



Shire of Harvey

**ORDINARY COUNCIL
MEETING
MINUTES**

3rd May 2016

TABLE OF CONTENTS

| | | |
|-----------|--|----------|
| A. | OFFICIAL OPENING | 6 |
| B. | PUBLIC QUESTION TIME..... | 6 |
| C. | READING FROM A BOOK OF LEARNING AND WISDOM | 6 |
| D. | APOLOGIES/LEAVE OF ABSENCE..... | 6 |
| E. | DECLARATIONS OF MEMBERS’ AND OFFICERS’ PERSONAL INTEREST..... | 6 |
| F. | PETITIONS/DEPUTATIONS..... | 7 |
| G. | CONFIRMATION OF MINUTES | 7 |
| | Ordinary Council Meeting – 12 th April 2016..... | 7 |
| H. | ANNOUNCEMENTS BY THE PERSON PRESIDING OR C.E.O WITHOUT DISCUSSION | 7 |
| I. | ADOPTION OF STANDING, OCCASIONAL & SUNDRY COMMITTEE MEETING MINUTES | 8 |

| | |
|---|-----------------|
| Leschenault Leisure Centre Advisory Committee | 15th April 2016 |
| Brunswick Junction Town Centre Redevelopment Advisory Committee Meeting | 2nd May 2016 |
| Development Services Committee | 26th April 2016 |
| <i>(Including Planning, Health and Building Reports listed below)</i> | |

8.1 PLANNING REPORT

- 8.1.1 Application for Planning Consent – Aquaculture Proposal
 – Additional Information – B. Jorgensen and T. King – Lot 33 (No. 486) Melville Road, Brunswick (A014825).
- 8.1.2 Kemerton Strategic Industrial Area Structure Plan and District Planning Scheme No. 1 Scheme Amendment No. 114 – Consideration of Submissions – LandCorp and the Department of State Development – Kemerton Strategic Industrial Area – Wellesley, Binningup, Parkfield Land Wokalup (P000014 & P001114).
- 8.1.3 Subdivision Referral – Lots 23 and 122 Sir James Avenue, Harvey – Uduc Holdings Pty. Ltd (S153368).

- 8.1.4 Application for Planning Consent – Extensions to Existing Workshop – Veens Design Group Representing Harvey Farm Service – Lots 7, 8 and 9 Korijekup Avenue, Harvey (A002479 & A002658).

8.2 HEALTH REPORT

- 8.2.1 Stallholder's Application – Australind Florist & Gifts – Mrs. Clair Widmer – Lot 31 Old Coast Road, Australind (Christina Street Reserve (HSI014)

8.3 BUILDING REPORT

- 8.3.1 Proposed Over-sized Outbuilding – W. & K. Freebairn – Lot 13 (11) Pearson Road, Uduc (A013399).
- 8.3.2 Building Permit Applications Received – Building Permits Issue (BSR17).

J. REPORTS BY OFFICERS OF COUNCIL

TECHNICAL SERVICES

- 1 Street Tree Pruning Tender T002014 – Pilbara Tree Services Pty Ltd – Shire of Harvey (T022014) **16**

CORPORATE SERVICES

1. Harvey Annual Community Meeting 2016 (CRC004)..... **18**
2. Australind Annual Community Meeting 2016 (CRC004) **22**
3. Binningup/Myalup Community Annual Meeting 2016 (CRC004) **26**
4. Yarloop/Cookernup Annual Community Meeting 2016 (CRC004) **29**
5. Brunswick Annual Community Meeting 2016 (CRC004)..... **34**
6. Application for Exemption to Keep More than the Prescribed Number of Dogs (A114452) **38**
7. Regional Tourism Development Strategy – Bunbury Wellington Group of Councils – Bunbury – Wellington and Boyup Brook Local Government Areas (IMT005) **41**
8. Meetings for Coming Months (CCC001) **44**

K. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 44

L. NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING 44

M. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN 44

N. REPORTS OF MEMBERS 45

O. ORDERS OF THE DAY 46

P. MOTIONS WITHOUT NOTICE (by permission of majority of members)..... 46

**Q. MATTERS BEHIND CLOSED DOORS (Under Section 5.23 (2)(c) of
the Local Government Act, 1995)..... 46**

Confidential Item No. 1 - Tender T012016 – Proposed Additions and Renovations –
Senior Citizen’s Centre, Australind (tabled at the meeting).

R. CLOSURE 47

SHIRE OF HARVEYCOUNCIL MINUTES

MINUTES OF THE ORDINARY MEETING OF THE HARVEY SHIRE COUNCIL, HELD IN THE COUNCIL CHAMBER, MULGARA STREET, AUSTRALIND, ON TUESDAY, 3RD MAY 2016, COMMENCING AT 4.05 P.M.

ATTENDANCE

| | | |
|------------------------|-----------------------------|------------------------------------|
| Deputy Shire President | Cr. P.J. Beech | |
| | Cr. B. Adams | |
| | Cr. F. Burgoyne | |
| | Cr. C. Carbone | 4.05pm – 4.22pm 4.31pm – 5.15pm |
| | Cr. G. Campbell | |
| | Cr. P. Giancono | |
| | Cr. A. Lovitt | |
| | Cr. P. Monagle | |
| | Cr. J. Sabourne O.A.M. J.P. | |
| | Cr. A.J. Shortland | |
| | Cr. D. Simpson | |
| | Cr. K.J. Wood | |

STAFF

| | | |
|---|------------------|------------------------------------|
| Chief Executive Officer | Mr. M. Parker | |
| Executive Manager Corporate Services | Mr. S. Collie | |
| Executive Manager Technical Services | Mr. T. Naudé | |
| Principal Building Surveyor | Mr. M. Stewart | 4.05pm – 4.50pm 4.52pm – 5.15pm |
| Acting Principal Environmental Health Officer | Mr. H. Jones | 4.05pm – 4.35pm |
| Manager Planning Services | Mr. S. Hall | |
| Manager Community & Economic Development | Mr. P. Quinlivan | |

PRESS

| | | |
|-----------------|----------------|-----------------|
| Harvey Reporter | Mrs H. Hepburn | 4.05pm – 5.05pm |
| Harvey Reporter | Mr Z. Ralph | 4.05pm – 5.05pm |

A. OPENING AND WELCOME

In the absence of the Shire President, Cr. Jackson, Cr. Beech, Deputy Shire President, opened the meeting at 4.05 p.m.

B. PUBLIC QUESTION TIME

Nil.

C. READING FROM A BOOK OF LEARNING AND WISDOM

Read by Cr. Lovitt.

D. APOLOGIES AND LEAVE OF ABSENCE

Cr. Jackson - Leave of absence previously granted for the period – 29th April, 2016 – 18th May, 2016.

Cr. Giancono requested leave of absence from the 24th May, 2016 to 4th July, 2016.

Cr. Simpson requested leave of absence for the Council Meeting to be held on 24th May, 2016.

16/089. **Burgoyne/Carbone**
 “**That leave of absence be granted to Cr. Giancono for the period 24th May, 2016 to 4th July, 2016 and Cr. Simpson for Council Meeting to be held on 24th May, 2016.**”

CARRIED 12-0

Cr. Shortland advised that she would be an apology for the Development Services Committee meeting to be held on 17th May, 2016 (a deputy will be place).

E. DECLARATIONS OF MEMBERS' AND OFFICERS' PERSONAL INTEREST

- **Impartiality Interest**

Cr. Carbone declared an impartiality interest in Planning Item 8.1.3 – Subdivision Referral – Lots 23 and 122 Sir James Avenue, Harvey – Uduc Holdings Pty. Ltd. (S153368).

Reason

Cr. Carbone advised that the applicant is his brother in law. Cr. Carbone declared that he would leave the meeting for the duration of the item.

Cr. Carbone declared an impartiality interest in Item I. - Brunswick Junction Town Centre Redevelopment Advisory Committee Minutes – 2nd May, 2016.

Reason

Cr. Carbone is a member of the Brunswick Lions Club. Cr. Carbone declared that he would deal with the matter on its merits.

Cr. Monagle declared an impartiality interest in Item I. - Brunswick Junction Town Centre Redevelopment Advisory Committee Minutes – 2nd May, 2016.

Reason

Cr. Monagle is a member of the Brunswick Lions Club. Cr. Monagle declared that he would deal with the matter on its merits.

Cr. Burgoyne declared an impartiality interest in Item Q – Matters Behind Closed Doors (Under Section 5.23(2)(c) of the Local Government Act 1995) – Confidential Item No. 1 – Tender T012016 – Additions and Renovations to Australind Senior Citizens' Centre – Various Tenderers (T012016).

Reason

Cr. Burgoyne advised that his cousin is one of the tenderers for the proposed additions/renovations. Cr. Burgoyne declared that he would deal with the matter on its merits.

F. PETITIONS/DEPUTATIONS

Nil.

G. CONFIRMATION OF MINUTES

ORDINARY COUNCIL MEETING – Tuesday, 12th April 2016.

Recommendation

That the Minutes of the Council Meeting held on Tuesday, 12th April 2016, as printed be confirmed as a true and correct record.

16/090. **Monagle/Campbell**

“That the Minutes of the Council Meeting held on Tuesday, 12th April 2016, as printed be confirmed as a true and correct record.”

CARRIED 12-0

H. ANNOUNCEMENTS BY THE PERSON PRESIDING OR C.E.O WITHOUT DISCUSSION

Nil.

I. ADOPTION OF STANDING, OCCASIONAL & SUNDRY COMMITTEE MEETING MINUTES (Beige)**Leschenault Leisure Centre Advisory Committee**
15th April, 2016**MINUTES**

16/091. Lovitt/Adams

“That the Minutes of the Leschenault Leisure Centre Advisory Committee Meeting, held on Friday 15th April, 2016, as printed, be received and the recommendations contained therein be adopted by Council.”

CARRIED 12-0

Brunswick Junction Town Centre Redevelopment Advisory Committee
2nd May, 2016**MINUTES**

16/092. Beech/Carbone

“That the Minutes of the Brunswick Junction Town Centre Redevelopment Advisory Committee Meeting, held on Monday, 2nd May, 2016, as printed, be received and the recommendations contained therein be adopted by Council.”

CARRIED 12-0

Development Services Committee
26th April, 2016

Cr. Carbone having declared an impartiality interest in the following Item and left the Chambers at 4.22 p.m.

| | |
|---------------------------|--|
| Item No. | 8.1.3 |
| Subject: | Subdivision Referral – Lots 23 and 122 Sir James Avenue, Harvey |
| Proponent: | Uduc Holdings Pty Ltd |
| Location: | Lots 23, and 122 Sir James Avenue, Harvey |
| Reporting Officer: | Planning Officer (ND) |
| File No.: | S153368 |
| | Attachment Reg. No. 16/08960 |

Summary

Council has been requested by the Western Australian Planning Commission (WAPC) to comment on a revised subdivision proposal for five single residential lots and one ‘balance’ lot at an R30 density over Lots 23 and 122 Sir James Avenue, Harvey (refer **Attachments 1 and 2**).

SIGNED _____ DATED 24th May 2016.

At its meetings held on 27th October 2015 and 19th January 2016, Council considered 'the same proposal' over Lots 23, 122, 39 and 140 (refer **Attachment 3**) and resolved that approval cannot be contemplated until such time as a Structure Plan addressing lot sizes, street connectivity, location of public open space and other local planning matters has been approved by Council and the WAPC.

Notwithstanding Council's position, the WAPC has approved the subdivision over Lots 23, 122 and 140 in the absence of Structure Planning having been undertaken. Despite the current approval, Council remains bound by its District Planning Scheme and the need for Structure Planning prior to a determination of this application is still required.

Background

Lots 23 and 122 Sir James Avenue are located approximately 600m north west of the Harvey Post Office. The site has a total area of 8034m², is generally flat and contains two dwellings. The dwellings are located in the southern portion of the site adjacent to Sir James Avenue road reserve. A sewer connection is available along the southern boundary. Various sheds have been constructed within the rear (northern side) of the dwellings. The northern portion of the site is mostly grassed pasture.

The subject land is zoned R15/30/50 and the northern portion of the subject land is also identified as being within an "Outline Planning Area" under the Shire's District Planning Scheme No. 1 (refer **Attachment 4**). Residential development lies to the west and east and south across Sir James Avenue is the Harvey Recreation Centre. Orange orchards adjoin the subject land's northern boundary.

Development and Subdivision Application History for Lots 23, 39, 122 and 140 Sir James Avenue, Harvey

Proposals from 2006 - 2015

In August 2006 a 34 unit development was proposed for the site however given the need for a structure plan over the remainder of the area the project did not proceed.

At its meeting held in June 2011, Council considered a strata subdivision application for Lots 22 and 23 Sir James Avenue and resolved:

"That Council:

1. *Advise the Western Australian Planning Commission that It is not prepared to support the application for survey strata subdivision (Ref: 319-11) of Lots 22 and 23 Sir James Avenue, Harvey, for the following reasons:*
 - a. *The application is in an Outline Planning Area and should not be considered until a structure plan at the applicant's expense has been prepared and approved in accordance with the requirements of District Planning Scheme No. 1;*
 - b. *The application is for strata subdivision and if approved would not provide an appropriate pattern of settlement which would facilitate connectivity with adjoining lots.*
2. *Advise the applicant of the need to prepare a structure plan for all lots within the Outline Planning Area in consultation with all landowners."*

SIGNED _____ DATED 24th May 2016.

The application was cancelled on 16th April 2012.

In March 2015 Calibre Consulting (previously TME) was engaged by the applicant to prepare a subdivision plan and structure plan for the site. The structure plan showed the designation of the balance land for unit development. The structure plan was submitted to the Shire of Harvey for comment. Comments were provided to the Applicant, however the proposed structure plan and subdivision plan were not progressed.

October 2015 Subdivision Application (Lots 39,140, 23 and 122) – WAPC 152530

In October 2015 a subdivision proposal for nine single residential lots and two balance title lots was referred to the Shire by the WAPC. At its meeting held on 27th October 2015 (refer 27th October 2015 Minutes DS 15/148), Council resolved to advise the WAPC as follows:

“That the subdivision proposal over Lots 39, 140, 23 and 122 Sir James Avenue, Harvey be deferred until such time as a Structure Plan addressing lot sizes, street connectivity, location of public open space and other local planning matters for lots within the “Outline Planning Area” has been approved by Council and the WAPC.

This subdivision proposal was replaced by an amended subdivision proposal in January 2016.

January 2016 Subdivision Application (Lots 23,122, 39 and 140) – WAPC 152530 (Approved)

The January 2016 proposal was to subdivide Lots 23, 122, 39 and 140 into eight residential lots and one balance lot (refer **Attachments 3 & 4**). At its meeting held on the 19th January 2016 Council resolved to recommend to the WAPC that the subdivision proposal be deferred until such time as a Structure Plan addressing lot sizes, street connectivity, location of public open space and other local planning matters for lots within the “Outline Planning Area” has been approved. The WAPC however approved the subdivision proposal on the 3rd February 2016.

The reasons (*in italics*) that the WAPC supported the subdivision without the need for a structure plan are below and Staff have provided comment in response to those reasons:

- *All proposed lots are outside of the ‘Outline Planning Area’(OPA) of the Shire of Harvey District Planning Scheme No.1;*
- Staff do not support this reasoning as the large balance lots still traverse the “Outline Planning Area” boundary. The WAPC’s interpretation of the Scheme is questioned and allowing subdivision in the manner proposed without Structure Planning potentially jeopardise how the remainder of the locality is developed.
- *A large balance lot has been left inside the OPA which can be further subdivided/developed, subject to the structure planning occurring. This lot has been provided with a suitable width access leg to Sir James Avenue that could facilitate the construction of a road and access to properties to the north if further development were to occur ;*
- The appropriateness of the “suitable width access leg” is unknown at this stage as no pattern of settlement has been determined for this locality. Retention of the existing dwelling on proposed Lot 5 will be problematic should this access way be required as a gazetted roadway.

SIGNED _____ DATED 24th May 2016.

- *In the interim, a buffer to the proposed lots fronting Sir James Avenue can be developed, ensuring that these lots are not adversely affected by the nearby operating orchid; and*

While this point is acknowledged, no consideration has been given to the design of or need for future buffers associated with the remaining balanced lot.

- *The proposal rationalises the existing lot arrangement, with one lot and one landowner controlling the land within the 'Outline Planning Area', as opposed to three lots previously.*

This reason is not correct. The new application has been submitted due to complications in regard the current land owner's expectations. This matter could have been resolved during a Structure Planning process as required by the Scheme.

Comment

Against the background of the recent approval issued by the WAPC, Staff raised concern as to why a new application/approval is now required, particularly given the minor changes proposed. This however, is a matter for the applicant and the WAPC and the WAPC has confirmed that a new application is required.

It is understood that the reason for the revised subdivision proposal is related to family ownership complications. If structure planning had been undertaken this matter is likely to have been resolved avoiding the duplication of applications, cost and time delays.

The current subdivision plan is to create five Lots between 403m² and 429m² in size with one balance (Lot 5) of 5966m² in the northern portion of the site (refer to **Attachment 2**). The main area of proposed Lot 5 corresponds to the area covered by the "Outline Planning Area" (OPA) where structure planning is required prior to being able to subdivide. The five residential lots have been designed as single dwelling R30 lots in terms of the Residential Design Codes.

It is also proposed that one of the two existing dwellings be removed, as it has asbestos and is falling into disrepair.

It is recommended that Council reaffirms previous advice to the WAPC and the applicant that it cannot consider the application until such time as a structure plan addressing lot sizes, street connectivity, location of public open space and other local planning matters has been approved by Council and the WAPC.

It is considered necessary by planning Staff that there be a structure plan in place to suitably cater for organised and efficient access and servicing for the whole of the OPA 'precinct'. As evidenced by Staff comments in response to the WAPC's reason why it supported the previous application, the recent approval has the potential to compromise the orderly and proper planning for the area and this application and its reasoning, is considered an appropriate example whereby Structure Planning may have resolved these matters.

Staff are concerned that despite a further request for Structure Planning being required, the WAPC will override the Scheme provision and again grant subdivision approval. In the event that such an outcome occurs, Staff recommend that the conditions of approval imposed on the previous application (refer **Attachment 5**) are similarly imposed with a modification to condition 3 to require an Urban Water Management Plan for the locality.

Statutory/Policy Environment**District Planning Scheme No. 1**

The subject land is zoned 'Residential' R15/30/50 with an Outline Planning Area in the northern portion.

Clause 4.5 Residential Development – Residential Planning Codes. Provides the requirement for residential development to be dealt with in accordance with the Residential Planning Codes.

Clause 6.5 – Outline Planning Areas Development Requirements. Provides the requirement for structure planning to occur prior to subdivision being able to be approved.

Clause 9.14.3.3 of the Scheme states that a local government may require a structure to be prepared for any area in the Scheme where it is of the opinion that comprehensive planning is required.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 - 2023, Strategy 3.5.2 states:

"Provide a planning framework that accommodates diverse living and commercial opportunities."

Risk Management

The Risk Theme Profile identified as part of this report is ***Providing Inaccurate Advice/information***. There is no Consequence associated with the determination of this application as Council is providing referral advice only to the WAPC which is the decision making authority.

There is an additional Risk Theme Profile present being ***Inadequate Environment Management***. The Risk Assessment table below details the considered Risk associated outcomes in relation to this report.

| Risk | Risk Consequence (In this case the criteria is "Environment") | Risk Likelihood (with existing controls) | Risk Rating (Prior to Treatment or Control) | Risk Theme Profile | Risk Action Plan (Controls or Mitigation Treatment proposed) |
|--|--|---|--|-----------------------------------|--|
| That a negative planning outcome results from the absence of Structure Planning. | Major (4) | Possible (3) | High (10-16) | Inadequate Environment Management | That Council supports the Officer's recommendations in particular the need for Structure Planning prior to any subdivision approval. |

Budget Implications

Nil.

SIGNED _____ DATED 24th May 2016.

Officer's Recommendation

That Council:

1. Reaffirms its previous advice to the Western Australian Planning Commission in relation to similar proposals that it is not prepared to support the plan of subdivision over Lots 23 and 122 Sir James Avenue, Harvey (WAPC Ref: S153368) until a structure plan has been approved by Council and the WAPC addressing lot sizes, street connectivity, location of public open space and other local planning matters;
2. Advises, that in the event the Western Australian Planning Commission supports the proposed subdivision the conditions imposed on previous application for subdivision (152530) are similarly imposed with a modification to condition 3 to require an Urban Water Management Plan for the locality.

16/093. **Sabourne/Shortland**

“That Council recommends to the Western Australian Planning Commission approval for the subdivision of Lots 23 and 122 Sir James Avenue, Harvey subject to the following conditions:

1. **A structure plan to be compiled over Lots 23, 39,122 and 140 Sir James Avenue, Harvey and submitted to the Shire of Harvey for processing to achieve approval from the Western Australian Planning Commission.**
2. **Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Western Australian Planning Commission and to the specifications of the Local Government.**
3. **Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:**
 - a) **lots can accommodate their intended use; and**
 - b) **finished ground levels at the boundaries of the lot(s), the subject of this approval, match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting.**
4. **An extensive drainage strategy is require to illustrate how the development will impact on Council's drainage system and to allow for further possible subdivision of Lots 23, 122, 140 & to R30, to the satisfaction of the Executive Manager of Technical Services.**

-
5. **Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the locality, to the satisfaction of the Western Australian Planning Commission.**
 6. **That:-**
 - (a) **Prior to the commencement of subdivisitional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and**
 - b) **In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisitional works have been carried out in accordance with the pre-works geotechnical report.**
 7. **An area of land, in a position to be agreed with the Western Australian Planning Commission, being shown on the diagram or plan of survey (deposited plan) as a 'Reserve for Recreation' and vested in the Crown under Section 152 of the Planning and Development Act, 2005. Such land to be ceded free of cost and without any payment of compensation by the Crown.**
 8. **All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.**
 9. **Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lot(s) 2, 3, 5, 7, 8, and 9 at the time of subdivision approval being demolished and materials removed from the lot(s).**

10. A revegetation plan being prepared, approved and implemented in consultation with the Department of Health, for the revegetation of Lot 5 to provide a vegetation buffer and/or other appropriate mitigation measures to meet the requirements of the Department of Health's 'Guidelines for Separation of Agricultural and Residential Land Uses'.
11. The landowner/applicant shall provide a written undertaking to the satisfaction of the Western Australian Planning Commission to ensure that prospective purchasers of lots proposed within 300 metres of an operating orchard are notified on contracts of sale of the existence of the market garden operations and the potential to be affected by odours, noise, dust and spray drift that this land use may cause.”

CARRIED 10-1

The reason for the change in the Officer's Recommendation were stated as follows:-

Council favoured a positive recommendation with appropriate conditions as opposed to a refusal. The resolution is consistent with the Officer's Recommendation in that a structure plan over the area remains the position of Council.

Cr. Carbone returned to the Chambers at 4.31 p.m.

MINUTES

16/094. Carbone/Campbell

“That the Minutes of the Development Services Committee Meeting, held on Wednesday, 26th April, 2016, be received and the recommendations listed hereunder be adopted enbloc.

- 8.1.1 Application for Planning Consent – Aquaculture Proposal – Additional Information – B. Jorgensen and T. King – Lot 33 (No. 486) Melville Road, Brunswick (A014825).
- 8.1.2 Kemerton Strategic Industrial Area Structure Plan and District Planning Scheme No. 1 Scheme Amendment No. 114 – Consideration of Submissions – LandCorp and the Department of State Development – Kemerton Strategic Industrial Area – Wellesley, Binningup, Parkfield Land Wokalup (P000014 & P001114).
- 8.1.4 Application for Planning Consent – Extensions to Existing Workshop – Veens Design Group Representing Harvey Farm Service – Lots 7, 8 and 9 Korijekup Avenue, Harvey (A002479 & A002658).

SIGNED _____ DATED 24th May 2016.

8.2 HEALTH REPORT

8.2.1 Stallholder's Application – Australind Florist & Gifts – Mrs. Clair Widmer – Lot 31 Old Coast Road, Australind (Christina Street Reserve (HSI014)

8.3 BUILDING REPORT

8.3.1 Proposed Over-sized Outbuilding – W. & K. Freebairn – Lot 13 (11) Pearson Road, Uduc (A013399).

8.3.2 Building Permit Applications Received – Building Permits Issue (BSR17)."

CARRIED 12-0

Mr. Haydn Jones left the Chambers at 4.35 p.m.

J. REPORTS BY OFFICERS OF COUNCIL**TECHNICAL SERVICES**

| | |
|---------------------------|--|
| Item No. | 1 |
| Subject: | Street Tree Pruning Tender T022014 – Contract Extension 12 Months |
| Proponent: | Pilbara Tree Services Pty Ltd |
| Location: | Shire of Harvey |
| Reporting Officer: | Manager Works and Services |
| File No.: | T022014 |
| | Attachment Reg. No. 16/11496 |

Summary

Pilbara Tree Services Pty Ltd is Council's current tree pruning contractor and has written seeking Council approval to extend the current contract for a further 12 months. Staff recommend that Council support this request to extend their current Tree Pruning contract.

Background

At the Council meeting held on 19th August 2014, Council resolved to accept the tender submitted by Pilbara Tree Services from August 2014 to 30th June 2016. The tender specification also included an option for the contract to be extended by a further 12 months should Council conclude that the existing contract has been undertaken successfully and invites the contractor to submit a request for extension. Staff consider the current contract to have been undertaken within the conditions of the contract successfully and on many occasions "at call" when required at short notice for urgent works. The Contractor has shown due care with all pruning works and repaired any damage at their own expense e.g. fencing, that may have been unavoidably damaged during tree pruning.

Pilbara Tree Services are offering to undertake the contract for a further twelve months under the same conditions of the existing contract and with no increase to their current contract price.

SIGNED _____ DATED 24th May 2016.

Comment

The contractor has completed the landscape street tree pruning within the Harvey, Brunswick, Yarloop and Roelands townsites, as per the tender specification. They have also undertaken pre construction pruning for Council's road construction program and continue with the ongoing pruning under powerlines that have been confirmed to be Council's responsibility.

The Contractor has also indicated the current contract rates including Lump Sum price of \$24,710.40 (GST inclusive) and per tree rate of \$29.70 (GST inclusive) for the 2016/17 financial year.

Statutory/Policy Environment

Section 3.57 of the Local Government Act 1995 and Part 4 of Local Government (Functions and General) Regulations 1996, provides a mechanism for the purchase of Goods and Services by public tender.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 - 2023, Strategy 3.6.1 states:

"Provide a safe standard of roads and ancillary infrastructure."

Risk Management

The Risk Theme Profile identified as part of this report is ***Inadequate Supplier / Contract Management***. The Consequence could be "Financial" if external suppliers are not appointed and managed according to contract specifications and due process. The tender made provision for this contract to be extended for a further 12 months based on the performance of the current contractor and price. The Risk Consequence is considered to be "Moderate" (3) and the likelihood "Unlikely" (2) resulting in a Moderate (6) risk being present.

Budget Implications

If agreed by Council the rates submitted for the 2016/17 Tree Pruning contract will be unchanged from the 2015/16 financial year, at the lump sum price of \$24,710.40 GST inclusive and a per tree rate of \$29.70 GST inclusive.

Officer's Recommendation

That Council approves the current Contractor, Pilbara Tree Services' request to extend their contract for tree pruning services for a further 12 months at the lump sum price of \$24,710.40 GST inclusive and a per tree rate of \$29.70 GST inclusive in accordance with the original Tender T022014 for the 2016/17 financial year.

16/095. **Campbell/Adams**

"That the Officer's Recommendation be adopted."

CARRIED 12-0

| | | |
|---------------------------|--|----------------------------|
| Item No. | 1 | |
| Subject: | Harvey Annual Community Meeting | |
| Proponent: | Chief Executive Officer | |
| Location: | Harvey Recreation and Cultural Centre | |
| Reporting Officer: | Chief Executive Officer | |
| File No.: | CRC004 | Attachment Reg. No. |

Summary

The 2016 Harvey Annual Community Meeting was held at the Harvey Recreation and Cultural Centre on Wednesday 13th April, 2016. Below is a report summarising the matters raised and the actions recommended as a result.

Background

The Harvey Community Meeting was attended by ten (10) Councillors, seven (7) Shire Staff and twenty three (23) members of the public. Nineteen (19) residents attended the previous Community Meeting held in April, 2015.

Following a welcome by the Shire President, the Chief Executive Officer addressed the meeting regarding the Shire of Harvey population, building and citizenship statistics, major construction projects, economic development activity occurring in the Shire, Bush Fire Recovery activity and details relating to the Shire's annual Budget submissions.

The Shire President took the meeting through the published Agenda before various issues were raised by the public including:

Shire Entry Signage – request on the progress of these signs. The Chief Executive Officer advised Council has budgeted for boundary entry signs and Staff have sought designs which will be referred to Council for adoption.

Reticulation of Korijekup Heights Entry – a query was raised as to the status of this item. The Executive Manager of Technical Services, Mr. Naudé advised that a design has been finalised, quotations sought and works are expected to commence in the next few weeks.

Parking at Uduc Road/South Western Highway – It was advised that the “No Parking” painted signage has faded and it was requested that this be repainted.

Bridges on Riverdale Road – A query was raised in respect to any planning to upgrade these bridges as it was suggested works are required. Mr. Naudé advised that these bridges are Water Corporation assets, not the Shire's. He explained that the Water Corporation has a program for bridge works and he would raise the concerns regarding the bridges on Riverdale Road with them.

Bunbury Wellington Tourism Strategy – A question was raised regarding whether the Council would support this Strategy. Furthermore, concerns were raised regarding the non-attendance of the Harvey Visitors' Centre at a recent tourism related forum. The Shire President explained that Council were generally supportive of the Strategy which the Shire had helped to fund. She explained that Council supported the Visitors' Centre with funding but they are a separate incorporated body. Operators were urged to participate in the Visitors' Centre.

Caravan Amenities – The issues of signage for caravan parks, lack of dump points, availability of water and information signage was raised. Mr. Naudé explained that information signage will be installed at the hardstand caravan parking area shortly, once endorsed by Council. The Shire President also outlined the need for consideration of caravan park operators.

Bushfire Response – The Shire was congratulated for its handling of the recent bush fire event and its aftermath.

Truck Bay Opposite Caltex Service Station – Mr. Jeff Gale advised the meeting that preliminary designs had been prepared for an information bay at this site. Discussions have been held with Main Roads WA and the Harvey Main Street Committee will soon be approaching Council for support for this project.

Entry Into Korijekup Heights – It was suggested that a turning lane and lighting was required at this location on South Western Highway. Mr. Naudé explained that this has previously been raised with Main Roads WA (MRWA) and was not considered a priority by them at that time. It can be raised again.

Entry to Light Industrial Area – The need for a slip lane and lighting at this location was also raised. Again it was advised that this would be listed for MRWA's consideration.

Museum at Railway Station – A query was raised as to the opening hours of the Museum.

Public Bus Service to Bunbury - a concern was raised regarding the lack of a public bus service between Harvey and Bunbury. It was explained that the Public Transport Authority is responsible and it takes into account the demand for such services.

Harvey Visitors' Centre – A query was raised with regards to the operation of the Visitors' Centre. It was suggested that operators should raise their issues with the Centre's Board and attend their Annual General Meeting.

Road Works – Following Bush Fires – Staff from the Shire's Technical Services Department were thanked for the work in repairing roads following the bushfires.

Proposed Explosives Facility - Johnston Road – A query was raised as to whether a review of this project should occur from a safety perspective following the recent bushfire event. The Shire President explained that Council had raised fire safety as one of its key concerns when the site was first considered.

Limestone Extraction – Department of Minerals and Energy – A query was raised regarding what consultation process will be undertaken on a proposed limestone extraction operation in State Forest off Bagieau Road. The Manager of Planning Services, Mr. Hall, advised that no formal application had been received. He explained that in the past the Shire had sought local advertising for such matters, but at this stage it is uncertain as to what consultation will be proposed.

Hillview Fire Protection Group – The meeting was advised that residents in the Hillview Estate area off Logue Road had formed a Fire Protection Group and were seeking advice on when Reserve and Crown land in their area would be burnt. The Chief Executive Officer advised that Shire Staff have been liaising with the Department of Parks and Wildlife in relation to burning of the Korijekup Reserve, land around the back of the High School and Shire controlled land. Additional firebreaks are currently being installed in readiness for a fuel reduction burn planned within the next few weeks dependant on weather conditions.

Mr. Gale advised the meeting that local residents have already received notification from the Department of Parks and Wildlife about the burn.

Fire Control Around the Harvey Industrial Area – Concerns were raised highlighting the fuel loads around the industrial area.

Benger Swamp – A suggestion was received that there was a need for the Benger Swamp to be burnt now while it is safe. Discussions took place about the Swamp being under Department of Parks and Wildlife control and recent fires that had occurred there.

Harvey River Restoration Trust – Concerns were raised about the environmental damage following the fires with tree removal along River Road and the Old Equestrian grounds. The Manager for Planning Services, Mr. Hall, explained that River Road trees were part of roadworks occurring in the area and he would look into the other site mentioned.

Feral Animals in Korijekup Reserve – A concern about feral pigs and foxes in this Reserve was raised and the fact that it is a Western Shield site. Mr. Hall advised that Staff had been discussing with the Department of Parks and Wildlife, the potential for baiting in the area.

Fencing Along South Western Highway and Honeymoon Road – The Shire were thanked for the funding that had been allocated for this fencing.

Harvey Diversion Drain Enhancement Project - Mr. David Marshall thanked the Shire for the budget allocation for the lighting of the diversion drain artwork. He advised that another funding application (through the Federal Government) is pending to establish water walls. If this is successful both projects will be undertaken together. He also thanked the Shire for garden plantings around the site.

Harvey War Memorial – It was pointed out that there is only a single power point installed at the memorial and it was suggested that more power points are required.

Motorbikes in Korijekup Reserve – The Chief Executive Officer read a letter from Mr. Bob Waller regarding his concerns about unauthorised bikes in this Reserve. Mr. Shane Collie, the Executive Manager of Corporate Services, encouraged people to report such activity as soon as possible so that if possible, Rangers or Police can witness offenders “in the act”. Furthermore, photographs could assist any follow-up action.

Sittella Drive – Street Trees – A request was made to prune native trees along this road that are considered to be impacting the planted jacaranda trees. Also it was noted that Watsonia required attention in this area. It was explained that the reticulation to be installed in this area should assist the street trees. Furthermore, the Watsonia will be looked at for future spraying.

Comment

This was one of the better turnouts for the Harvey Community Meeting. The meeting was generally very positive with the Shire receiving thanks for various activities.

Constructive feedback was received at the meeting which again provided the Shire with an opportunity to provide updates on initiatives being undertaken and to answer queries raised.

Statutory/Policy Environment

Nil.

SIGNED _____ DATED 24th May 2016.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023 Strategy 4.1.2 States:

“Continue to engage the community through Annual Community Meetings around the Shire.”

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence would be “Reputational” if residents did not believe they had an opportunity to participate or that their issues were not given consideration. The risk is mitigated due to widespread advertising of the community meetings, the distribution of agendas by letter drop, the structure of the meeting and subsequent reporting and consideration by Council. The risk is therefore considered low.

Budget Implications

Council makes a Budget provision each year for its Annual Community Meeting expenses.

Officer's Recommendation

That Council receives the 2016 Harvey Community Meeting report and the following actions be undertaken:

1. Staff investigate the repainting of the “No Parking” on ground signage on the corner of Uduc Road and South Western Highway and take appropriate action if considered necessary.
2. Staff advise the Water Corporation of the concerns outlined at the meeting regarding bridges on Riverdale Road and seeks a timeframe for modification works.
3. Staff seek a meeting with representatives of the Harvey Visitors' Centre Board to discuss tourism issues raised at the meeting.
4. Staff raise with Main Roads WA issues identified at the meeting including slip lanes and lighting at the entrance to Korijekup Heights and the Harvey Industrial Area.
5. Staff write to the Public Transport Authority advising of the request for a regular public bus service to be provided between Harvey and Bunbury.
6. Fire control issues identified at the meeting be referred to the Bush Fire Advisory Committee for consideration.
7. Staff investigate the provision of additional power outlets at the Harvey War Memorial.
8. Staff investigate the need for pruning of native trees and spraying of Watsonia on Sittella Drive, Harvey.

16/096. **Campbell/Wood**

“That the Officer's Recommendation be adopted.”

CARRIED 12-0

SIGNED _____ DATED 24th May 2016.

| | | |
|---------------------------|--|----------------------------|
| Item No. | 2 | |
| Subject: | Australind Annual Community Meeting | |
| Proponent: | Chief Executive Officer | |
| Location: | Leschenault Recreation Pavilion | |
| Reporting Officer: | Chief Executive Officer | |
| File No.: | CRC004 | Attachment Reg. No. |

Summary

The 2016 the Australind Annual Community Meeting was held at the Leschenault Recreation Park Pavilion on Thursday, 14th April, 2016. Below is a report summarising the matters raised and outlining the actions recommended to be taken as a result.

Background

The Australind Annual Community Meeting was attended by twelve (12) Councillors, seven (7) Shire Staff, and fifty two (52) members of the public. In the corresponding meeting held in 2015 forty eight (48) residents attended.

Following a welcome by the Shire President, the Chief Executive Officer addressed the meeting in relation to the following: Shire of Harvey population, building and citizenship statistics, bush fire recovery activities, major construction projects, economic development opportunities occurring in the Shire and closing dates for the Shire's Annual Budget submissions.

The Shire President took the meeting through the published Agenda and invited participation from those present.

The major items raised at the meeting included the following:

Speed Limit, Treendale Road – Concern was raised regarding the 80km/hr speed limit at the western end of Treendale Road where it meets Raymond Road. It was suggested this be reduced. The Executive Manager of Technical Services, Mr. Naudé, advised this could be raised with Main Roads WA (MRWA) who control speed limits.

Ridley Place Development – A request for an update on this project and potential timeframes was received. The Manager of Planning Services, Mr. Hall, advised of the staged approach with the provision of finger jetties and boat ramp extension having been completed as Stage I, the redevelopment of the southern carpark and installation of a new northern carpark being budgeted this financial year as Stage II and grant funding for further stages being sought for future years.

Roadworks on Leisure Drive – Concern about the lack of a turning lane into Cockatoo Gate off Leisure Drive and water pooling in the area was raised along with the lack of a cycle path along Leisure Drive particularly as the Mercy College is now established.

Mr. Naudé explained the reason for the road design, that the ponding issue can be considered in the context of the Water Corporation works currently occurring on Leisure Drive and that plans are in place for a dual use path along Leisure Drive with the development of the proposed adjacent subdivision.

Anti-Social Behaviour, Piggott Drive – A request was received for the installation of street lighting at the cul-de-sac at the end of Piggott Drive. It was suggested that this would assist with deterring anti-social behaviour occurring in the location.

SIGNED _____ DATED 24th May 2016.

Neighbourhood Watch Program - A request was made for an update on the status of this program. The Manager of Community and Economic Development, Mr. Quinlivan, advised that there had been a change in the direction of the program focussing more on on-line reporting through "e watch" and reporting suspicious activity directly to Police.

Kingston Drive Extension from Paris Road to Treendale - An update on this project was requested. Mr. Naudé explained that the work was dependant on funding from the Joint Town Planning Scheme however Council had sought State Regional Road Group funding and is hopeful of being successful. If so, the project would be staged over two financial years.

Fire Hazards – Several areas of concern were raised as fire hazards including the Wardandi Reserve along Paris Road, the river foreshore adjacent to Kingston, bushland adjacent to Kingfisher Terrace and the Leschenault area. These were noted and will be referred to the Shire's Community Emergency Services Coordinator for consideration.

Corellas – The issue of Corellas was raised as an ongoing concern. The Manager of Planning Services, Mr. Hall explained that the Shire's trapping contractor is the only available licenced operator and is now covering additional Local Government areas across the State.

Pedestrian Refuge – Old Coast Road – A petition was tabled from residents of Australind Rise Retirement Village requesting Council provide a pedestrian refuge at Christina Street to assist people traversing Old Coast Road to the playground and estuary.

Shire Entry Signs – A query was raised regarding the lack of quality boundary signage. Mr. Naudé explained that Council has made provision in its current budget for signs on the Shire's main entry points. Designs are currently being prepared for Council's consideration.

Heritage Issues – A query was raised regarding recognition of the 175th Anniversary of several ships arriving in Australind. The Shire President explained that for similar anniversaries of significance around the Shire the Council was willing to consider funding assistance to various community groups wishing to conduct a celebratory event.

Yarloop Workshops – A question was raised in relation to what Council saw as the future given the loss of this heritage site. The Shire President explained that the Yarloop Workshops Committee are very keen to have a replacement facility put in place and whilst no decisions have yet been made there may be an opportunity for an interpretative centre to capture the previous history and recent fire event.

Paris Road Bridge – A query was raised as to what the use by date of the bridge over the Brunswick River was. Mr. Naudé explained that the MRWA undertake regular inspections and have a maintenance and replacement regime in place. Their assessment is that the bridge still has a 30 year life.

Australia Day Breakfast Sound System – A concern was raised in respect to the poor standard of the sound system at the Australia Day event. The Shire President explained that this event was organised by the Lions Club and that this had been an issue.

Australind Shopping Centre - Rubbish Bins – It was noted that some rubbish bins are split and a question as to responsibility was raised. It was explained that this was a Shopping Centre responsibility.

Effluent Spill in Treendale – A query was raised regarding effluent that had spilt into a pond in Treendale. It was explained that this was a Water Corporation issue and they are responsible for the clean-up.

Big “Blue Manna” Tourist Attraction – A letter was read to the meeting regarding the concept of a tourist attraction in the form of a large crab being suggested for Australind. The Chief Executive Officer explained that Council’s major public art project planned is entry statements for Australind.

Mardo Avenue/Old Coast Road Intersection – Concerns were raised regarding the merging of two lanes of traffic down to one at this location. Concern was also raised about the rock wall and old footpath at this location. Mr. Naudé explained that the southbound lanes that merge just south of Mardo Avenue are both through lanes and not a “left turn only”, hence left turning traffic from Mardo Avenue onto Old Coast Road must give way. It is believed that the traffic management at this intersection is appropriate, however Staff will investigate further. Normal footpath maintenance will be carried out and uneven path sections will be repaired.

The Chief Executive Officer indicated that the rock wall was the responsibility of the Shopping Centre and that they were considering new signage at that location.

Paris Road/Forrest Highway Intersection – Concern was raised regarding the traffic impact of the Spud Shed and what road plans were in place for the Paris Road/Forrest Highway intersection. Mr. Naudé explained that suitable access and egress arrangements are part of the Spud Shed approval. Furthermore MRWA have long term plans for a flyover at this intersection.

Paris Road Slip Lane into Shopping Centre - It was suggested that a slip lane to allow safer turning into the shopping centre in front of the Shire Office was required.

Paris Road – Road Surface – It was suggested that the road needs resurfacing from the Brunswick River Bridge heading west. Mr. Naudé explained that this is already included on the Shire’s Forward Plan.

Pedestrian Footbridge Over Brunswick River - Paris Road – An update on this project was requested. Mr. Naudé explained the project is included in Council’s current budget. MRWA are currently finalising a design for a cantilever structure to be hung off the existing bridge.

Paris Road/Leisure Drive Slip Lane – It was suggested that this slip lane be extended and that a splitter island be installed coming out of Leisure Drive.

Bushfire Attack Levels and Insurance – A concern was raised about advice from an insurance company that increased premiums would result due to new bush fire risk factors. The Principal Building Surveyor, Mr. Stewart, explained the new building requirements which the State has introduced. The Shire President suggested that these new requirements are Statewide and people should test the market with respect to insurance.

Proposed Piggery – Kemerton Buffer Area – Acknowledgement was made of the notification of this proposal to residents but concern expressed with regard to the apparent lack of interest from residents. Opposition to the proposal was explained. The Shire President acknowledged the community concerns and that Council had recommended against the proposal which will be considered by a Joint Development Assessment panel.

Comment

This was a well-attended community meeting with the attendance well above the long term average of 36 for the Australind Meeting. The general atmosphere of the meeting was very positive and the majority of questions related to the status of various projects or highlighting issues that have been identified in the Shire's Forward Planning.

The meeting provided an effective communication tool. A number of items raised can be further investigated for future action.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategy 4.1.2 states:

“Continue to engage the community through Annual Community Meetings around the Shire”.

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence would be “Reputational” if residents did not believe they had an opportunity to participate or that their issues were not given consideration. The risk is mitigated due to widespread advertising of the community meetings, the distribution of agendas by letter drop, the structure of the meeting and subsequent reporting and consideration by Council. The risk is therefore considered low.

Budget Implications

Council makes a Budget provision each year for its Annual Community Meeting expenses.

Officer's Recommendation

That Council receives the 2016 Australind Community Meeting report and the following actions be undertaken:-

1. Roadworks issues raised on Leisure Drive and traffic management issues around the Australind Shopping Centre be reviewed by Staff for future consideration by Council if considered necessary.
2. Staff investigate the possible extension to street lighting in Piggott Drive to address anti-social behaviour for budget consideration.
3. The area of concerns with respect to potential fire hazards be referred to the Shire's Community Emergency Service's Coordinator for assessment.
4. Council receives the petition from residents of the Australind Rise Retirement Village regarding a pedestrian refuge on Old Coast Road near Christina Street and that Staff prepares a report on the matter for Council's consideration.

SIGNED _____ DATED 24th May 2016.

5. That the concerns raised regarding the suitability of the sound system used at the Ridley Place Foreshore Australia Day Breakfast be referred to the organisers of the event.
6. That Staff refer to the Water Corporation concerns raised at the meeting in relation to the sewer effluent spill in Treendale and seek advice on the clean-up arrangements given the warning signs reported to still be in place.

16/097. **Adams/Monagle****“That the Officer’s Recommendation be adopted.”****CARRIED 12-0**

| | | |
|---------------------------|--|----------------------------|
| Item No. | 3 | |
| Subject: | Binningup/Myalup Annual Community Meeting | |
| Proponent: | Chief Executive Officer | |
| Location: | Myalup Community Hall | |
| Reporting Officer: | Chief Executive Officer | |
| File No.: | CRC004 | Attachment Reg. No. |

Summary

The 2016 Binningup/Myalup Annual Community Meeting was held at the Myalup Community Hall on Monday, 18th April, 2016. Below is a summary of the meeting and the recommended outcomes.

Background

The Binningup/Myalup Annual Community Meeting was attended by twelve (12) Councillors, seven (7) Shire Staff and fifteen (15) members of the public. Twenty five (25) residents attended the corresponding meeting in April, 2015.

Following a welcome by the Shire President, the Chief Executive Officer addressed the meeting in relation to the following: Shire of Harvey population, building and citizenship statistics, bush fire recovery activities, major construction projects, economic development opportunities occurring in the Shire and closing dates for the Shire’s Annual Budget submissions and Coastal Communities Reserve Account.

The Shire President took the meeting through the published Agenda and invited participation from those present. The major items raised at the meeting included the following.

Lions Park - Now that the Lions Club of Binningup Waters has dissolved, a query was raised as to who is maintaining the area. The Executive Manager of Technical Services, Mr. Naudé advised that he would investigate this.

Future of Volunteer Brigades Coming Under Department of Fire & Emergency Services (DFES) Control – The issue of the recent announcement regarding the potential for the Department of Fire and Emergency Services (DFES) to take control of Volunteer Bush Fire Brigades from Local Governments was raised. The Chief Executive Officer, Mr. Parker explained that in the review of existing fire legislation, the views of Local Governments were sought and Council is currently not supportive of this proposal. The current inquiry into the Waroona Yarloop Bush Fire will no doubt provide advice on future structures.

Beach Issues Over Easter Long Weekend - Concern was raised about fishing on the swimming beach and the extent of litter left on the beach.

SIGNED _____ DATED 24th May 2016.

Off Road Vehicles on Beach – It was suggested that additional signage is needed at the beginning of Lake Preston Road with regard to this issue.

Appreciation for Meeting – Council was thanked for the opportunity to have Councillors present to listen to the residents.

Fire Hazard – Concern was raised on behalf of Lake Preston Property Trust over the fire hazard that the “100 Acre Wood” area north of Myalup presents. It was suggested that mosaic burning and other mitigation measures were required. The Chief Executive Officer, Mr. Parker, advised that the Department of Parks and Wildlife had undertaken some hazard reduction burning over the weekend in Harvey and Kemerton and the Shire are trying to work in with them and have been noting specific areas of concern, raised at the Community Meetings. The Shire’s new Community Emergency Services Coordinator, Mr. Carter, will be reviewing the areas identified.

Lake Preston Road – Concerns were expressed regarding some larger tree branches growing out over the road which it was suggested require pruning. Mr. Naudé advised he would investigate the matter and would discuss further with the proponent.

Football Goal Posts – Binningup Oval – The Shire was thanked for the provision of goal posts at the Binningup Oval which have been very well received.

Littering on Taranto Road – A concern about the dumping of rubbish and camping at the end of Taranto Road was raised. It was explained that the area of concern was on private property.

Rangers on Beaches – It was suggested that Rangers need a greater presence on the beaches, particularly during busy periods.

Binningup Beach Maintenance Project – A question was put regarding what this amount highlighted in the Agenda is for. The Chief Executive Officer, Mr. Parker, explained it was the general maintenance account for works undertaken on the beach.

Regional Tourism Strategy – A question was received as to whether Council would support this Strategy. The Chief Executive Officer, Mr. Michael Parker, explained that the Shire had contributed to the cost of the Strategy. Once the final version is considered by Council the challenge will be funding its implementation. It was explained that Council currently provides funding of the Harvey Visitors’ Centre and other tourism related infrastructure and ventures and that external funding will need to be sought to assist in implementation of the Regional Strategy.

Ancillary Accommodation Changes – A query was received regarding the changes to planning requirements for ancillary accommodation. The Manager of Planning Services, Mr Hall, explained the new provisions have provided for a broader use of ancillary accommodation.

Binningup Christian Youth Camp – The Shire was thanked for its support and funding for the projects at the Camp. It was advised that patronage at the Camp was increasing.

Reserve Land West of Iluka Road – This area of land was raised as a potential fire risk. It was noted that there are particular issues with undertaking burning on the site, but it was requested that further consideration be given to some protective burning.

Myalup Maintenance – The Shire was thanked for the effort provided by Shire Staff in maintaining the Myalup area and the positive dealings the Myalup Community Association has had with Staff.

Comment

The attendance at this meeting was down from previous years and below the long term average of 30. The meeting proved to be constructive with positive feedback received on recent Shire initiatives.

The major requests centred around beach activity, particularly at the busiest times of the year and the suggested need for more Ranger presence at these times.

Several areas of concern from a fire perspective were raised and these will be investigated by Staff in terms of the need for mitigation works.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023 Strategy 4.1.2 States:

“Continue to engage the community through Annual Community Meetings around the Shire.”

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence would be “Reputational” if residents did not believe they had an opportunity to participate or that their issues were not given consideration. The risk is mitigated due to widespread advertising of the community meetings, the distribution of agendas by letter drop, the structure of the meeting and subsequent reporting and consideration by Council. The risk is therefore considered low.

Budget Implications

Council makes a Budget provision each year for its Annual Community Meeting expenses.

Officer's Recommendation

That Council receives the 2016 Binningup/Myalup Annual Community Meeting report and the following actions be undertaken:

1. That Staff investigates the ongoing maintenance of the Lions Park area given that the Lions Club of Binningup Waters has dissolved.
2. That Staff assess the level of beach patrols provided by Ranger Staff particularly in the busy holiday periods in the context of the 2016/17 budget considerations and noting the concerns raised at the Community Meeting.
3. That Staff investigate the need for additional signage in respect to off road vehicles in the coastal communities with particular reference to Lake Preston Road.

SIGNED _____ DATED 24th May 2016.

4. That tree branches over Lake Preston Road be inspected and remedial action be taken where considered necessary.
5. That Staff assess the concerns raised in regards to potential fire hazards at the “100 Acre Wood” in Myalup and reserve on Iluka Road in Binningup with respect to possible mitigation work that can be undertaken and that these matters be referred to the Bush Fire Advisory Committee.

16/098. **Campbell/Wood****“That the Officer’s Recommendation be adopted.”****CARRIED 12-0**

| | | |
|---------------------------|---|----------------------------|
| Item No. | 4 | |
| Subject: | Yarloop/Cookernup Annual Community Meeting | |
| Proponent: | Chief Executive Officer | |
| Location: | Cookernup Community Hall | |
| Reporting Officer: | Chief Executive Officer | |
| File No.: | CRC004 | Attachment Reg. No. |

Summary

The 2016 Yarloop/Cookernup Annual Community Meeting was held at the Cookernup Community Hall on Tuesday, 19th April, 2016. Below is a report summarising the matters raised and the recommended actions resulting.

Background

The Yarloop/Cookernup Community Meeting was attended by thirteen (13) Councillors, seven (7) Shire Staff and fifty six (56) members of the public. Twenty two (22) residents attended the previous Community Meeting held in April, 2015.

Following a welcome by the Shire President, the Chief Executive Officer addressed the meeting in relation to the following items; Shire of Harvey population, building and citizenship statistics, major construction projects, economic development projects occurring in the Shire, Bush Fire Recovery activities and the annual Budget submission process.

The Shire President then took the meeting through the published Agenda inviting participation from those present. The major issues raised included the following:

Cookernup Train Station – A request was received for the provision of shelter at the Station. It was advised that this could be passed onto the relevant rail Authority.

Brockman Road – A question was asked as to whether the works proposed for Brockman Road in the current Budget included sealing to Hayward Street. The Executive Manager of Technical Services, Mr. Naudé, confirmed that this work did include sealing.

Riverdale Road Damage – It was noted that Riverdale Road was damaged during the recent fires by bulldozer tracks and that the road needs resealing. Mr. Naudé advised that similar damage had occurred on the South Western Highway and the Shire were seeking advice on the best remedies. At this stage it is planned to attempt to remove the corrugations in the summer months when the bitumen is more flexible and can be heated and rolled.

SIGNED _____ DATED 24th May 2016.

Thompson Road - Concern was raised with regards to the narrowness of this road from South Western Highway to Salisbury Road. Concern was expressed with Harvey Water's bollards around their water outlet and the fact that this is a school bus route. Mr. Naudé advised he will make a further assessment of the road.

Riverdale Road – concerns were raised regarding both the road and the bridge over the Harvey River. Mr. Naudé explained that Commodity Route Funding had been secured in previous years to assist in the upgrading of the road. This year's application however was unsuccessful. The Shire will continue to seek additional funding for the road. He also explained that the bridges along Riverdale Road were the responsibility of the Water Corporation and Council has lobbied for their upgrade and will continue to do so.

Cookernup Sign - South Western Highway – The meeting pointed out that there was no townsite sign promoting Cookernup at the Riverdale Road/South Western Highway intersection. Mr. Naudé advised this matter will be raised with Main Roads WA (MRWA).

Budget Allocation For Painting – A query was raised in respect to the \$10,000 budgeted for painting of the Cookernup Hall and what this entailed. The Principal Building Surveyor, Mr. Stewart, explained that this was part of the Shire's Preventative Maintenance Program and included painting for the buildings in the Cookernup Hall precinct.

Gravel Roads Intersecting With Highways – A query was raised as to whether a 20m section of seal could be provided on gravel roads where they intersect with highways. Mr. Naudé explained that this is generally within MRWA road reserves and would be referred to them.

Responsibility for Drains – A question was asked in respect to who is responsible for the overflow drains in the area. Mr. Naudé explained that the irrigation drains are generally the responsibility of Harvey Water or the Water Corporation. If the drain is for road drainage it is the Local Government's responsibility.

Clifton Road Bridge – Impact on Entry Points to Yarloop – Given that the replacement work on this structure is being undertaken, a question was asked as to what would happen to the traffic control point preventing access to Yarloop. The Chief Executive Officer advised that this would depend on the final timeframe for the bridge work and where the clean-up for Yarloop was at when the bridgework was completed.

Fuel Loads – Concern was raised in relation to fuel loads along rail reserves, the old oval site, cemetery and road reserves in Cookernup. The Chief Executive Officer explained that through the Community Meeting process various areas of concern have been raised and these will be looked at by the Shire's new Community Emergency Services Coordinator, Mr. Mike Carter, and where necessary referred through the Shire's Bush Fire Advisory Committee. Furthermore, Department of Parks and Wildlife (DPAW) had been undertaking some prescribed burns in the Harvey and Kemerton areas over the previous few days and the Cookernup Brigade completed some burning on the last weekend. It was explained that the issue of burning roads reserve verges was dealt with under a Shire Policy and applications can be made for such burning.

Trees Under Power lines – Concerns were raised with regard to trees under power lines in the Cookernup and Yarloop townsites and rail reserves. The issue of Western Power pruning and not disposing of the prunings was also raised. It was explained that if the prunings are on road reserves then the disposal is the Shire's responsibility.

Fire Recovery for the Rural Community – The Shire was criticised for not getting out to the rural community following the recent fires. The Chief Executive Officer explained that the Shire had undertaken a Rural Outreach Program and visited 206 properties as a result.

Review of Fire Response – A request was made that the community be able to provide feedback in relation to the fire response. It was explained that as a result of the fire incident in January; the Local Emergency Management Committee is required to review its Local Emergency Management Arrangements.

It was suggested that the Shire, instead of Department of Fire and Emergency Services (DFES), be responsible for notification of evacuations. The Chief Executive Officer explained that there are State protocols and policies regarding the relevant responsibilities when it comes to various emergencies.

Cookernup Postcode – It was suggested that a standalone postcode for Cookernup would have assisted in the fire notification process. Note, a petition requesting that Cookernup return to a 6219 postcode was received following the meeting which contains 66 signatures of support.

The Shire President explained that Council could refer this request to Australia Post.

Harvey Water Points – A question was raised as to whether Council was liaising with Harvey Water over additional water points for firefighting purposes. The Chief Executive Officer advised that this was the intention and that Harvey Water had been a good corporate citizen in the past in relation to provision of community supply points.

Maintenance Around Cookernup – It was noted that the reinstatement of maintenance work, verge mowing and cleaning of toilets was required.

Shade Sail Over Playground – This issue was raised and the Chief Executive Officer advised that Council encourages groups to seek grant funding for such projects. If they are funded Council has been prepared to maintain same.

Forward Plan for Cookernup Community Block and Buildings – The Chief Executive Officer advised that the Shire would support the Cookernup Community Association prioritising projects in such a plan for future consideration.

Disabled Toilets at Cookernup Hall Precinct – It was explained that Council has a Disability Access and Inclusion Committee which receives funding each year for specific projects.

Rates in Cookernup – A query was raised in relation to “residential rates being changed for no services”. The Chief Executive Officer explained the basis for rating and that rates provide for community services across the board.

Trimming of Roadside Trees Which Restrict Vision – The Shire was requested to look at this issue in the area.

Cemetery Niche Wall – This item was raised on the list provided by the Cookernup Community Association.

Crossover Point on Marston Road – Request for a temporary crossover established over the drain at Marston Road during the fires to be replaced with a properly constructed crossover point.

Multi-Use Trails in the Community – For use by walkers, cyclists and horse riders.

Shire's Forward Plan – A question was asked as to how to get a copy of Council's Forward Plan. The Chief Executive Officer explained this is available on Council's Website or from the Shire Office.

Landscaping Around Cookernup Entry Statement – It was suggested as part of the Cookernup Community Association list of items that landscaping at the entry statement and parking for caravans and motor homes at the site be considered.

Speed Limits and Signage – Concern was expressed that there is only a 60km per hour speed limit sign on Riverdale Road through Cookernup. People are unsure as to whether the limit should be 60km/ph or 50km/ph. More signage was suggested. Mr. Naudé suggested that 60km/ph on this and 50km/ph on the side roads in the townsite was his understanding. It was explained that MRWA are responsible for speed zoning and signage and clarification will be sought from them.

Sheds in Cookernup – A question was raised regarding the construction of 120m² shed on 'Special Residential' land compared to bigger sheds being allowed on adjacent 'Rural' and 'Special Rural' properties. The Shire President explained this was dependant on zoning. A further query was raised in relation to Zincalume sheds not being allowed in certain zoned areas which is considered confusing in the Cookernup area. The Manager of Planning Services, Mr. Hall, explained the different zonings in the area and that Council is currently undertaking the preparation of a Planning Strategy and a review of its District Planning Scheme. Should residents have issues with their zoning, submissions will be able to be made during the review process.

Note at the conclusion of the meeting attendees were invited to highlight key issues for consideration at a Community Workshop on the future of Yarloop.

Comment

This was one of the largest attendances at the Yarloop/Cookernup Annual Community Meeting which was the first meeting held in Cookernup due to the damage caused in Yarloop by the Yarloop fires. The attendance of 56 residents was well above the long-term average of 23 people.

Many items were raised, some of which will require further investigation or input from the community,

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023 Strategy 4.1.2 States:

"Continue to engage the community through Annual Community Meetings around the Shire."

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence would be "Reputational" if residents did not believe they had an opportunity to participate or that their issues were not given consideration. The risk is mitigated due to widespread advertising of the community meetings, the distribution of agendas by letter drop, the structure of the meeting and subsequent reporting and consideration by Council. The risk is therefore considered low.

Budget Implications

Council makes a Budget provision each year for its Annual Community Meeting expenses.

Officer's Recommendation

That Council receives the 2016 Yarloop/Cookernup Community Meeting report and the following actions be undertaken:

1. The request for provision of a shelter at the Cookernup train station be referred to the Public Transport Authority.
2. That the roadworks and maintenance issues relating to the following items be investigated and where possible maintenance work be undertaken or consideration be given for inclusion in future works programs:
 - Riverdale Road – damaged road surface;
 - Thompson Road condition;
 - Maintenance of verges, cleaning of toilets at Cookernup;
 - Trimming of roadside trees which restrict vision in the Cookernup area;
 - Provision of a drain crossover point off Marston Road into the Cookernup Community Association leased land; and
 - Landscaping and parking around the Cookernup entry statement.
3. That the concerns raised in relation to the bridges along Riverdale Road be referred to the Water Corporation requesting their attention to the upgrade of these.
4. That the following issues be raised with Main Roads W.A. for their consideration and action:
 - Provision of a "Cookernup" townsite sign on South Western Highway;
 - Provision of sealed intersections where gravel roads meet Highways; and
 - Clarification of speed limits on Riverdale Road through the Cookernup townsite and on side roads with a request for improved signage of same.
5. The request and petition for a specific Cookernup Postcode be noted, referred to Australia Post for consideration and that the support of the Member for Forrest be sought.
6. That the concerns regarding fuel loads along rail reserves, the old Cookernup oval site, Cookernup Cemetery and road reserves around the Cookernup townsite be considered by the Shire's Community Emergency Services Coordinator and the Shire's Bush Fire Advisory Committee.

7. That the provision of additional Community Water Supply Points be pursued with Harvey Water.
8. That the Harvey Local Emergency Management Committee consider the request for community feedback being obtained in relation to the Waroona – Yarloop bush fire response.
9. That the request for a Niche Wall at the Cookernup Cemetery be considered as part of Council's Forward Capital Works Plan.

16/099. **Adams/Monagle**

“That the Officer’s Recommendation be adopted.”

CARRIED 12-0

| | | |
|---------------------------|--|----------------------------|
| Item No. | 5 | |
| Subject: | Brunswick Junction Annual Community Meeting | |
| Proponent: | Chief Executive Officer | |
| Location: | Brunswick Town Hall | |
| Reporting Officer: | Chief Executive Officer | |
| File No.: | CRC004 | Attachment Reg. No. |

Summary

The 2016 Brunswick Junction Annual Community Meeting was held at the Brunswick Town Hall on Wednesday, 20th April, 2016. Below is a report summarising the matters raised and the recommended actions resulting.

Background

The 2016 Brunswick Junction Annual Community Meeting was attended by eleven (11) Councillors, seven (7) Shire Staff and eighteen (18) members of the public. Thirty (30) residents attended the corresponding meeting in April, 2015.

Following a welcome by the Shire President, the Chief Executive Officer addressed the meeting in relation to the following items; Shire of Harvey population, building and citizenship statistics, major construction projects, economic development projects occurring in the Shire, Bush Fire Recovery activities and the annual Budget submission process.

The Shire President took the meeting through the published Agenda inviting participation from those present. The major issues raised included the following:

Talbot Road – The work completed by the Shire on Rose Road was acknowledged, however work was requested on Talbot Road where it was suggested that the road is getting ‘ripped up’, gutters and drainage require attention. The Executive Manager of Technical Services, Mr. Naudé, advised that he will inspect the area.

Restricted Burning Period – A query was raised regarding who sets these periods as there is concern that in recent years there is less available time for suitable burning. The Shire President, Cr. Jackson, explained that she signs off on amendments to these times after consultation with the Chief Bush Fire Control Officer and taking into account the prevailing weather conditions, soil dryness, etc. She advised that the impact on farmers is also considered.

SIGNED _____ DATED 24th May 2016.

The Chief Executive Officer, Mr. Parker, advised that the original burning periods are recommended to Council by the Shire's Bush Fire Advisory Committee which is made up of members from across the whole Shire. He noted that there are a variety of conditions across the Shire that need to be considered.

Gravel Supply – A query was raised as to additional costs incurred by the Shire carting gravel last financial year from Collie and Donnybrook Shires. Mr. Naudé explained that this had been due to no local contractors having tendered. The prices Council had paid were not an issue, the major impact had been the additional travel time. Local contractors have tendered this financial year.

Piggery in Kemerton – A question was raised in regards to why Council had rejected this application. The Shire President explained that Council is not the decision making body in this case. The proposal will be determined by a Joint Development Assessment Panel and Council only makes a recommendation. She explained that the Council did not support a piggery of this size in the Kemerton Buffer area and due to concerns in relation to the proximity to the residential area.

Quarry Proposal – Lot 501 Coalfields Highway – A resident spoke in support of the proposed quarry and business in the Shire. He was concerned that some people may have confused this application with the old Roelands Quarry. The Shire President explained that Councillors had undertaken a site visit of the proposed quarry prior to making a decision on the matter.

Dairy Impact on Local Roads – A concern was raised with the ongoing impact of a dairy with the cow manure that is deposited along Alma Road, Victoria Road and Alverstoke Road, which impacts other road users. Action on this issue was requested. Mr. Naudé explained that Staff have liaised recently with the landowner and will be meeting with him shortly. The Shire is pursuing the matter from a health perspective. Staff have already identified single crossing points that could apply.

Street Trees – Heppingstone Road – A request was received for additional street trees to be planted in Heppingstone Road. In some areas there are none at all.

Brunswick Channel Park – Advice was received that a rubbish bin in this park near the barbecues was missing.

Roadwork Melville Road and Wellesley Road – The Shire was thanked for the construction work undertaken on these roads in the last year.

Melville Road – A request was made for the grading of Melville Road from Wellesley Road on the road shoulders as the road edge is breaking up.

Clifton Road – A big dip in the road west of the Brunswick River Cottages exists and it was suggested this requires attention.

Tree Pruning – A request for pruning of trees near the cattle complex at the Showgrounds was made, along with pruning of two trees which are leaning near 332 Melville Road.

Heavy Vehicle Permits – A query was raised regarding whether permits for B-double trucks were required along Wellesley Road. Mr. Naudé explained that anything larger than an 'as of right vehicle' needs to obtain a permit which Council comments on and Main Roads WA controls the issue of.

Directional Sign “Mooseum” Site – It was reported that a directional sign was removed and is leaning against the Anglican Church. The question was put as to whether this would be replaced. Mr. Naudé indicated that it would.

“Mooseum” Project – An update on this project was requested. The Manager of Community and Economic Development, Mr. Quinlivan, advised that Council had budgeted funds to undertake a detailed design for the Mooseum. The project however is dependent on receiving external grant funding which may take some time to secure.

Comment

The turnout for the Brunswick Community Meeting was down on previous years and on the long term average of 25. Nevertheless, the meeting was constructive with the opportunity for the Shire to answer various questions, provide updates and note several requests for work.

The Shire also received recognition for work completed in the last twelve months. The work on Melville Road particularly has been identified at this Annual Meeting for many years. It has been subsequently assessed, prioritised and included on Council’s Road Works Program so it is pleasing for community members to see the completion of such a project and the way Council’s processes work.

The Brunswick Junction Meeting was the last of the five 2016 Annual Community Meetings held from 13th to the 20th April 2016. In total 164 residents attended the meetings compared to 144 in 2015. The average total attendance over the last 15 years is 130. The 2016 attendance at each venue was as follows:-

| VENUE | ATTENDANCE |
|--------------|-------------------|
| Harvey | 23 |
| Australind | 52 |
| Myalup | 15 |
| Yarloop | 56 |
| Brunswick | 18 |
| TOTAL | 164 |

The Shire has identified the conduct of its Annual Community Meetings as a strategy in its Strategic Community Plan. Given the strong and consistent turnout and the important communication tool the meetings provide, it is considered appropriate that the Shire continues to utilise the meeting structure as a valued way to engage with the community.

The meetings not only provide an opportunity for the Shire to update the community on its activities, but they play an important role in the Shire obtaining feedback from the community.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023 Strategy 4.1.2 States:

“Continue to engage the community through Annual Community Meetings around the Shire.”

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence would be “Reputational” if residents did not believe they had an opportunity to participate or that their issues were not given consideration. The risk is mitigated due to widespread advertising of the community meetings, the distribution of agendas by letter drop, the structure of the meeting and subsequent reporting and consideration by Council. The risk is therefore considered low.

Budget Implications

Council makes a Budget provision each year for its Annual Community Meeting expenses.

Officer's Recommendation

That Council receives the 2016 Brunswick Junction Community Meeting report and the following actions be undertaken:-

1. That the road issues identified at the meeting on Talbot Road, Melville Road, Clifton Road and tree pruning at the Showgrounds and on Melville Road be investigated and action be undertaken where considered necessary or the works be included in future draft programmes if prioritised.
2. That Staff pursue the issues arising from the dairy farm utilising Alma Road, Victoria Road and Alverstoke Road with the landowner to alleviate the ongoing concerns of road users as soon as possible.
3. Staff investigate the need for additional street trees in Heppingstone Road for budget consideration.
4. The missing rubbish bin at Brunswick Channel Park to be investigated and replaced if necessary.
5. The directional signage recently removed from the Mooseum site be replaced if this is necessary.

16/100. **Lovitt/Shortland**

“That the Officer's Recommendation be adopted.”

CARRIED 12-0

Mr. Merv Stewart left the Chambers at 4.50pm.

| | | |
|---------------------------|--|----------------------------|
| Item No. | 6 | |
| Subject: | Application for Exemption to Keep More than the Prescribed Number of Dogs | |
| Proponent: | Jai Adam Pearce | |
| Location: | 9 Orion Lane Treendale | |
| Reporting Officer: | Administrator Law & Safety Services | |
| File No.: | A14452 | Attachment Reg. No. |

Summary

An application for exemption to keep more than the prescribed number of dogs has been received from Mr Jai Adam Pearce (the Applicant) of 9 Orion Lane Treendale. A copy of the application received is attached (**refer Attachment 1**) to this report. It is recommended that this application be approved subject to conditions.

Background

The Applicant currently has two (2) dogs that are registered with the Shire, those being a male Staffordshire Cross, aged 17 years, named Jaxon, with Registration Number 161601, and a female Malamute, aged 3 years, named Shadow, with Registration Number 161613.

Due to the age of the older dog the Applicant wishes to purchase another dog and have paid a deposit to purchase a Male Malamute, white and grey that is approximately 12 weeks old. If approved this dog will be microchipped and registered with the Shire.

If this application is successful and when the older dog dies it is not the applicant's intention to purchase another dog and will keep the numbers to two at their property.

The property at 9 Orion Lane Treendale is owned by the applicant, zoned Residential and is 757m² in area.

The Applicant has advertised in the Harvey Reporter newspaper advising residents of his intentions and inviting submissions to be made to Council within a prescribed time. (**refer Attachment 2**)

The surrounding property owners were notified by Staff of the application and no objections were received in response to the advertisement or the Shire's correspondence.

Provisions under the Dog Act 1976, and Council's Dog Local Law 2008, stipulate that a person may only keep two (2) dogs over the age of three months and the young of those dogs under that age. Section 26 of the Dog Act 1976 does, however, allow the Council to approve more than the prescribed number of dogs to be kept on a property.

Comment

This application has been considered and reviewed in line with the general indicia established by the State Administrative Tribunal, GADD V SHIRE OF HARVEY CC 1153 OF 2007, being:

- **Attributes of the dogs, such as their breed, size, nature, whether de-sexed and any history of complaints:**

The Applicant currently has two dogs registered with the Shire. The Staffordshire is sterilised however due to the age of this dog it cannot be microchipped. The existing Malamute is microchipped and sterilised.

There is no history of recorded complaints relating to the applicant's dogs.

- **The size, location and zoning of the premises at which the dogs are housed:**

The property at 9 Orion Lane Treendale is zoned Residential comprising of 757m² in area. The size of the property does provide sufficient area for these dogs.

- **The conditions of the dogs accommodation, for example, the standard of fencing, shade, security, cleanliness; and factors that may affect their welfare;**

An inspection of the property by Staff found:

- Provision of shade/water – Adequate shade, ample food and fresh water;
- Property fences – Able to contain the dogs;
- General condition of dogs – All dogs are clean and well cared for;
- Cleanliness of property – Property is clean and tidy.
- **Other factors such as aggregation of dogs in the same area, the Applicant's experience in and methods of handling dogs and motivation in obtaining more than the prescribed number of dogs.**
- There have been no known complaints concerning either the owner or the dogs concerned.
- There are five (5) dogs registered in properties surrounding the applicant.

During the advertising period no objections were received.

Statutory/Policy Environment

Dog Act 1976 – Section 26. Controls the number of dogs permitted.

Shire of Harvey Dog Local Law 2008 – Clause 3.2. Limitations on the number of dogs permitted.

SIGNED _____ DATED 24th May 2016.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 - 2023, Strategy 4.3.4 states:

"Monitor and ensure compliance with the regulatory framework for local government business."

Risk Management

The Risk Theme Profile identified as part of this is **Providing Inaccurate Advice/Information**. The Consequence could be Property or Environment if the approval results in any complaints being received regarding the dogs. The Consequence rating would be Moderate (3) and Likelihood **Unlikely** (2) resulting in a low risk rating.

Budget Implication

Nil.

Recommendation

That Council approves the application from Mr Jai Adam Pearce of 9 Orion Lane Treendale, for exemption to keep three (3) dogs subject to:

1. The exemption applies only to the dogs listed on the application and once any of the dogs are deceased, sold or otherwise disposed of, the exemption automatically lapses;
2. The exemption will automatically lapse on any offence relating to the Dog Act 1976, by the dogs or any person in charge of these dogs;
3. The property must be kept clear of all animal excreta using proper disposal methods;
4. Adequate cover and protection is available for the dogs at all times;
5. The dogs being at all times adequately confined in accordance with the Dog Act 1976;
6. Access be given to the Council for annual inspections or more regularly if the Council so determines;
7. The exemption may be revoked or varied at any time in a manner provided for in Section 26(3)(c) of the Dog Act 1976.
8. The exemption only applies to 9 Orion Lane Treendale and should the applicant move to another address or the dogs be relocated to another address the approval shall lapse.

16/101. **Campbell/Adams**

"That the Officer's Recommendation be adopted."

CARRIED 11-1

Mr. Merv Stewart returned to the Chambers at 4.52 p.m.

SIGNED _____ DATED 24th May 2016.

| | |
|---------------------------|--|
| Item No. | 7 |
| Subject: | Regional Tourism Development Strategy |
| Proponent: | Bunbury Wellington Group of Councils |
| Location: | Bunbury – Wellington and Boyup Brook Local Government Areas |
| Reporting Officer: | Manager Community and Economic Development |
| File No.: | IM/T/005 |
| | Attachment Reg. No. |

Summary

This report presents the revised draft of the *Bunbury-Wellington and Boyup Brook Regional Tourism Development Strategy* and the recommendations from the Bunbury-Wellington Group of Councils (BWGC) for further consideration. With the inclusion of some minor changes to the wording of some of the Actions contained within the draft Strategy, the report recommends that Council endorses the draft Strategy and an allocation of \$10,000 be listed for consideration of funding in Council's 2016-17 Draft Budget as a contribution towards the implementation of the Strategy.

Background

Previous reports to Council have provided information on the development of a Regional Tourism Strategy. The most recent report to the Council Meeting held on 22nd March 2016 put forward a number of comments on the draft Strategy and Council resolved as follows:

"That Council provides the comments as outlined in this report on the draft Bunbury-Wellington and Boyup Brook regional Tourism Development Strategy 2015-2019."

The Shire's comments along with comments from other Local Governments, organisations and individuals were considered at the Bunbury Wellington Group of Councils (BWGC) Meeting held on 18th April 2016 (**refer Attachment 1**) and the Group resolved as follows:

"That the Bunbury Wellington Group of Councils:-

1. *Note that seven (7) submissions were received*
2. *Agree to the proposed amendments to the Strategy and Action Plan as outlined in the report from the South West Development Commission from the submissions received be adopted and the Strategy documents be amended to reflect these changes.*
3. *Upon receipt of the updated report, that each member local government present the report to their respective Councils for consideration and endorsement, noting the group agrees to:*
 - a) *Approach the South West Development Commission requesting the Commission accept coordination and the lead role for implementation of the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy, as this is features highly in the SW Blueprint and Regional Growth Plan.*
 - b) *Recommend each Local government request their Council consider an allocation in the 2016/17 budget for implementation of regional tourism initiatives.*

- c) *Support any submissions and joint applications for funding through Royalties for Regions and other programs to fund workshops, marketing and implement projects contained within the report.*
 - d) *That each Council participate in each initiative as they determine.*
4. *Agree that upon adoption by each respective Council, that the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy Steering Committee cease.”*

The proposed minor changes to the wording of some of the Actions contained in the draft Strategy appear on page 6 of the Minutes.

A copy of the draft Strategy documents was previously circulated with the Council Agenda for the Council meeting held on 15th December 2015. The *Summary Report and Regional Action Plan and Marketing Plan* are provided as an attachment **Refer Attachment 2** and the main Strategy report is available on the Shire’s website and in DropBox. A hard copy is also available on request.

Comment

The following comments are made in relation to the BWGC’s resolution:

- Part 2 refers to some relatively minor changes to the wording of some of the Actions contained in the draft Strategy. The proposed changes are generally supported.
- Part 3 refers to the recommended process for implementation of the strategy that includes;
 - Approaching the South West Development Commission (SWDC) to request that it play a lead role in coordinating the implementation of the Strategy;
 - A request for each participating Local Government to consider a budget allocation as a contribution towards the implementation of regional tourism initiatives.
 - Support for any funding submissions for the implementation of the Strategy;
 - Each Council participating in the various initiatives as they determine.

Given that tourism is identified in the South West Regional Blueprint as a key economic driver, part 3a) of the BWGC resolution recommends that a request be made to SWDC to play a lead role in coordinating the implementation of the Strategy. The option of employing a Regional Marketing Manager was considered in the report, however, the BWGC was of the view that targeting priority projects would be a more effective approach.

With regard to part 3b) of the BWGC resolution, there was no clear consensus in terms of the level of financial contribution to be requested from the participating Councils for implementation of the Strategy. The option of a financial contribution based on the population of each Local Government as a percentage of the total population of the region is canvassed in the report however that option was not supported by the BWGC.

Given that the benefits of implementing the strategy would flow through to the participating Local Governments, the preferred approach would be for each Council to contribute an agreed amount. This would create a pool of funds each year that could be used to leverage other grant funding for implementation of the Strategy.

An annual contribution of \$10,000 from each Local Government would demonstrate a reasonable level of commitment to implementing the Strategy. If Council is supportive of this approach, it would be recommended that the \$5,000 allocation in Council's 2015-16 Budget for regional tourism initiatives be carried forward to 2016-17 and a further contribution of \$5,000 be listed for consideration of funding in Council's 2016-17 Budget.

Should the other participating Local Governments not wish to financially contribute to the implementation of the Strategy or only be prepared to contribute a lesser amount, then Council's level of commitment would be reconsidered.

Statutory / Policy Environment

Council's Tourism Policy (Policy 21.1 and 21.2) identifies a number of objectives and guidelines for promoting tourism within the Shire.

Strategic Framework

Within the Shire's Strategic Community Plan:

Strategy 1.2.9 states: "Continue to collaborate with our partners to promote regional tourism initiatives".

Strategy 4.6.1 states: "Participate in and seek collaborative resource sharing opportunities."

Risk Management

The Risk Theme Profile identified as part of this report is ***Inadequate Engagement Practices***. The Consequence could be Reputational if Council decided not to support the implementation of the Regional Tourism Strategy. The Risk Consequence is considered to be "Moderate" (3) and the Likelihood "Unlikely" (2) resulting in a "Moderate" (6) level of risk.

Budget Implications

The report recommends that the Budget allocation of \$5,000 for regional tourism initiatives be carried forward to 2016-17 and a further contribution of \$5,000 be listed for consideration of funding in Council's 2016-17 Draft Budget.

Officer's Recommendation

That Council:

1. With the inclusion of those minor changes referred to in the report endorses the draft Bunbury-Wellington and Boyup Brook Regional Tourism Development Strategy 2015-2019 as a significant planning document to guide the development and promotion of tourism at a regional level.
2. Supports the Bunbury Wellington Group of Councils' recommendation to approach the South West Development Commission and request that it play a lead role in coordinating the implementation of the Strategy.
3. Lists for consideration of funding in its 2016-17 Draft Budget a contribution of \$10,000 towards the implementation of the Regional Tourism Strategy which includes carried forward funds of \$5,000 from the 2015-16 Budget.

SIGNED _____ DATED 24th May 2016.

4. In the event that the other participating Councils do not wish to contribute towards the implementation of the Regional Tourism Strategy or contribute at a lower level, then Council's commitment to the Strategy be reassessed.

16/102. **Campbell/Carbone**
"That the Officer's Recommendation be adopted."

CARRIED 12-0

| | |
|------------------|-----------------------------------|
| Item No. | 8 |
| Subject: | Meetings for Coming Months |
| File No.: | CCC001 |

| Meeting | Location | Date | Time |
|--|--------------------|----------------------------|-------------|
| Heritage Advisory Committee | Harvey Chamber | 6 th May 2016 | 12.30pm |
| Development Services Committee | Harvey Chamber | 17 th May 2016 | 4:00pm |
| Bushfire Advisory Committee | Harvey Chamber | 23 rd May 2016 | 7.00pm |
| Corporate Services Committee | Harvey Chamber | 24 th May 2016 | 2:00pm |
| Ordinary Council | Harvey Chamber | 24 th May 2016 | 4:00pm |
| Disability Access and Inclusion Advisory Committee | To be Advised | 31 st May 2016 | 2:00pm |
| Work Safety Committee | Harvey Chamber | 2 nd June 2016 | 3:00pm |
| Development Services Committee | Australind Chamber | 7 th June 2016 | 4:00pm |
| Harvey Local Emergency Management Committee | Harvey Chamber | 13 th June 2016 | 5:30pm |
| Corporate Services Committee | Australind Chamber | 14 th June 2016 | 2:00pm |
| Ordinary Council | Australind Chamber | 14 th June 2016 | 4:00pm |
| Leeuwin Sail Training Committee Meeting | Harvey Chamber | 21 st June 2016 | 2.00pm |

Officer's Recommendation

That the Meetings for Coming Months be noted.

16/103. **Campbell/Carbone**
"That the Officer's Recommendation be adopted."

CARRIED 12-0

K. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

L. NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

M. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

SIGNED _____ DATED 24th May 2016.

N. REPORTS OF MEMBERS**Cr. Carbone**

Cr. Carbone reported on his attendance at the following:-

- Joint Development Assessment Panel (JDAP) Meeting on 27th April, 2016.
- Brunswick Anzac Day Ceremony – where he placed the wreath on behalf of Council.

Cr. Burgoyne

Cr. Burgoyne reported on his attendance at the following:-

- Attendance at Annual Community Meetings – congratulated the Shire President and Chief Executive Officer on the conduct of the meetings.

Cr. Lovitt

Cr. Lovitt reported on her attendance at the following:-

- Cookernup Recovery Morning Teas.
- Farmers Meeting regarding fire recovery.
- Annual Community meetings (except for the Harvey Meeting).
- The State Heritage Seminar in Kalgoorlie and the book launch of “Turning Men into Stone”.
- The Community Sub-Committee and Wellbeing Working Group Meetings.
- Attended the Greater Bunbury Region Motivated Contributors meeting in Eaton.

Cr. Sabourne

Cr. Sabourne reported on his attendance at the following:-

- The Anzac Day Service in Harvey. He commended the Chief Executive Officer on the Anzac Day address given.

Cr. Campbell

Cr. Campbell reported on his attendance at the following:-

- Cookernup Recovery Morning Teas.
- Farmers Meeting regarding fire recovery.
- Anzac Day Services – Harvey and Brunswick and he commended the Chief Executive Officer on the Anzac Day address given.
- Annual Community Meetings and he congratulated the Shire President and Chief Executive Officer on the conduct of the meetings.

Cr. Adams

Cr. Adams reported on his attendance at the following:-

- Annual Community Meetings.
- Yarloop War Memorial Garden Opening.
- Leschenault Leisure Centre Advisory Committee Meeting.
- Bunbury Harvey Regional Council Meeting – he advised that the Stanley Road Administration is to be located at the tip site. Stanley Road may also be accepting Yarloop townsite clean-up material.
- Yarloop Dawn Service – approximately 1,300 people in attendance.

Cr. Shortland

Cr. Shortland reported on her attendance at the following:-

- Construction of a shade structure over the playground at Settlers Hall has commenced.

Cr. Beech

Cr. Beech reported on his attendance at the following:-

- Wanju Township Launch along with Cr. Jackson and the Chief Executive Officer.
- Annual Community Meetings.
- Various Recovery Committee and Sub-Committee Meetings.
- Cookernup Recovery Morning Teas.

O. ORDERS OF THE DAY

Nil.

P. MOTIONS WITHOUT NOTICE (by permission of majority of members)

Nil.

Q. MATTER BEHIND CLOSED DOORS (under Section 5.23 (2) of the Local Government Act 1995)**Suspension of Standing Orders**

16/104. **Burgoyne/Giancono**

“That Council suspends Standing Orders and Moves Behind Closed Doors in accordance with Section 5.23 (2)(c)(d) of the Local Government Act, 1995, to deal with matters that relate to a contract entered into, or which may be entered into by the Local Government and which relates to a matter to be discussed at the meeting.”

CARRIED12-0

Standing Orders were suspended at 5.05 p.m.

Mrs. Hepburn and Mr. Ralph left the Chambers at 5.05 p.m.

ITEM NO. 1 – PROPOSED ADDITIONS AND RENOVATIONS – SENIOR CITIZEN'S CENTRE, AUSTRALIND

- 16/105. **Adams/Wood**
 “That Council accepts the tender submitted by Go 2 Group for a contract price of \$286,103 excluding GST to supply and construct the additions and renovations to the Australind Senior Citizen’s Centre facility Lot 8 (62) Mardo Avenue, Australind, as per tender document T012016.”
- CARRIED 12-0**

Resumption of Standing Orders

- 15/106. **Burgoyne/Giancono**
 “That Standing Orders be resumed.”
- CARRIED 12-0**

Standing Orders were resumed at 5.15p.m.

R. CLOSURE

There being no further business to discuss, the meeting was declared closed at 5.15 p.m.

I, Tania G. Jackson certify that the aforesaid Minutes of the meeting held on Tuesday, 3rd May 2016, are confirmed as a true and correct record of that meeting on Tuesday, 3rd May 2016.

Tania G. Jackson
SHIRE PRESIDENT