbursement	MUNI	29.90
EFT30102	10/08/2018	Synergy	Various Synergy Accounts Including Townsite Street Lights	MUNI	26,267.70
EFT30103	10/08/2018	The Forever Project	Sustainable Urban Forest Management - Staff Training - J Nichol And DMort	MUNI	550.00
EFT30104	10/08/2018	Total Eden Pty Ltd	Decoder Rainbird Field - Parks And Gardens	MUNI	891.00
EFT30105	10/08/2018	United Equipment Pty Ltd	Final Payment On Hire Forklift 3.40 Weeks @ \$150.00 - Parks And Gardens	MUNI	711.15
EFT30106	10/08/2018	Vanessa Black	ERC Umpire Recoup - Netball 6 August 2018	MUNI	33.75
EFT30107	10/08/2018	Winc Australia Pty Ltd	Various General Stationary Items	MUNI	484.03
EFT30108	10/08/2018	Woolworths Group Limited	Various Purchases - Eaton Office - ERC - Meetings And Staff	MUNI	545.55
EFT30109	10/08/2018	Zipform Pty Ltd	Printing Collation & Lodgement Of 2018/2019 Annual & Instalment Rate Notices	MUNI	4,358.70
EFT30110	16/08/2018	1st LESCHENAULT SCOUTS	Kidsport - KS024687 - Abbey & Zoe Mellow	MUNI	300.00
EFT30111	16/08/2018	Alice Baldock	Uniform Reimbursement	MUNI	39.95
EFT30112	16/08/2018	All Aussie Truck And Bobcat Services	Clean Up Trees	MUNI	1,485.00
EFT30113	16/08/2018	Amelia Kaitani	ERC Umpire Netball 14/08/2108	MUNI	66.00
EFT30114	16/08/2018	Archie Hall	ERC Umpire Basketball 08/08/2018	MUNI	110.00
EFT30115	16/08/2018	Australia Post	Monthly Invoice For Mail And Postage	MUNI	9,006.63
EFT30116	16/08/2018	BOC Ltd	ERC - Monthly Hire Of Oxygen Bottle	MUNI	12.05
EFT30117	16/08/2018	Brandicoot	Use Of Web Services/ Support, Newsletter Subscpt, Facebook & Twitter - SOD	MUNI	1,049.98
EFT30118	16/08/2018	Brody England	ERC Umpire Basketball 08/08/2018	MUNI	88.00
EFT30119	16/08/2018	Brooke Bishop	International Tetrathlon Exchange - Personal Grant	MUNI	400.00
EFT30120	16/08/2018	Brownes Foods Operations Pty Ltd	ERC - Cafe Stock Purchases	MUNI	216.78
EFT30121	16/08/2018	Bunbury Harvey Regional Council	Regional Waste Education Program	MUNI	3,546.17
EFT30122	16/08/2018	Bunbury Hiab And Tilt Tray	Remove Old Light Poles	MUNI	544.50
EFT30123	16/08/2018	Bunbury Psychological Services	Counselling Services - EAP	MUNI	770.00
EFT30124	16/08/2018	Bunbury Telecom Service Pty Ltd	Utility Services Proving - Crooked Brook Road	MUNI	660.00
EFT30125	16/08/2018	Bunnings Group Limited	Spray Paint For Stop Motion Area	MUNI	23.56
EFT30126	16/08/2018	Bunbury Dance Studio	Kidsport - Ks024580 Guy Brennan	MUNI	165.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT30127	16/08/2018	Cecilia Muller	Uniform Reimbursement	MUNI	59.98
EFT30128	16/08/2018	Ciphertel Pty Ltd T/A Gateway Internet Serv	Monthly Account For Point To Point Microwave Service	MUNI	2,893.00
EFT30129	16/08/2018	City Of Bunbury	Cat Pound Fees	MUNI	1,700.00
EFT30130	16/08/2018	Cleanaway	Kerbside Refuse Removal	MUNI	39,757.88
EFT30131	16/08/2018	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	10,650.25
EFT30132	16/08/2018	Corinne Shaw	Uniform Reimbursement	MUNI	159.80
EFT30133	16/08/2018	Craven Foods	ERC - Cafe Stock	MUNI	108.30
EFT30134	16/08/2018	Dapco Tyre And Auto Centre	50,000km Hilux Ute Service DA8673	MUNI	494.00
EFT30135	16/08/2018	Dardanup Garage & Service Station	75,000 ,Km Service - DA8200	MUNI	400.35
EFT30136	16/08/2018	DocuSign Inc	DocuSign - Annual Maintenance Subscription	MUNI	3,622.50
EFT30137	16/08/2018	Donna Bastow	ERC Umpire Basketball 08/08/2018	MUNI	132.00
EFT30138	16/08/2018	Dorsogna Limited	ERC - Cafe Stock Purchases	MUNI	132.52
EFT30139	16/08/2018	Duxton Hotel Perth	2018 WALGA Convention - Accommodation And Associated Expenses - Crs Bennett, Robinson, Boyce, Gardiner, Lee, Perks	MUNI	5,591.40
EFT30140	16/08/2018	Eaton Environmental Services	ERC - Quaterly Rodent Treatment Program 2/8/2018	MUNI	143.00
EFT30141	16/08/2018	Eaton Laser	Name Plaques For The Australia Day Board (Eaton Administration Building)	MUNI	171.82
EFT30142	16/08/2018	Eaton Primary School P & C Association Inc	Allocated Funding As Per Budget 2018 - 19 - Eaton Foreshore Festival (2019).	MUNI	2,040.00
EFT30143	16/08/2018	Eaton Trophies	Perpetual Trophy For Myzone Challenge	MUNI	90.45
EFT30144	16/08/2018	Emily Goyder	ERC Umpire Netball 13/08/2018	MUNI	45.00
EFT30145	16/08/2018	Fiona Louise Bailey	Refund Of Dog Registration As Dog Is Now Sterilised	MUNI	51.67
EFT30146	16/08/2018	Flex Fitness Equipment	ERC Equipment - Hex Dumbell Started Package 1 - 10kg, Dumbell Storage Tree, Medicine Ball, V Bar, Tricep V Bar Attachment	MUNI	600.00
EFT30147	16/08/2018	Glanbia Performance Nutrition Pty Ltd	ERC- Cafe Order	MUNI	267.65
EFT30148	16/08/2018	Go Go On Hold	On-Hold Messages - 6 Monthly Service Eaton Admin Office	MUNI	455.40
EFT30149	16/08/2018	Grace Records Management	Bin Exchange And Records Management	MUNI	691.97
EFT30150	16/08/2018	Harvey Water	Dam Safety Charge - Martin Pelusey Road Waterloo	MUNI	143.60
EFT30151	16/08/2018	JCW Electrical Pty Ltd	Millard/Crampton Car Park Lighting Meter - Millars Creek Walkway Repairs	MUNI	1,827.28
EFT30152	16/08/2018	Jennifer Hodgson	Reimbursement Of Cleaning Products Purchased	MUNI	27.65
EFT30153	16/08/2018	Josie Phillips	ERC Umpire Netball 14/08/2018	MUNI	112.50
EFT30154	16/08/2018	Justine Eichner	ERC Umpire Basketball 08/08/2018	MUNI	110.00
EFT30155	16/08/2018	Karyn Rowe	ERC Umpire Netball 10/08/2018	MUNI	225.00
EFT30156	16/08/2018	Kelsie Humble	Parking Reimbursement	MUNI	16.00
EFT30157	16/08/2018	Kings Tree Care	River Valley Primary - Tree Management - Richards Rd - Remove Dead Jarrah & Damaged Marri Trees	MUNI	3,058.00
EFT30158	16/08/2018	Kmart	Lights For Display Area - Eaton Community Library	MUNI	24.00
EFT30159	16/08/2018	Kyle Jones	ERC Umpire Basketball 08/08/2018	MUNI	110.00
EFT30160	16/08/2018	Les Mills Asia Pacific	ERC Monthly Music Licence Fees	MUNI	1,197.88
EFT30161	16/08/2018	Marketforce	New 12 Month Advertising Contract - Community Newsletter - Public Notice Advertising	MUNI	29,481.60

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT30162	16/08/2018	Matthew David Lloyd	Crossover Rebate - 45 Hazelgrove Cres	MUNI	302.00
EFT30163	16/08/2018	Murray Halden	Magistrate's Hearing Short Fall - Reimburse Murray Halden	MUNI	17.90
EFT30164	16/08/2018	Paige Vincent	ERC Umpire Basketball 08/08/2018	MUNI	44.00
EFT30165	16/08/2018	PFD Food Services Pty Ltd	ERC - Cafe Stock Purchases	MUNI	245.00
EFT30166	16/08/2018	PFI Supplies	Paper Towels, Gloves & Supplies - Martin Pelusey Road Depot	MUNI	203.60
EFT30167	16/08/2018	Promote You	Staff Uniforms Logo Embroidery	MUNI	129.29
EFT30168	16/08/2018	PSN Events Pty Ltd	2018 Smart Cities Series Conference - Mark Chester - Michael Bennett	MUNI	437.80
EFT30169	16/08/2018	Phonographic Performance Co Of Aust	ERC - PPCA Music Licensing Subscription	MUNI	4,227.69
EFT30170	16/08/2018	QK Technologies Pty Limited	ERC - Qikkids Gateway Usage	MUNI	13.25
EFT30171	16/08/2018	Quality Hotel Lighthouse	SOD Bushfire Risk W/shop – 02/08/18 Quality Hotel Lighthouse (Grant Funded)	MUNI	1,312.50
EFT30172	16/08/2018	Ryan Baker	ERC Umpire Basketball 08/08/2018	MUNI	132.00
EFT30173	16/08/2018	Renouf Fitness Equipment	ERC Minor Equipment For Functional Training Area	MUNI	564.80
EFT30174	16/08/2018	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	278.49
EFT30175	16/08/2018	SMR Psychology	Employee Assistance Program - Counselling Support	MUNI	187.00
EFT30176	16/08/2018	South Regional Tafe	Dip. In Accounting - Semester 2, 2018 Cindy Barbetti - Senior Finance Officer	MUNI	1,916.75
EFT30177	16/08/2018	Suez Recycling And Recovery	Kerbside Recycling Processing	MUNI	3,267.06
EFT30178	16/08/2018	Synergy	Electricity Account For Joshua Crooked Brook Bfb	MUNI	135.65
EFT30179	16/08/2018	Safemaster Safety Products	ERC - Inspect Fall Arrester System And Provide Certification	MUNI	946.00
EFT30180	16/08/2018	Telstra	Various Monthly Telstra Accounts	MUNI	7,114.16
EFT30181	16/08/2018	Terau Aroha Tamatea	ERC Umpire Netball 14/08/2018	MUNI	110.00
EFT30182	16/08/2018	The Print Shop	ERC - 8 X Membership Agreement Books	MUNI	318.00
EFT30183	16/08/2018	Tracey Tupaea	ERC Umpire Netball 14/08/2018	MUNI	88.00
EFT30184	16/08/2018	Vanessa Black	ERC Umpire Netball 14/08/2108	MUNI	67.50
EFT30185	16/08/2018	Western Australia Treasury Corporation	Final Payment On Loan 49 - Eaton Administration Centre	MUNI	44,296.10
EFT30186	16/08/2018	Winc Australia Pty Ltd	Various Stationary Items Community Library & Eaton Administration Office	MUNI	790.54
EFT30187	16/08/2018	Woolworths Group Limited	ERC - Cafe Stock - Eaton Office Purchases - Staff & Council Kitchens	MUNI	130.57
EFT30188	16/08/2018	Work Clobber	Various Safety Boots Clothing - Staff As Required	MUNI	192.79
BPAY					
DD13741.1	02/08/2018	Engineers Australia	Professional Membership Renewal 2018-2019 - Luka Botica Mieaust	MUNI	563.00
CHEQUES					
44857	9/08/2018	Department Of Justice	Magistrate Hearing	MUNI	238.70
44858	10/08/2018	Shire Of Dardanup	Petty Cash Recoup - Eaton Recreation Centre	MUNI	216.55
44859	10/08/2018	Shire Of Dardanup	Petty Cash Recoup - Eaton Community Library	MUNI	100.95
PAYROLL					
DD13752.1	10/08/2018	WA Super	Payroll Deductions	MUNI	39,122.40
DD13752.2	10/08/2018	Hostplus	Superannuation Contributions	MUNI	275.11
DD13752.3	10/08/2018	MLC Super Fund	Superannuation Contributions	MUNI	617.81
DD13752.4	10/08/2018	IOOF Portfolio Service Superannuation Fund	Superannuation Contributions	MUNI	87.49

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PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD13752.5	10/08/2018	Rest Superannuation	Superannuation Contributions	MUNI	241.94
DD13752.6	10/08/2018	Media Super	Superannuation Contributions	MUNI	476.26
DD13752.7	10/08/2018	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	282.36
DD13752.8	10/08/2018	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	560.13
DD13752.9	10/08/2018	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	248.28
DD13752.10	10/08/2018	Australiansuper	Superannuation Contributions	MUNI	912.27
DD13752.11	10/08/2018	Burton Superannuation Fund	Superannuation Contributions	MUNI	252.87
DD13752.12	10/08/2018	Construction & Building Industry Super	Superannuation Contributions	MUNI	141.09
CREDIT CARD					
DD13760.1	10/08/2018	Shuttershock	Bulk Purchase Of 25 Online Images For Use On Website/Social Media	MUNI	259.45
DD13760.2	10/08/2018	Hogs Breath Cafe	Farewell Lunch - Ben Jordan (Manager ERC) 12-07-2018	MUNI	209.05
DD13760.3	10/08/2018	Mailchimp	Monthly subscription and charge for Electronic Newsletter - July 2018	MUNI	105.17
INTERNATIONAL					

REPORT TOTALS

Muni Cheque	44857-77859	556.20
EFT	29939-30188	597,308.93
Payroll		43,218.01
Credit Card		573.67
International		
BPAY		563.00
TOTAL		642,219.81

*CERTIFICATE OF Chief Executive Officer***642,219.81**

This Schedule of Accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment.



MR MARK L CHESTER
Chief Executive Officer

CARRIED
8/0

12.17 Title: Responsible Cat Ownership Working Group Meeting held 09/08/2018

MINUTES OF THE SHIRE OF DARDANUP RESPONSIBLE CAT OWNERSHIP WORKING GROUP MEETING HELD ON THURSDAY 9 AUGUST 2018, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 9.00AM.

Officer Comment

The minutes of the Responsible Cat Ownership Working Group meeting are attached (Appendix ORD: 12.17A).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

288-18 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council receives the minutes of the Responsible Cat Ownership Working Group Meeting held on 9 August 2018.

CARRIED
7/1

RESPONSIBLE CAT OWNERSHIP WORKING GROUP RESOLUTION & COUNCIL RESOLUTION

289-18 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council receives the monitoring report submitted by Animal Pest Management Services with regard to cat activity in the Millar's Creek locality (Appendix ORD: 12.17B).

CARRIED
7/1

RESPONSIBLE CAT OWNERSHIP WORKING GROUP RESOLUTION & COUNCIL RESOLUTION

290-18 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council endorse the change of name of the Responsible Cat Ownership Working Group to the Responsible Pet Ownership Working Group and Item 4 of the Terms of Reference *Working Group Objectives Specific* to be amended as follows.

4. WORKING GROUP OBJECTIVES - SPECIFIC

For the purposes of this Working Group a pet refers to a dog or cat.

Council has established this Working Group to:

- a) *Review existing levels of compliance with regard to pet ownership and relevant legislation within the Shire of Dardanup;*
- b) *Identify opportunities to encourage responsible pet ownership through incentives, education, compliance and improved communication; and*
- c) *Assess and identify means of addressing issues relating to pet ownership that may arise in the community.*

CARRIED
7/1

12.18 Title: Dardanup Roadwise Committee Meeting Held 09/08/2018

MINUTES OF THE SHIRE OF DARDANUP ROADWISE COMMITTEE MEETING HELD ON THURSDAY 9 AUGUST 2018, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 3.30PM.

Officer Comment

The minutes of the Dardanup Roadwise Committee meeting are attached (Appendix ORD: 12.18).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

291-18 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council receives the minutes of the Dardanup Roadwise Committee Meeting held on 9 August 2018.

CARRIED
8/0

ROADWISE COMMITTEE RESOLUTION & COUNCIL RESOLUTION

292-18 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council:

1. **Accepts the invitation to join the Industry Road Safety Alliance with the option of no cost until 30 June 2019.**
2. **Undertakes a review prior to the 2019/2020 budget deliberations to determine whether to continue with the membership at a cost of \$3000 per annum.**
3. **Appoints Director Engineering & Development Services as its representative to the Industry Road Safety Alliance.**

CARRIED
8/0

12.19 Title: Burekup Townscape Committee Meeting Held 17/08/2018**MINUTES OF THE SHIRE OF DARDANUP BUREKUP TOWNSCAPE COMMITTEE MEETING HELD ON FRIDAY 17 AUGUST 2018, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 2.00PM.**Officer Comment

The minutes of the Burekup Townscape Committee meeting are attached (Appendix ORD: 12.19).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

293-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council receives the minutes of the Burekup Townscape Committee Meeting held on 17 August 2018.

CARRIED
8/0

BUREKUP TOWNSCAPE COMMITTEE RESOLUTION & COUNCIL RESOLUTION

294-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council requests the Chief Executive Officer to develop a project plan for the development of the Burekup Community Facilities Plan to be ready for commencement in April 2019.

CARRIED
8/0

BUREKUP TOWNSCAPE COMMITTEE RESOLUTION & COUNCIL RESOLUTION

295-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council, in reference to Council Resolution [338-17] that reads:

“THAT Council: -

1. *Approve the purchase of the barbecue for Burekup as soon as the Burekup Townscape Committee has approved the location for the installation and the recommendation from the Committee is approved by Council.*
2. *Acknowledge that the purchase is unbudgeted expenditure.”*

approves the installation of the new barbecue at a suitable location at Gardiner Reserve in the vicinity of the Country Club.

CARRIED
8/0

**BUREKUP TOWNSCAPE COMMITTEE RESOLUTION
& COUNCIL RESOLUTION**

296-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council authorise a sign to be incorporated in the Ferguson Valley sign at the northern entrance of Burekup stating "Welcome to Burekup".

CARRIED
8/0

**13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN
GIVEN**

None.

Note: Cr. P R Perks left the room [6.22pm].

**14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF
MEETING****OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

297-18 MOVED - Cr. J Lee SECONDED - Cr. P S Robinson

THAT Council receives "Request from the Bull and Barrel Committee to temporarily prohibit dogs at the Wells Recreation Park on Saturday for the Bull and Barrel Festival" as Business of an Urgent Nature.

CARRIED
7/0

14.1 Title: 2018 Dardanup Bull and Barrel Festival - Dog Prohibited Area – Wells Recreation Park

Reporting Department: Development Services

*Reporting Officer: Mrs Erin Hutchins – Co Coordinator
Emergency & Ranger Services*

Legislation: Local Government Act 1995

Overview

Council has been formally requested by the Bull and Barrel Committee (Committee) to prohibit dogs from Wells Recreation Park on Saturday 6 October 2018 from 7.00am to 11.30pm only, due to the occurrence of the Bull and Barrel Festival.

Background

Each year the Bull and Barrel Festival is held in the Dardanup town site. Wells Recreation Park forms a central part of the Festival and is used for a variety of activities such as stalls, livestock displays, animal petting areas, dog agility demonstrations and the burning of the bull.

Wells Recreation Park is currently listed as a designated dog exercise area with no time restrictions, allowing pet owners to run their dogs off-lead. Due to feedback received from the Committee, in previous years a number of patrons have taken their dogs to the festival, at times letting them run off-lead, and causing concern for livestock and other patrons.

This has resulted in the Committee requesting that Council temporarily prohibit all dogs on Wells Recreation Park (other than those involved in the agility demonstrations). A copy of the request is provided in (Appendix ORD: 14.1).

Prohibiting dogs for a limited period will mitigate the risk of conflict between dogs, patrons and participants.

Legal Implications

- *Local Government Act 1995 - s1.7*
- *Dog Act 1976 - s31(3C)(a)*

Strategic Community Plan

Strategy 1.1.2 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications

Under the provisions of the Dog Act 1976, Council is required to place a local public notice in the newspaper to enact the temporary restriction, which will incur advertising costs.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Officer Comment

Shire Officers support Wells Recreation Park temporary being a prohibited dog area as requested. Rangers will be available, on call, to ensure compliance with the restrictions.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

298-18 MOVED - Cr. P S Robinson SECONDED - Cr. J Lee

THAT Council:

1. **Declare Wells Recreation Park a prohibited dog area on Saturday 6 October 2018 from 7.00am to 11.30pm in accordance with Section 31(3C)(a) of the Dog Act 1976.**
2. **Gives public notice of this resolution in accordance with Section 31(3C) of the Dog Act 1976.**

CARRIED
7/0
By Absolute Majority

15 PUBLIC QUESTION TIME

None.

16 MATTERS BEHIND CLOSED DOORS

It is recommended that the following item be heard behind closed doors.

Shire of Dardanup Standing Orders & Local Government Act 1995 Section 5.23 (2) -
Matters for Which Meeting May be Closed.

Standing Order and the Local Government Act 1995 provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

- S 5.23 (1) *Subject to subsection (2), the following are to be open to members of the public-*
- (a) *all Council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -*
- (a) *a matter affecting an employee or employees;*
 - (b) *the personal affairs of any person;*
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
 - (e) *a matter that if disclosed, would reveal -*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
 - (f) *a matter that if disclosed, could be reasonably expected to -*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
 - (g) *information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

299-18 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT in accordance with the Local Government Act 1995, S 5.23, the Council go Behind Closed Doors [6.24pm] to discuss a matter that has a commercial value to a person.

CARRIED
7/0

Note: Cr. C N Boyce left the room [6.24pm].

16.1 Title: Tourism WA – Ferguson Valley & Wellington Forest Funding

Reporting Department: Corporate & Community Services

Reporting Officer: Mr Phil Anastasakis – Director Corporate & Community Services

Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

Note: In accordance with the Local Government Act 1995 5.23 (2) this report is not available to the public. The Shire President tables the confidential report on this matter and provides copies to each elected member. The report will be located in the Records Management System of the Council.

Note: Cr. P R Perks returned to the room [6.26pm] and Cr. C N Boyce returned to the room [6.27pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

300-18 MOVED - Cr. M T Bennett SECONDED - Cr. C N Boyce

THAT Council, in regards to the \$300,000 in funding allocated by the State Government to promote the Ferguson Valley and Wellington Forest as tourist destinations, resolve:

1. **Not to support a portion of those funds being allocated towards the purchase by the Shire of Dardanup of a mobile pop up visitor centre/coffee van, but encourage the exploration of alternative models that do not include the Shire of Dardanup owning and controlling the asset;**
2. **To support a portion of those funds being allocated towards the development of a tourist signage strategy, with funds held by the Shire of Dardanup in Reserve, which will include the planning, design and installation of signage and drive routes within and around the Ferguson Valley and Wellington Forest, with the conditions to apply: -**
 - a) **Council form a Tourist Signage Working Group with the objective of developing a tourist signage strategy, which includes the planning, design and installation of signage and drive routes within and around the Ferguson Valley and Wellington Forest.**
 - b) **Council appoints the following Elected Members, staff and external representatives to the Working Group:**
 - **Cr. T G Gardiner**
 - **Cr. P S Robinson**
 - **Director Engineering & Development Services**
 - **Manager Assets**
 - **Manager of Development Services**

- **Director Corporate & Community Services**
 - **South West Development Commission**
 - **Ferguson Valley Marketing Inc**
 - **Tourism WA**
 - **Shire of Collie representative.**
3. **To support a portion of those funds being allocated towards the development of themed travel itineraries into and within the Ferguson Valley and Wellington Forest, through Tourism WA and Australia's South West, in consultation with the local tourism industry, with the consultation to be led by Ferguson Valley Marketing Inc;.**
4. **Tourism WA be advised of Council's decision.**

CARRIED
8/0

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

301-18 MOVED - Cr. C N Boyce SECONDED - Cr. L Davies

THAT in accordance with the Local Government Act 1995, S 5.23 the Council return from Behind Closed Doors [6.29pm].

CARRIED
8/0

17 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be Wednesday 19 September 2018, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer declared the meeting closed at 6.30pm.



CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on, 19 September 2018, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

DocuSigned by:



Signed



(Chairman of Shire, President of Other Presiding Officer)