

NOT CONFIRMED BY COUNCIL

SHIRE OF JERRAMUNGUP



MINUTES

COUNCIL ORDINARY MEETING

19th SEPTEMBER 2012

ORDINARY MINUTES –19th SEPTEMBER 2012**INDEX**

ITEM NO.	<u>DETAILS</u>	<u>PAGE</u>
9.1	Confirmation of minutes	5
WORKS		
10.1.1	Works report	7
FINANCE		
10.2.1	Accounts payable	10
10.2.2	Monthly financial report to 31 st August 2012	12
HEALTH, BUILDING & TOWN PLANNING		
10.3.1	Proposed open bulkhead & ground conveyer (industry – rural), Lot 10 South Coast Highway, Jacup	15
10.3.2	Proposed open bulkhead (industry – rural), Lot 1493 Gairdner South Road, Gairdner	20
10.3.3	Proposed extractive industry – Lot 1566 Borden – Bremer Bay Road, Bremer Bay	26
10.3.4	Proposed verandah – Lot 194 John Street, Bremer Bay	34
10.3.5	Proposed telecommunications infrastructure – Lot 33 Heath Street, Boxwood Hill	38
10.3.6	Proposed telecommunications infrastructure – Lot 1476 South Coast Highway, Gairdner	46
10.3.7	Review of Local Planning Scheme delegations	52
ADMIN		
10.4.1	Administration Status Report	59
10.4.2	Strategic Community Plan	61
10.4.3	Long Service Leave CEO	65
COUNCILLOR REPORT		
11	Councillor Reports	69
NEW BUSINESS OF AN URGENT NATURE		

SHIRE OF JERRAMUNGUP

ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS,
JERRAMUNGUP ON WEDNESDAY 19th SEPTEMBER 2012, COMMENCING AT
1.30PM.

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The President declared the meeting open at 1.35pm

2. **RECORD OF ATTENDANCE**

Cr B Trevaskis	President
Cr R Lester	Deputy President
Cr W Bailey	Member
Cr J Iffla	Member
Cr R Parsons	Member
Cr C Daniel	Member
Cr B Atkin	Member
Mr W Parker	Chief Executive Officer
Mr G Edwards	Executive Manager Infrastructure Services
Mr C Pursey	Planning Officer
Mrs C Solomon	Coordinator of Governance & Land Administration

3. **APOLOGIES**

Nil

4. **LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

5. **PUBLIC QUESTION TIME**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

7. **PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

8. DECLARATIONS OF FINANCIAL INTEREST

Cr Trevaskis declared a financial interest in Item 10.3.1 & 10.3.2. The nature of the interest is he is a member of Co-operative Bulk Handling Pty Ltd (CBH) holding a single share at a nominal value of \$2.00.

Cr Bailey declared a financial interest in Item 10.3.1 & 10.3.2. The nature of the interest is he is a member of Co-operative Bulk Handling Pty Ltd (CBH) holding a single share at a nominal value of \$2.00.

Cr Lester declared a financial interest in Item 10.3.1 & 10.3.2. The nature of the interest is he is a member of Co-operative Bulk Handling Pty Ltd (CBH) holding a single share at a nominal value of \$2.00.

Cr Parsons declared a financial interest in Item 10.3.1 & 10.3.2. The nature of the interest is he is a member of Co-operative Bulk Handling Pty Ltd (CBH) holding a single share at a nominal value of \$2.00.

Cr Iffla declared a financial interest in Item 10.3.1 & 10.3.2. The nature of the interest is she is a member of Co-operative Bulk Handling Pty Ltd (CBH) holding a single share at a nominal value of \$2.00.

Cr Daniel declared a financial interest in Item 10.3.1 & 10.3.2. The nature of the interest is she is a member of Co-operative Bulk Handling Pty Ltd (CBH) holding a single share at a nominal value of \$2.00.

In accordance with authority delegated by the Minister for Local Government, the Director General has approved the Shire's application under Section 5.69 of the *Local Government Act 1995* to allow disclosing members, Councillors Bruce Trevaskis, Carolyn Daniel, Joanne Iffla, Robert Lester, William Bailey and Rex Parsons to participate in discussion and decision making procedures relating to the following items;

- Item 10.3.1 - Proposed open bulkhead & ground conveyor (industry – rural), Lot 10 South Coast Highway, Jacup
- Item 10.3.2 - Proposed open bulkhead (industry – rural), Lot 1493 Gairdner South Road, Gairdner

The approval is attached to the minutes.

Mr Parker declared a financial interest Item 10.4.3. The nature of the interest is it relates to his employment.

9. CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held 15th August 2012

OC120901 Moved Cr Daniel / Seconded Cr Bailey

That the Minutes of the Ordinary Meeting of Council held 15th August 2012 be confirmed.

Carried 7-0

W O R K S

SUBMISSION TO:	Works
AGENDA REFERENCE:	10.1.1
SUBJECT:	Works Report
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	
AUTHOR:	Graham Edwards
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	9 September 2012

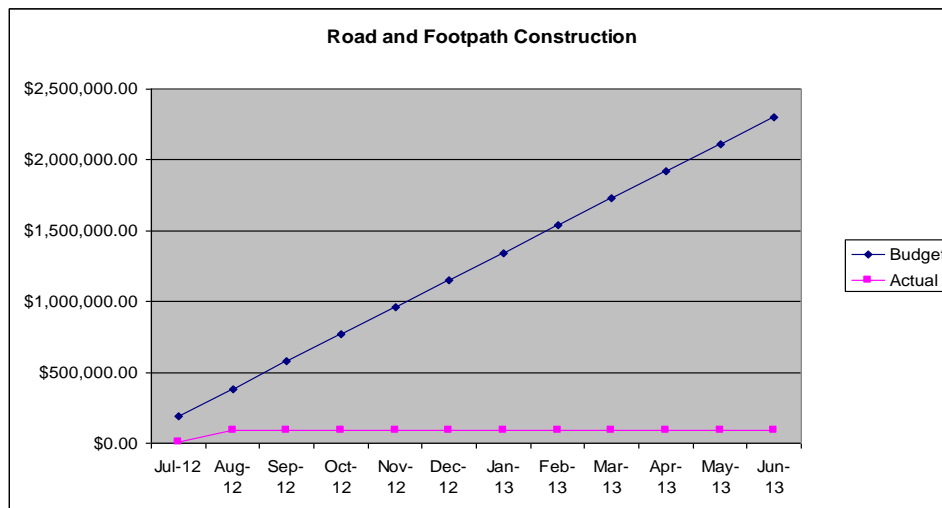
ATTACHMENT

Attachment 10.1.1(a) – Jerramungup maintenance report
Attachment 10.1.1(b) – Bremer Bay maintenance report
Attachment 10.1.1(c) – Rural road maintenance report

ROAD CONSTRUCTION

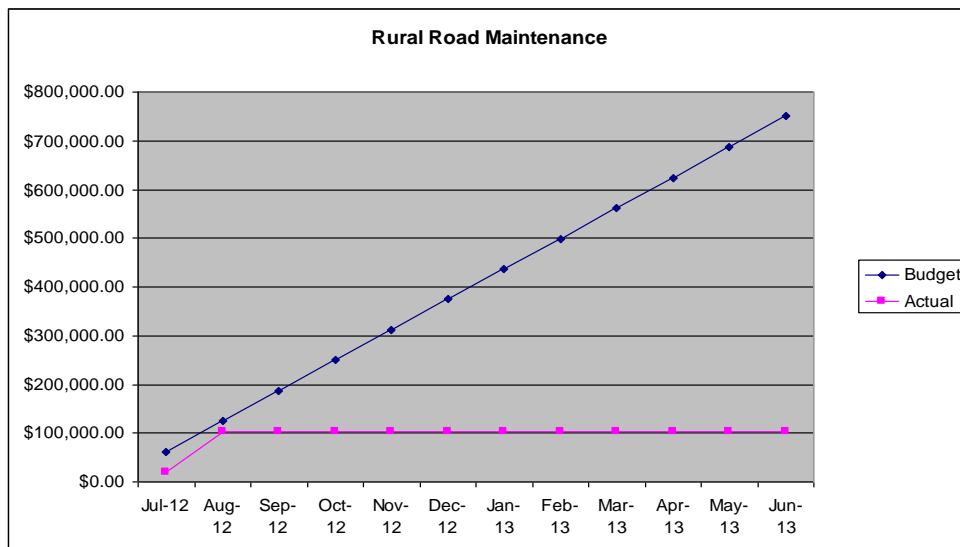
A summary of the 2012 / 13 Road Construction Programme is attached. Forming and sheeting has been completed on Cameron Road and is in progress on Fitzgerald Road.

Road Construction expenditure to 31 August 2012 is indicated below.



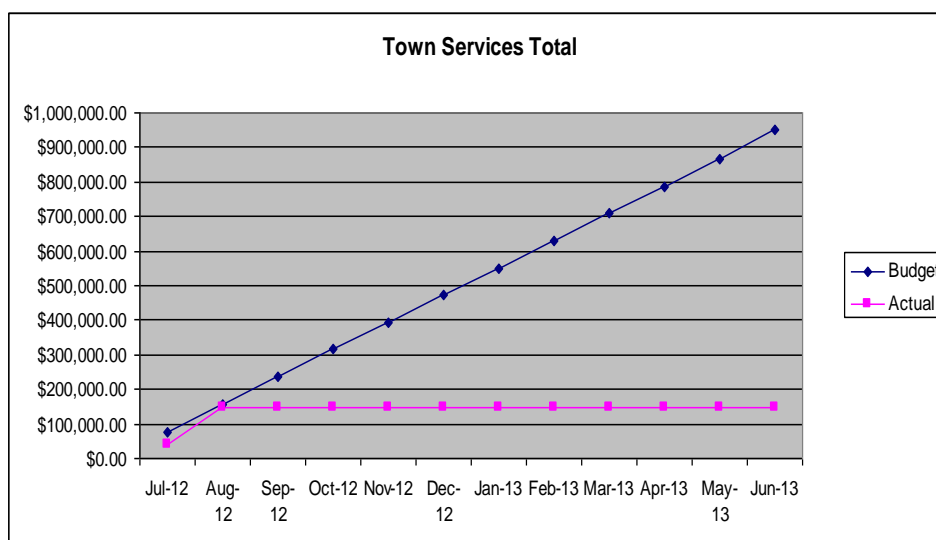
ROAD MAINTENANCE

The attached report indicates routine rural road maintenance undertaken during August, with the graph below indicating financial year expenditure to the end of the month.



TOWN SERVICES

The attached reports indicate road maintenance undertaken at Bremer Bay and Jerramungup with overall Town Services expenditure indicated below.



An inspection by Local Government Insurance Services has confirmed significant occupational safety and health concerns at the Jerramungup Depot. Measures are being implemented to address these concerns.

RECOMMENDATION

That the Works Report be received.

OC120902 Moved Cr Parsons / Seconded Cr Bailey

That the Works Report be received.

Carried 7-0

FINANCE

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.1
SUBJECT:	Accounts Payable
LOCATION/ADDRESS:	Shire of Jerramungup
NAME OF APPLICANT:	
AUTHOR:	Mel Aitchison
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	1 st September 2012

ATTACHMENT

Attachment 10.2.1 - List of Accounts Paid to 31st August 2012

BACKGROUND

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	27329	
	EFT 6008 – 6143	\$540,597.54
	Cheque 27330 - 27347	\$21,183.47
	Direct Debits	\$347.75
Municipal Account Total		\$562,128.76
Trust Account		
	Cheque 000189	\$292.00
Trust Account Total		\$292.00
<u>Grand Total</u>		<u>\$562,420.76</u>

CERTIFICATE

This schedule of accounts as presented, which was submitted to each member of the 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 computation, and costings and the amounts shown have been paid.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the schedule of direct debits and accounts payable, totalling submitted \$562,420.76 to the Full Council on 19th September 2012 be endorsed.

SIGNATURES

Author

Chief Executive Officer

OC120903 Moved Cr Iffla / Seconded Cr Parsons

That the schedule of direct debits and accounts payable, totalling submitted \$562,420.76 to the Full Council on 19th September 2012 be endorsed.

SIGNATURES

Author

Chief Executive Officer

Carried 7-0

SUBMISSION TO:	Finance
AGENDA REFERENCE:	10.2.2
SUBJECT:	Monthly Financial Report
LOCATION/ADDRESS:	Shire of Jerramungup
AUTHOR:	Brent Bailey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	3 rd September 2012

SUMMARY

This report presents the monthly financial report to Council which is provided as an attachment to the agenda. The recommendation is to receive the monthly financial report.

ATTACHMENT

Attachment 10.2.2 - Monthly Financial Report – Period Ending 31st August 2012

BACKGROUND

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

CONSULTATION

Council financial records.

COMMENT

This report contains annual budget estimates, actual amounts of expenditure, revenue and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council abreast of the current financial position.

STATUTORY REQUIREMENTS

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that financial activity statement reports are provided each month reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month.

The report is to be presented at either the next ordinary meeting after the end of the month, or if not prepared in time to the next ordinary meeting after that meeting.

STRATEGIC IMPLICATIONS

Key Focus Area One: Ongoing social, economic and financial viability.

FINANCIAL IMPLICATIONS

As detailed within the Monthly Financial Report

POLICY IMPLICATIONS

Finance Policy 2: Detailed within Monthly Financial Report

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

- 1) That Council receive the Monthly Financial Report for the period ending 31st August 2012 in accordance with Section 6.4 of the Local Government Act 1995.

OC120904 Moved Cr Iffla / Seconded Cr Lester

- 1) That Council receive the Monthly Financial Report for the period ending 31st August 2012 in accordance with Section 6.4 of the Local Government Act 1995.

Carried 7-0

**HEALTH,
BUILDING
&
TOWN PLANNING**

SUBMISSION TO:	Health, Building and Town Planning
AGENDA REFERENCE:	10.3.1
SUBJECT:	Proposed Open Bulkhead & Ground Conveyor (Industry-Rural)
LOCATION/ADDRESS:	Lot 10 South Coast Highway, Jacup
NAME OF APPLICANT:	Cooperative Bulk Handling Ltd
FILE REFERENCE:	A1604695
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	5 September 2012

SUMMARY

Council is requested to consider a planning application for an extension to the existing CBH Grain Receival & Storage Facility at Lot 10 South Coast Highway, Jacup. The proposed extension is an additional open bulkhead and ground conveyor located on the northern side of the existing facility.

The proposal has been advertised to neighbouring landowners for comment with no objections received. Conditional approval is recommended.

ATTACHMENT

Attachment 10.3.1 - Planning application details – plan & covering letter

BACKGROUND

Subject Site

Lot 10 South Coast Highway, Jacup (the subject site) is located approximately 28km east of Jerramungup. The subject site is owned by Co-operative Bulk Handling Ltd and developed with grain receival and storage infrastructure.



Aerial photo of existing development (Synergy 2011)

Zoning & Scheme Requirements

The subject site and surrounding properties are zoned 'Rural' under the Shire of Jerramungup Local Planning Scheme No. 2 (the Scheme).

The proposed open bulkhead and ground conveyor can be considered to be an extension of the existing 'Industry-Rural' land use and are a discretionary land use that requires public advertising before consideration by Council.

CONSULTATION

The proposal was referred to neighbouring landowners under the requirements of clause 9.4 of the Scheme closing on the 5th September 2012.

No comment was received during the advertising of the proposal.

COMMENT

Proposal

CBH have applied to extend their existing storage infrastructure at the Jacup grain receival and storage facility by proposing to install an additional open bulkhead and ground conveyor on the northern edge of the existing storage infrastructure.

The open bulkhead is required to store grain from the 2011/12 harvest. Proposed development includes compacting existing ground for the open bulkhead pad and ground conveyor, bitumen sealing beneath and installing a ground conveyor and an open bulkhead.

A full copy of the plans are attached to this report.

Assessment

The proposal has been assessed against the requirements of the Shire of Jerramungup Local Planning Scheme No.2 and generally complies.

The closest definition for the proposed land use is considered to be 'Industry-Rural' under the Scheme, it is defined as follows:

“industry-rural means –

- a) an industry handling, treating, processing or packing rural products; or*
- b) a workshop servicing plant or equipment used for rural purposes;”*

'Industry-Rural' is an 'A' use or a *“use that is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.”*

The application has been referred to neighbouring landowners and is now presented to the Council for its consideration.

The relevant objectives of the 'Rural' zone are:

- To ensure the continuation of broad-hectare farming as the principal land use in the district and encouraging where appropriate the retention and expansion of agricultural activities where the land is capable of such development.*
- To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.”*

The proposed land use has little potential impact on the local environment and supports the broad-hectare farming in the district.

The Scheme Development Requirements and pertinent clauses are explored in the table below.

Scheme Clause	Officer Comment
5.26.1 Site Requirements The minimum building setbacks are to be: Front : 20.0m Rear : 20.0m Side : 10.0m	Complies
5.26.2 (a) In considering an application for planning approval the local government will have due regard for the following, in addition to the provisions of the Scheme: (i) any sensitive or incompatible uses that may require buffer separation from the proposed use,....	This issue is explored further in the body of the report below.

Buffers

The distance between industrial type land uses and 'sensitive land uses' (such as residences) are assessed against the principles of Draft State Planning Policy 4.1 State Industrial Buffer Policy and the associated Environmental Protection Authority (EPA) Guidance Statement No.3.

There is an existing house approximately 250m away from the edge of the proposed open bulkhead.

In assessing the impact on the nearby residence the Council is being requested to assess the impact of the proposed extensions only. The off-site impacts the proposed extensions would be generally confined to dust and noise issues. In considering the proposal the following factors should be considered:

- There is an existing facility on the site and CBH have confirmed that they have received no complaints in the past.
- The nearby landowners have not objected.
- There would be an expectation that there will be some noise and dust generated by the facility, particularly during harvest, from the adjoining landowners.
- Both the facility and the residence are located reasonably close to the South Coast Highway which generates a reasonable level of background noise, particularly during harvest.
- The proposed extension may increase the capacity of the site and therefore may attract more truck movements per day. However the proposed open bulkhead is essentially an overflow storage area and may not lead to that much of an overall increase in noise and dust.
- The facility will need to comply with the requirements of the Environmental Protection Act 1986, Environmental Protection (Noise) Regulations and the Occupational Safety and Health Regulations 1996 if any issues arise.

It is recommended that a planning condition be applied requiring the preparation and implementation of a noise and dust management plan for the ongoing operation of the site.

STATUTORY REQUIREMENTS

The proposed Open Bulkhead and ground conveyor is considered development under Local Planning Scheme No.2 and requires planning approval and a Building Permit.

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.

STRATEGIC IMPLICATIONS

Key focus area two of the Shire's Strategic Plan relates to the current application. It states:

***Key Focus Area Two:
Service delivery and the environment***

The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by:

2.1 Ensuring that growth occurs in a controlled and sustainable manner.

FINANCIAL IMPLICATIONS

None for Council

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council;

Approve the application lodged by Cooperative Bulk Handling for an Open Bulkhead and ground conveyor (Industry-Rural) at Lot 10 South Coast Highway, Jacup subject to the following conditions:

- a) Development shall be carried out and fully implemented in accordance with the approved plans numbered as follows:
 - 2012-594-0070 Rev C
 - STD-034-0010 Rev 10
- b) All runoff from impervious surfaces being contained and disposed of to the Shire of Jerramungup's satisfaction.
- c) The preparation and implementation of an Operational Noise and Dust Management Plan to the satisfaction of the Shire of Jerramungup.

OC120905 Moved Cr Iffla / Seconded Cr Lester

That Council;

Approve the application lodged by Cooperative Bulk Handling for an Open Bulkhead and ground conveyor (Industry-Rural) at Lot 10 South Coast Highway, Jacup subject to the following conditions:

- a) Development shall be carried out and fully implemented in accordance with the approved plans numbered as follows:**
 - 2012-594-0070 Rev C**
 - STD-034-0010 Rev 10**
- b) All runoff from impervious surfaces being contained and disposed of to the Shire of Jerramungup's satisfaction.**
- c) The preparation and implementation of an Operational Noise and Dust Management Plan to the satisfaction of the Shire of Jerramungup.**

Carried 7-0

SUBMISSION TO:	Health, Building and Town Planning
AGENDA REFERENCE:	10.3.2
SUBJECT:	Proposed Open Bulkhead (Industry-Rural)
LOCATION/ADDRESS:	Lot 1493 (#190) Gairdner South Road, Gairdner
NAME OF APPLICANT:	Cooperative Bulk Handling Ltd
FILE REFERENCE:	A70467
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	5 September 2012

SUMMARY

Council is requested to consider a planning application for an extension to the existing CBH Grain Reival & Storage Facility at Lot 1493 South Coast Highway, Gairdner. The extension is an additional open bulkhead located on the eastern end of the existing facility.

The proposal has been advertised to neighbouring landowners for comment with no objections received.

Conditional approval is recommended.

ATTACHMENT

Attachment 10.3.2 - Planning application details (plan and covering letter).

BACKGROUND

Subject Site

Lot 1493 (#190) Gairdner South Road, Gairdner (the subject site) is located 40km south of Jerramungup and 150km east of Albany. The subject site is ~1km from the Gairdner townsite.

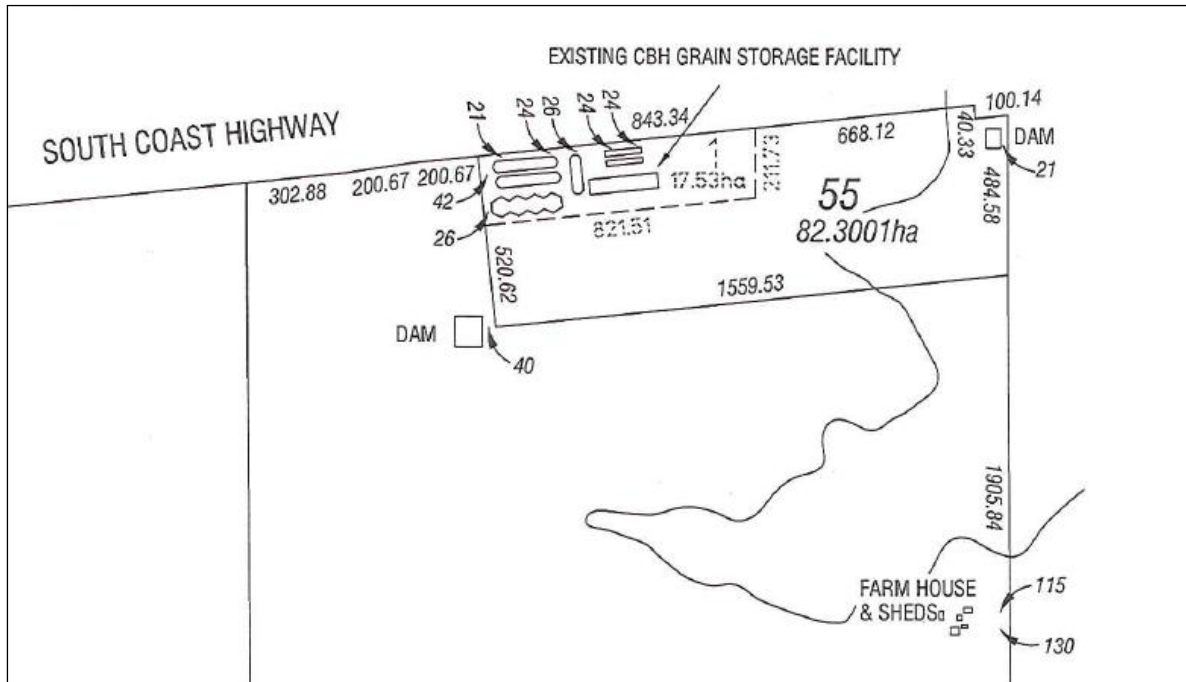
The proponent is working toward subdividing a 64.658ha portion of Lot 1493 and amalgamating it with Lot 1 South Coast Highway. The new subject site is 82.3ha in area and extends from a line parallel to the western boundary of Lot 1 to Gairdner South Road to the east. The new subject site is shown overleaf.

Lot 1 is fully developed with the existing Cooperative Bulk Handling (CBH) Grain Storage Facility. The subject site fronts South Coast Highway, which is controlled by Main Roads WA.

Zoning & Scheme Requirements

The subject site and surrounding properties are zoned 'Rural' under the Shire of Jerramungup Local Planning Scheme No. 2 (the Scheme).

The proposed open bulkhead can be considered to be an extension of the existing 'Industry-Rural' land use and is a discretionary land use that requires public advertising before consideration by Council.



Extract from subdivision proposal 145777 (Crossland & Hardy Pty Ltd)



Aerial photo of existing development (LandGate 2008)

Surrounding Land Use

The surrounding lots are developed in the following manner:

- The surrounding land is used for broad hectare agriculture;
- To the north-east is the Gairdner townsite, consisting of the hall, oval, tennis courts, primary school and three dwellings.

Previous Approvals

Council recently received an application for a \$17.7million expansion of the Gairdner Grain Receival & Storage Facility that was approved by the Great Southern Joint Development Assessment Panel on the 6th August 2012.

That approval included the following infrastructure:

- Truck marshalling area, internal roads and stormwater drainage
- Four 20,000 tonne circular silos and associated infrastructure
- Switch room/compressor shed
- Sample platform/hut with two sampling spears
- Extend the existing 60 tonne weighbridge
- New 160 tonne weighbridge and hut
- Relocate toilets and install septic tanks and leach drains
- Rationalising the number and location of access points to the highway.

The additional infrastructure substantially increases the capacity of the site, quality of storage and provides for truck marshalling areas well away from the highway.

CBH anticipate this redevelopment taking approximately 2 years to complete.

CONSULTATION

The proposal was referred to neighbouring landowners under the requirements of clause 9.4 of the Scheme.

No comment was received during the advertising of the proposal.

COMMENT

Proposal

CBH have applied to extend their existing storage infrastructure at the Gairdner grain receival and storage facility by proposing to install an additional open bulkhead on the eastern edge of the existing storage infrastructure. A full copy of the plans is attached to this report.

The proposed additional open bulkhead is part of a coordinated redevelopment of the site.

The open bulkhead is required to store grain from the 2011/12 harvest that has not been transported to Albany as yet. It will store grain in the short term in a location that will not hinder the redevelopment of the remainder of the site.

Assessment

The proposal has been assessed against the requirements of the Shire of Jerramungup Local Planning Scheme No.2 and generally complies.

The closest definition for the proposed land use is considered to be 'Industry-Rural' under the Scheme, it is defined as follows:

“industry-rural means –

- c) an industry handling, treating, processing or packing rural products; or*
- d) a workshop servicing plant or equipment used for rural purposes;”*

'Industry-Rural' is an 'A' use or a “*use that is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.*”

The application has been referred to neighbouring landowners and is now presented to the Council for its consideration.

The relevant objectives of the 'Rural' zone are:

- To ensure the continuation of broad-hectare farming as the principal land use in the district and encouraging where appropriate the retention and expansion of agricultural activities where the land is capable of such development.*
- To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.”*

The proposed land use has little potential impact on the local environment and supports the broad-hectare farming in the district.

The Scheme Development Requirements and pertinent clauses are explored in the table below.

Scheme Clause	Officer Comment
5.26.1 Site Requirements The minimum building setbacks are to be: Front : 20.0m Rear : 20.0m Side : 10.0m	Complies
5.26.2 (a) In considering an application for planning approval the local government will have due regard for the following, in addition to the provisions of the Scheme: (i) any sensitive or incompatible uses that may require buffer separation from the proposed use,....	Complies Distance to closest residence greater than 1km and complies with EPA Guidelines.

The proposed development is relatively minor in scale. The existing access arrangements are being retained and the open bulkhead will help to facilitate the recently approved redevelopment of the site.

STATUTORY REQUIREMENTS

The proposed Open Bulkhead is considered development under Local Planning Scheme No.2 and requires planning approval and a Building Permit.

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.

STRATEGIC IMPLICATIONS

Key focus area two of the Shire's Strategic Plan relates to the current application. It states:

Key Focus Area Two:

Service delivery and the environment

The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by:

2.1 Ensuring that growth occurs in a controlled and sustainable manner.

FINANCIAL IMPLICATIONS

None for Council

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council;

Approve the application lodged by Cooperative Bulk Handling for an Open Bulkhead (Industry-Rural) at Lot 1493 (#190) Gairdner South Road, Gairdner subject to the following conditions:

- a) Development shall be carried out and fully implemented in accordance with the approved plans numbered as follows:
 - 2012-590-0087 Rev 0
 - STD-034-0010 Rev 3
- b) All runoff from impervious surfaces being contained and disposed of to the Shire of Jerramungup's satisfaction.

2.10pm Mr Edwards left the meeting.

OC120906 Moved Cr Daniel / Seconded Cr Iffla

That Council;

Approve the application lodged by Cooperative Bulk Handling for an Open Bulkhead (Industry-Rural) at Lot 1493 (#190) Gairdner South Road, Gairdner subject to the following conditions:

- a) **Development shall be carried out and fully implemented in accordance with the approved plans numbered as follows:**
 - **2012-590-0087 Rev 0**
 - **STD-034-0010 Rev 3**
- b) **All runoff from impervious surfaces being contained and disposed of to the Shire of Jerramungup's satisfaction.**

Carried 7-0

SUBMISSION TO:	Health, Building and Town Planning
AGENDA REFERENCE:	10.3.3
SUBJECT:	Proposed Extractive Industry
LOCATION/ADDRESS:	Lot 1566 Borden-Bremer Bay Road, Bremer Bay
NAME OF APPLICANT:	D.M. Stanich & Co.
FILE REFERENCE:	A80359
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	6 September 2012

SUMMARY

The owners of Lot 1566 Borden-Bremer Bay Road, Bremer Bay have applied for approval for the existing extractive industry.

There are five existing open pits; one for sand, three for gravel and one for lime. The sand and gravel pits are intended to primarily supply the subdivision works at Lot 231 Bremer Bay Road, Bremer Bay. The lime pit is available to the general public for a short period during the year.

This report recommends issuing a conditional planning approval.

ATTACHMENT

Attachment 10.3.3 – Plans and supporting letter from applicant.

BACKGROUND

Site Description

Lot 1566 Borden-Bremer Bay Road, Bremer Bay is 1156.8ha in area. The southern half of the property is a blue gum plantation whilst the northern portion has some arable land and the extractive industry proposed with this application.

There is a single access point to Borden Bremer Bay Road.

The subject site is surrounded by similar scale farming properties. A site plan is provided overleaf.

Zoning

The subject land is zoned 'Rural' under the Shire of Jerramungup Local Planning Scheme No 2 ("the Scheme").



Aerial photo showing extent of Lot 1566 edged in yellow (Synergy 2011)

CONSULTATION

Main Roads were referred the application as the extractive industry involves the use of Restricted Access Vehicles (larger than 19m semi-trailer, 42.5 tonne). Main Roads provided the following response:

“The Borden-Bremer Bay road is listed as a RAV 7 route (105 tonne + 36.5m).

A possible outcome of carting from the property is the pavement of Borden-Bremer Bay Rd becoming covered in debris/clay/mud, this can become a hazard to other road users.

Is it possible to create a caveat to the business licence that the pavement is to be kept clear of clay/mud/etc by sweeping and/or washing? Perhaps a simple letter from the operators stating their willingness to accept this responsibility, thereby indemnifying the Shire and MRWA?

Lastly, I recommend the installation of Warning Signs T2-25 “Trucks Entering” 250 m on either side of the lot driveway.”

To satisfy Main Roads WA requirements a planning condition may be applied to any approval requiring that the entry to Borden-Bremer Bay Road be kept clear and clean at all times and that warning signage be installed.

COMMENT

Description of proposal

A planning application has been received from DM Stanich & Co. for the extractive industry located on Lot 1566 Borden-Bremer Bay Road, Bremer Bay. The application is to use the existing pits as described in the table below:

Pit no.	Material	Size
1	Lime Pit	2.11ha
2	Gravel	1.10ha
3	Gravel	3.55ha
4	Gravel	1.75ha
5	Sand	~2.0ha

The pits are located on cleared land. The sand pit in the south of the property is located on a small cleared area immediately adjacent to the blue gum plantation.

The applicant has provided some additional information as follows:

“The extraction licence is required for the following reasons:

- 1. The sand and gravel to be used for John Cove subdivision in Bremer Bay. It is not for sale to the public unless it can't be obtained elsewhere.*
- 2. The lime for agricultural purposes (for sale to local farmers) and for the John Cove subdivision in Bremer Bay.*

All the pits will be at least three (3) kilometres from the nearest dwellings and isolated from the general public.

Noise and dust is not an issue because of the isolation, and in the case of the sand and gravel, the activities will be sporadic (approximately every 2-3 years).

The agricultural lime will be extracted annually for approximately eight (8) weeks.

In all cases, the topsoil will be removed and pushed to the side and used later to rehabilitate the site by pushing it back on top. This should also guard against dieback.”

A full copy of the application is at Attachment 10.3.3.

Scheme Requirements

An 'Extractive Industry' is a 'Permitted' use in the 'Rural zone.

The Scheme defines 'Extractive Industry' as '*means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are being extracted, but does not include industry-mining*'.

There are no specific controls relating to extractive industry applications in the Scheme, Council adopted Local Planning Policy 13 to guide the assessment and development of extractive industry proposals.

The current proposal has been operating for some time. This application is a retrospective planning application. Clause 8.4 of the Scheme allows for retrospective applications and if approved, the existing land use becomes lawful.

Extractive Industry – Local Planning Policy 13

Council adopted Local Planning Policy 13 for final approval at its meeting of the 18 May 2010. The objective of the policy is:

- *To assist Council in determining applications for extractive industries by providing general guidelines, and outlining matters Council will have regard for in assessing applications.*
- *To protect and maintain the existing landscape character, native vegetation, productive agricultural uses and general amenity of the Shire.*
- *To assist the industry to establish extractive industries in appropriate locations where the road infrastructure is capable of servicing the use.*
- *To set out standard conditions that will be considered by Council in their assessment of extractive industry applications.*
- *To provide for appropriate ‘buffers’ between extractive industries and sensitive land uses.*

The Policy sets out specific requirements for mostly the excavation/pit areas regarding the following matters:

Clause	Compliance
<u>Setbacks</u> <ul style="list-style-type: none"> • 40m from any road • 20m from any other boundary • 50m to any water course 	All pits comply
<u>Buffers</u> 300-500m to closest residence	Complies Closest residence 3km away
<u>Pit area/rehabilitation</u> Pit size generally restricted to 2ha Larger pits may be considered provided there are no environmental or amenity impacts. Rehabilitation should generally be undertaken in stages and be ongoing for worked areas	Current area exceeds 2ha maximum recommended. However, the pits are not seen from the surrounding road system or residences, they do not require clearing or impact on any water courses. The pits have been operational for some time with no objections raised. Recommend placing a condition on the approval requiring closure and rehabilitation of unused pits.
<u>Road Usage</u>	Main Roads WA control the access road and have provided feedback that signage conditions

<p>Council needs to determine if the surrounding road network is adequate. Upgrading or maintenance of roads may be considered on a case by case basis.</p>	<p>and a requirement to keep the road at the entry clear of debris, mud, etc should be applied. Borden-Bremer Bay Road is sealed and registered to take large RAV.</p>
<p><u>Term of Planning Approval</u> Generally limited to 5 years unless otherwise approved by the Shire.</p>	<p>Recommend placing a time limit on the approval and require reapplication after 5 years. A requirement for re-approval provides the Shire the opportunity to visit the site and ensure compliance with the planning approval and goes some way to ensure that the operator complies with the conditions of approval.</p>

The policy then goes on to detail the general matters to be considered by Council. These are:

1. Site Location and Broad Planning Considerations
2. Environmental Considerations; and
3. Traffic and Transport considerations.

The proposed extractive industry has actually been operating for some time without complaint. The site is not visible from the surrounding road network or any other residence and has limited impact on the immediate environment.

The gravel and sand pits are generally only accessed when the subdivision of Lot 231 Bremer Bay Road, Bremer Bay is being actively constructed. Having a backup source of gravel in the vicinity of Bremer Bay may be advantageous for the Shire and Main Roads at some time in the future.

The agricultural lime pit is actively worked for approximately 8 weeks of the year and access for the general public is generally limited to 4 weeks of the year.

Therefore the impact on the road network and local environment is limited.

Conditional planning approval is recommended.

STRATEGIC IMPLICATIONS

The proposed land use is consistent with the following parts of the Shire's Strategic Plan:

Key Focus Area Two:

Service delivery and the environment

The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by:

- 2.1 Ensuring that growth occurs in a controlled and sustainable manner.*

STATUTORY REQUIREMENTS

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.

FINANCIAL IMPLICATIONS

N/A

POLICY IMPLICATIONS

Not applicable.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council,

1. Approve the extractive industry at Lot 1566 Borden-Bremer Bay Road, Bremer Bay subject to the following conditions:
 - a) The approval is valid for a period of 5 years from the date of issue and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.
 - b) Borden-Bremer Bay Road be kept clear and clean at all times and that warning signage be installed.
 - c) Those portions of public roads as are affected by the activities related to the approval shall be kept clean and free of mud and other debris.
 - d) The applicant shall install and maintain road signs along transport routes warning other road users of trucks entering and using the public road system. Signs are to be to specification of the Shire in locations approved in writing by the Shire and in consultation with Main Roads WA.
 - e) A Rehabilitation Plan is to be prepared and implemented to the satisfaction of the Shire of Jerramungup.
 - f) Topsoil is to be stockpiled and later spread out as part of the rehabilitation process.
 - g) All development shall be in accordance with the plans submitted as part of the application.

Footnotes:

- i) Approval shall not in any way render the Shire of Jerramungup liable for damage or injury of any kind to any member of the public; such liability shall be the sole responsibility of the applicant.
- ii) The rehabilitation plan required at condition (e) shall identify unused pits and provide a program for their closure and rehabilitation.
- iii) The rehabilitation plan required at condition (e) shall show how the land shall be rehabilitated to allow for future rural use and shall include;
 - Flattening the land;
 - Spreading of stockpiled topsoil (capable of supporting seed and plant re-growth);
 - Forming stable battered banks not to be steeper than 1 in 5;
 - And revegetation using native trees, shrubs and groundcovers/ undergrowth as suitable.

OC120907 Moved Cr Bailey / Seconded Cr Parsons

That Council,

- 1. Approve the extractive industry at Lot 1566 Borden-Bremer Bay Road, Bremer Bay subject to the following conditions:**
 - a) The approval is valid for a period of 5 years from the date of issue and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.**
 - b) Borden-Bremer Bay Road be kept clear and clean at all times and that warning signage be installed.**
 - c) Those portions of public roads as are affected by the activities related to the approval shall be kept clean and free of mud and other debris.**
 - d) The applicant shall install and maintain road signs along transport routes warning other road users of trucks entering and using the public road system. Signs are to be to specification of the Shire in locations approved in writing by the Shire and in consultation with Main Roads WA.**
 - e) A Rehabilitation Plan is to be prepared and implemented to the satisfaction of the Shire of Jerramungup.**
 - f) Topsoil is to be stockpiled and later spread out as part of the rehabilitation process.**
 - g) All development shall be in accordance with the plans submitted as part of the application.**

Footnotes:

- i) Approval shall not in any way render the Shire of Jerramungup liable for damage or injury of any kind to any member of the public; such liability shall be the sole responsibility of the applicant.**
- ii) The rehabilitation plan required at condition (e) shall identify unused pits and provide a program for their closure and rehabilitation.**
- iii) The rehabilitation plan required at condition (e) shall show how the land shall be rehabilitated to allow for future rural use and shall include;**
 - Flattening the land;**
 - Spreading of stockpiled topsoil (capable of supporting seed and plant re-growth);**
 - Forming stable battered banks not to be steeper than 1 in 5;**
 - And revegetation using native trees, shrubs and groundcovers/ undergrowth as suitable.**

Carried 7-0

SUBMISSION TO:	Health, Building and Town Planning
AGENDA REFERENCE:	10.3.4
SUBJECT:	Proposed verandah
LOCATION/ADDRESS:	Lot 194 (#13) John Street, Bremer Bay
NAME OF APPLICANT:	Mr Malcolm Poett
FILE REFERENCE:	A1604235
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	16 September 2012

SUMMARY

The Pelican Op-Shop has applied to construct a verandah across the northern façade of their leased premises at Lot 194 (#13) John Street, Bremer Bay to provide shelter for staff and visitors.

The proposal is a minor extension of an existing land use. It is recommended that the application be approved.

ATTACHMENT

Attachment 10.3.4 – copy of site, floor & elevation plans

BACKGROUND

Site Description

Lot 194 is 1005m² in area and developed with two sheds. The shed fronting John Street is constructed at street level and is used by local builder Mal Poett to store vehicles. The shed at the rear of the property is lower on the lot and was used first as the FESA shed and then by the police as the police station until recently.

Access is via an existing gravel driveway. Parking is on two levels and is also gravel. The frontage of the property is largely open and is likely to be used for parking during busy periods.

A pedestrian accessway runs down the northern boundary of the lot linking it to Susan Street and serving as part of the district drainage system. A site plan is provided overleaf.

Previous Applications

Council approved the use of the rear shed as an Op-Shop at their meeting in October 2011. Following the issuing of a formal lease the Op-Shop occupied the building in December 2012.

An application was lodged for funding from the Shire for the proposed verandah through the Council's budget process and this was supported by Council on the 18th July 2012.

The Op-Shop has now engaged Mal Poett to arrange for the necessary approvals and construct the proposed verandah.



Aerial photo showing extent of existing development (LandGate 2010)

COMMENT

Description of proposal

The Op-Shop wishes to construct a verandah across the whole frontage of their premises at Lot 194 (#13) John Street, Bremer Bay. The verandah will shelter staff and visitors.

The verandah is 12.6m long, 4.0m wide and has a portion of the western edge filled in to block the winter winds.

A site plan, floor plan and elevations have been submitted and are included at Attachment 10.3.4.

Assessment

The proposed shed is a small extension to an existing land use, well setback from all boundaries.

The lease documents for the Op-Shop were drafted to accommodate this additional structure.

Approval is recommended.

STRATEGIC IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Not applicable.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council,

1. Approve the application lodged by Mr Mal Poett for a verandah at Lot 194 (#13) John Street, Bremer Bay subject to the following conditions:
 - (i) All runoff from impervious surfaces being disposed of to the Shire of Jerramungup's satisfaction.
 - (ii) The materials and colours of the proposed extension are to blend and harmonise with the existing development to the satisfaction of the Chief Executive Officer.
2. Advise the applicant in footnotes on the planning approval that;
 - (a) Planning approval is not consent for site works or construction. A building permit is required prior to any commencement of works.

OC120908 Moved Cr Daniel/ Seconded Cr Lester

That Council,

1. **Approve the application lodged by Mr Mal Poett for a verandah at Lot 194 (#13) John Street, Bremer Bay subject to the following conditions:**
 - (i) **All runoff from impervious surfaces being disposed of to the Shire of Jerramungup's satisfaction.**
 - (ii) **The materials and colours of the proposed extension are to blend and harmonise with the existing development to the satisfaction of the Chief Executive Officer.**

2. Advise the applicant in footnotes on the planning approval that;
 - (a) Planning approval is not consent for site works or construction. A building permit is required prior to any commencement of works.

Carried 7-0

SUBMISSION TO:	Health, Building and Town Planning
AGENDA REFERENCE:	10.3.5
SUBJECT:	Proposed Telecommunications Infrastructure (Use Not Listed)
LOCATION/ADDRESS:	Lot 33 (#33) Heath Street, Boxwood Hill – Reserve 27035
NAME OF APPLICANT:	Planning Solutions (on behalf of Telstra)
FILE REFERENCE:	A30112
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	Author of this report is a share Telstra share holder.
DATE OF REPORT:	5 September 2012

SUMMARY

Council is required to determine a planning application for telecommunications infrastructure at Lot 33 Heath Street, Boxwood Hill (Reserve 27035, Boxwood Combined Sports Club grounds).

The proposal consists of:

- A 60m high guyed mast that will accommodate three (3) new panel antennae's; and
- One equipment cabinet located at ground level with associated cabling.

The proposal has been advertised for public comment and one submission has been received questioning the location.

Conditional planning approval is recommended.

The land use/purpose of the reserve will need amending; it is recommended the Council advise the Department of Regional Development and Lands of their support for this change of purpose in order to speed the development process.

ATTACHMENT

Attachment 10.3.5 (a) - Plans and supporting documentation
Attachment 10.3.5 (b) - Submission

BACKGROUND

Site Description

Lot 33 (#33) Heath Street, Boxwood Hill (Reserve 27035) is 6.5671ha in area, approximately half of which is developed with the Boxwood Combined Sports Club grounds. The eastern portion of the reserve is unused and partially cleared.

Reserve 27035 fronts Borden Bremer Bay Road and is immediately surrounded by Unallocated Crown Land.



Site plan, subject site edged in red (Synergy 2011)

Zoning

Reserve 27035 is reserved for 'Recreation and Open Space' under the Shire's Local Planning Scheme No.2 (the Scheme).

Reserve Purpose/Land Use

Reserve 27035 is a reserve managed by the Shire of Jerramungup for the purpose of Recreation.

Strategic Plan for Sporting Club

The Boxwood Combined Sporting Club's strategic plan has no plans for the vacant portion of Reserve 27035. The proposal was referred to the sporting club in writing and the secretary was followed up by phone. No objection was raised to the current proposal.

CONSULTATION

Public consultation was undertaken during August 2012, closing on the 31st August 2012. This included;

- Letters to surrounding and nearby landowners.
- Advertising in the local paper.

- Information posted in the Boxwood Roadhouse and inside the Boxwood Sporting Club.

One submission was received from Mrs Francis Griffiths objecting to the proposal for the following reasons:

- A more suitable site would be the old Boxwood Saleyards as there would be a pre-existing right and no native title issues; and
- The proposed mast would be highly visible from the sports grounds.

A full copy of the submission is attached to this report at Attachment 10.3.5 (b).

The old Boxwood Saleyards are at Reserve 28703. They are not the subject of this application, Council is being asked to consider the current proposal. Whilst they would be less visually obtrusive, they are impractical as they are too far from a suitable power source for the applicant.

The current proposal is part of a broader improvement program funded through Royalties for Regions, the applicant has confirmed that to extend power to the former sale yards could make the current proposal cost prohibitive.

COMMENT

Description of Application

Council received an application from Planning Solutions on behalf of Telstra for telecommunications infrastructure at Lot 33 (#33) Heath Street, Boxwood Hill – Reserve 27035 on the 30 July 2012. The application is summarised below;

- A 60 metre tall guyed mast to accommodate three (3) antennae panel antennae's;
- One ground level equipment cabinet located within a fenced compound immediately adjacent to the proposed mast.

The application was supported by a report justifying the proposal, the report conclusion is reproduced below:

- 1. The proposed development is consistent with the Scheme provisions of the Shire of Jerramungup Local Planning Scheme No.2;*
- 2. The proposed development is consistent with the objectives of the Shire of Jerramungup Local Planning Strategy;*
- 3. The proposal is consistent with the Western Australian Planning Commission's State Planning Policy No. 5.2 - Telecommunications Infrastructure, and the Guidelines for the Location, Siting and Design of Telecommunications Infrastructure, which encourage siting to minimise potential adverse visual impact on the character and amenity of the local environment;*
- 4. The proposal is adequately separated from sensitive sites and residential development;*

5. *The infrastructure associated with the telecommunications facility will be contained within the existing site, and will not involve the removal of any significant vegetation; and*
6. *Works associated with the development are minor, and are not anticipated to detrimentally affect the amenity of the area.*

The proposal is consistent with planning principles derived from state and local levels, and given the minimal impact on the amenity of the area and the locality generally, the application warrants support from the Shire of Jerramungup. In light of the proposal's demonstrated compliance with the applicable statutory planning instruments, the Shire is respectfully requested to approve the subject application.

A copy of the plans and extracts from the applicant's report are provided at Attachment 10.3.5 (a). A full copy of the application is available to Councillors on request.

The proposed infrastructure is proposed as part of a broader state government scheme, the Royalties for Regions funded Regional Mobile Communications Project (RMCP). The intention of this project is to "...*improve highway and town-to-town coverage in regional, rural and remote communities of the State. The project is being administered by the Department of Commerce in consultation with the Department of Regional Development and Lands.*"

Telstra have won the contract to provide this part of the program. As part of this program provision has been made for Police and Emergency Services communications infrastructure to be collocated on the facility.

Scheme Requirements

Land Use Classification

The proposed land use is defined in the Scheme as '*telecommunications infrastructure*' as follows:

"telecommunications infrastructure" means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network.

Whilst *Telecommunication Infrastructure* is defined in the Scheme the land use of '*telecommunications infrastructure*' is not listed in Table 1 (Zoning Table) and therefore has been processed as a 'Use Not Listed' in accordance with Clause 4.4.2 of the Scheme.

Specific Matters for Consideration

Under Clause 5.11 of the Scheme, it lists specific matters for Council to consider when determining an application for telecommunications facilities;

- (a) The social and economic benefits of affordable and convenient access to modern telecommunications based services for people and businesses throughout the State;
- (b) Continuity of supply of telecommunication services;
- (c) Protection of the environment;

- (d) Safeguarding visual amenity and streetscape;
- (e) Protection of heritage places;
- (f) Public safety; and
- (g) Co-ordination of other services.

Council has to weigh up the benefits of improved and alternative telecommunications services which will in turn benefit local businesses and the wider community, whilst also having regard for normal planning considerations such as visual impact of the structure.

It is recognised that the use will have wider community benefits by achieving improved mobile phone coverage which in turn will assist with tourism and business.

The mast is a commercial use and is proposed to be located in a Reserve. Whilst the location of the mast is close to sporting grounds, it is immediately surrounded by Unallocated Crown Land and is a relatively lightweight structure despite its height.

On one hand telecommunication masts are becoming part of the rural landscape and are expected adjacent to highways and townsites. On the other the proposed mast is in reasonably close proximity to the sporting grounds and will be seen from most of the Boxwood townsite.

Approval of the application is recommended subject to conditions.

Reservation

Reserve 27035 is reserved for 'Recreation' under two mechanisms:

- Purpose of the Reserve in the Scheme is for 'Recreation and Open Space'.
- The purpose and use of the reserve on the Title is for 'Recreation'. The Shire is the manager of this reserve but it is not clear if the Shire has the ability to lease portions of the Reserve.

Reservation under the Scheme

The 'Recreation' reservation under the Scheme has clearly been established to recognise the existing sporting grounds and could not have anticipated a proposal for telecommunications infrastructure. In regard to reserved land in the Scheme, part 3.4 of the Scheme states:

"3.4 Use and Development of Local Reserves

3.4.1 A person must not –

- a) use a Local Reserve; or*
- b) commence or carry out development on a Local Reserve, without first having obtained planning approval under Part 9 of the Scheme.*

3.4.2 In determining an application for planning approval the local government is to have due regard to -

- a) the matters set out in clause 10.2; and*
- b) the ultimate purpose intended for the Reserve..."*

Essentially this requires planning approval for any use in a reserve and in making a determination the local government is to have regard for the purpose of the reserve and the proper and orderly planning of the district. Importantly, this clause does not prevent Council approving the current proposal; only that due regard is paid to the purpose of the reserve and the general planning matters set out at part 10.2 of the Scheme.

Reservation on Title

The purpose of Reserve 27035 detailed on the Title is for 'Recreation'. The reserve is managed by the Shire of Jerramungup.

The proposed Telecommunications Infrastructure is not consistent with the reserve purpose and will require changing if the proposal is to be successfully constructed. This process requires a separate application to the Department for Regional Development and Lands (RDL) by the applicant.

If purpose of the reserve is to be changed to accommodate the telecommunications infrastructure then the Council will be asked whether they support the change of use through a separate process. Assuming the Council are supportive of the proposed infrastructure then it is recommended that Council:

1. Issue a conditional planning approval for the application; and
2. Indicate to RDL that the change of reserve purpose is supported.

The infrastructure cannot be constructed until the change of reserve purpose and other land tenure issues are resolved with RDL.

Other Land Tenure Issues

Telstra will need to arrange for some sort of land tenure over the subject site in order to construct the infrastructure. They have a number of options:

- Lease from the Shire of Jerramungup;
- A separate licence from RDL over a portion of the Reserve; or
- Excision of a portion of Reserve 27035 to form a new Reserve for telecommunications infrastructure.

Whatever option Telstra pursue this matter is likely to come back to Council for final approval.

STATUTORY REQUIREMENTS

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.

STRATEGIC IMPLICATIONS

The proposed Scheme Amendment aligns with a variety of the key focus areas in the Strategic Plan:

Service delivery and the environment

The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by:

2.4 Supporting a range of community services that enhances the community fabric.

FINANCIAL IMPLICATIONS

Improved telecommunications may have benefits to local businesses, residents and tourism.

POLICY IMPLICATIONS

The Shire does not currently have a telecommunications policy however the Scheme cites specific matters to be taken into consideration for the assessment of applications. The Western Australian Planning Commission has a broad Statement of Planning Policy for Telecommunications which lists similar matters to the Scheme, and includes references to '*communications needs of the community*' and '*visual impact on the character and amenity of the surrounding area*'.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council,

1. Approve the proposed 'Telecommunications Infrastructure' (Use Not Listed) at Lot 33 (#33) Heath Street, Boxwood Hill (Reserve 27035) subject to the following conditions;
 - a) The mast is to have a maximum height of 60.5 metres in accordance with the application submitted.
 - b) The proposed equipment cabinet is to be fenced for safety as stated in the application.

Advise the applicant that:

- i) Planning approval is not consent for site works or construction. A building permit is required prior to any commencement of works.
 - ii) Separate approval of Department of Regional Development and Lands is required to change the purpose of Reserve 27035;
 - iii) Land tenure will need to be arranged separately through either the Department of Regional Development and Lands and/or the Shire of Jerramungup.
2. Write to the Department of Regional Development and Lands and advise that the Shire of Jerramungup supports the change of reserve purpose for Reserve 27035 in order to accommodate the proposed telecommunications infrastructure and that a copy of this Council report be forwarded to support this position.

OC120909 Moved Cr Lester / Seconded Cr Atkin

That Council,

- 1. Approve the proposed 'Telecommunications Infrastructure' (Use Not Listed) at Lot 33 (#33) Heath Street, Boxwood Hill (Reserve 27035) subject to the following conditions;**
 - a) The mast is to have a maximum height of 60.5 metres in accordance with the application submitted.**
 - b) The proposed equipment cabinet is to be fenced for safety as stated in the application.**

Advise the applicant that:

- i) Planning approval is not consent for site works or construction. A building permit is required prior to any commencement of works.**
 - ii) Separate approval of Department of Regional Development and Lands is required to change the purpose of Reserve 27035;**
 - iii) Land tenure will need to be arranged separately through either the Department of Regional Development and Lands and/or the Shire of Jerramungup.**
- 2. Write to the Department of Regional Development and Lands and advise that the Shire of Jerramungup supports the change of reserve purpose for Reserve 27035 in order to accommodate the proposed telecommunications infrastructure and that a copy of this Council report be forwarded to support this position.**

Carried 7-0

SUBMISSION TO:	Health, Building and Town Planning
AGENDA REFERENCE:	10.3.6
SUBJECT:	Proposed Telecommunications Infrastructure (Use Not Listed)
LOCATION/ADDRESS:	Lot 1476 South Coast Highway, Gairdner.
NAME OF APPLICANT:	Planning Solutions (on behalf of Telstra)
FILE REFERENCE:	A70071
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	The author of this report has shares in Telstra
DATE OF REPORT:	6 September 2012

SUMMARY

Council is required to determine a planning application for telecommunications infrastructure on the corner of Devils Creek Road and South Coast Highway; Lot 1476 South Coast Highway, Gairdner. The proposal consists of:

- A new 60m high guyed mast that will accommodate three (3) new panel antennae's for Telstra mobile services;
- Infrastructure for WA Police Services attached to the mast being a dipole array and four radio communications dishes at 52.5 metres; and
- One equipment cabinet located at ground level with associated cabling.

The proposal has been advertised for public comment and no submissions were received at the time of writing this report.

Conditional planning approval is recommended.

ATTACHMENT

Attachment 10.3.6 - Plans and supporting documentation

BACKGROUND

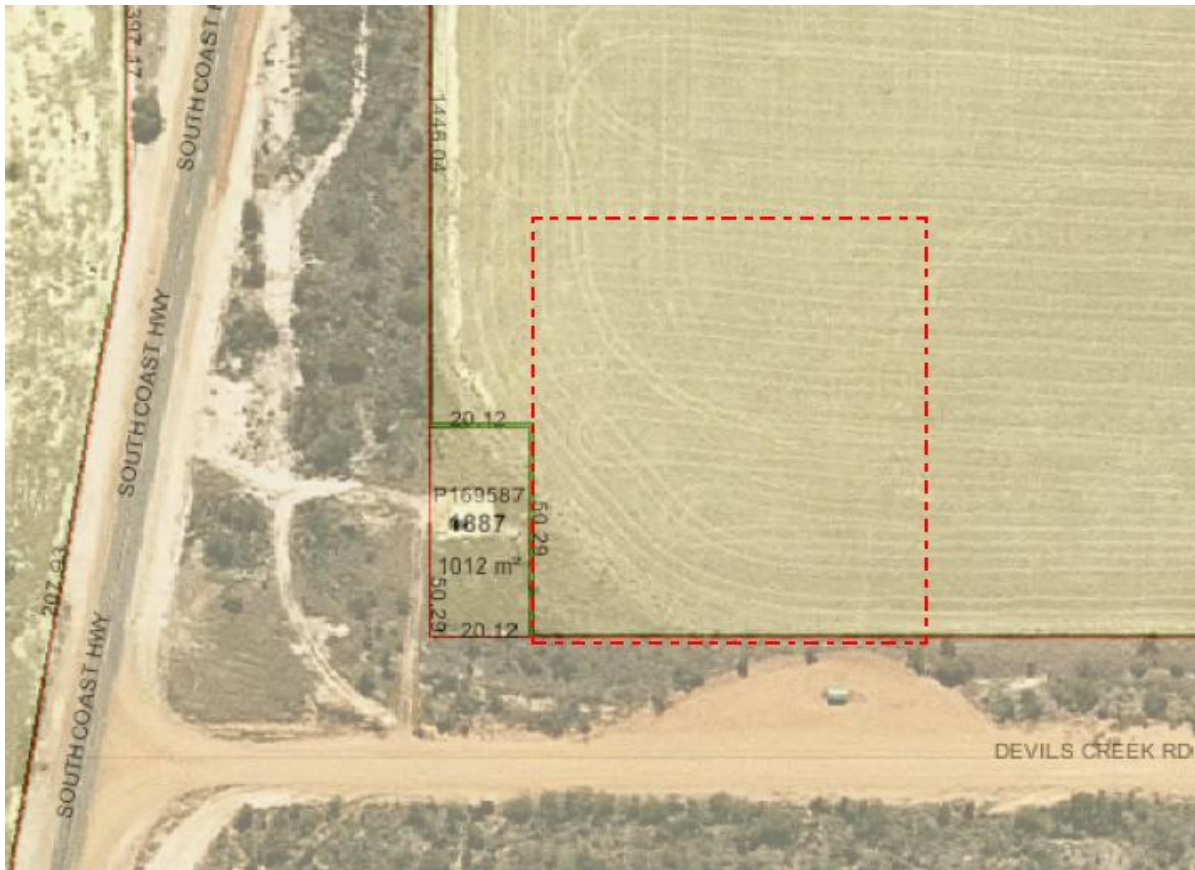
Site Description

The subject site is a small portion of Lot 1476 South Coast Highway which is 1008.7ha in area, and mostly used for broad hectare agriculture.

Telstra own Lot 1887 South Coast Highway, Gairdner on the corner of Devils Creek Road and South Coast Highway that has an existing communications tower. This lot is only 1012m² in area and not sufficient to locate the mast and guys required for the proposed guyed mast. Access is from South Coast Highway and Devils Creek Road by gravel tracks in the road reserves.

A 100m by 100m portion of Lot 1476 located immediately to the east of Lot 1887 is the location of the proposed infrastructure.

The location is 800m north of the Gairdner townsite.



Site plan, with approximate location of infrastructure (LandGate 2008)

Zoning

Lot 1476 is zoned 'Rural' under the Shire's Local Planning Scheme No.2 (the Scheme).

CONSULTATION

Public consultation was undertaken during August-September 2012, closing on the 17th September 2012. This included;

- Letters to surrounding and nearby landowners.
- Advertising in the local paper.
- Information posted at the Gairdner Hall.

No submissions were received at the time of writing this report.

COMMENT

Description of Application

Council received an application from Planning Solutions on behalf of Telstra for telecommunications infrastructure at Lot 1476 South Coast Highway, Gairdner on the 14 August 2012. The application is summarised below;

- A new 60m high guyed mast that will accommodate three (3) new panel antennae's for Telstra mobile services;

- Infrastructure for WA Police Services attached to the mast being a dipole array and four radio communications dishes at 52.5 metres; and
- One equipment cabinet located at ground level with associated cabling.

The application was supported by a report justifying the proposal; the report conclusion is reproduced below:

1. *The proposed development is consistent with the Scheme provisions of the Shire of Jerramungup Local Planning Scheme No.2;*
2. *The proposed development is consistent with the objectives of the Shire of Jerramungup Local Planning Strategy;*
3. *The proposal is consistent with the Western Australian Planning Commission's State Planning Policy No. 5.2 - Telecommunications Infrastructure, and the Guidelines for the Location, Siting and Design of Telecommunications Infrastructure, which encourage siting to minimise potential adverse visual impact on the character and amenity of the local environment;*
4. *The proposal is adequately separated from sensitive sites and residential development;*
5. *The infrastructure associated with the telecommunications facility will be contained within the existing site, and will not involve the removal of any significant vegetation; and*
6. *Works associated with the development are minor, and are not anticipated to detrimentally affect the amenity of the area.*

The proposal is consistent with planning principles derived from state and local levels, and given the minimal impact on the amenity of the area and the locality generally, the application warrants support from the Shire of Jerramungup. In light of the proposal's demonstrated compliance with the applicable statutory planning instruments, the Shire is respectfully requested to approve the subject application.

A copy of the plans and extracts from the applicant's report are provided at Attachment 10.3.6. A full copy of the application is available to Councillors on request.

The proposed infrastructure is proposed as part of a broader state government scheme, the Royalties for Regions funded Regional Mobile Communications Project (RMCP). The intention of this project is to "...improve highway and town-to-town coverage in regional, rural and remote communities of the State. The project is being administered by the Department of Commerce in consultation with the Department of Regional Development and Lands."

Telstra have won the contract to provide this part of the program. As part of this program provision has been made for Police and Emergency Services communications infrastructure to be collocated on the facility.

Scheme Requirements

Land Use Classification

The proposed land use is defined in the Scheme as 'telecommunications infrastructure' as follows:

“telecommunications infrastructure” means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network.

Whilst *Telecommunication Infrastructure* is defined in the Scheme the land use of ‘telecommunications infrastructure’ is not listed in Table 1 (Zoning Table) and therefore has been processed as a ‘Use Not Listed’ in accordance with Clause 4.4.2 of the Scheme.

Specific Matters for Consideration

Under Clause 5.11 of the Scheme, it lists specific matters for Council to consider when determining an application for telecommunications facilities;

- (a) The social and economic benefits of affordable and convenient access to modern telecommunications based services for people and businesses throughout the State;
- (b) Continuity of supply of telecommunication services;
- (c) Protection of the environment;
- (d) Safeguarding visual amenity and streetscape;
- (e) Protection of heritage places;
- (f) Public safety; and
- (g) Co-ordination of other services.

Assessment /Conclusion

Council has to weigh up the benefits of improved and alternative telecommunications services which will in turn benefit local businesses and the wider community, whilst also having regard for normal planning considerations such as visual impact of the structure.

There is an existing communications mast on an adjacent lot that has established a small precedent for the immediate locality. The location has good access to power supply and is considered to be one of the better locations available for such a use.

Telecommunications infrastructure is becoming part of the rural landscape and is expected adjacent to highways and townsites.

It is also recognised that the use will have wider community benefits by achieving improved mobile phone coverage which in turn will assist with tourism and business.

Access

Access to the current mast is from informal tracks accessed from both South Coast Highway and Devils Creek Road. The current proposal is for access from South Coast Highway.

South Coast Highway is a Main Roads WA road and the number of access points to highways should be kept to a minimum to reduce the number of potential conflict on the highway. A planning condition requiring access from Devils Creek Road is recommended.

Approval of the application is recommended subject to conditions.

STATUTORY REQUIREMENTS

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.

STRATEGIC IMPLICATIONS

The proposed Scheme Amendment aligns with a variety of the key focus areas in the Strategic Plan:

Service delivery and the environment

The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment by:

2.4 Supporting a range of community services that enhances the community fabric.

FINANCIAL IMPLICATIONS

Improved telecommunications may have benefits to local businesses, residents and tourism.

POLICY IMPLICATIONS

The Shire does not currently have a telecommunications policy however the Scheme cites specific matters to be taken into consideration for the assessment of applications. The Western Australian Planning Commissions has a broad Statement of Planning Policy for Telecommunications which lists similar matters to the Scheme, and includes references to '*communications needs of the community*' and '*visual impact on the character and amenity of the surrounding area*'.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council approve the proposed 'Telecommunications Infrastructure' (Use Not Listed) at Lot 1476 South Coast Highway, Gairdner subject to the following conditions;

- a) The mast is to have a maximum height of 60.5 metres in accordance with the application submitted.
- b) The proposed equipment cabinet is to be fenced for safety as stated in the application.
- c) Access being formalised from Devils Creek Road and upgraded to the satisfaction of the Shire of Jerramungup;

Advise the applicant that:

- i) Planning approval is not consent for site works or construction. A building licence is required prior to any commencement of works.

OC120910 Moved Cr Parsons / Seconded Cr Lester

That Council approve the proposed 'Telecommunications Infrastructure' (Use Not Listed) at Lot 1476 South Coast Highway, Gairdner subject to the following conditions;

- a) The mast is to have a maximum height of 60.5 metres in accordance with the application submitted.**
- b) The proposed equipment cabinet is to be fenced for safety as stated in the application.**
- c) Access being formalised from Devils Creek Road and upgraded to the satisfaction of the Shire of Jerramungup;**

Advise the applicant that:

- i) Planning approval is not consent for site works or construction. A building licence is required prior to any commencement of works.**

Carried 7-0

SUBMISSION TO:	Health, Building and Town Planning
AGENDA REFERENCE:	10.3.7
SUBJECT:	Review of Local Planning Scheme delegations
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	Delegations Register
AUTHOR:	Planning Officer, Craig Pursey
DISCLOSURE OF ANY INTEREST:	The author has an interest in that certain delegations will fall under his area of responsibility.
DATE OF REPORT:	5 September 2012

SUMMARY

Council is requested to review the existing delegations to staff to administer specific aspects of the Local Planning Scheme as required by Clause 11.3 of the Scheme and Section 5.46 of the Local Government Act.

The existing delegations appear to have been functioning well.

This report recommends retaining the existing delegations and extending them to include approving compliant development in Reserves.

ATTACHMENT

Nil

BACKGROUND

At their meeting of 17th August 2012 Council resolved to delegate to the Chief Executive Officer a series of powers and duties under Clause 11.3 of the Shire of Jerramungup Local Planning Scheme No.2.

The delegations are required to be reviewed at least once every financial year.

In order to achieve compliance the listing of Council's delegations is submitted for approval by Council.

COMMENT

Review of Existing Delegations

The current delegations have resulted in a more streamlined assessment process with staff being empowered to negotiate with applicants and commit to turnaround times for compliant applications.

No complaints have been received regarding staff application of the delegations under the Local Planning Scheme during the past year.

It is recommended that Council retain the existing delegations.

Proposed Additional Delegations

The current delegations do not extend to planning applications within reserves as these are addressed through another part of the Scheme (Part 3 Reserves).

Part 3 of the Shire of Jerramungup Local Planning Scheme requires that any development within a Reserve obtain the planning approval of Council. In determining an application for planning approval in a Reserve the local government is to have regard to the general matters listed in the Scheme and the '*ultimate purpose intended for the reserve*'.

It is proposed that the decision to approve an application that is consistent with the purpose of the Reserve, both the Scheme reservation and the reserve purpose on the Title, be delegated to the CEO.

STRATEGIC IMPLICATIONS

This item relates to the following elements from the Shire of Jerramungup Strategic Plan 2009 – 2014;

Key Focus Area Two: Service Delivery and the Environment

The Shire of Jerramungup will deliver a range of excellent community services whilst minimising our impact on the environment.

STATUTORY REQUIREMENTS

Scheme requirements

- Clause 11.3 of the Shire of Jerramungup Local Planning Scheme No.2 refers to the delegations of functions under the Scheme.
- Clause 11.3.1 allows Council to delegate any of its powers or any of its duties under the Scheme, to the CEO or a Committee.
- 11.3.2 allows the CEO to delegate in turn to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties.

Clause 11.3 of the Scheme calls up Section 5.46 of the Local Government Act which requires the annual review of delegations.

FINANCIAL IMPLICATIONS

There may be small savings to the Shire in the more efficient use of staff resources.

POLICY IMPLICATIONS

Local Planning Policies may be implemented at staff level should applications be fully compliant.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council delegate to the Chief Executive Officer the following powers and duties under Clause 11.3 of the Shire of Jerramungup Local Planning Scheme No.2:

Local Planning Scheme No.2

1. Initiate the necessary public advertising of 'A' planning applications prior to determination by the Council.
2. Initiate the necessary public advertising of planning applications for a 'Use Not Listed' prior to determination by the Council.
3. Approve all 'P' planning applications where the use proposed complies with standards prescribed by Local Planning Scheme No.2 and any relevant Local Planning Policies made under the Scheme.
4. Approve all 'D' planning applications subject to:
 - (i) Compliance with the objectives of the Council's Local Planning Policies; and
 - (ii) Compliance with Local Planning Scheme No.2.
5. Approve planning applications in a Reserve where the proposed use is consistent with the ultimate purpose intended for the reserve.
6. Approve and accept tree planting and landscaping plans required for subdivisional approvals or planning consent conditions where the plans involve the use of local native plant and tree species or other appropriate species.
7. Provide responses to mobile phone carriers in accordance with the Telecommunications Act in respect to:
 - (i) The proposed method of community consultation.
 - (ii) The installation of low impact facilities.
8. Approve requests for boundary setback variations required by the Residential Design Codes, the Town Planning Scheme or relevant Local Planning Policies (where there is power to vary the standards) where the variation will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.
9. Approve applications for Transported Buildings where the proposed building is not second hand, will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.
10. Approve applications for Single Houses and outbuildings in the Rural Residential zone where the proposed building(s) fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of adjoining residences.
11. Approve applications for advertisements that fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of the surrounding area.

Subdivision

12. Recommend support to the Western Australian Planning Commission and where delegated by the Commission determine applications for subdivisional proposals up to five (5) lots where these proposals comply with Local Planning Scheme No.2 or relevant Local Planning Policy and ensure appropriate and relevant conditions are requested of the Western Australian Planning Commission.
13. Endorse clearance of Freehold Title and Strata title subdivisions on Deposited Plans or Plans of Strata / Survey Strata and strata documents.

Scheme Amendments and Structure Plans

14. Require proponents to modify Local Planning Scheme Amendments and Structure Plan documents to the satisfaction of Council officers prior to them being considered by the Council.
15. Make inconsequential text and grammatical modifications to Scheme Amendments and Structure Plan documentation at any stage of the process.
16. Accept modifications to Scheme Amendments required by the Minister for Planning and Infrastructure unless they are in direct conflict with the Council's intentions following the consideration of submissions. This will include accepting the Minister's decision not to require modifications which were requested by the Council following consideration of submissions.

Appeals

17. Provide responses to the State Administrative Tribunal in respect to applications for a review lodged against a refusal of planning consent, unacceptable conditions imposed on an approval of planning consent or supporting statements for the Western Australian Planning Commission in respect to a subdivision application decision made by the Commission. This also includes advising the Tribunal if mediation is an option to consider for the appeal process.

Legal Proceedings

18. The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions and legal proceedings for breaches of the Town Planning Scheme in accordance with Part 13 of the Planning and Development Act 2005 on behalf of the Council.

2.25pm Mr Edwards returned to the meeting.

That Council delegate to the Chief Executive Officer the following powers and duties under Clause 11.3 of the Shire of Jerramungup Local Planning Scheme No.2:

Local Planning Scheme No.2

1. Initiate the necessary public advertising of 'A' planning applications prior to determination by the Council.
2. Initiate the necessary public advertising of planning applications for a 'Use Not Listed' prior to determination by the Council.
3. Approve all 'P' planning applications where the use proposed complies with standards prescribed by Local Planning Scheme No.2 and any relevant Local Planning Policies made under the Scheme.
4. Approve all 'D' planning applications subject to:
 - (i) Compliance with the objectives of the Council's Local Planning Policies; and
 - (ii) Compliance with Local Planning Scheme No.2.
5. Approve planning applications in a Reserve where the proposed use is consistent with the ultimate purpose intended for the reserve.
6. Approve and accept tree planting and landscaping plans required for subdivisional approvals or planning consent conditions where the plans involve the use of local native plant and tree species or other appropriate species.
7. Provide responses to mobile phone carriers in accordance with the Telecommunications Act in respect to:
 - (i) The proposed method of community consultation.
 - (ii) The installation of low impact facilities.
8. Approve requests for boundary setback variations required by the Residential Design Codes, the Town Planning Scheme or relevant Local Planning Policies (where there is power to vary the standards) where the variation will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.
9. Approve applications for Transported Buildings where the proposed building is not second hand, will not adversely impact on the amenity of adjoining residences and adjoining owners support has been received.
10. Approve applications for Single Houses and outbuildings in the Rural Residential zone where the proposed building(s) fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of adjoining residences.
11. Approve applications for advertisements that fully comply with the requirements of the Local Planning Scheme and/or relevant Local Planning Policies and will not adversely impact on the amenity of the surrounding area.

Subdivision

- 12. Recommend support to the Western Australian Planning Commission and where delegated by the Commission determine applications for subdivisional proposals up to five (5) lots where these proposals comply with Local Planning Scheme No.2 or relevant Local Planning Policy and ensure appropriate and relevant conditions are requested of the Western Australian Planning Commission.**
- 13. Endorse clearance of Freehold Title and Strata title subdivisions on Deposited Plans or Plans of Strata / Survey Strata and strata documents.**

Scheme Amendments and Structure Plans

- 14. Require proponents to modify Local Planning Scheme Amendments and Structure Plan documents to the satisfaction of Council officers prior to them being considered by the Council.**
- 15. Make inconsequential text and grammatical modifications to Scheme Amendments and Structure Plan documentation at any stage of the process.**
- 16. Accept modifications to Scheme Amendments required by the Minister for Planning and Infrastructure unless they are in direct conflict with the Council's intentions following the consideration of submissions. This' will include accepting the Minister's decision not to require modifications which were requested by the Council following consideration of submissions.**

Appeals

- 17. Provide responses to the State Administrative Tribunal in respect to applications for a review lodged against a refusal of planning consent, unacceptable conditions imposed on an approval of planning consent or supporting statements for the Western Australian Planning Commission in respect to a subdivision application decision made by the Commission. This also includes advising the Tribunal if mediation is an option to consider for the appeal process.**

Legal Proceedings

- 18. The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions and legal proceedings for breaches of the Town Planning Scheme in accordance with Part 13 of the Planning and Development Act 2005 on behalf of the Council.**

Carried by Absolute Majority 7-0

A D M I N

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.1
SUBJECT:	Administration Status Report
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Shire of Jerramungup
FILE REFERENCE:	
AUTHOR:	Bill Parker
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	7 th September 2012

SUMMARY

This status report provides Council with an update on current projects of interest being addressed by administration.

ATTACHMENT

Nil

PROJECT UPDATE

1) Jerramungup Residential Land Developments

Bremer Bay Realty has been appointed to sell the blocks. The blocks are now advertised on www.realestate.com.au

An offer has been received for two blocks. Council will formally consider this offer in October 2012.

2) Farmland Water Response Planning

Alternative sites are being investigated with a preferred site currently being assessed. Works are likely to commence in 2012/13.

3) Bremer Bay Medical Centre

The Health Services Plan for the Shire of Jerramungup is currently with the Health Department. It is expected that the report will be released for community comment within the coming months.

4) Bremer Bay Town Centre

The Shire has included a provisional sum in the draft 2012/13 budget to complete stage one of the project.

Detailed design has commenced with the first draft being forwarded to the Shire for consideration.

The Structure Plan and subdivision application are currently with the WAPC for consideration.

5) Town Site Revitalisation – Jerramungup

The Fitzgerald Biosphere Garden is essentially complete with a majority of the plant species being sourced, successfully propagated and now planted.

The only remaining component is the manufacture of signs. A funding application has been prepared and submitted. It is anticipated that the signage component will be completed in 2012/13.

6) Strategic Waste Management

The final business case has been received by the Shire. Funding has been approved by the Department for Regional Development and Lands.

The Katanning site has progressed significantly with the commencement of detailed design.

Drilling has concluded on the Ravensthorpe site with Council to consider dual management of the site within the coming months.

Tenders have been called for the detailed design of the Ravensthorpe site.

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.2
SUBJECT:	Strategic Community Plan
LOCATION/ADDRESS:	n/a
NAME OF APPLICANT:	n/a
AUTHOR:	Bill Parker
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	27 August 2012

SUMMARY

In December 2011, Council endorsed a community engagement model as the basis for a new Community Strategic Plan.

In response to the community engagement, a draft Community Strategic Plan has been prepared for Council consideration.

ATTACHMENT

Attachment 10.4.2 (a) - Integrated Planning and Reporting Framework and Guidelines.

Attachment 10.4.2 (b) - Draft 2012 – 2025 Community Strategic Plan

Attachment 10.4.2 (c) – Consultation Report

BACKGROUND

In December 2011, Council endorsed a community engagement model for the development of a Community Strategic Plan. Since this time, a facilitator was appointed to conduct the community workshops and has subsequently prepared a report that outlines the outcomes from the community planning sessions.

In response to the community findings, a Draft Community Strategic Plan has been prepared for Council consideration. It is intended that this Draft Community Strategic Plan will be advertised for 2 weeks prior to finally being considered by Council in October 2012.

CONSULTATION

With the direction of Council, the Shire invited all residents (1,171 households) and various stakeholders to attend a series of community workshops and stakeholder meetings.

The community engagement process consisted;

- Two workshops in Jerramungup on Tuesday 10 July 2012;
- Two workshops in Bremer Bay Wednesday 11 July 2012;
- A workshop with Council members and appointed community representatives on Thursday 12 July 2012.
- A “one on one” interview with Chief Executive Officer, Great Southern Development Commission on Tuesday 10 July 2012; and
- A telephone interview with the Regional Manager, Department of Sport and Recreation on Tuesday 10 July 2012.

- A “one on one” interview with Regional Director, Southern Agricultural Region, Department of Agriculture and Food on 18 July 2012.

For the residents and stakeholders that were unable to attend the workshops, the Shire welcomed written submissions. The Shire achieved a participation rate of approximately 8%.

COMMENT

Once Council adopted the community engagement model, the Shire prepared a brief to appoint a community engagement consultant. In response to the brief, BHW Consulting was appointed. The following process was then applied.

1. *Letters were sent to all households inviting them to participate in workshops and determine which time slots would suit them (morning, afternoon, evening)*
2. *Community workshops were conducted in Jerramungup and Bremer Bay.*
3. *Councillor workshop was conducted in Jerramungup. This was attended by Community workshop representatives.*
4. *BHW Consulting collated the community feedback and prepared a Community Consultation Report.*
5. *The Chief Executive Officer consolidated the inputs and developed a draft Shire of Jerramungup Strategic Plan.*
6. *The Community Strategic Plan has been tested against future scenario's to test the robustness of the plan.*
7. *The Draft Community Strategic Plan was presented to Council.*

From this point.

8. *Draft City Strategic Plan to the Community
Advertised for a two week period with community feedback assessed.*
9. *Final adoption
The Shire's Strategic Community Plan to be adopted by Council.*
10. *Implement and measure performance
Once adopted, the Shire's Strategic Community Plan will be implemented.
Systems will be put in place to measure performance on an ongoing basis.*

STATUTORY REQUIREMENTS

Section 5.56 Local Government Act 1995 and section 19C and 19DA *Local Government (Administration) Regulations 1996* applies to this item.

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

19C. Planning for the future: strategic community plans — s. 5.56

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
 - (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
 - (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
 - (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
 - (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
 - (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
 - (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
- *Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
 - (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
 - (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

STRATEGIC IMPLICATIONS

The development of a new Strategic Community Plan will provide a new strategic direction for the Council.

FINANCIAL IMPLICATIONS

The 2012/13 budget provides \$40,000 for the development of the strategic plan.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council;

1. Endorse the Draft Community Strategic Plan as presented within the agenda attachments.
2. Advertise the Draft Community Strategic Plan for a period of two weeks.
3. Consider community submissions prior to adopting the final Community Strategic Plan in October 2012.

OC120912 Moved Cr Iffla / Seconded Cr Atkin

That Council;

1. **Endorse the Draft Community Strategic Plan as presented within the agenda attachments.**
2. **Advertise the Draft Community Strategic Plan for a period of two weeks.**
3. **Consider community submissions prior to adopting the final Community Strategic Plan in October 2012.**

Carried 7-0

2.50pm Mr Parker left the meeting after declaring a financial interest Item 10.4.3 - Long Service Leave CEO.

SUBMISSION TO:	Administration
AGENDA REFERENCE:	10.4.3
SUBJECT:	Long Service Leave CEO
LOCATION/ADDRESS:	n/a
NAME OF APPLICANT:	n/a
AUTHOR:	Bill Parker
DISCLOSURE OF ANY INTEREST:	The author has an interest in this matter as it relates to his conditions of employment.
DATE OF REPORT:	27 August 2012

SUMMARY

The Chief Executive Officer commenced working in local government in March 2002.

Under the Local Government (Long Service Leave) Regulations, a worker is entitled to 13 weeks long service leave in respect of each 10 years' continuous service that he completes.

Council is requested to consider granting the CEO long service leave during January to April 2013 and appoint an acting CEO during this period.

ATTACHMENT

Attachment 10.4.3 - Application for long service leave.

BACKGROUND

The Chief Executive Officer commenced working in local government in March 2002. In March 2012, the CEO had completed 10 years' continuous service between the City of Albany (6.5 years) and Shire of Jerramungup (3.5 years).

Under the Local Government (Long Service Leave) Regulations, the CEO is currently entitled to 13 weeks leave.

Due to a number of personal circumstances, the CEO has requested to take long service leave during January to April 2013.

CONSULTATION

Informal discussion has occurred with the Shire President and Executive Staff.

COMMENT

A period of 13 weeks leave is significant from an operational perspective. It is recommended that Council appoint an Acting CEO during this period to ensure that the administration performs effectively.

In this instance, the Council has a number of options. Firstly, an external Acting CEO could be appointed to fulfil the role for the 13 week period. Secondly, an existing senior officer could be appointed to fulfil the Acting CEO role.

The second option provides a wonderful professional development opportunity for an existing senior officer. The Deputy CEO has expressed an interest in performing this function for 13 weeks.

Should Council decide on appointing an internal candidate, it is recommended that a project officer is appointed for the leave period to assist the Acting CEO.

STATUTORY REQUIREMENTS

Section 5.36 of the Local Government Act 1995 requires that a local government is to employ a person to be the Chief Executive Officer.

On occasions, such as periods of annual leave, long service leave or other periods of extended absence, it is appropriate for a person to perform the duties of the Chief Executive Officer to enable the efficient functioning of the local government's administration. A person performing such duties is traditionally referred to as the Acting CEO

Section 5.39 (1a) states that an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting.

The Local Government (Long Service Leave) Regulations also applies to this item.

STRATEGIC IMPLICATIONS

This item does not relate directly to the Shire's strategic plan. However, the CEO does have a significant number of Key Performance Indicators to achieve during the period 2012/13. This extended period of leave may impact on some of the timelines set by Council.

FINANCIAL IMPLICATIONS

The costs associated with the CEO taking long service leave and a replacement position has been included in the 2012/13 budget.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council;

1. Authorises the CEO's application for Long Service Leave during January to April 2013.
2. Appoints the Deputy CEO, Mr Brent Bailey as the Acting CEO during the authorised period of long service leave.

3. Endorses appointing an external Project Officer to assist the Acting CEO during the period of long service leave.

OC120913 Moved Cr Parsons / Seconded Cr Lester

That Council;

1. **Authorises the CEO's application for Long Service Leave during January to April 2013.**
2. **Appoints the Deputy CEO, Mr Brent Bailey as the Acting CEO during the authorised period of long service leave.**
3. **Endorses appointing an external Project Officer to assist the Acting CEO during the period of long service leave.**

Carried 7-0

2.55pm Mr Parker returned to the meeting.

COUNCILLOR REPORTS

11. **COUNCILLOR REPORTS**

Cr Parsons

Attended a Fitzgerald Biosphere Group meeting
Attended a morning tea with the Hon. Terrence Waldron MLA

Cr Daniel

Attended a Fitzgerald Biosphere Group meeting
Attended a South Coast Management Group meeting

Cr Iffla

Attended a Bremer Bay Community Development Committee meeting

Cr Bailey

Attended a morning tea with the Hon. Terrence Waldron MLA

Cr Lester

Attended a morning tea with the Hon. Terrence Waldron MLA
Attended a Great Southern Zone of WALGA meeting

Cr Atkin

Attended a South Coast Management Group meeting
Attended a Development Assessment Panel meeting regarding the CBH application

Cr Trevaskis

Attended a meeting with the Water Corporation
Attended a meeting with Landcorp representatives

2.05pm Cr Daniel left the meeting.

2.10pm Cr Daniel returned to the meeting.

12. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY LEAVE OF THE PRESIDING MEMBER**

12.1 From Officers

Nil

12.2 From Elected Members

Nil

13. NEXT MEETING/S

13.1 Ordinary Meeting – to be held Wednesday 17th October 2012 commencing 1.30pm at the Town Hall, Bremer Bay.

14. CLOSURE

The President declared the meeting closed at 3.20pm.