



Shire of Harvey

**ORDINARY COUNCIL
MEETING
MINUTES**

4th August 2015

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SHIRE OF HARVEYCOUNCIL MINUTES

MINUTES OF THE ORDINARY MEETING OF THE HARVEY SHIRE COUNCIL, HELD IN THE COUNCIL CHAMBERS, YOUNG STREET, HARVEY, ON TUESDAY, 4TH AUGUST 2015, COMMENCING AT 4.00P.M.

ATTENDANCE

Shire President	Cr. T.G. Jackson	
	Cr. B. Adams	
	Cr. C. Carbone	4.00p.m. – 5.00p.m. 5.05p.m. – 5.34p.m. 5.41p.m. – 5.44p.m.
	Cr. G. Campbell	
	Cr. P. Giancono	
	Cr. B.E. Hollands	
	Cr. A. Lovitt	
	Cr. P. Monagle	
	Cr. J. Sabourne O.A.M. J.P.	4.00p.m. – 5.06p.m. 5.08p.m. – 5.44p.m.
	Cr. A.J. Shortland	
	Cr. D. Simpson	
	Cr. K.J. Wood	

STAFF

Chief Executive Officer	Mr. M. Parker	
Executive Manager Corporate Services	Mr. R. Scantlebury	
Executive Manager Technical Services	Mr. T. Naudé	
Principal Building Surveyor	Mr. M. Stewart	4.00p.m. – 5.06p.m.
Principal Environmental Health Officer	Mr. S. Dandridge	4.00p.m. – 5.06p.m.
Manager Planning Services	Mr. S. Hall	
Finance Manager	Mr. D. Winter	

GALLERY

	Mr. G. Gardiner	4.00p.m. – 4.50p.m.
	Mr. G. Holland	4.00p.m. – 4.50p.m.
	Mr. R. Jackson	4.00p.m. – 5.33p.m.
	Mr. S. Jolly	4.00p.m. – 4.50p.m.
	Mr. C. Mitchell	4.00p.m. – 4.50p.m.

PRESS

South Western Times	Mr. L. Bertelli	4.00p.m. – 5.33p.m.
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A. OPENING AND WELCOME

The Shire President opened the meeting at 4.00p.m.

B. PUBLIC QUESTION TIME

Nil.

C. READING FROM A BOOK OF LEARNING AND WISDOM

Read by Cr. Simpson.

D. APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence: Cr. P. Beech

Cr. Monagle requested leave of absence for the Council meeting to be held on 25th August 2015.

15/207.

Wood/Carbone

“That leave of absence be granted to Cr. Monagle for the Council meeting to be held on 25th August 2015.”

CARRIED 12-0

E. DECLARATIONS OF MEMBERS' AND OFFICERS' PERSONAL INTEREST

- **Impartiality Interests**

Cr. Wood declared an impartiality interest in Planning Item 8.1.5 – State Register of Heritage Places – Harvey Agricultural College and Adjoining Lots – State Heritage Office – Lots 44, 283, 284, 285, 294, 298 and 315 South Western Highway (A001926).

Reason

Cr. Wood advised that his wife is the President of RDA and this group is currently leasing land in the area. Cr. Wood declared he would deal with the matter on its merits.

Cr. Simpson declared an impartiality interest in Planning Item 8.1.5 – State Register of Heritage Places – Harvey Agricultural College and Adjoining Lots – State Heritage Office – Lots 44, 283, 284, 285, 294, 298 and 315 South Western Highway (A001926).

Reason

Cr. Simpson advised that he is Chairperson of the Harvey Health and Community Services Group that holds a sub-lease over some facilities on this site. Cr. Simpson declared he would deal with the matter on its merits.

Cr. Carbone declared an impartiality interest in Item 6.2 of the Alcoa Harvey Sustainability Fund Advisory Committee Minutes.

Reason

Cr. Carbone advised that he is a member of the HBL Football Club. Cr. Carbone declared he would deal with the matter on its merits.

Cr. Giancono declared an impartiality interest in Item 6.2 of the Alcoa Harvey Sustainability Fund Advisory Committee Minutes.

Reason

Cr. Giancono advised that he is a member of the HBL Football Club. Cr. Giancono declared he would deal with the matter on its merits.

Cr. Hollands declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to the Harvey Visitor Centre, Harvey Community Resource Centre, Harvey Recreation and Cultural Centre and the Harvey Mainstreet diversion drain project.

Reason

Cr. Hollands advised that he is the Chairman of the Harvey Visitor Centre Board and Council representative or delegate in relation to the other groups listed. Cr. Hollands declared he would deal with these matters on their merits.

Cr. Giancono declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to Lot 208 Youth Inc., Harvey Mainstreet Committee, Brunswick Self Help Group, Harvey Visitor Centre and the Brunswick Community Resource Centre.

Reason

Cr. Giancono advised that he is a member of or Council delegate for the groups listed. Cr. Giancono declared he would deal with these matters on their merits.

Cr. Giancono declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to the Small Business Centre Bunbury-Wellington.

Reason

Cr. Giancono advised that he had obtained advice in the past from the Small Business Centre Bunbury-Wellington. Cr. Giancono declared he would deal with the matter on its merits.

Cr. Giancono declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to the City of Bunbury, Australian Day Fireworks contribution.

Reason

Cr. Giancono advised that he has friends who operate food stalls at this event. Cr. Giancono declared he would deal with the matter on its merits.

Cr. Monagle declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to Brunswick Community Resource Centre.

Reason

Cr. Monagle advised that he is a member of the Brunswick Community Resource Centre. Cr. Monagle declared he would deal with the matter on its merits.

Cr. Monagle declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to South West Opera Company.

Reason

Cr. Monagle advised that his wife is the musical director of the South West Opera Company. Cr. Monagle declared he would deal with the matter on its merits.

Cr. Adams declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to Harvey Senior Citizens Centre.

Reason

Cr. Adams advised that he is Council's delegate on the Harvey Senior Citizens Centre Committee. Cr. Adams declared he would deal with the matter on its merits.

Cr. Shortland declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to Lot 208 Inc. and the Leschenault Progress Association's allocation for shed structure.

Reason

Cr. Shortland advised that she is a Council delegate on these Committees. Cr. Shortland declared she would deal with the matters on their merits.

Cr. Lovitt declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to Yarloop Workshops, Harvey Visitor Centre and Leschenault Leisure Centre.

Reason

Cr. Lovitt advised that she is a Council delegate on these Committees. Cr. Lovitt declared she would deal with the matters on their merits.

Cr. Lovitt declared an impartiality interest in Corporate Services Item 3 within the Budget allocations relating to the Bunbury Wellington Small Business Centre.

Reason

Cr. Lovitt advised that she is a Vice Chairperson on this Board. Cr. Lovitt declared she would deal with the matter on its merits.

• **Financial Interests**

Cr. Carbone declared a financial interest in Development Services Item 1 – Application for Planning Consent – Proposed Extractive Industry (Sand) – Lot 11 Runnymede Road, Binningup – Lundstrom Environmental Consultants Pty Ltd Representing ABA Civil – Lot 11 Runnymede Road, Binningup (A006025/EX/003).

Reason

Cr. Carbone advised that he is a Director of Carbone Bros and the Company are Extractive Industry operators. Cr. Carbone declared that he would leave the Chambers for the duration of this item.

Cr. Carbone declared a financial interest in Confidential Item 1 – Tender T042015 – Supply and Delivery of Limestone Sub-Base Road Material – Various Tenderers – Shire of Harvey (T042015).

Reason

Cr. Carbone advised that he is a Director of Carbone Bros and the Company is in the same line of business. Cr. Carbone declared that he would leave the Chambers for the duration of this item.

Cr. Carbone declared a financial interest in Confidential Item 4 – Lot 42 Stanley Road – Extractive Industry Road Contributions – B & J Catalano Pty Ltd – Lot 42 Stanley Road, Wellesley (A006340/EX/001).

Reason

Cr. Carbone advised that he is a Director of Carbone and the Company are Extractive Industry operators. Cr. Carbone declared that he would leave the Chambers for the duration of this item.

• **Proximity Interests**

Cr. Sabourne declared a proximity interest in Technical Services Item 1 – Regional Road Group Funding Submissions for 2016/17 – Technical Services – Shire of Harvey (F000046).

Reason

Cr. Sabourne advised that he is a property owner on Korijekup Avenue. Cr. Sabourne declared that he would leave the Chambers for the duration of this item.

F. PETITIONS/DEPUTATIONS**ITEM 8.1.2 – APPLICATION FOR PLANNING CONSENT – PROPOSED COMMERCIAL UNITS, TREENDALE – HMA ARCHITECTS PTY LTD ON BEHALF OF SHORESCAPE HOLDINGS AND COOPER FAMILY HOLDINGS – LOT 52 THE PROMENADE, AUSTRALIND (A000000).**

Mr. Greg Gardiner addressed the Committee in relation to this item.

Mr. Gardiner confirmed that settlement of the block was imminent and that he had engaged HMA Architects and Perkins builders to assist in bringing this proposal to fruition. He advised the intention was to develop professional offices within Treendale, of which Summit Realty would be one of those tenants, along with other like-minded professional offices. He stated that the design in his opinion was innovative and offered premises not generally available within the Bunbury CBD. He commented that locating his premises within Treendale has significant advantages over and above Bunbury especially with the anticipated growth within this portion of the Shire. Mr. Gardiner confirmed a willingness to provide four on-site car parking bays and was content with the current design and did not wish to modify the proposal any further.

ITEM 8.1.2 – APPLICATION FOR PLANNING CONSENT – PROPOSED COMMERCIAL UNITS, TREENDALE – HMA ARCHITECTS PTY LTD ON BEHALF OF SHORESCAPE HOLDINGS AND COOPER FAMILY HOLDINGS – LOT 52 THE PROMENADE, AUSTRALIND (A000000).

Mr. Garry Holland addressed the Committee in relation to this item.

Mr. Holland advised he is an architect based in Bunbury and was contracted by Mr. Gardiner last year with a view to designing and seeking approval from Council for these premises. Soon after he made contact with Council staff and was provided a copy of the Treendale District Centre Structure Plan. Mr. Holland advised that three areas of concern exists being the canopy, street appeal and car parking. In regard to the canopy Mr. Holland advised that it was 4.5m in width extended above the roofline and allowed for extensive airflow and is consistent with the provisions of the Treendale District Centre Structure Plan. Mr. Holland further suggested that the canopy combined with the full glazing of the front facade provided a far superior pedestrian environment to that of the neighbouring developments.

Mr. Holland expressed that the provisions of the Treendale District Centre Structure Plan provided for centralised car parking to be provided within parking stations and to this effect assumed that no further requirements for car parking provided on-site would be necessary. He was unaware as to the reasoning behind adjoining landowners being willing to provide on-site parking and indicated that car parking would only be a problem in the longer term should two-storey or larger floor space developments be proposed, however, at present there is an excess of car parking and cannot see the requirement to provide any site.

Mr. Holland advised that it is likely these premises will be the first to develop within the area and will establish a high quality development consistent with the provisions of the Treendale District Centre Structure Plan.

G. CONFIRMATION OF MINUTES**ORDINARY COUNCIL MEETING – Tuesday, 14th July 2015.****Recommendation**

That the Minutes of the Council Meeting held on Tuesday, 14th July 2015, as printed be confirmed as a true and correct record.

- 15/208. **Monagle/Lovitt**
“That the Minutes of the Council Meeting held on Tuesday, 14th July 2015, as printed be confirmed as a true and correct record.”
CARRIED 12-0

SPECIAL COUNCIL MEETING – Monday, 20th July 2015.**Recommendation**

That the Minutes of the Special Council Meeting held on Tuesday, 20th July 2015, as printed be confirmed as a true and correct record.

- 15/209. **Wood/Sabourne**
“That the Minutes of the Council Meeting held on Monday, 20th July 2015, 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.

Change in Order of Business

- 15/210. **Campbell/Monagle**
“That Council takes the Agenda out of order to deal with the following Planning Items:
- **Planning Item 8.1.2 – Application for Planning Consent – Proposed Commercial Units, Treendale – HMA Architects Pty Ltd on behalf of Shorescape Holdings and Cooper Family Holdings – Lot 52 The Promenade, Australind (A000000); and**
 - **Planning Item 8.1.3 – Request for Variation of Conditions of Planning Consent for Proposed Single Dwelling and Ancillary Accommodation – S. and M. Jolly – Lot 400 Cathedral Avenue, Australind (A014818).”**
- CARRIED 12-0**

Item No.	8.1.2
Subject:	Application for Planning Consent – Proposed Commercial Units Treendale
Proponent:	HMA Architects Pty Ltd on behalf of Shorescape Holdings and Cooper Family Holdings
Location:	Lot 52 The Promenade, Treendale
Reporting Officer:	Senior Planning Officer
File No.:	A000000 Attachment Reg. No. 15/14863 & 15/21555

Summary

Council has received an Application for Planning Consent proposing to develop Lot 52 The Promenade, Treendale into four commercial tenancies. It is recommended that Council grants planning consent subject to conditions requiring additional on-site car parking, improvements to the southern elevation and a revised awning design consistent with the established architectural style of the Promenade.

Background

Lot 52 The Promenade, Treendale is located within the Treendale District Centre immediately east of the Treendale Shopping Centre (refer **Attachment 1** – Location Plan). It has an area of 1,043m² and is adjacent to the main shopping centre car park. It was created through subdivision application 147720, approved by the Western Australian Planning Commission on 19th June 2013.

The Application proposes to develop Lot 52 with four ‘mixed use’ use commercial units, together with storage areas and toilets (refer **Attachment 2**). Nil setbacks are proposed on all boundaries. The combined net leasable area of tenancies 1 to 4 is 794m². A street awning structure is proposed to The Promenade frontage.

Comment

Car Parking

The Treendale District Centre Structure Plan stipulates a car parking requirement of 1 car parking bay per 40m² of floor space. The total floor space proposed is 792m² which generates the need for 20 car parking bays. The Application as submitted does not provide for any on-site car parking. The Applicant is relying upon the main shopping centre car park to fulfil their entire car parking needs. Nowhere is it mentioned in the Treendale District Centre Structure Plan that commercial developments on Lots 52 – 54 are exempt from providing car parking on-site, and that car parking for these lots has been provided entirely in the main shopping centre car park.

Commercial developments on nearby Lots 53 and 54 are providing 9 and 12 on-site car parking bays respectively. Staff are of the view that the Applicant should be expected to provide a similar amount of car parking. It is recommended that the Applicant be required to provide a minimum of eight (8) car parking bays on-site, which represents two bays per commercial unit. The bays would ideally be suited to Staff car parking with customer car parking provided in either The Promenade or the main shopping centre car park.

Staff has received correspondence from the Applicant indicating they would be prepared to provide 4 on-site car parking bays at the rear of Units 1 and 4 (refer **Attachment 3**). The plan is an improvement on the original plans lodged, however Staff are firmly of the view that further on-site car parking needs to be provided. A minimum of eight (8) car parking bays is recommended.

Southern Elevation

The southern elevation of the building requires modification to provide an acceptable interface with the car park. The main concern is that the southern elevation has limited streetscape appeal which consists of plain concrete walls with no architectural features or details and relatively small windows and doors. This concern was raised with the Applicant who responded by disagreeing that any modification to the rear elevation was required.

Relative to nearby commercial developments the rear elevation of the building is substandard and needs to be improved. It is accepted that the provision of eight (8) car parking bays will necessitate a redesign of the rear of the building. It is recommended that the Applicant be advised that the southern elevation of the building should be redesigned so that it incorporates a greater use of glazing and a pedestrian awning to provide an acceptable standard of presentation to the main shopping centre car park.

External Appearance/Awning Design

The proposed development has frontage to The Promenade being the main street within the Treendale District Centre Structure Plan. Current buildings and recent approvals has established an architectural style and consistency with regard to building bulk, scale and awning design.

The building is of an appropriate bulk and scale, however proposes an awning design entirely at odds with the established style. Staff recommend this awning design be modified to achieve consistency with the streetscape of The Promenade.

Paving

To ensure compatibility with the existing hard landscaping in the District Centre, it is recommended that a condition be imposed requiring the paving to be consistent with the existing paving in The Promenade road reserve.

Permissible Land Uses

The uses which may be permitted in the Treendale District Centre are listed in the Land Use Table contained within the Treendale District Centre Structure Plan document. A comprehensive range of land uses may be permitted. The proposed land uses have not been provided by the Applicant, however, each tenant will need to obtain Planning Consent from Council ensuring use of the unleased units will also be compliant with the Scheme.

Unit Size

All four tenancies are considered by Staff to be of an appropriate size for the District Centre.

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

Lot 52 is zoned 'Residential Development' by the Shire of Harvey District Planning Scheme No. 1.

Treendale District Centre Structure Plan

Lot 52 is designated 'Mixed Use' by the Treendale District Centre Structure Plan. The key objectives of the 'Mixed Use' precinct are:

- To activate the main street environment over a wide trading envelope with a range of uses and activities; and
- To create a built form that addresses the main street and provides a high level of interest at the pedestrian level.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 - 2023, Strategy 3.5.1 states:

"Affordable, diverse and quality accommodation options for both residential and business use."

Budget Implications

Nil.

Officer's Recommendation

That Council grants Planning Consent for four (4) commercial units at Lot 52 The Promenade, Australind, in accordance with the plans received on 21st July 2015 (Reg. No. 15/21555), subject to the following conditions:

1. A person shall not without the written approval of Council, use a building or part of a building in respect of which Council has granted Planning Consent subject to conditions, until all of those conditions have been complied with to the satisfaction of Council;
2. The Applicant shall provide a revised site plan for approval by the Manager of Planning Services prior to the issue of a Building Permit and detailing:
 - a. The provision of a minimum of 8 car parking bays on-site (refer condition 7 below);
 - b. As southern elevation with greater use of glazing and other architectural design elements to provide an acceptable standard of presentation to the main shopping centre car park; and
 - c. A revised Awning design consistent with the established awning design style for The Promenade.
3. The layout of the site and the size, design and location of the buildings and works permitted must always be in accordance with the endorsed plan and must not be altered or modified without the further written consent of Council;

SIGNED _____ DATED 25th August 2015.

4. This planning approval is granted on the condition that where necessary a Building Permit will be applied for prior to any work commencing on-site, including earthworks;
5. The development is to comply with the Building Code of Australia, Building Regulations 2012, and the Local Government Act 1995, and internal facilities are to comply with the Food Act 2008 and the Health Act 1911;
6. The building and internal facilities are to be designed having particular regard to the accessibility and convenience of disabled people in accordance with the Building Regulations 2012, and the Building Code of Australia;
7. The development to provide 8 car parking bays on the site, to be constructed and drained to the satisfaction of the Executive Manager of Technical Services. Dimensions of parking spaces to be not less than 2.5m by 5.5m to the satisfaction of the Executive Manager of Technical Services;
8. Paving to be consistent with that used in The Promenade road reserve to the satisfaction of the Executive Manager of Technical Services;
9. No goods are to be delivered from The Promenade and/or Grand Entrance;
10. Vehicular access off The Promenade is not permitted;
11. The Applicant shall provide a plan showing customer bicycle parking facilities being provided and approved by the Executive Manager of Technical Services prior to the issuing of a Building Permit;
12. Goods must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare;
13. Detailed plans and specifications of the proposed method of stormwater disposal being submitted for approval by the Executive Manager of Technical Services prior to the issue of a Building Permit. Such plans should identify invert levels, cover levels and pipe size and grade;
14. The Applicant is to forward to Council a \$2,000 Damage Bond for paths, kerbing and drainage;
15. A Refuse Management Plan to be submitted and approved by the Principal Environmental Health Officer prior to the issue of a Building Permit;
16. The location and details of any signage associated with the development (including signs painted on the building), to be to the satisfaction of the Principal Building Surveyor and approved prior to installation. This includes painted on advertising media, flags, bunting, streamers or similar devices used for advertising, and the control extends to an advertisement inside a building which can ordinarily be seen by a person who is outside the building;
17. The development the subject of this application is to be connected to the Honourable Ministers reticulated sewer system at the property boundary line; and
18. This approval is valid for a period of two (2) years. If development is not completed within this period, a new approval must be obtained before commencing or continuing development.

15/211. **Carbone/Hollands**

“That Council grants Planning Consent for four (4) commercial units at Lot 52 The Promenade, Australind, in accordance with the plans received on 21st July 2015 (Reg. No. 15/21555), subject to the following conditions:

- 1. A person shall not without the written approval of Council, use a building or part of a building in respect of which Council has granted Planning Consent subject to conditions, until all of those conditions have been complied with to the satisfaction of Council;**
- 2. The Applicant shall provide a revised site plan for approval by the Manager of Planning Services prior to the issue of a Building Permit and detailing the provision of a minimum of 4 car parking bays on-site (refer condition 7 below);**
- 3. The layout of the site and the size, design and location of the buildings and works permitted must always be in accordance with the endorsed plan and must not be altered or modified without the further written consent of Council;**
- 4. This planning approval is granted on the condition that where necessary a Building Permit will be applied for prior to any work commencing on-site, including earthworks;**
- 5. The development is to comply with the Building Code of Australia, Building Regulations 2012, and the Local Government Act 1995, and internal facilities are to comply with the Food Act 2008 and the Health Act 1911;**
- 6. The building and internal facilities are to be designed having particular regard to the accessibility and convenience of disabled people in accordance with the Building Regulations 2012, and the Building Code of Australia;**
- 7. The development to provide 4 car parking bays on the site, to be constructed and drained to the satisfaction of the Executive Manager of Technical Services. Dimensions of parking spaces to be not less than 2.5m by 5.5m to the satisfaction of the Executive Manager of Technical Services;**
- 8. Paving to be consistent with that used in The Promenade road reserve to the satisfaction of the Executive Manager of Technical Services;**
- 9. No goods are to be delivered from The Promenade and/or Grand Entrance;**
- 10. Vehicular access off The Promenade is not permitted;**

11. The Applicant shall provide a plan showing customer bicycle parking facilities being provided and approved by the Executive Manager of Technical Services prior to the issuing of a Building Permit;
12. Goods must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare;
13. Detailed plans and specifications of the proposed method of stormwater disposal being submitted for approval by the Executive Manager of Technical Services prior to the issue of a Building Permit. Such plans should identify invert levels, cover levels and pipe size and grade;
14. The Applicant is to forward to Council a \$2,000 Damage Bond for paths, kerbing and drainage;
15. A Refuse Management Plan to be submitted and approved by the Principal Environmental Health Officer prior to the issue of a Building Permit;
16. The location and details of any signage associated with the development (including signs painted on the building), to be to the satisfaction of the Principal Building Surveyor and approved prior to installation. This includes painted on advertising media, flags, bunting, streamers or similar devices used for advertising, and the control extends to an advertisement inside a building which can ordinarily be seen by a person who is outside the building;
17. The development the subject of this application is to be connected to the Honourable Ministers reticulated sewer system at the property boundary line; and
18. This approval is valid for a period of two (2) years. If development is not completed within this period, a new approval must be obtained before commencing or continuing development.”

VOTE TIED 6-6

MOTION LOST ON CASTING VOTE OF PRESIDING MEMBER 6-7

15/212.

Campbell/Lovitt

“That Council grants Planning Consent for four (4) commercial units at Lot 52 The Promenade, Australind, in accordance with the plans received on 21st July 2015 (Reg. No. 15/21555), subject to the following conditions:

1. A person shall not without the written approval of Council, use a building or part of a building in respect of which Council has granted Planning Consent subject to conditions, until all of those conditions have been complied with to the satisfaction of Council;

SIGNED _____ DATED 25th August 2015.

2. **The Applicant shall provide a revised site plan for approval by the Manager of Planning Services prior to the issue of a Building Permit and detailing the provision of a minimum of 8 car parking bays on-site (refer condition 7 below);**
3. **The layout of the site and the size, design and location of the buildings and works permitted must always be in accordance with the endorsed plan and must not be altered or modified without the further written consent of Council;**
4. **This planning approval is granted on the condition that where necessary a Building Permit will be applied for prior to any work commencing on-site, including earthworks;**
5. **The development is to comply with the Building Code of Australia, Building Regulations 2012, and the Local Government Act 1995, and internal facilities are to comply with the Food Act 2008 and the Health Act 1911;**
6. **The building and internal facilities are to be designed having particular regard to the accessibility and convenience of disabled people in accordance with the Building Regulations 2012, and the Building Code of Australia;**
7. **The development to provide 8 car parking bays on the site, to be constructed and drained to the satisfaction of the Executive Manager of Technical Services. Dimensions of parking spaces to be not less than 2.5m by 5.5m to the satisfaction of the Executive Manager of Technical Services;**
8. **Paving to be consistent with that used in The Promenade road reserve to the satisfaction of the Executive Manager of Technical Services;**
9. **No goods are to be delivered from The Promenade and/or Grand Entrance;**
10. **Vehicular access off The Promenade is not permitted;**
11. **The Applicant shall provide a plan showing customer bicycle parking facilities being provided and approved by the Executive Manager of Technical Services prior to the issuing of a Building Permit;**
12. **Goods must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare;**
13. **Detailed plans and specifications of the proposed method of stormwater disposal being submitted for approval by the Executive Manager of Technical Services prior to the issue of a Building Permit. Such plans should identify invert levels, cover levels and pipe size and grade;**

14. The Applicant is to forward to Council a \$2,000 Damage Bond for paths, kerbing and drainage;
15. A Refuse Management Plan to be submitted and approved by the Principal Environmental Health Officer prior to the issue of a Building Permit;
16. The location and details of any signage associated with the development (including signs painted on the building), to be to the satisfaction of the Principal Building Surveyor and approved prior to installation. This includes painted on advertising media, flags, bunting, streamers or similar devices used for advertising, and the control extends to an advertisement inside a building which can ordinarily be seen by a person who is outside the building;
17. The development the subject of this application is to be connected to the Honourable Ministers reticulated sewer system at the property boundary line; and
18. This approval is valid for a period of two (2) years. If development is not completed within this period, a new approval must be obtained before commencing or continuing development.”

CARRIED 8-4

Item No.	8.1.3	
Subject:	Request for Variation of Conditions of Planning Consent for Proposed Single Dwelling and Ancillary Accommodation	
Proponent:	S. and M. Jolly	
Location:	Lot 400 Cathedral Avenue, Australind	
Reporting Officer:	Senior Planning Officer	
File No.:	A014818	Attachment Reg. No. 15/21134

Summary

Council at its meeting on 23rd June 2015, granted Planning Consent for a single dwelling and ancillary accommodation at Lot 400 Cathedral Avenue, Australind. Condition 2. g. of the planning consent required the need for a revised site plan to include *the construction of a brick or limestone pier fencing being on the front property boundary and visually permeable above 1.2m of natural ground level*. A revised site plan has been submitted which departs from the requirements of this condition, yet addresses issues raised by the adjoining landowner.

The Applicant has requested that Conditions 2. g. of the Planning Consent be deleted, however it is recommended that the revised site plan be approved as submitted and new planning consent to super cede the previous one be granted.

Background

Lot 400 Cathedral Avenue, Australind is located 1.1km north of the Australind Post Office (refer **Attachment 1**). It has an area of 1,320m² and is zoned 'Residential R15/30/50' by the Shire of Harvey District Planning Scheme No. 1. Lot 400 and adjoining Lot 401 were created through subdivision in June 2012, under WAPC Ref: 143416.

SIGNED _____ DATED 25th August 2015.

On 27th March 2015, Council received an Application for Planning Consent from the Applicant proposing the construction of a single dwelling and ancillary accommodation. The single dwelling is positioned at the rear of the lot and together with the effluent disposal area occupies roughly two thirds of the site. The proposed single dwelling consists of a four bedroom two bathroom home with a triple garage. The ancillary accommodation has an area of 69m², and comprises a single bedroom, study, kitchen, laundry, meals, living, ensuite and alfresco.

The application was referred to Council given that the original plans proposed an alfresco within the front setback area. The application was considered by Council at its meeting on 23rd June 2015, where Council resolved to grant Planning Consent subject to conditions. Refer to **Attachment 2** for a copy of the Planning Consent. The Applicant is requesting that Condition 2. g. of the Planning Consent be deleted which reads as follows:

“g. The Applicant shall provide a revised site plan for approval by the Manager of Planning Services prior to the issue of a Building Permit and detailing the construction of a brick or limestone pier fencing being on the front property boundary and visually permeable above 1.2m of natural ground level.”

At a meeting between the Applicant and Staff, the Applicant indicated that the concern with Condition 2. g. in that the fencing would obstruct views of the Leschenault Estuary. While the preservation of views is not a planning consideration, it was suggested to the Applicant that if the alfresco area was setback 7.5m from the front boundary there would be no requirement for a front fence to be provided. The Applicant subsequently submitted a revised plan (refer **Attachment 3**) which shows the ancillary accommodation being moved further east on the lot so that the alfresco area is no longer in the front setback.

Comment

In light of the revised plan the Applicant is requesting that Condition 2. g. be deleted. The deletion of this condition from the current planning consent is not supported. The Applicant has submitted a revised site plan which increases the front setback for the alfresco area such that it is now behind the 7.5m front setback line (refer **Attachment 3**). The Residential Design Codes only requires screening of an outdoor living area if it is proposed within the front setback.

As the revised site plan no longer reflects the requirement of Condition 2. g. it is recommended that Council amends the planning consent issued by Council at its meeting held 23rd June 2015, by approving the revised site plan and issuing an updated list of conditions.

Adjoining Landowner

When the single dwelling and ancillary accommodation was advertised one submission was received from an adjoining landowner who raised concern with respect to boundary fencing blocking views of the Estuary. This matter was addressed through the imposition of Condition 2. h. of the Planning Consent which restricts the construction of boundary fencing forward of the ancillary accommodation. The proposal to remove the requirement for front fencing will benefit neighbours on either side of Lot 400.

Statutory/Policy Environment

District Planning Scheme No.1

Lot 400 is zoned ‘Residential’ with an assigned R Code density of R15/30/50.

SIGNED _____ DATED 25th August 2015.

Residential Design Codes

Section 5.3.1 of the Residential Design Codes stipulates the design principles and deemed to comply provisions for Outdoor Living Areas and specifically the need for it to be located behind the front setback area.

Council Policy 15.23 Ancillary Dwellings (note the Policy remains as a draft and is with the Western Australian Planning Commission for approval).

The Policy establishes design criteria when considering applications for Ancillary Dwellings. Criteria include but not limited to the size of the dwelling and need for compliance with the boundary setbacks.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategies 2.3.1 (in part) and 4.3.4 state:

- 2.3.1 *“Continue to implement integrated environmental, social and land use planning which will:*
- *minimise land use conflict.”*
- 4.3.4 *“Monitor and ensure compliance with the regulatory framework for local government business.”*

Budget Implications

Nil.

Officer's Recommendation

That Council:

1. Grants Planning Consent for a Single Dwelling and Ancillary Dwelling at Lot 400 Cathedral Avenue, Australind in accordance with the revised plans (15/21134) received on 17th July 2015, subject to the following conditions:
 - a. A person shall not without the written approval of Council, use any part of a building or land associated with this development in respect of which Council has granted Planning Consent subject to conditions, until all those conditions have been complied with to the satisfaction of Council;
 - b. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of Council;
 - c. The Applicant is to obtain a Building Permit compliant with the Building Code of Australia and Building Regulations 2012, prior to any work commencing on-site, including earthworks;
 - d. Car parking areas, crossovers and accessways to be suitably constructed, sealed and drained to the satisfaction of the Executive Manager of Technical Services;

SIGNED _____ DATED 25th August 2015.

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- e. On-site storage of stormwater runoff (1m³ for every 65m³ for sandy areas or 1m³ for every 100m² for clay areas) of impermeable area to be provided in accordance with a drainage strategy endorsed by the Executive Manager of Technical Services;
 - f. Effluent disposal on the site to be in accordance with the requirements of the Health Act 1911, and subject to plans approved by the Department of Health and the Principal Environmental Health Officer, prior to the issue of a building permit;
 - g. A Section 70A Notice to be placed on the Certificate of Title, at the Applicant's cost, prior to the issue of a building licence. Such a notice is to advise prospective purchasers that the presence of the ancillary accommodation will not be the basis for any subdivision application;
 - h. Boundary fencing between Lot 400 and adjoining Lot 2 forward of the ancillary accommodation, shall be open style to the satisfaction of the Manager Planning Services; and
 - i. This approval is valid for a period of two (2) years. If development is not completed within this period, a new approval must be obtained before commencing or continuing development.
2. Advises the Applicant that this approval supercedes the planning consent issued by Council at its meeting held 23rd June 2015.

15/213.

Shortland/Wood**"That the Officer's Recommendation be adopted."****CARRIED 12-0****Mr. Gardiner, Mr. Holland, Mr. Jolly and Mr. Mitchell left the Meeting at 4.50p.m.****The Order of Business listed within the Agenda resumed at this time.**

I. ADOPTION OF STANDING, OCCASIONAL & SUNDRY COMMITTEE MEETING MINUTES (Beige)**Community Sail Training Trust Committee**
21st July 2015.**MINUTES**

- 15/214. **Campbell/Shortland**
 “That the Minutes of the Community Sail Training Trust Committee Meeting, held on Tuesday, 21st July 2015, as printed, be received and the recommendations contained therein be adopted by Council.”

CARRIED 12-0**Alcoa Harvey Sustainability Fund Advisory Committee**
28th July 2015.**MINUTES**

- 15/215. **Campbell/Giancono**
 “That the Minutes of the Alcoa Harvey Sustainability Fund Advisory Committee Meeting, held on Tuesday, 28th July 2015, as printed, be received and the recommendations contained therein be adopted by Council.”

CARRIED 12-0**Development Services Committee**
28th July 2015.**MINUTES**

- 15/216. **Hollands/Monagle**
 “That the Minutes of the Development Services Committee Meeting, held on Tuesday, 28th July 2015, be received and the recommendations listed hereunder be adopted en-bloc.”

8.1 PLANNING REPORT

- 8.1.1 Application for Planning Consent – Mixed Use Commercial Units, Treendale – Jeff Freeman Architects on behalf of landdevelopment.com.au – Lot 54 The Promenade, Australind (A015288).
- 8.1.4 Application for Planning Consent – Modification to Allocated Building Envelope – Home Group WA South West – Lot 17 (No. 16) Thornton Drive, Uduc (A013437).
- 8.1.5 State Register of Heritage Places – Harvey Agricultural College and Adjoining Lots – State Heritage Office – Lots 44, 283, 284, 285, 294, 298 and 315 South Western Highway (A001926).

CARRIED 12-0

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

Cr. Carbone, having declared a financial interest in the following item, left the Chambers at 5.00p.m.

Item No. 1		
Subject:	Application for Planning Consent – Proposed Extractive Industry (Sand) – Lot 11 Runnymede Road, Binningup	
Proponent:	Lundstrom Environmental Consultants Pty Ltd representing ABA Civil	
Location:	Lot 11 Runnymede Road, Binningup	
Reporting Officer:	Manager Planning Services	
File No.:	A006025/EX/003	Attachment Reg. No. 15/11341

Summary

At its meeting held 23rd June 2015, Council resolved, at the request of the landowner, to defer consideration of this item to a time on or before 4th August 2015, in response to an outstanding matter between the land owner and the contractor.

Correspondence has been received from the landowner confirming that the outstanding matter has now been resolved and the Application is now referred back to Council for determination.

ABA Civil seeks to continue with sand extraction from Lot 11 Runnymede Road, Binningup and has lodged an Application for Planning Consent and an Application for Extractive Industry Licence for Council approval. The Application for Planning Consent has been advertised for public comment and is presented to Council for determination. It is recommended that Council grant Planning Consent, subject to conditions.

Background

Lot 11 Runnymede Road, Binningup is located 5.7km north east of the Binningup townsite and 4.1km east of the Myalup townsite (refer **Attachment 1** – Location Plan). It has an area of 320ha and predominantly consists of remnant bushland, except for three cleared areas in the eastern half of the property which are located west of a conservation category wetland.

Two of these cleared areas accommodate sand mining operations, one by the Applicant (3.79ha in area) and the other by Carbone Bros. Pty Ltd. A third sand mining operation was recently granted to Amaroc Industries.

An Extractive Industry Licence granted to ABA Civil expired on 20th April 2015, and the Applicant seeks to renew the approval to allow mining to continue. The application for continued extraction was submitted to Council on 20th April 2015.

At its meeting held 23rd June 2015, Council resolved as follows:

“That in relation to the application for planning consent for sand extraction at Lot 11 Runnymede Road, Binningup from ABA Civil, submitted on 20th April 2015:

1. *At the request of the landowner the item be deferred;*

2. *The item be reconsidered at or before the Council meeting of 4th August 2015; and*
3. *Extraction on the site subject of the application, cease until the matter in determined by Council given the expiry of the extractive industry licence."*

Comment

The application was advertised from 29th April 2015 to 20th May 2015, during which time 7 submissions were received (refer **Attachment 3**). There were no submissions of objection.

Compliance with the Previous Planning Consent and Extractive Industry Licence

Extraction activities carried out by ABA Civil to date have complied with the terms and conditions of the previous Planning Consent and Extractive Industry Licence, except that the Applicant has not yet carried out any revegetation. This is partly because extraction has taken place relatively slowly with a small mining footprint. The Applicant advises that once mining has been carried out to the depth of the pit floor, revegetation will progressively take place in accordance with an approved rehabilitation plan. Given these circumstances, and the security provided by the existing reinstatement bonds held by Council, the fact that no revegetation has been carried out to date is considered acceptable.

Weed Management

A site inspection was carried out on 12th May 2015, which indicated a minor occurrence of cottonbush at the property. A condition is recommended requiring the Applicant to prepare and implement a weed management plan.

Road Upgrading Contribution

On the previous planning approval a condition requiring the need to contribute 50c per cubic metre of extracted material towards the upgrading of Harvey - Myalup Road, Emu Drive and Runnymede Road was imposed. Payments have been made, however do not address the full amount of material extracted and to this effect additional invoicing will need to be raised.

The retention of this condition is considered appropriate, however, the method of calculation currently being considered by staff is different to the 50c per cubic metre rate and the recommended condition reflects this change.

GBRS Approval

Under the WAPC's Clause 27 Notice, Planning Approval is required under the Greater Bunbury Region Scheme as the land is adjacent to State Forest. According to the WAPC's Delegation Instrument, Council has delegation to grant Planning Approval under the GBRS if it accepts the advice and recommendation of the Department of Parks and Wildlife.

Statutory/Policy Environment

District Planning Scheme No.1

Lot 11 is zoned 'General Farming' by District Planning Scheme No. 1.

Strategic Minerals and Basic Raw Materials Resource Policy

The sand deposits on Lot 11 are identified in the Western Australian Planning Commission's Strategic Minerals and Basic Raw Materials Resource Policy.

SIGNED _____ DATED 25th August 2015.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 - 2023, Strategies 2.3.1 and 2.3.2 state:

2.3.1 *"Continue to implement integrated environmental, social and land use planning which will:*

- *Minimise land use conflict."*

2.3.2 *"Ensure compliance of rehabilitation plans for extractive industries areas."*

Budget Implications

The approval seeks the impost of conditions with a financial implication for Council in relation to the collections of rehabilitation bonds and contributions to roadworks.

Officer's Recommendation

That Council:

1. Acknowledges the submissions received during the public advertising period;
2. Grants Planning Consent for sand extraction at Lot 11 Runnymede Road, Binningup in accordance with the application received on 21st April 2015 (15/11341) subject to the following conditions:
 - a. A person shall not without the written approval of Council, undertake a development in respect of which Council has granted planning consent subject to conditions, until all of those conditions have been complied with to the satisfaction of Council;
 - b. Compliance with the application submitted 20th April 2015 (Ref: 15/11341), by Lundstrom Environmental as modified by this approval;
 - c. The Applicant is to have the approved pit boundaries surveyed and fenced by a suitably qualified surveyor, with the location of such pegs being to the satisfaction of the Manager of Planning Services prior to the issue of an Extractive Industry Licence. The pegs are to remain in place for the duration of the operation;
 - d. All extraction to achieve compliance with:
 - i) The Shire of Harvey Extractive Industry Local Laws 2007, including the holding of a valid licence for all periods of operation;
 - ii) The Department of Industry and Resources (DoIR) "*Environmental Management of Quarries: Development, Operation and Rehabilitation Guidelines*";
 - iii) The Department of Environmental South West Region Guideline Series "*Extractive Industries within the Coastal Strip of the Shire of Harvey (Limestone and Sand)*"; and
 - iv) The Department of Water's "*Water Resource Considerations for Extractive Industries 2014*".

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- e. Any refuelling activities must be undertaken in accordance with the Department's Water Quality Protection Note - Toxic and Hazardous Substance Storage and Use. There is to be no storage of hydrocarbons on-site and no major vehicle or machinery repairs or maintenance is to take place on-site;
 - f. The Applicant is to implement those dust control actions listed in the report prepared by Lundstrom Environmental Consultants Pty Ltd dated April 2015, to the satisfaction of the Executive Manager of Technical Services;
 - g. Weed control shall be undertaken in accordance with an approved Weed Management Plan, and to the satisfaction of the Department of Agriculture and Food;
 - h. The Applicant shall not clear or damage any of the natural bushland remaining on the property, without the approval of the Department of Environment Regulation;
 - i. A detailed Storm Water Management Plan being prepared to the satisfaction of the Department of Water and approved by the Executive Manager of Technical Services prior to the issue of an Extractive Industry License which includes the following items:
 - i) Confirmation and a procedure that following the occurrence of a rainfall event greater than the 10 year / 2 hour Average Recurrence Interval, the Proponent shall inspect the site and provide a report to the Department of Water, within 72 hours, including details of impacts and remediation actions, if required.
 - ii) The extractive industry shall not intercept the water table. If any groundwater is intercepted, extraction activities are to cease immediately and only resume subject to an inspection by the Department of Water;
 - iii) Excavation is permitted to a depth of 36m AHD;
 - iv) Dewatering of the extraction area is not permitted;
 - v) There shall be no standing water occurring at the end of mining; and
 - vi) The final (rehabilitated) pit floor shall be a minimum of 0.5m above the maximum seasonal groundwater level.
 - j. A Dieback Management Plan, is to be prepared for the site by a suitably qualified consultant which is to be endorsed by the Department of Environment Regulation, prior to the issue of an Extractive Industry Licence;
 - k. The Applicant is to provide an information brochure, which has been prepared to the satisfaction of the Department of Environment Regulation and Council, to all purchasers of material intended for landfill detailing the following:
 - i) The extracted material is considered to be 'uninterpretable' and may therefore contain Phytophthora Dieback;

- ii) The material should not be used adjoining any vegetation which is known to be susceptible to Phytophthora Dieback;
 - iii) A list of vegetation which is known to be susceptible is to be attached; and
 - iv) The Applicant is to retain a list of purchasers to which the above information has been provided, a copy of which is to be included in the annual audit report.
- l. Stockpiles are to be kept to a maximum height of 5m to avoid visual impact and/or material wind drift;
 - m. Operating hours are restricted to 7.00am – 5.00pm, Monday to Friday only, no operations are to occur on weekends or public holidays;
 - n. All rehabilitation is to comply with the rehabilitation plans submitted including slopes of the batters at the end of excavation, being retained at no more than 1:6 vertical to horizontal;
 - o. A reinstatement bond of \$18,950 (\$5,000 per hectare for 3.79ha) for all operational and cleared areas is to be received prior to the issue of an Extractive Industry Licence, and retained for up to three (3) years beyond the completion of rehabilitation works, to ensure success of planting;
 - p. Where applicable, activities such as screening and crushing will require a Works Approval, License or Registration under Part V of the Environmental Protection Act 1986. The Department of Environment Regulation is the lead agency in relation to proposals;
 - q. The Applicant making a contribution towards the maintenance and upgrading of Harvey - Myalup Road, Emu Drive and Runnymede Road in accordance with an adopted methodology by Council;
 - r. The Applicant is to engage a suitably qualified independent expert approved by Manager Planning Services to carry out an annual audit of compliance of the conditions of planning consent and extractive industry license. Such an audit must be submitted prior to an annual renewal licence being issued by Manager Planning Services; and
 - s. This approval is valid for a period of five (5) years. If development is not completed within this period, a new approval must be obtained before commencing or continuing development.
3. In accordance with its delegation under Clause 27 Notice and Delegations Instruments advises the Applicant that Application 15/11341 shall be deemed to be approved under the Greater Bunbury Region Scheme.

15/217.

Campbell/Hollands**“That the Officer’s Recommendation be adopted.”****CARRIED 11-0****Cr. Carbone returned to the Chambers at 5.05p.m.**SIGNED _____ DATED 25th August 2015.

Mr. Dandridge and Mr. Stewart left the Meeting at 5.06p.m.

Cr. Sabourne, having declared a proximity interest in the following item, left the Chambers at 5.06p.m.

TECHNICAL SERVICES

Item No.	1
Subject:	Regional Road Group Funding Submissions for 2016/17
Proponent:	Technical Services
Location:	Shire of Harvey
Reporting Officer:	Manager Infrastructure Design
File No.:	F000046

Summary

Applications for submissions under the Regional Road Group (Preservation and Improvement/Expansion) Programme for the 2016/17 financial year close on 28th August 2015.

Technical Services Staff annually identify suitable projects which fit the various programme criteria for the preparation of grant funding applications.

Staff have identified five projects for inclusion in the 2016/17 Regional Road Preservation funding programme and eight projects for Regional Road Improvement/Expansion funding programme. All projects, apart from two, nominated for inclusion in the submission are listed in Council's Forward Capital Works Plan 2013/14 to 2017/18 (FCWP).

Staff seeks Council's endorsement to submit the nominated projects to Main Roads Western Australia for consideration in the 2016/17 Regional Road Group Programme.

Background

"Regional Roads" as referred to within this report relates to Shire roads identified as roads of regional significance, for which the State Government will provide funding toward Preservation and/or Improvement/Expansion projects.

The State Government provides 2/3 of funding toward projects for roads identified as roads of regional significance. A new list of roads, included in "Roads 2030" that qualify as Regional Roads has been endorsed by Main Roads Western Australia (MRWA), replacing the "Roads 2025" list.

The programme can be described as follows:

- Preservation component, normally means reconstruction and/or reseal/re-sheeting works; and
- Improvement/Expansion component normally means upgrading works, for example road widening or extending the seal of a partially sealed road.

Comment

Historically the Shire of Harvey has been successful in obtaining funding from the Regional Road Group Programme. A number of the projects included in this application have previously been applied for, however, they were unsuccessful in attracting funding. It is recommended that these projects be resubmitted for consideration. Given the criteria the following projects are being recommended for Council's endorsement, to be submitted for grant funding for the 2016/17 financial year, under the relevant category:

Regional Road Preservation

1. Old Coast Road (slk 0.01 – 9.63), surface correction of various sections over the full length of Old Coast Road, from the Collie River Bridge to Forrest Highway;
2. Paris Road (slk 1.30 – 2.00), repair failing pavement by reconstructing a 700m section in the vicinity of the Break O'Day Drive intersection;
3. Marriott Road (slk 0.01 – 12.10), repair failing pavement by reconstruction and resealing of various sections over the full length of Marriott Road;
4. Uduc Road (slk 0.44 – 0.66), surface correction, reconstructing kerb and drainage, and installing new asphalt seal from the western bridge abutment to Sutton Street; and
5. Wellesley Road North (slk 10.09 – 12.24), surface correction from Runnymede Road to Forrest Highway.

Regional Road Improvement/Expansion

1. Old Coast Road (slk 5.56 – 5.78), create a pedestrian-friendly environment between Paris Road and Upton Place, to tie in to the future Ridley Place development;
2. Paris Road (slk 1.00 – 1.60), design and construction of proposed turning pockets, road widening in the vicinity of Break O'Day Drive intersection;
3. Johnston Road (slk 1.38 – 3.19), reconstruct from Teasdale Street to Brockman Road;
4. Korijekup Avenue (slk 0.01 – 1.45), upgrade to 7m seal from Government Road to Eighth Street;
5. Wellesley Road North (slk 1.81 – 2.87), reconstruct pavement from the bridge to Wellington Road;
6. Uduc Road (slk 3.04 – 3.44), widen shoulders from Sixth Street to Seventh Street;
7. The Boulevard (slk approx. 1.48 – 2.19), design and construction of The Boulevard from the existing terminus to the proposed Collie River Bridge; and
8. Kingston Drive, (slk approx. 1.95 – 2.71), design and construction of Kingston Drive from Paris Road to Ditchingham Place.

Given the level of funding available and the competitive nature of these programmes, it is unlikely that all the applications would be successful and no guarantees can be given that any of the projects will be supported. The projects recommended are those which meet the funding criteria.

SIGNED _____ DATED 25th August 2015.

Of the projects listed, the preservation works along Uduc Road and the improvement Works along Old Coast Road adjacent to Ridley Place have not been listed in any of Council's previous Forward Capital Works Plans. Given the need for surface preservation and improved drainage works within this section of Uduc Road, the project has been included in the submission. The works on Old Coast Road has been identified in the Ridley Place Foreshore Master Plan and qualifies for Regional Road Group funding, hence its inclusion in the submission.

The two Paris Road projects were identified in the FCWP for completion in the 2014/15 financial year; and the Uduc Road improvement project completion in 2015/16. Previous applications for the two Paris Road projects were unsuccessful.

The Boulevard expansion project was submitted in 2014/15 and Council was unsuccessful in its application for funding in that year. An application was submitted for the 2015/16 financial year; however, funding less than expected was received. Consequently, the Regional Road Group has advised the Shire of Harvey to submit a larger application for this high priority project for works in the 2016/17 financial year.

All other projects are listed in the FCWP.

Attached are diagrams depicting the location of aforementioned (refer **Attachment 1**).

Statutory/Policy Environment

The Shire of Harvey Forward Capital Works Plan provides a mechanism to identify and adopt future projects, some of which may be eligible for grant funding.

The Regional Road Group Programme provides a mechanism for Local Government to apply for grant funding in accordance with relevant funding criteria.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategies 3.6.1, 3.6.3 and 4.5.1 state respectively:

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

3.6.3 *"Lobby for State and Federal Government funding for road infrastructure."*

4.5.1 *"Maximise Shire grant funding."*

Budget Implications

The Regional Road Programme requires Local Government to contribute one third and MRWA two thirds of the total cost of the proposed works. If all the projects submitted were to be successful, the total Council contribution would amount to \$1,436,831 for the 2016/17 financial year. It is not anticipated that all projects would be successful in the funding submission.

Regional Road Preservation

1. Old Coast Road, total project cost \$100,000, Council contribution \$33,333;
2. Paris Road, total project cost \$300,000, Council contribution \$100,000;

SIGNED _____ DATED 25th August 2015.

3. Marriott Road, total project cost \$300,000, Council contribution \$100,000;
4. Uduc Road, total project cost \$100,000, Council contribution \$33,333; and
5. Wellesley Road North, total project cost \$50,000, Council contribution \$16,667.

Regional Road Improvement/Expansion

1. Old Coast Road, total project cost \$450,000, Council contribution \$150,000;
2. Paris Road, total project cost \$300,000, Council contribution \$100,000;
3. Johnston Road, total project cost \$375,000, Council contribution \$125,000;
4. Korijekup Avenue, total project cost \$150,000, Council contribution \$50,000;
5. Wellesley Road North, total project cost \$300,000, Council contribution \$100,000;
6. Uduc Road, total project cost \$100,000, Council contribution \$33,333;
7. The Boulevard, total project cost \$1,035,495, Council contribution (through the Joint Town Planning Scheme No. 1) is \$345,165; and
8. Kingston Drive, total project cost \$750,000, Council contribution (through the Joint Town Planning Scheme No.1) is \$250,000.

Officer's Recommendation

That Council endorses the following submissions for the 2016/17 Regional Road Group Programme to be forwarded to Main Roads Western Australia for consideration:

1. Regional Road Preservation
 - a. Old Coast Road, total project cost \$100,000, Council contribution \$33,333;
 - b. Paris Road, total project cost \$300,000, Council contribution \$100,000;
 - c. Marriott Road, total project cost \$300,000, Council contribution \$100,000;
 - d. Uduc Road, total project cost \$100,000, Council contribution \$33,333; and
 - e. Wellesley Road North, total project cost \$50,000, Council contribution \$16,667.
2. Regional Road Improvement/Expansion
 - a. Old Coast Road, total project cost \$450,000, Council contribution \$150,000;
 - b. Paris Road, total project cost \$300,000, Council contribution \$100,000;
 - c. Johnston Road, total project cost \$375,000, Council contribution \$125,000;
 - d. Korijekup Avenue, total project cost \$150,000, Council contribution \$50,000;

SIGNED _____ DATED 25th August 2015.

- e. Wellesley Road North, total project cost \$300,000, Council contribution \$100,000;
- f. Uduc Road, total project cost \$100,000, Council contribution \$33,333;
- g. The Boulevard, total project cost \$1,035,495, Council contribution (through the Joint Town Planning Scheme No. 1) is \$345,165; and
- h. Kingston Drive, total project cost \$750,000, Council contribution (through the Joint Town Planning Scheme No.1) is \$250,000.

15/218.

Hollands/Lovitt

“That the Officer’s Recommendation be adopted.”

CARRIED 11-0

Cr. Sabourne returned to the Chambers at 5.08p.m.

CORPORATE SERVICES

Item No.	1
Subject	Financial Assistance Grants to Local Government
Proponent:	Australian Local Government Association (ALGA)
Location:	Australia Wide
Reporting Officer:	Chief Executive Officer
File No.:	F000044(2) Attachment Reg. No. 15/20364 & 15/10958

Summary

The Australian Local Government Association (ALGA) is conducting a national campaign to highlight the importance of Financial Assistance Grants (FAGs) to Australian Local Governments. The campaign aims to reverse the three year indexation freeze on FAGs payments that was implemented in the 2014-15 Federal Budget.

Local Governments have been asked to support the campaign by passing a resolution as outlined in this report.

Background

The Western Australian Local Government Association (WALGA) has also written to Local Governments seeking their support for the ALGA campaign. Both ALGA and WALGA advise that FAGs funding is currently not keeping pace with demand for services and infrastructure in local communities and the freeze on indexation will worsen this. It is suggested that the freezing of FAGs at the current level until 2017-18 will result in a permanent reduction in the FAGs base of 13%.

ALGA in its 2015 Federal Budget submission called for the FAGs indexation to be restored. ALGA are asking Councils to pass a resolution acknowledging the importance of the Commonwealth's FAGs in assisting the sector to provide community infrastructure.

ALGA highlight that whilst the Federal Government recently announced an additional \$1.105 billion of funding to the Roads to Recovery (R2R) program, this funding is only allocated for two years and is not guaranteed to continue. Furthermore, R2R is a tied grant program unlike FAGs funds and cannot be used for general purposes. It is suggested that any shift away from general purpose funding would impact the sustainability of Local Governments.

ALGA suggest the success of the campaign relies on the participation of Local Governments as well as the acknowledgment of the receipt of FAGs from the Commonwealth in various ways including media releases and in Council publications such as annual reports.

Comment

The untied nature of the FAGs is important in the operations of many Local Governments and the freezing the indexation of this funding pool is a blow to the sector. ALGA's concerns about the eroding of the pool by the freezing of grants for three years is real. The campaign being undertaken is aiming at highlighting the importance of this funding source to communities.

The recommendation below is in the format requested by the ALGA and WALGA.

Statutory/Policy Environment

The Local Government (Financial Assistance) Act 1995, provides the legislative framework for the provision of Financial Assistance Grants to Local Governments.

The Western Australian Local Government Grants Commission is a statutory body established by state legislation being the Local Government Grants Act 1978. The principal function of the Commission is to make recommendations to the State Minister for Local Government on the allocations of General Purpose Grants from the Commonwealth Government under the Local Government (Financial Assistance) Act 1995.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 - 2023, Strategy 4.5.1 states:

"Maximise Shire Grant Funding."

Budget Implications

In 2014/15 the Shire of Harvey received the following FAGs allocations from the Federal Government:

General Purpose Grant	\$1,597,864
Local Roads Grant	\$ 961,338
Total	\$2,559,202

Final figures for 2015/16 have yet to be confirmed, however, with the freezing of the funding pool, they are expected to be similar.

Officer's Recommendation

That Council:

1. Acknowledges the importance of Federal funding through the Financial Assistance Grants program for the continued delivery of the Shire's services and infrastructure;
2. Acknowledges the receipt of \$2,559,202 in Financial Assistance Grants in 2014-15; and
3. Will ensure that Federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Shire publications, including annual reports.

15/219.

Campbell/Wood

"That the Officer's Recommendation be adopted."

CARRIED 12-0

Item No. 2	
Subject:	Community Sporting and Recreation Facilities Fund – Small Grant Application
Proponent:	Yarloop Bowling and Recreation Club
Location:	35 Teasdale Street, Yarloop
Reporting Officer:	Manager Community and Economic Development
File No:	F000209
	Attachment Reg. No.

Summary

This report provides information on a Community Sporting and Recreation Facilities Fund (CSRFF) grant application from the Yarloop Bowling and Recreation Club and recommends that Council submits the application to the Department of Sport and Recreation prior to the closing date of 31st August 2015.

Background

Each year the Department of Sport and Recreation (DSR) invites grant applications from Local Governments and community groups for projects that provide facilities and infrastructure for sport and recreation. The program aims to increase participation in sport and recreation through rational development of good quality, well designed and well utilised facilities.

The CSRFF program provides up to one third of the cost of eligible projects with the balance of the funds to be provided by the Local Government and/or the community group. In addition to the main funding round in September for larger scale projects, there are two small grant funding rounds in March and August each year for small scale projects up to \$200,000 in value.

In the previous small grant funding round in February 2015 Council endorsed the application submitted by the Yarloop Bowling and Recreation Club to replace the synthetic surface on the Bowling Green on the basis that if the grant was successful, Council would contribute one third of the cost in its 2015/16 Budget. An allocation of \$38,000 has been included in Council's 2015/16 Draft Budget as a contribution to the project.

Advice has recently been received from DSR that the grant application submitted in February was not successful and it is proposed to resubmit the application in the August funding round

Comment

The bowling green synthetic surface has deteriorated significantly and pennant bowls have been transferred to Waroona or Pinjarra due to the unsatisfactory condition of the surface. This in turn reduces the Club's revenue and affects its future viability.

The proposed funding arrangement for the project is as follows:

Shire of Harvey	\$ 38,000
Yarloop Bowling and Recreation Club	\$ 19,000
Alcoa Sustainability Fund Grant	\$ 25,000
Dept of Sport and Recreation	<u>\$ 41,000</u>
Total	<u>\$123,000</u>

The Yarloop Bowling and Recreation Club is the only sporting club in the town and plays an important role in providing sporting and social opportunities in the local community. The Club currently has 126 members and has committed to contribute \$19,000 plus GST towards the project. It has also recently been successful in securing a grant of \$25,000 from the Alcoa Harvey Sustainability fund.

Should the CSRFF grant application be successful, the project could be commenced in early 2016 and may be available for the last part of the summer bowls season.

Statutory / Policy Environment

Policy 11.10 relates to financial assistance by Council to organisations and clubs occupying land owned by or vested in the Council and states that Council will consider providing a one third contribution to projects of this nature. The Policy also states that clubs licensed under the Liquor Control Act, if given financial assistance are required to repay in full. In recent years Council has elected not to apply this policy due to declining revenue from bar sales over the past 10-15 years or more.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategies 3.1.2 and 4.5.1 state:

3.1.2 *"Continue to engage local community groups to understand needs, improve facilities and source grant funding."*

4.5.1 *"Maximise Shire grant funding."*

Budget Implications

An allocation of \$38,000 has been included in Council's 2015/16 Draft Budget as a contribution to this project.

Officer's Recommendation

That Council submits the grant application to the Department of Sport and Recreation for the replacement of the synthetic surface on the bowling green at the Yarloop Bowling and Recreation Club on the basis of the following funding arrangement.

Priority	Description	CSRFF	Shire	Club/Other	Total
1	Yarloop Bowling and Recreation Club – Replace Synthetic Grass Surface.	\$41,000	\$38,000	\$19,000 \$25,000 (Alcoa)	\$123,000

15/220.

Adams/Sabourne

"That the Officer's Recommendation be adopted."

CARRIED 12-0

SIGNED _____ DATED 25th August 2015.

Item No.	3	
Subject:	2015/2016 Budget Adoption	
Proponent:	Shire of Harvey	
Location:	Shire of Harvey	
Reporting Officer:	Finance Manager	
File No.:	FM/B/001	Attachment: Draft Budget Document

Summary

The purpose of this report is to allow Council to consider and adopt the 2015/2016 Budget together with associated matters such as the Schedule of Fees and Charges, Councillor Fees and Allowances, Rates and Charges etc. A copy of the 2015/2016 Draft Budget, which has resulted from Council's Preliminary Budget Meeting, held on the 20th July 2015, has been circulated to Councillors as a separate attachment.

ATTACHMENT

Background

On the 20th July 2015, a Special Council Meeting was held to review in depth the 2015/2016 Draft Budget. That meeting resulted in a number of changes being made to the document by Council. Those changes have now been included in the attached Draft Budget.

The 2015/2016 Draft Budget is presented in the required format for adoption.

Comment

Staff have made the requested changes to the Budget document which results in a balanced Budget position. The 2015/2016 Draft Budget is predicated on a 4.5% increase to general rates and an increase in Minimum Rates to \$950 in line with Council's direction at its Special Meeting.

Included is a recommendation in accordance with Council's decision of 15th April 2015, to phase in a rating valuation change for some properties in the Roelands area including the Meadow Landing Estate. The Minister for Local Government has amended the basis of rating of these properties from an unimproved valuation basis to a gross rental valuation and listed this change along with the affected properties in the Government Gazette on the 12th June 2015.

Advice from the Department of Local Government highlighted some issues in phasing in rates under Section 6.31 of the Local Government Act 1995, and recommending Council provide a concession for these properties under Section 6.47 to achieve the same result as phasing in the change.

Statutory/Policy Environment

Local Government Act 1995, Section 6.2 – Requirement for Local Governments to prepare and adopt in the prescribed manner an annual budget, by absolute majority.

Strategic Framework

This Budget has taken into account information derived from Strategy 4.1.1 being the Integrated Strategic Community Plan, Long Term Financial Plan, Workforce Plan, Asset Management Plans and Corporate Business Plan.

SIGNED _____ DATED 25th August 2015.

Within the Shire's Strategic Community Plan 2013 – 2023, the following Outcome and Strategies state:

Outcome 4.5 *"The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner."*

Strategy 3.4.1 *"Continue to monitor the needs of the community, to ensure access to appropriate services and facilities."*

Strategy 3.6.1 *"Provide a safe standard of roads and ancillary infrastructure."*

1. **SCHEDULE OF FEES AND CHARGES 2015/2016**

All fees and charges have been reviewed as part of the 2015/2016 Budget process.

Officer's Recommendation

That the Schedule of Fees and Charges, as included in the Budget document, be adopted.

ABSOLUTE MAJORITY REQUIRED

15/221. **Campbell/Monagle**
"That the Officer's Recommendation be adopted."
CARRIED BY ABSOLUTE MAJORITY 11-1

2. **COUNCILLOR FEES AND ALLOWANCES**

Officer's Recommendation

That the following Councillor fees and allowances be adopted for the 2015/2016 Financial Year:

Annual attendance fee (Councillors)	-	\$15,300
Annual attendance fee (Shire President)	-	\$30,600
Communications allowance	-	\$ 1,330
Presidential allowance	-	\$38,760
Deputy Presidential allowance	-	\$ 9,690

ABSOLUTE MAJORITY REQUIRED

15/222. **Monagle/Hollands**
"That the Officer's Recommendation be adopted."
CARRIED BY ABSOLUTE MAJORITY 12-0

3. **ADOPTION OF 2015/2016 BUDGET**

Officer's Recommendation

That the 2015/2016 Municipal Fund Budget, showing expenditure and payments of \$50,645,543 and receipts of \$24,349,848, with a balance of \$16,639,203 to be acquired by the imposition of rates, be adopted by Council.

ABSOLUTE MAJORITY REQUIRED

SIGNED _____ DATED 25th August 2015.

15/223. **Monagle/Carbone**
"That the Officer's Recommendation be adopted."
CARRIED BY ABSOLUTE MAJORITY 11-1

4. **RATES, CONCESSIONS, CHARGES, PAYMENT OPTIONS, PENALTIES AND DISCOUNTS**

Officer's Recommendation

That the following rates and charges and related payment options be imposed on rateable properties within the Shire of Harvey for the 2015/2016 Financial Year:

Schedule of Rates, Concessions, Charges, Fees, Penalties and Discounts

General Rates

7.9251 cents in the \$ on Gross Rental Valuations.
0.4576 cents in the \$ on Unimproved Valuations.

General Rates – UV to GRV Phased In as a Concession

That all properties as identified in the Government Gazette, WA on the 12th June 2015, under notice LG410* be granted a concession under the Local Government Act 1995, Section 6.47 and calculated to achieve the same result as 'Phasing in of certain valuations' under Section 6.31 of the same Act.

Specified Area Rate – Kingston Landscaping Maintenance

0.8940 cents in the \$ on Gross Rental Valuations on properties within the Kingston Estate.

Specified Area Rate – Galway Green Landscaping Maintenance

0.8590 cents in the \$ on Gross Rental Valuations on properties within the Galway Green Estate.

Specified Area Rate – Treendale Landscaping Maintenance

1.2506 cents in the \$ on Gross Rental Valuations on properties within the Treendale Estate.

Specified Area Rate – Treendale District Centre Landscaping Maintenance

0.8175 cents in the \$ on Gross Rental Valuations on properties within the Treendale District Centre.

Minimum Rate

\$950 per assessment on both Gross Rental Valuations and Unimproved Valuations.

Rubbish Charge

\$238 per annum for the weekly removal of one 240 Litre Mobile Garbage Bin and fortnightly removal of one 240 Litre Mobile Recycling Bin.

SIGNED _____ DATED 25th August 2015.

\$98 per annum for a rural rubbish charge on those rural properties which do not have a weekly 240 Litre Mobile Garbage Bin Service.

Swimming Pool Inspection Fee

\$15.00 per annum (GST Exempt).

Rates, Charges and Fees Due and Payable

The General Rates, Specified Area Rates and Rubbish Charges are due and payable by the 25th September 2015.

Interim Rates and Interim Rubbish Charges will be due and payable by the 35th day after the date of service of the interim notice.

Discounts

A discount of 8% on all current general rates issued and payments received in full at the Shire Office up to 4.00p.m. on the 25th September 2015, and a discount of 8% on all interim general rates paid in full by the 35th day after the date of service of the interim notice.

Options for Payment of Rates, Rubbish Charges and Fees

Option 1 - Prompt Payment

Due no later than 4.00p.m. on the 25th September 2015, and subject to an 8% discount on the current general rates.

Option 2 - Two Equal Instalments

1. First Instalment due no later than 4.00p.m. on the 25th September 2015.
2. Second Instalment due no later than 4.00p.m. on the 27th November 2015.

Administration Charge for Payment by Option 2 - \$5.00.

NOTE: NO DISCOUNT APPLICABLE TO OPTION 2

Option 3 - Four Equal Instalments

1. First Instalment due no later than 4.00p.m. on the 25th September 2015.
2. Second Instalment due no later than 4.00p.m. on the 27th November 2015.
3. Third Instalment due no later than 4.00p.m. on the 29th January 2016.
4. Final Instalment due no later than 4.00p.m. on the 1st April 2016.

Administration Charge for Payment by Option 3 - \$15.00.

NOTE: NO DISCOUNT APPLICABLE TO OPTION 3

Interest Charged on Overdue Rates, Rubbish and Other Charges

Rate of Interest - 10% per annum calculated on a daily basis.

SIGNED _____ DATED 25th August 2015.

Interest will be charged on all General Rates, Accrued Interest, Rubbish Charges and Instalment Administration Charges outstanding as at 30th June 2015, calculated on a simple interest basis at the rate of 10% per annum.

Where no election has been made to pay the rate notice by instalments, interest will be charged on the General Rates and/or Rubbish Charges raised for the 2015/2016 financial year, that remain outstanding forty two (42) days after the date of issue of the rate notice, for the number of days until the day before the day on which a payment is received, calculated on a simple interest basis at the rate of 10% per annum.

Where an election has been made to pay the rate notice by instalments and an instalment remains unpaid, interest will be charged for the number of days until the day before the day on which a payment is received, calculated on a simple interest basis at the rate of 10% per annum.

Entitled Pensioners will be exempt from being charged the interest charge on Deferred Rates, Current Rates and Current Rubbish Charges.

ABSOLUTE MAJORITY REQUIRED

15/224. **Monagle/Carbone**
“That the Officer’s Recommendation be adopted.”
CARRIED BY ABSOLUTE MAJORITY 12-0

5. TRUST FUND BUDGET 2015/2016

Officer’s Recommendation

That the Trust Fund Budget for the 2015/2016 financial year as included in the Budget document as Note 16b, showing an estimated closing balance of \$10,580,493 be adopted.

ABSOLUTE MAJORITY REQUIRED

15/225. **Shortland/Lovitt**
“That the Officer’s Recommendation be adopted.”
CARRIED BY ABSOLUTE MAJORITY 12-0

Item No.	4
Subject:	Meetings for Coming Months
File No.:	CCC001

Meeting	Location	Date	Time
Bush Fire Advisory Committee	Chambers	17 th August 2015	7:00p.m.
Development Services Committee	Chambers	18 th August 2015	4:00p.m.
General Purposes Committee	Chambers	18 th August 2015	2:00p.m.
Corporate Services Committee	Chambers	25 th August 2015	1:00p.m.
Ordinary Council	Chambers	25 th August 2015	4:00p.m.
Disability Access and Inclusion Committee	Brunswick Junction Town Hall	1 st September 2015	2:00p.m.
Community Safety and Crime Prevention Advisory Committee	LLC	1 st September 2015	3:30p.m.
Work Safe Committee	Chambers	3 rd September 2015	3:00p.m.
Leschenault Leisure Centre Advisory Committee	LLC	4 th September 2015	8:00a.m.
Development Services Committee	Chambers	8 th September 2015	4:00p.m.
Harvey Local Emergency Management Committee	Chambers	14 th September 2015	6:00p.m.
Corporate Services Committee	TBC	15 th September 2015	2:00p.m.
Ordinary Council	TBC	15 th September 2015	4:00p.m.

Officer's Recommendation

That the Meetings for Coming Months be noted.

15/226.

Lovitt/Hollands

"That the Officer's Recommendation be adopted."

CARRIED 12-0

SIGNED _____ DATED 25th August 2015.

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.

N. REPORTS OF MEMBERS**Cr. Adams**

Cr. Adams reported on his attendance at:

- A meeting of the Keep Australia Beautiful Council held on 16th July 2015, discussing littering problems from uncovered, unsecured loads on trailers etc.;
- The Morrissey Homestead Board meeting held on 20th July 2015, with issues dealing with power and water raised;
- A meeting of the Harvey Senior Citizens Centre Committee held on 21st July 2015;
- A meeting of the Riverlinks Child Care Centre Committee held on 29th July 2015; and
- A meeting of the Assessment Panel to review and assess the tenders received for the management of the Richardson Road Refuse Site held on 31st July 2015.

Cr. Shortland

Cr. Shortland reported on her attendance at the AGM of the Leschenault Progress Association held on 30th July 2015, advising the fundraising for their contribution to the shade structure is progressing very well.

Cr. Wood

Cr. Wood reported on his attendance at the official opening function held on the 21st July 2015, for the Leschenault Recreation Pavilion, noting the very positive feedback about the building and thanked staff involved in arranging the function.

Cr. Jackson

Cr. Jackson reported on her attendance at:

- The official opening function for the Leschenault Recreation Pavilion held on the 21st July 2015;
- The City of Bunbury's Annual Dinner together with Mr. and Mrs Parker;

- A meeting with South West Development Commission representatives and representatives of the Shires of Capel, Dardanup and City of Bunbury to discuss the proposed Regional Centre Growth Plan governance framework;
- A meeting of the Bunbury Wellington Economic Alliance considering a review of goals within its strategic plan; and
- A meeting of the Assessment Panel to review and assess the tenders received for the management of the Richardson Road Refuse Site held on 31st July 2015.

O. ORDERS OF THE DAY

Officer's Recommendation:

That approval be granted to affix the Common Seal of the Shire of Harvey to the following items:

1. Notification Under Section 70A – Lots 1, 2 and 3 on Survey Plan 72506 – Lot 33 Old Coast Road, Australind.

Prepared By
Shire of Harvey

- 15/227. **Campbell/Monagle**
"That the Officer's Recommendation be adopted."

CARRIED 12-0

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

- 15/228. **Campbell/Adams**
"That Council suspends Standing Orders and Moves Behind Closed Doors in accordance with Section 5.23 (2)(c) 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."

CARRIED 12-0

Standing Orders were suspended at 5.33p.m.

Mr. Bertelli and Mr. Jackson left the Meeting at 5.33p.m.

Cr. Carbone, having declared a financial interest in the following Confidential Items, left the Chambers at 5.34p.m.

CONFIDENTIAL ITEM 1 – TENDER T042015 – SUPPLY AND DELIVERY OF LIMESTONE SUB-BASE ROAD MATERIAL – VARIOUS TENDERERS – SHIRE OF HARVEY (T042015).

15/229.

Campbell/Adams

“That Council accepts Tender T042015 submitted by B & J Catalano Pty Ltd for the supply of limestone sub-base road material for the 2015/16 financial year as per prices in the table below (GST inclusive):

Tenderer	Stockpile \$/m ³	On Truck at Quarry \$/m ³	Supply and Cart \$/m ³	Depot Location	Subcontractor Access
B & J Catalano Pty Ltd	\$18.15	\$18.15	0-10 km \$24.48 10-20 km \$26.68 20-30 km \$27.89	Ludlow Road	Yes”

CARRIED 11-0

CONFIDENTIAL ITEM 4 – LOT 42 STANLEY ROAD – EXTRACTIVE INDUSTRY ROAD CONTRIBUTIONS – B & J CATALANO PTY LTD – LOT 42 STANLEY ROAD, WELLESLEY (A006340/EX/001).

15/230.

Wood/Campbell

“That Council endorses the deletion of “Condition 2. y.” from the current Extractive Industry planning consent issued 17th February 2014, for Lot 42 Stanley Road, Wellesley for the reasons contained within the confidential item dated 4th August 2015.

CARRIED 11-0

Cr. Carbone returned to the Chambers 5.41p.m.

CONFIDENTIAL ITEM 2 – TENDER T052015 – SUPPLY AND DELIVERY OF HOT BITUMEN – VARIOUS TENDERERS – SHIRE OF HARVEY (T052015).

15/231.

Hollands/Monagle

“That Council accepts the tender submitted by Fulton Hogan Industries Pty Ltd for the Supply and Delivery of hot bitumen for tender T052015, for the 2015/16 financial year at the following rates, excluding GST:

Fulton Hogan Industries			
Quantities Litres	Hot Bitumen 98/2 \$ Per Litre	Cutback Primer 90/10 \$ Per Litre	Emulsion Sprayed \$ Per Litre
0 – 2799	1.25	1.26	1.13
2800 – 5499	1.12	1.13	1.01
5500 – 8199	1.10	1.11	0.99
8200 – 10899	1.02	1.03	0.91
10900 – 13599	1.00	1.01	0.89
13600 – 18199	0.98	0.99	0.87
18200 +	0.97	0.98	0.86”

CARRIED 12-0

SIGNED _____ DATED 25th August 2015.

CONFIDENTIAL ITEM 3 – TENDER T062015 – SUPPLY AND DELIVERY OF DENSE GRADED ASPHALT – VARIOUS TENDERERS – SHIRE OF HARVEY (T062015).

- 15/232. **Hollands/Campbell**
 “That Council accepts Tender T062015 submitted by Malatesta Road Paving and Hotmix for the Supply and Delivery of Dense Graded Asphalt for the 2015/16 financial year as per prices in the table below (GST inclusive).

Tenderer	Lump Sum Price	Range \$/m ² Rate
Malatesta Road Paving and Hotmix	\$184,318.60	\$13.02 to \$17.34”

CARRIED 12-0

Resumption of Standing Orders

- 15/233. **Campbell/Monagle**
 “That Standing Orders be resumed.”

CARRIED 12-0

Standing Orders were resumed at 5.43p.m.

R. CLOSURE

There being no further business to discuss, the meeting was declared closed at 5.44p.m.

I, Tania Gae Jackson certify that the aforesaid Minutes of the meeting held on Tuesday, 4th August 2015, are confirmed as a true and correct record of that meeting on Tuesday, 4th August 2015.

 Tania G. Jackson
SHIRE PRESIDENT