



Shire of Harvey

**ORDINARY COUNCIL
MEETING
MINUTES**

27th June 2017

TABLE OF CONTENTS

A.	OFFICIAL OPENING.....	5
B.	PUBLIC QUESTION TIME	5
C.	READING FROM A BOOK OF LEARNING AND WISDOM.....	5
D.	APOLOGIES/LEAVE OF ABSENCE	5
E.	DECLARATIONS OF MEMBERS' AND OFFICERS' PERSONAL INTEREST.....	5
F.	PETITIONS/DEPUTATIONS	7
G.	CONFIRMATION OF MINUTES.....	7
	Ordinary Council Meeting – 6 th June 2017.	7
H.	ANNOUNCEMENTS BY THE PERSON PRESIDING OR C.E.O WITHOUT DISCUSSION	7
I.	ADOPTION OF STANDING, OCCASIONAL & SUNDRY COMMITTEE MEETING MINUTES	7
	Harvey Local Emergency Management Committee – 12 th June 2017.	7
	Disability Access and Inclusions Advisory Committee – 13 th June 2017.	7
	Community Sail Training Trust Committee – 13 th June 2017.	8
	Alcoa Harvey Sustainability Fund Advisory Committee – 21 st June 2017.	8
	Heritage Advisory Committee – 21 st June 2017.	11
	Corporate Services Committee – 27 th June 2017.	17
	Development Services Committee – 20 th June 2017.	47
	<i>(Including Planning, Health and Building Reports listed below)</i>	
8.1	PLANNING REPORT	
8.1.1	Request for Reconsideration of Conditions of Development Approval – Proposed Horticulture – Pearson Nominees Pty Ltd – Lots 9, 10, 2940 and 3025 Ludlow Road, Myalup (A000177).....	47
8.1.2	Road Naming Proposal – Meadow View Estate – D. and R. Tognella – Lots 3 and 802 Hinge Road, Harvey (S151854).	17
8.1.3	Proposed Mural Façade to Child Care Centre – Treendale Property Developments – Lot 54 (No. 38) The Promenade, Australind (A015418).	20
8.1.4	Application for Planning Consent – Extractive Industry – Carbone Bros Pty Ltd – Lot 67 Sandalwood Road, Brunswick (A015673/EX/001).	24
8.1.5	Application for Development Approval – Extractive Industry (Sand) – B & J Catalano Pty Ltd – Lot 4 Runnymede Road, Wellesley (A002628/EX/003).	40
8.2	BUILDING REPORT	
8.2.1	Building Permit Applications Received – Building Permits Issued – May 2017 – Shire of Harvey (BSR017 (15)).	47

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

1.	Dog Exercise Areas – Shire of Harvey – Various Locations in the Shire District (RSA020).....	48
2.	Leschenault Leisure Centre – Grow Cook Eat Create Proposal – Grow Cook Eat Create Inc. – Leschenault Leisure Centre (A005529).....	51
3.	Appointment of Authorised Officers/Appointment of Fire Control Officer – Chief Executive Officer – Shire of Harvey (CCU003).....	53
4.	Meetings for Coming Months (CCC001).....	54
K.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	56
L.	NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING.....	56
M.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	56
N.	REPORTS OF MEMBERS	56
O.	ORDERS OF THE DAY.....	58
1.	Funding Agreement ‘The Elbow’ Boat Ramp Upgrade and Finger Jetty Construction Between Minister for Transport and Shire of Harvey.....	58
P.	MOTIONS WITHOUT NOTICE (by permission of majority of members).....	58
Q.	MATTERS BEHIND CLOSED DOORS (Under Section 5.23 (2)(c) of the Local Government Act, 1995).....	58
R.	CLOSURE	59

SHIRE OF HARVEYCOUNCIL MINUTESMINUTES OF THE ORDINARY MEETING OF THE HARVEY SHIRE COUNCIL, HELD IN THE COUNCIL CHAMBER, YOUNG STREET, HARVEY ON TUESDAY, 27TH JUNE 2017, COMMENCING AT 4:00P.M.ATTENDANCE

Shire President	Cr.	T.G.	Jackson	
Deputy Shire President	Cr.	P.J.	Beech	
	Cr.	B.	Adams	
	Cr.	F.	Burgoyne	4.00p.m. – 4.48p.m. 4.52p.m. – 6.00p.m.
	Cr.	C.	Carbone	4.00p.m. – 4.48p.m. 4.52p.m. – 6.00p.m.
	Cr.	G.	Campbell	
	Cr.	P.	Giancono	
	Cr.	A.	Lovitt	
	Cr.	P.	Monagle	
	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	4.00p.m. – 5.37p.m.
Executive Manager Technical Services	Mr.	T.	Naudé	4.00p.m. – 5.37p.m.
Principal Building Surveyor	Mr.	M.	Stewart	4.00p.m. – 5.37p.m.
Principal Environmental Health Officer	Mr.	S.	Dandridge	4.00p.m. – 4.55p.m.
Manager Planning Services	Mr.	S.	Hall	4.00p.m. – 5.37p.m.
Manager Community & Economic Development	Mr.	P.	Quinlivan	4.00p.m. – 5.37p.m.

GALLERY

	Ms.	C.	Gelmi	4.00p.m. – 5.37p.m.
--	-----	----	-------	---------------------

PRESS

Harvey-Waroonna Reporter	Ms.	H.	Hepburn	4.00p.m. – 5.37p.m.
--------------------------	-----	----	---------	---------------------

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. Giancono.

D. APOLOGIES AND LEAVE OF ABSENCE

Apology: Cr. J. Sabourne (O.A.M. J.P.)

Cr. Monagle requested leave of absence for the Special Council meeting to be held on Monday, 10th July 2017.

Cr. Beech requested leave of absence for the Ordinary Council meeting to be held on Tuesday, 18th July 2017.

17/160. **Burgoyne/Carbone**

“That leave of absence be granted to Cr. Monagle for the Special Council meeting to be held on Monday, 10th July 2017, and Cr. Beech for the Ordinary Council meeting to be held on Tuesday, 18th July 2017.”

CARRIED 12-0

E. DECLARATIONS OF MEMBERS' AND OFFICERS' PERSONAL INTEREST

- **Financial Interests**

Cr. Burgoyne declared a financial interest in Planning Item 8.1.4 – Application for Planning Consent – Extractive Industry – Carbone Bros Pty Ltd – Lot 67 Sandalwood Road, Brunswick (A015673/EX/001).

Reason

Cr. Burgoyne advised that his employer is involved in extractive industries. Cr. Burgoyne declared he would leave the Chamber for the duration of the item.

Cr. Burgoyne declared a financial interest in Planning Item 8.1.5 – Application for Development Approval – Extractive Industry (Sand) – B & J Catalano Pty Ltd – Lot 4 Runnymede Road, Wellesley (A002628/EX/003).

Reason

Cr. Burgoyne advised that his employer is involved in extractive industries. Cr. Burgoyne declared he would leave the Chamber for the duration of the item.

Cr. Carbone declared a financial interest in Planning Item 8.1.4 – Application for Planning Consent – Extractive Industry – Carbone Bros Pty Ltd – Lot 67 Sandalwood Road, Brunswick (A015673/EX/001).

Reason

Cr. Carbone advised that he is a Director of Carbone Bros, the Applicant for this item, a company which deals in extractive industries. Cr. Carbone declared he would leave the Chamber for the duration of the item.

Cr. Carbone declared a financial interest in Planning Item 8.1.5 – Application for Development Approval – Extractive Industry (Sand) – B & J Catalano Pty Ltd – Lot 4 Runnymede Road, Wellesley (A002628/EX/003).

Reason

Cr. Carbone advised that he is a Director of Carbone Bros, a company which deal in extractive industries. Cr. Carbone declared he would leave the Chamber for the duration of the item.

• **Impartiality Interest**

Cr. Giancono declared an impartiality interest in Item 7.10 – Southern Seawater Desalination Plant Community Benefits Package – Budget Submissions – Binningup and Myalup Community Groups – Shire of Harvey (F000211).

Reason

Cr. Giancono advised that he is Council's delegate on the Binningup Community Association Committee. Cr. Giancono declared he would deal with the matter on its merits.

Mr. Quinlivan declared an impartiality interest in Item 6.1 – Alcoa Harvey Sustainability Fund – Various Community Organisations – Shire of Harvey (B000023(10)).

Reason

Mr. Quinlivan advised that he was a social member of the Harvey Bowling Club and as such there may be some perception that his impartiality could be affected. Mr. Quinlivan also advised that a member of his Staff was the author of the Shire of Harvey's grant application for the "Bush Fire Recovery and Regrowth Art Project" and as such there may be some perception that his impartiality could be affected. Mr. Quinlivan declared that if required to provide advice, he would deal with these matters on their merits.

Mr. Hall declared an impartiality interest in Corporate Services Item 2 – Leschenault Leisure Centre – Grow Cook Eat Create Proposal – Grow Cook Eat Create Inc. – Leschenault Leisure Centre (A005529).

Reason

Mr. Hall advised that he has a financial relationship with Life Without Barriers Organisation. Mr. Hall declared that if required to provide advice, he would deal with the matter on its merits.

F. PETITIONS/DEPUTATIONS

Nil.

G. CONFIRMATION OF MINUTES

ORDINARY COUNCIL MEETING – Tuesday, 6th June 2017.

Recommendation

That the Minutes of the Council Meeting held on Tuesday, 6th June 2017, as printed be confirmed as a true and correct record.

17/161. **Carbone/Monagle**

“That the Minutes of the Council Meeting held on Tuesday, 6th June 2017, 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

The Shire President advised that Councillors would have recently received an invitation to a civic function for NAIDOC Week to be held at 3pm on Tuesday, 4th July 2017.

I. ADOPTION OF STANDING, OCCASIONAL & SUNDRY COMMITTEE MEETING MINUTES (Beige)

Harvey Local Emergency Management Committee
12th June 2017.

MINUTES

17/162. **Burgoyne/Campbell**

“That the Minutes of the Harvey Local Emergency Management Committee, held on Monday, 12th June 2017, as printed, be received and the recommendations contained therein be adopted by Council with a minor amendment indicating an apology was received from Ms. S. Torney.”

CARRIED 12-0

Disability Access and Inclusion Advisory Committee
13th June 2017.

MINUTES

17/163. **Lovitt/Campbell**

“That the Minutes of the Disability Access and Inclusion Committee, held on Tuesday, 13th June 2017, as printed, be received and the recommendations contained therein be adopted by Council with the exception of Committee Recommendation DAIP-17/005 which is to be replaced with the following:

That Council:

1. With the inclusion of the following changes receives the draft Disability Access and Inclusion Plan (DAIP) 2017-2022;
 - Corrections to the committee membership on page 3; and
 - Addition of some positive comments as to how the Shire is meeting the needs of people with a disability on page 6.
2. Advertises the draft Disability Access and Inclusion Plan 2017 – 2022 for a 21 day public consultation period; and
3. Lists for consideration of funding in its 2017/18 Draft Budget an allocation of \$20,000 for access and inclusion projects.”

CARRIED 12-0

Note: this change to DAIP-17/005 was circulated to Councillors.

Alcoa Harvey Sustainability Fund Advisory Committee
21st June 2017.

MINUTES

- 17/164. **Simpson/Campbell**
“That the Minutes of the Alcoa Harvey Sustainability Fund Advisory Committee, held on Wednesday, 21st June 2017, as printed, be received and the recommendations contained therein be adopted by Council.”

CARRIED 12-0

Community Sail Training Trust Committee
13th June 2017.

MINUTES

- 17/165. **Shortland/Campbell**
“That the Minutes of the Community Sail Training Trust Committee, held on Tuesday, 13th June 2017, as printed, be received and the recommendations contained therein be adopted by Council.”

CARRIED 12-0

Heritage Advisory Committee
21st June 2017.

MINUTES**Item No. 6.3**

Subject:	Preparing the Shire of Harvey's Heritage List
Proponent:	Manager Planning Services
Location:	Shire of Harvey
Reporting Officer:	Planning Officer (RD)
File No.:	CR/M/004

Summary

Council is required by Section 8 (1) of the *Schedule 2 – Deemed Provisions for Local Planning Scheme* within the *Planning and Development (Local Planning Schemes) Regulations 2015* to prepare a Heritage List. A Heritage List generally comprises the higher Management Category places contained with a Municipal Heritage Inventory. Staff consider the preparation of the list as a continuing function of the Heritage Advisory Committee (HAC) and seek Council's endorsement for this process to commence.

As the Heritage List is a statutory document it is recommended that the HAC prepare a Community Engagement Strategy for Council approval.

Background

In accordance with Section 8 (1) of the *Schedule 2 – Deemed Provisions for Local Planning Scheme* within the *Planning and Development (Local Planning Schemes) Regulations 2015*, Local Governments are required to have a Heritage List.

The work previously undertaken by Staff and HAC was to establish the MHI and its associated – the Local Planning Policy for Heritages Places (LPP) and (revoked) Local Planning Policy for Yarloop Heritage Area (YHA).

The MHI is a survey of properties and places that are considered to have heritage value. It also recommends how these places should be preserved through the appropriate application of Management Categories. The MHI was formally adopted by the Council at its Ordinary Meeting in October 2015.

The document itself does not have any statutory authority. Therefore it does not impose any legal requirement on land owners to consider heritage values as part of the development application process or maintain their properties to appropriate standards. This lack of development controls is implemented through the LPP.

Comment

Staff had previously discussed with the HAC the preparation of a heritage list, however it was recommended that this be postponed until the MHI had been updated due to the Yarloop / Harvey / Waroona January 2016 Fire (Fire). As the updates have been finished it is recommended that staff with recommendations from the HAC prepare a Heritage List for Council's consideration and endorsement.

Statutory/Policy Environment

Shire of Harvey – Municipal Heritage Inventory, prepared and reviewed in accordance with Section 45 of the Heritage of Western Australia Act 1990.

SIGNED _____ DATED 18th July 2017.

Part 3 – Heritage Protection of Schedule 2 – Deemed Provisions for Local Planning Scheme within the *Planning and Development (Local Planning Schemes) Regulations 2015*, provides the framework to prepare a Heritage List.

State Planning Policy 3.5 – Historic Heritage Conservation (WAPC, 2007) – sets out the principles of sound and responsible planning for the conservation and protection of Western Australia’s historic heritage.

Local Planning Policy for Heritage Places – sets out the local heritage and planning framework for heritage places. The LPP also outlines the methodology for the assessment of heritage places, the Management Category that should be applied based on that assessment and, the limitations and development restrictions related thereto.

Strategic Framework

Within the Shire’s Strategic Community Plan 2013 - 2023, Strategy 2.1.1 states:

“Review the municipal inventory and associated policies.”

Risk Management

The Risk Theme Profile identified as part of this report is ***Failure to Fulfil Compliance Requirements (Statutory, Regulatory)***. The Consequence is Compliance should Council not reviews it’s Local Planning Scheme in accordance with Part 3 of the *Schedule 2 – Deemed Provisions for Local Planning Scheme* within the *Planning and Development (Local Planning Schemes) Regulations 2015*. The consequence rating is Moderate (3) and the likelihood is Unlikely (2) resulting in a MODERATE risk being present. The risk is considered to have been mitigated by the completion of the Shire’s MHI and LPP.

Budget Implications

Nil.

Officer’s Recommendation

The Council:

1. In accordance with *Part 3 of Schedule 2 – Deemed Provisions for Local Planning Scheme* within the *Planning and Development (Local Planning Schemes) Regulations 2015* requires the Heritage Advisory Committee to prepare a Heritage List which considers properties with a Management Category of 1 or 2 as per the Shire of Harvey’s Municipal Heritage Inventory for Council’s consideration; and
2. Prepares a Community Engagement Strategy associated with the preparation of the Heritage List above for Council’s approval.

Committee Recommendation

HAC-17/004. *Burgoyne/Dickinson*

“The Council:

1. *In accordance with Part 3 of Schedule 2 – Deemed Provisions for Local Planning Scheme within the Planning and Development (Local Planning Schemes) Regulations 2015 requires the Heritage Advisory Committee to prepare a Heritage List which considers properties with a Management Category of 1 or 2 as per the Shire of Harvey’s Municipal Heritage Inventory for Council’s consideration;*

SIGNED _____ DATED 18th July 2017.

2. *Seeks written comment from relevant landowners on the intention to include Category 1 and 2 Places within a Heritage List; and*
3. *Prepares a Community Engagement Strategy associated with the preparation of the Heritage List above for Council's approval following the initial feedback from landowners."*

CARRIED 4-0

Council Resolution

17/166. **Jackson/Campbell**
"That Council:

1. **In accordance with Part 3 of Schedule 2 – Deemed Provisions for Local Planning Scheme within the Planning and Development (Local Planning Schemes) Regulations 2015 requires the Heritage Advisory Committee to prepare a Heritage List which considers properties with a Management Category of 1 or 2 as per the Shire of Harvey's Municipal Heritage Inventory for Council's consideration; and**
2. **Prepares a Community Engagement Strategy associated with the preparation of the Heritage List above for Council's approval."**

CARRIED 10-2

Note: the change from the Committee Recommendation was due to Council preferring the process outlined in the Officer's Recommendation.

Heritage Advisory Committee
21st June 2017.

MINUTES

17/167. **Monagle/Carbone**
"That the Minutes of the Heritage Advisory Committee, held on Wednesday, 21st June 2017, as printed, be received be received and the recommendations listed hereunder be adopted en-bloc."

- 6.1 Adoption of Amendments - Local Planning Policy for Heritage Places – Manager Planning Services – Shire of Harvey (CR/M/004).
- 6.2 Municipal Heritage Inventory 2014 proposed updates – Manager Planning Services – Shire of Harvey (CR/M/004).

CARRIED 10-2

Corporate Services Committee
27th June 2017.**MINUTES**

Item No.	7.8
Subject:	Schedule of Fees and Charges for 2017/18
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Finance Manager
File No.:	FMH001

Summary

The Schedule of Fees and Charges is attached for Council to consider for the 2017/18 financial year (refer **Attachment 1**). The majority of fees and charges have not increased due to the current low inflation rate.

The most predominant fee or charge listed in the Schedule of Fees and Charges is the rubbish charge. This charge is applicable to the majority of properties in the Shire and as such Staff highlight the proposed rubbish charges which are as follows:

Urban Rubbish Charge

\$250 per annum for the weekly removal of one (1) 240L mobile garbage bin and fortnightly removal of one (1) 240L mobile recycling bin plus one (1) tip pass (includes four (4) standard tip entries).

Industry Rubbish Charge

\$250 per annum for the weekly removal of one (1) 240L mobile garbage bin.

Rural Rubbish Charge

\$102 per annum for a rural rubbish charge on those rural properties which do not have a weekly 240L mobile garbage bin service – provides one (1) tip pass (includes fifty two (52) standard tip entries).

Comment

Over the past two (2) years Council adopted the following rubbish charges for the same level of service:

	<u>2015/2016</u>	<u>2016/2017</u>	<u>Proposed 2017/2018</u>
<i>Urban Rubbish Charge</i>	\$238	\$245	\$250
<i>Industry Rubbish Charge</i>	\$238	\$245	\$250
<i>Rural Rubbish Charge</i>	\$ 98	\$100	\$102 (Inc. GST)

The proposed new charge represents a 2% or \$5 increase on last year's Urban and Industrial Rubbish Charge and a 2% or \$2 increase in the Rural Rubbish Charge. By way of note, the roadside pick-up and dumping contractor charges are due to increase by CPI.

SIGNED _____ DATED 18th July 2017.

In reviewing the charges levied by all Western Australian local governments in 2016/2017, Staff determined the average charge in WA to be \$292. The average of comparable and South West Councils is around \$287 compared to Council's last year charge of \$245.

Council has also been mindful of future waste management requirements and allocates funds annually into its Refuse Management Reserve account. This is planned to continue in the coming Budget.

The Australian Taxation Office (ATO), Division 81 ruling (identified GST exempt items) has been amended which has meant that all Local Governments are now required to self-assess the GST impact on each of its fees and charges. Staff have obtained a Private Ruling from the ATO verifying the GST impact on the different fees and charges and have applied that ruling to the attached (refer **Attachment 1**).

Statutory/Policy Environment

Waste Avoidance and Resources Recovery Act 2007 – provides authority for Council to collect refuse waste and to recoup the cost of same.

Planning and Development Regulations 2009, Schedule 2 – provides the maximum fees for local government planning services.

Local Government Act 1995, Section 6.16 – allows for the imposition of fees and charges by Council by Absolute Majority.

Local Government Act 1995, Section 6.17 – gives guidance in determining the level of fee or charge, (i.e. taking into account the cost to the Local Government in providing that service or good).

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategy 4.5.2 states:

"Monitor existing and develop new revenue streams."

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/information**. The Consequence could be "Financial" and "Reputational" should an inappropriate or unrealistic fee be adopted by Council. The risk is mitigated by the report being thoroughly researched, reviewed and provided by a qualified Council Officer. As such it is considered that a LOW risk is present.

Budget Implications

The proposed Schedule of Fees and Charges has allotted income streams included as part of the 2017/18 Draft Budget.

Rubbish Charge

The application of a rubbish charge is to provide sufficient funds to carry out that service. The intent of this charge is not to provide additional surplus or subsidy to Council's general rates.

The estimated income from the proposed 2017/18 rubbish charges is:

Urban Rubbish	\$2,592,750
Industrial Rubbish	\$ 214,750
Rural Rubbish	\$ 50,796

Officer's Recommendation

That Council adopts the attached Schedule of Fees and Charges within the Shire of Harvey for the 2017/18 financial year, effective from 1st July 2017 (refer **Attachment 1**), along with the following rubbish charges:

Urban Rubbish Charge

\$250 per annum for the weekly removal of one (1) 240L mobile garbage bin and fortnightly removal of one (1) 240L mobile recycling bin plus one (1) tip pass (includes four (4) standard tip entries).

Industry Rubbish Charge

\$250 per annum for the weekly removal of one (1) 240L mobile garbage bin.

Rural Rubbish Charge

\$102 per annum (Inc. GST) for a rural rubbish charge on those rural properties which do not have a weekly 240L mobile garbage bin service – provides one (1) tip pass (includes fifty two (52) standard tip entries).

ABSOLUTE MAJORITY REQUIRED

17/168.

Campbell/Beech**“That the Officer's Recommendation be adopted.”****CARRIED BY ABSOLUTE MAJORITY 12-0**

Item No.	7.12
Subject:	“Stories from the Fireground” Book
Proponent:	Stories from the Fireground Working Group
Location:	Shire of Harvey
Reporting Officer:	Manager Community and Economic Development
File No.:	B30229

Summary

This report recommends that Council establish a price of \$30 (inclusive of GST) for the sale of the “Stories from the Fireground” book.

Background

Previous reports have provided information on the “Stories from the Fireground” project.

At its meeting held on 16th May 2017, Council resolved as follows:

“That Council:

- 1. Subject to the inclusion of a suitable “Disclaimer” being included at the front of the book and any further corrections and minor editing, approves the “Stories from the Fire Ground book and Staff arrange for printing of the book; and*

SIGNED _____ DATED 18th July 2017.

2. *Authorises the Chief Executive Officer in consultation with the Shire President to make arrangements for the launch of the book once a firm timeline is established for printing.*

Quotes for printing of 300 hard cover copies and 700 soft cover copies were obtained and considered by the Working Group at its meeting held on 31st May 2017. The quote of \$20,705 plus GST from Scott Printers was accepted and a purchase order has been issued. Printing of the books is currently underway and is scheduled for completion by 10th July 2017.

This report recommends that Council set a sale price for purchase of the books by story and photo contributors and members of the public.

Comment

The issue of a suitable price for the book was discussed by the Working Group which was of the view that the books should be sold for a reasonable price to recognise their value and also to provide funds for additional copies to be printed in the future once the initial stock has been sold.

The Working Group suggested that the hard cover copies be offered for sale to the story and photo contributors at the discount price of \$30 with a maximum of two hard copies per person available for purchase. The contributors could also purchase additional soft cover copies should they want extra copies. If each of the 105 contributors took up the offer to purchase two hard cover books that would account for 210 of the 300 printed copies.

Under the grant conditions from the Minderoo Foundation and Lotterywest, Council is required to provide a certain number of complimentary copies and there is also likely to be other individuals and organisations that Council may wish to provide a complimentary copy to. This may leave 40-50 hard cover copies available for Council to donate as gifts in the future. In the short term it is recommended that the hard cover copies only be offered for sale to the story and photo contributors given the limited numbers of copies that will be printed. Should there be a surplus of hard cover copies after the initial sales and distribution of complimentary copies, these could be offered for sale at a future time.

In order to simplify the fee structure for the sale of the books, the Working Group has suggested that the soft cover copies of the book also be offered for sale at the price of \$30. The soft cover copies would be available for purchase at a restricted number of outlets including the Shire Administration Offices in Harvey and Australind, the Harvey Visitor Centre, the Yarloop Community Resource Centre and the Waroona Historical Society.

Should Council wish to provide a complimentary copy to all of the story and photo contributors it would result in reduced receipts of \$3,150. Informal discussions with the contributors would suggest that that majority are happy to purchase the hard cover copies at the discount rate of \$30.

The Working Group has also held discussions about the launch of the book and the preferred venue is the Harvey Recreation and Cultural Centre given its suitability as a venue and the important role that facility played in hosting community meetings in the weeks and months following the fire. The Working Group has proposed that the launch be held on Wednesday, 12th July 2017, however given the likely delivery date for the printed books is 10th July there is little margin for error should there be a delay with printing for some reason. In order to allow sufficient time for invitations to be sent out and people to respond, it is recommended that the launch be held on Wednesday, 26th July 2017, commencing at 5.30pm.

SIGNED _____ DATED 18th July 2017.

In summary, the recommended sale price of \$30 for the soft cover copies is considered to be affordable for most people who may be interested in purchasing a copy and the discounted fee of \$30 for the story and photo contributors to purchase a hard cover copy is also considered appropriate.

Statutory / Policy Environment

The Local Government Act 1995, Section 6.16 allows for the imposition of fees and charges by Council by Absolute Majority.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategy 3.3.2 states:

“Continue to support community events and programs.”

Risk Management

The Risk Theme Profile identified as part of this report is ***Providing Inaccurate Advice/Information***. The Consequence could be Reputational and Financial if Council decided not to support the recommendation. The Risk Consequence is considered to be “Minor” (2) and the Likelihood “Unlikely” (2) resulting in a “LOW” (4) level of risk.

Budget Implications

Grant funds have been approved that are sufficient to meet all direct costs associated with the project including the proposed launch of the book.

Officer's Recommendation

That Council:

1. Adopts the sale price of \$30 inclusive of GST for the “Stories from the Fireground” book (both hard cover and soft cover copies) and this be included within the Shire of Harvey's Schedule of Fees and Charges for the 2017/18 Financial Year;
2. Endorses the proposal from the Stories from the Fireground Working Group for the hard cover copies of the book to be offered for sale to the story and photo contributors at the discounted price of \$30 per copy with a maximum of two hard cover copies per person available for purchase, and for the balance of the hard cover copies to be withheld from sale to the general public to ensure sufficient copies are available for Council purposes in the future;
3. Authorises the Chief Executive Officer in consultation with the Shire President to determine the issue of complimentary copies of the “Stories from the Fireground” book; and
4. Endorses the proposal for the book launch to be held at the Harvey Recreation and Cultural Centre on Wednesday, 26th July 2017, commencing at 5.30pm.

17/169.

Campbell/Giancono

“That the Officer's Recommendation be adopted.”

CARRIED BY ABSOLUTE MAJORITY 12-0

SIGNED _____ DATED 18th July 2017.

Corporate Services Committee
27th June 2017.**MINUTES**

17/170.

Monagle/Beech**“That the Minutes of the Corporate Services Committee, held on Tuesday, 27th June 2017, as printed, be received and the recommendations listed hereunder be adopted en-bloc.”**

- 7.1 Financial Statement for the Period Ending 31st May 2017 – Shire of Harvey (CCC062).
- 7.2 Debtors Reconciliation – Shire of Harvey (FMS006).
- 7.3 Statement of Investments – Shire of Harvey (FMS006).
- 7.4 Accounts for Payment – Shire of Harvey (FMS006).
- 7.5 Accounts for Payment by Electronic Fund Transmission – Shire of Harvey (FMS006).
- 7.6 Schedule of Credit Card Payments Submitted – Shire of Harvey (FMS006).
- 7.7 Major Projects – Status Report – Shire of Harvey (FMS006).
- 7.9 Risk Summary Report – June 2017 – Shire of Harvey (XYL001).
- 7.10 Southern Seawater Desalination Plant Community Benefits Package – Budget Submissions – Binningup and Myalup Community Groups – Shire of Harvey (F000211).
- 7.11 Special Local Authority Vehicle Number Plates – Shire of Harvey (CRX001 (31)).

CARRIED 12-0**Development Services Committee**
20th June 2017**MINUTES**

Item No.	8.1.2
Subject:	Road Naming Proposal – Meadow View Estate
Proponent:	D. and R. Tognella
Location:	Lots 3 and 802 Hinge Road, Harvey
Reporting Officer:	Senior Planning Officer
File No.:	S151854
	Attachment Reg. No. 17/12787

Summary

Council has received a request from the owners of the land, David and Rosetta Tognella for the use of the names Bellbird Court, Skylark Way and Bronzewing Road for the Meadow View Estate proposed at Lots 3 and 802 Hinge Road, Harvey. It is recommended that Council approves the request and forwards its support to the Geographic Names Committee for final approval.

Background

Subdivision approval for the Meadow View Estate was granted by the Western Australian Planning Commission on 19th September 2016. The Applicant is currently undertaking civil works for the first stage of the subdivision which will comprise seven lots fronting Hinge Road. Future stages will require new roads to be constructed in accordance with **Attachment 1** which also depicts the proposed road names.

As the proposed road names do not appear on the Shire of Harvey Reserved Road Names Register approval from Council is required in accordance with Delegation 2.3.18 of Council's Delegation Register. Once approved by Council, the road names will need to be approved by Landgate's Geographic Names Committee.

In the local area a road name theme which exists in the nearby Korijekup Heights Estate is Western Australian birds. The Applicant proposes to continue with this theme and seeks approval of the following road names:

BRONZEWING ROAD	The name Bronzewing Road is derived from the native Australian bird "Common Bronzewing". The Bronzewing is a species of medium sized, heavily built pigeon. Native to Australia, it is one of the country's most common pigeon, and is able to live in almost any habitat, with the possible exception of very barren areas and dense rainforests.
BELLBIRD COURT	The name Bellbird Court is derived from the Australian Bird "Crested Bellbird". The Bellbird is a medium sized passerine bird in the family Oreicidae. It is native to drier parts of Australia, where its typical habitats are acacia scrublands, eucalypt woodlands, Spinifex and saltbush plains and dunes.
SKYLARK WAY	The name Skylark Way is derived from the bird "Eurasian Skylark". The Skylark is a small bird introduced from Britain in 1857. It is found in cultivated grasslands and crops, and coastal dunes. Being a non-descript brown bird, the outstanding feature of the Skylark is its well-known song.

Comment**Geographic Names**

The proposed road names have been tested for their suitability using Landgate's Online Form for street naming proposals. The road names passed preliminary validation.

Advertising

It is noted that although there is no statutory requirement for Council to advertise the proposed names, Council may wish to do so if there are concerns that the use of the name may raise objections from members of the community. However, as the names are for a new residential estate there is limited potential for nearby neighbours to be affected by the proposal.

Statutory/Policy Environment

Shire of Harvey Delegation Register

Delegation 2.3.18 of Council's Delegation Register allows the Chief Executive Officer (on delegated to the Manager of Planning Services) to approve the use of any road name included on the Shire of Harvey Reserved Road Names Register. The proposed road names do not appear on the Road Names Register meaning that approval from Council and the Geographic Names Committee is required.

The Geographic Names Committee Policies and Standards for Geographic Naming in Western Australia outlines the criteria for the naming of streets and places.

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 report is **Providing Inaccurate Advice/Information**. The Consequence could be, Reputational or Compliance if an inappropriate road name is chosen. The risk is mitigated by the report being thoroughly researched, reviewed and provided by a qualified Council officer, resulting in LOW risk being present.

Budget Implications

Nil.

Officer's Recommendation

That Council:

1. Approves the use of the names Bronzewing Road, Bellbird Court and Skylark Way for the Meadow View Estate as per the attached plan 17/12787 (refer **Attachment 1**); and
2. Forwards the request to Landgate's Geographic Names Committee for final approval.

17/171.

Beech/Wood

"That Council:

1. **Approves the use of the names Bronzewing Road, Bellbird Court and Skylark Way for inclusion on the Shire of Harvey Reserved Road Names Register;**
2. **Forwards the request to Landgate's Geographic Names Committee for final approval; and**
3. **Investigates additional historical family and/or individuals names from the Harvey locality for consideration of inclusion on the Shire of Harvey Reserved Road Names Register."**

CARRIED 12-0

SIGNED _____ DATED 18th July 2017.

Reason for Change to Committee Recommendation

Note: Council was of the view that the use of local historical family names could be used for this subdivision and the Applicant has consented to consider alternative names.

Item No.	8.1.3	
Subject:	Proposed Mural Façade to Child Care Centre	
Proponent:	Treendale Property Developments	
Location:	Lot 54 (No. 38) The Promenade, Australind	
Reporting Officer:	Planning Officer (ND)	
File No.:	A015418	Attachment Reg. No. 17/15215

Summary

Council has received an Application for Development Approval for a proposed colourful mural for the facade at the Treendale Child Care Centre at Lot 54 (No. 38) The Promenade, Australind. Staff recommends that Council refuses the proposal due to it not conforming with the Treendale District Centre Structure Plan, being out of context with the surrounding businesses and it may become a maintenance issue over time.

Background

Lot 54 (No. 38) The Promenade, Australind is located within the Treendale District Centre and is zoned 'Mixed Use' under the District Centre Structure Plan (refer ***Attachments 1 and 2***). The Child Care building was approved 6th August 2015 as part of the "Treendale Commercial Centre" application and construction has been completed except for internal fitouts, façade treatment and landscaping.

Attachment 3 shows the proposal in relation to the Treendale District Centre Structure Plan and ***Attachment 4*** shows the existing Child Care building façade which faces west towards the Treendale Commercial Centre car park.

The Proposal

It is proposed that the entire front and southern side façade be subject to a brightly coloured castle like mural supplemented by large animals including elephants and giraffes, (refer ***Attachments 5 and 7***). The upper section of the façade is proposed to have castle turrets and flags with the towers being made from water tanks so having a real three dimensional character.

The length of the front of mural would be 37 metres with a height of around 7 – 10 metres (approx. 320m²). For the most part, the façade is just the thickness of the ACM sheeting which is for the purpose of the mural only, except for the cylindrical towers which are to be made from water tanks.

The function of the mural is for visual affect only and is not to be utilised for any structural integrity purposes or as a part of play areas.

Attachment 6 provides a background to the mural artist – Graeme Richards who has done a number of professional mural projects locally and overseas.

Advertising

Due to the scale of the proposal and its potentially high degree of visual impact, comment was sought from businesses within the District Centre and the respective Managers of the estate and shopping centre. All property owners within the Treendale District Centre area were contacted by mail. Letters were sent out and a period of 21 days given for comment with the closing date being on 14th June 2017. Three submissions have been received with two submissions being against the proposal and 1 submission being in support of the proposal. The reasons for and against the proposal are summarised in the following table:

In Support	Against	Planning Officer’s Comment
<ul style="list-style-type: none"> • Visually appealing • Adds fun and vibrancy 	<ul style="list-style-type: none"> • Out of context with the surrounding business facades. • Issues with ongoing maintenance • Does not appear like a Child Care centre but a restaurant or place of worship. 	<p>Very much an individual ‘taste’ judgement</p> <p>Agreed</p> <p>The surrounding business facades are more of a standard commercial nature.</p> <p>It is possible that the mural could deteriorate without regular maintenance.</p> <p>On reviewing other Child Care centre facades there are many colourful ones however this one could be viewed as unnecessarily impacting on the existing amenity of the Treendale District Centre.</p>

Comment

The main issue with the proposal is its visual impact and if this is to be positive or negative for the Treendale District Centre precinct, particularly in the carpark area on to which it fronts.

The issue raised regarding maintenance is a valid concern given the quite probable deterioration of the façade over time. The state of the façade would need regular assessment as to whether it is deteriorating and hence negatively impacting on the Treendale District Centre visually.

Albeit the proposal is represented as simply painting the existing structure, additional development is proposed in the form of rain water tanks being installed on the second floor and the use of the PVC non-openable gates in front of the existing ground floor windows. The extent of modifications to the building and scale of the work proposed significantly diminishes the permeability of the building with the carpark and amount of natural light into the interior of the building at the ground floor level. At present the building does interact with the carpark and has an articulated façade. The proposed modification, though presenting an engaging image, has the effect of removing all architectural features of the building resulting in a bulky, flat façade that is not consistent with the design objectives of the Treendale District Centre Structure Plan.

Conclusion

The proposal does not appear to conform with the Treendale District Centre Structure Plan in terms of the following points:

- It is debatable as to whether it is 'attractive' due to its possibly 'imposing' nature;
- It is not 'cohesive' with regards to the nearby urban landscape;
- It does not have a "contemporary rural theme" as stated in the Treendale District Centre Structure Plan.

Statutory/Policy Environment

District Planning Scheme No. 1:

Clause 9.7 applies:

"Council will not permit the erection of a building which by virtue of colour or type of materials, architectural style, height or bulk, ornamental or general appearance has an exterior design which is out of harmony with existing buildings or the landscape character of the area."

Treendale Structure Plan

Treendale Structure Plan provides general guidelines for the subdivision and development of the whole of the Treendale Estate area. It includes the following objective statement:

"To build upon the local and regional planning for the area and create a vibrant district centre that will act as a cultural and commercial focus for the locality."

The Treendale District Structure Plan provided the foundations for the creation of the Treendale District Centre.

Treendale District Centre Structure Plan

The Child Care centre is within the Treendale District Structure Plan (TDSP) area. The primary objective of the TDSP is to:

"Guide Council, developers and State Government agencies in respect to issuing statutory approvals and the provision of services in a manner which will create an attractive townsite embraced by the local community as a focus for its commercial, social and cultural activities."

Contributing attributes that relate to the mural facade proposal are as follows:

- *Adopting an architectural style and scale which creates a sense of place and occasion;*
- *Providing diversity in architecture and urban design;*
- *To create a town centre which is robust from an architectural and planning point of view allowing for landuse change over time.*

Further it is stated under the heading of "Expression":

- *Design for cohesive diversity;*
- *A range of diverse building types, size and styles with appropriate controls.*

SIGNED _____ DATED 18th July 2017.

Section 5.8 of the TDSP entitled “Streetscape” is also relevant to this proposal:

“The concept for the Treendale District Centre addresses the objectives by providing streetscapes that respond to the local environment and existing landscape. The theme of ‘contemporary rural’ is expressed through the use of design elements and materials which promote the rural character of the centre and reinforce its history, unique qualities and setting. Extensive tree planting with additional floating canopies over walkways and crossings will reinforce the qualities of a shady arbour and create an individual sense of place. The provision of shady interconnected outdoor spaces and walkways will promote activity at street level and provide an environment that is conducive to community interaction and neighbourhood vitality. Contemporary rural qualities will be introduced through the use of natural building materials and design elements that reflect the agricultural setting. The concept allows for the development of a diverse “rural” centre with a range of building types, sizes and style that responds to the unique setting and allows for future growth and opportunities.”

The mural façade cannot be considered in the theme of ‘contemporary rural’ and does not reflect an agricultural setting.

The section on facades states as follows:

“Diverse use of materials, textures and colours with an emphasis on natural materials. Strongly articulated facades which include windows, balconies, canopies and other architectural elements. Architectural detailing and variety in horizontal or vertical planes.

The proposed façade does not comply with the above statement in terms of windows, balconies, canopies and other architectural elements, with the exception that the proposed towers are to be three dimensional and made from water tanks.

Strategic Framework

Within the Shire’s Strategic Community Plan 2013 – 2023, Strategy 2.3.1 states in part:

“Continue to implement integrated environmental, social and land use planning which will:

- *Minimise land use conflict.”*

It is to be noted that “land use conflict” can include impacts on visual amenity.

Risk Management

The Risk Theme Profile identified as part of this report is ***Providing Inaccurate Advice/Information***. The Consequence could be Reputational if a negative reaction from the community occurs. The risk is mitigated by the recommendation for refusal, resulting in LOW risk being present.

Budget Implications

Nil.

Officer's Recommendation

That Council refuses to issue Development Approval for the proposal for a "Mural Façade" at Lot 54 (No. 38) The Promenade, Australind (Treendale District Centre) for the following reasons:

1. It is considered that the proposed mural façade is out of harmony with existing buildings in the area with regard to Shire of Harvey District Planning Scheme No.1, Clause 9.7 – General Appearance of Buildings;
2. The proposal is inconsistent with the Treendale District Structure Plan for the following reasons:
 - a. It does not incorporate a contemporary rural theme as stated in section 5.8 "Streetscape";
 - b. It is not considered 'cohesive' in regard to the District Centre urban landscape; and
 - c. The proposed modifications to the building to enable the mural will result in non-compliance with section 5.9 Building Design Principles (Facades), in terms of natural materials, articulation including windows, balconies and canopies.
3. The proposed Bulk and Scale of the mural is at odds with the Design Objectives of the Treendale District Structure Plan.

17/172. **Carbone/Giancono**

"That at the request of the Applicant, the Application be withdrawn to allow for revised plans more consistent with the amenity of the area."

CARRIED 12-0

Cr. Burgoyne and Cr. Carbone, having declared financial interests in Planning Items 8.1.4 and 8.1.5, left the Chamber at 4.48p.m.

Item No.	8.1.4
Subject:	Application for Development Approval – Extractive Industry
Proponent:	Carbone Bros Pty Ltd
Location:	Lot 67 Sandalwood Road, Brunswick
Reporting Officer:	Planning Officer (ND)
File No.:	A015673/EX/001
	Attachment Reg. No. 17/14004

Summary

Council has received an Application for Development Approval for gravel extraction on Lot 67 Sandalwood Road, Brunswick, in two locations. It is recommended that Council approves the proposal subject to conditions.

Background

Lot 67 has an area of approximately 27ha and is located about 9km north east of the Brunswick townsite and 3km inland from the edge of the Darling Scarp (refer Figure 1 - **Attachment 1**). Elevations range from 260m to 240m AHD and average slopes are approximately 1:25.

SIGNED _____ DATED 18th July 2017.

The subject lot is zoned "General Farming" under the Shire of Harvey District Planning Scheme No. 1 (Scheme) and has been used for the extraction of gravel under an Extractive Industry Licence issued in 2009 and is occasionally used for grazing.

The Extractive Industry Licence (EIL) issued in 2009 permitted the extraction of 3.6ha of gravel and this has now been completed. Approximately 2.7ha of this has been rehabilitated to pasture, leaving 0.9ha still to be rehabilitated (refer **Attachment 3**).

A 30m x 70m drainage sump has been constructed within the eastern portion of the rehabilitated area which is not shown on the site plan. The older pit area to the east of the site appears to be well advanced in terms of planting with a variety of native trees being around 3m in height at a density of around 1 tree per 4 -6m².

With regard to heavy vehicle access, the existing sealed crossover to Sandalwood Road appears to be without damage and in reasonable condition.

In 2013 the Applicant advised Staff that future extraction was proposed, which involved the clearing of vegetation within the site. At the time Staff advised not all vegetation would be supported for clearing. This application is proposing extraction and the clearing of vegetation contrary to previous correspondence.

Extraction Proposal

This proposed extraction of gravel is to occur over an area of 9.4ha, to a depth of 1m (refer **Attachments 2 and 3**). An estimated annual extraction rate of 32,000 tonnes is proposed. A total of 94,000m³ (159,800 tonnes) of material is proposed to be extracted.

It is proposed to extract gravel over 2 stages, 6.8ha in Stage 1 and 2.6ha in Stage 2 via front-end loader and bulldozer, and a mobile crushing and screening plant will be used. Rehabilitation of the completed areas will be progressive with the area being returned to pasture, including any further rehabilitation requirements by the Department of Environment Regulation as 5.9ha of native vegetation is proposed to be cleared.

Access is proposed via the established gravel road off Sandalwood Road.

Advertising

The proposal was advertised in accordance with Section 2.3 of the Scheme. Thirteen (13) submissions were received and a summary is provided below:

Landowner/ Agency	Submission (In summary)	Comment
1. Local Resident 17/16944	Supports the proposal.	Noted.
2. Local Resident 17/16655	Supports the proposal because there is a shortage of gravel and I have confidence that Carbones will leave the place better than they found it.	Noted.
3. Local Resident 17/17514	Supports the proposal. Would just like to ensure that the gravel pit will adhere to the agreed hours of operation as currently there are some types of trucks running up our road before 6am.	There are other operators within the locality and as such it may not be the trucks from Lot 67 operation.

SIGNED _____ DATED 18th July 2017.

Landowner/ Agency	Submission (In summary)	Comment
	This is not necessarily gravel trucks though.	
4. Local Resident 17/17727	<p>Objects to the proposal based on:</p> <p>“the loss of native trees to the area. With Sandalwood Road now bitumen, the Sandalwood Road/Mornington Road loop provides a scenic drive that is easily accessible which could have value for tourism in the area, whilst also encouraging people to improve and develop their properties.</p> <p>I feel there are better areas in the region for gravel pits and blue gum plantations. This beautiful area with stands of native trees has tremendous appeal for tourism as well as providing valuable feeding and breeding grounds for local birds especially the black cockatoos.”</p>	<p>Noted that Lot 67 has lost most of its vegetation and the Dwellingup Complex is at less than 15% of its original size.</p> <p>Noted.</p>
5. Local Resident 17/17908	Supports the proposal but as long as the proponent sticks to the operating hours, noise and dust limits. Also hoping for a great job with rehabilitation when the extraction is finished.	Noted and all the relevant conditions will apply to ensure the effects of the extraction on the local area are minimised.
6. Dept of Fire & Emergency Services 17/16620	Does not require formal referral to DFES.	Noted.
7. Managing Director of Carbone Bros Pty Ltd 17/15962	<p>Supports the application as gravel extraction is a necessity to their company. The product is used as a main source of supply to the Harvey, Bunbury, Australind and Brunswick farming areas. Carbone Brothers have been extracting gravel from Lot 1 Sandalwood Road and Lot 11 Robinson Road over the past 50 years and our record for adhering to EIL conditions and rehabilitation has been excellent.</p> <p>Carbone Brothers have never been notified of any complaints regarding machinery and truck movements whilst extracting gravel.</p> <p>Carbone Brothers asks the Council to support the application as they are a local company employing local people in the district and supplying local projects.</p>	The submission from the applicant is noted.

Landowner/ Agency	Submission (In summary)	Comment
8. Department of Planning (DoP)	<p>DoP does not have any objections.</p> <ul style="list-style-type: none"> • In Special Control Area 1 so GBRS form 1 required. • Delegated to Local Government for decision if it accepts advice of DoW. • Consistent with Strategic Minerals and Basic Raw Materials Policy. • Within Bushfire Prone Land. • DoP role is advisory only unless the LG doesn't accept the advice of DoW. 	<p>Has been requested from the proponent.</p> <p>SoH accepts advice of DoW.</p> <p>Noted as being in support of the proposal.</p> <p>N/A - No buildings involved.</p> <p>SoH accepts advice of DoW.</p>
9. Department of Aboriginal Affairs(DAA) 17/17939	<p>A review of the Register of Aboriginal Places and Objects as well as the DAA database concludes that there are no known Aboriginal heritage places or objects within Lot 67 Sandalwood Road, Benger. Therefore no heritage approvals will be necessary and the work can proceed.</p>	<p>Noted as a no objection from DAA.</p>
10. Dept of Mines and Petroleum (DMP) 17/16963	<p>Supports the proposal.</p> <p>A continuing supply of low-cost basic raw materials is an important part of maintaining the lifestyle and infrastructure that all Western Australians enjoy.</p>	<p>Support noted given that the area is recognised as a regionally significant gravel resource.</p>
11. Department of Parks and Wildlife (Parks and Wildlife) 17/16781	<p><u>Biodiversity Values</u></p> <p>Biodiversity values Lot 67 contains remnant vegetation which is important as a wildlife refuge and identified in <i>Molloy et al, 2009</i>, as being part of and contributing to a regional ecological linkage. Parks and Wildlife has recently undertaken an extensive western ringtail possum (VVRP) habitat study within the South West Region (<i>Shedley et al, 2014</i>). Lot 22 has been identified in <i>Shedley et al, 2014</i> as being important in maintaining the integrity of WRP habitat. Lot 67 also contains potential black cockatoo habitat.</p>	

Landowner/ Agency	Submission (In summary)	Comment
	<p>WRP and black cockatoos are listed as threatened species under the Commonwealth of Australia's <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)and Western Australia's <i>Wildlife Conservation Act 1950</i>. Major threats to WRP and black cockatoos include habitat loss.</p> <p><u>Comments</u></p> <p>Parks and Wildlife notes the proponent has advised they have applied for a permit for native vegetation clearing. Parks and Wildlife's advice is contingent upon the outcomes of the Department of Environment Regulation (DER) clearing permit assessment. Parks and Wildlife considers that given impacts upon the threatened black cockatoo habitat and possibly WRP habitat, the proponent should check with the Commonwealth Department of the Environment and Energy about EPBC Act requirements. If DER grants a permit to clear native vegetation, and subject to the applicable approval conditions, Parks and Wildlife offers the following comments. Any development should aim to minimise impacts to the vegetation and potential threatened fauna habitat adjoining the proposed extraction site.</p> <p>Parks and Wildlife recommends that a buffer from the proposed extraction area boundaries be provided to protect any retained and nearby trees from impacts associated with the proposed extraction activities. Potential impacts include reduced tree root zone moisture levels due to hydrological alterations resulting from the proposed extraction activities. The trees are also at risk from accidental machinery damage and have an increased risk of being blown over.</p> <p>Parks and Wildlife recommends that no extraction activities occur within 5m of any native tree crown drip zones along the boundaries of the proposed extraction areas.</p>	<p>Noted.</p> <p>Condition.</p> <p>Condition.</p>

Landowner/ Agency	Submission (In summary)	Comment
	<p>Parks and Wildlife recommends that a suitable temporary demarcation barrier be erected 5m from the crown drip zone of retained trees to protect the trees and root systems from accidental machinery damage.</p> <p>Parks and Wildlife recommends that the area be rehabilitated as native bushland</p> <p>Othophotos indicate that the existing access road could be partially located within the adjoining Lot 50. It is unclear if a fence is located along the Lot 50 southern boundary. Subject to any agreement the proponent may have with the Lot 50 landowner, if the access affects Lot 50, Parks and Wildlife suggests that the Lot 67 access road which abuts Lot 50 may need to be realigned to ensure it is wholly contained within Lot 67. In addition, to prevent any future incursion into Lot 50, and if Lot 50 is not fenced along the southern boundary, the Shire of Harvey may choose to require the proponent to install fencing to clearly demarcate the Lot 67/Lot 50 boundary.</p> <p>Parks and Wildlife trusts that environmental planning issues including those not specifically referred to in this letter will be appropriately managed through the planning system.</p>	<p>Condition.</p> <p>A fence is located along the Lot 50 boundary.</p> <p>Noted.</p>
<p>12. Department of Water (DoW) 17/17128</p>	<p>It is noted from the Water Management Plan that no groundwater would be abstracted for operational purposes, and any water required (such as for dust suppression) are minor and would be sourced from commercial sources.</p> <p><u>Site situation</u></p> <p>Our GIS contours show that surface drainage at the western portion of the subject lot (near the extraction site) is to the south towards the Brunswick River (Attachment 1).</p>	<p>Noted low water use.</p>

Landowner/ Agency	Submission (In summary)	Comment
	<p>There are no wetlands or visibly damp areas over the subject lot; and the area is located on the scarp.</p> <p>The proposed extraction is located in the Brunswick River and Tributaries Surface Water Area as proclaimed under the <i>Rights in Water in Irrigation Act 1914</i>. The subject property is located within a 'non-proclaimed' area for ground water under the Rights in Water and Irrigation Act 1914.</p> <p><u>Identified risks</u></p> <ul style="list-style-type: none"> • The potential for mine site water to drain into the neighbouring waterway resulting in turbidity in the streamline • The potential for hydrocarbon contamination of the waterway if refuelling or maintenance works are carried out in the vicinity of the waterway, or areas that readily drain into the waterway <p><u>Risk mitigation</u></p> <p>To mitigate against the above risks, the proponent is to abide by their water management plan including the advice below, that DoW recommends the Shire impose a condition on the extractive licence:-</p> <ol style="list-style-type: none"> 1. No major servicing, which could lead to fuel and oil spills, is to take place on the site. 2. All refuelling and maintenance must be carried out in bunded areas. 3. No fuel or lubricant storage is to occur on the site. 4. Avoiding any stockpiling of materials in areas that readily drain into the waterway. 5. Bunds to divert clean stormwater away from extraction sites. 	<p>Non-proclaimed in 2014.</p> <p>Main issues identified.</p> <p>Utilise as conditions</p>

Landowner/ Agency	Submission (In summary)	Comment
	<p>6. Ensuring that the extraction area is successfully rehabilitated to mitigate against erosion.</p> <p>7. Detention ponds to contain minesite runoff for 1:10 year, 2 hour storm events.</p> <p>8. The proponent is to adhere to their stormwater management and pollution prevention measures as stipulated in the Water Management Plan.</p> <p><u>Risk mitigation – groundwater intersection and MSGL</u></p> <p>In accordance with DoW's South West Region Guideline 'Water resource considerations for extractive industries' (June 2014), the minimum acceptable separation depth between the base of a proposed excavation and the maximum seasonal groundwater level (MSGL) is to be 300 mm.</p> <p>Although the proponent has not provided any groundwater level data, as the extraction depth is only 1 metre over high ground in the scarp, there is a very low to nil risk that groundwater would be intercepted.</p> <p>On this basis, DoW is satisfied that no further groundwater data is required.</p> <p><u>Summary of recommendations</u></p> <p>DoW recommends that the following condition be placed by the Shire of Dardanup (<i>sic</i>) on the extractive industry licence:-</p> <ul style="list-style-type: none"> The proponent is to abide by their water management plan, taking into account the above risk mitigation measures – namely the use of bunding to contain erosion and polluting activities, detention of minesite runoff, and avoiding the storage of fuel and chemicals onsite. 	<p>Noted.</p> <p>Low risk of groundwater interception.</p> <p>Condition to be added.</p>

Landowner/ Agency	Submission (In summary)	Comment
13. Dept of Agriculture 17/17418	No objection. Weed Management Plan is fine.	Noted.

Comment**Access**

Access to the site is off Sandalwood Road. The access road is sealed up to 30 metres from the crossover to Sandalwood Road and then becomes an unsealed gravel road enabling access to the extraction areas.

Increased Heavy Haulage Traffic

Given the proposed annual gravel removal of 32,000 tonnes and proposed working hours it is estimated that there will be ten (10) truck movements per day, dependant on demand. However, there are two other extractive industries operating along Sandalwood Road and therefore the cumulative amount of heavy haulage traffic has potential to impact on other road users. The extractive industry operator has made financial contributions to Council to assist with the maintenance of Sandalwood Road and consistent with other extractive industry applications it is recommended that a condition requiring ongoing contributions is imposed.

Visual Impact

The subject site is located within an "Area of Landscape Protection" under the Scheme. The objectives of this area are to retain the existing natural visual amenity of the Darling Scarp area through controlling building, clearing and any other use that may impact on the amenity of the area. Much of Lot 67 Sandalwood Road was already cleared for pasture prior to the extractive industry taking place.

The Proponent has indicated that potential visual impacts are not of major significance for the following reasons:

- *"The proposed excavation is not extensive, being only one metre deep and covering 9.4 ha.*
- *A fenced tree belt has been planted along the property boundary abutting Sandalwood Road. This together with remaining older vegetation will serve to screen short term impacts associated with this operation.*
- *The project is of short term duration and the majority of the previous extraction area has been rehabilitated to pasture grasses."*

The site is approximately four (4) kilometres from South Western Highway and does not present any visual issues from this distance. Staff note that the fenced tree belt will have minimal effect on mitigating visual impacts from Sandalwood Road, based on its immaturity.

Environmental Considerations
(refer Attachment 4)Vegetation

The vegetation falls into the Dwellingup Complex (D1) described as “open forest of *Eucalyptus marginata* (Jarrah) – *Corymbia calophylla* (Marri) on lateritic uplands in mainly humid and sub-humid zones” (Mattiske and Havel 1998). The proposed EIL areas are on the north side of a South West Regional Ecological Linkage (Figure 2) as identified in the South West Regional Ecological Linkages Technical Report by the Western Australian Local Government Association (WALGA)

The proposed EIL requires clearing and an application to clear 5.9ha of native vegetation was submitted to the Department of Environment Regulation (DER). The Shire’s comment was requested regarding the application to clear on the 27th February 2017.

At an officer level the Shire indicated that the application for clearing was not supported for the following reasons (17/05904):

- No extractive industry approvals have been granted over these areas and there has been no indication that approvals would be granted over these areas.
- When a site inspection was undertaken in July 2014 these pockets of remnant vegetation appeared to be in very good condition and formed an important screening function to extraction areas on the western side of Sandalwood Road.
- This vegetation forms part of the Dwellingup (c) complex and is 5.44ha of this complex with only 15% or less protected for conservation, as per information from DPaW.
- The site is within the Banksia Woodlands of the Swan Coastal Plain that requires EPBC Act referral as a Threatened Ecological Community.
- It is recognised as a potential jarrah forest feeding area for Black Cockatoos in the WALGA environmental planning tool.
- The southern vegetated portion of the CPS 7473-1 site is within 250 metres of the axis line of a South West Regional Ecological Linkage, which lies directly south east of Lot 67.
- An application for a clearing permit to clear the same area (CPS 5399) was referred to the Shire 12th December 2012 but was not approved by DPaW.
- 80% of the site has already been cleared of remnant vegetation. This does not infer a decision that the whole site can be cleared.

Staff, in March 2013, previously advised the Applicant that clearing of all the vegetation within the site would not be supported at officer level. Consistent with that advice and due to the local and regional significance of the vegetation pockets within the proposed extraction area, these should be retained. Additionally the DPaW has advised that any application for clearing should be referred to the Commonwealth Department of the Environment and Energy for consideration under the Commonwealth of Australia's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Unfortunately Council does not have the statutory ability to refer an application for assessment under the EPBC Act. This responsibility lies with the land owner/Applicant. In light of this refusal or deferral of the application for reasons of uncertainty of any referral under the EPBC Act is not possible. However, it is recommended that a condition requiring a clearing permit approval to be granted prior to the issue of an Extractive Industry Licence is required. An advice note reaffirming the land owners/Applicant obligations under the EPBC Act is also recommended.

Fauna

There are no species of threatened or priority fauna or ecological communities listed within the site by the Department of Parks and Wildlife. Both proposed extraction areas are recognised as potential feeding areas (jarrah forest) for Carnaby's Black Cockatoo.

Weed Management

The proponent states that weed management has been conducted on an annual basis using a weed contractor. A weed management plan is included in Appendix 6 of the proponent's report.

Water Management

The proponent states as follows:

“Surface Water Management

The site does not include any expressions of surface water such as lakes, wetlands, dams, rivers or creeks. The stormwater management measures described above will ensure that there will be no surface runoff from the operation area into surrounding creeks or any other external expressions of surface water.

Ground Water Management

The proposal does not involve abstracting ground water for operational purposes. No groundwater will be exposed and the 30 to 35 metre buffer between the land surface and the groundwater level will obviate any evaporation related changes in groundwater.

Due to the nature of the operations, no groundwater contamination is anticipated. No fuel or lubricant storage will occur on the site. Refuelling will take place using a mobile refuelling vehicle which is equipped with a “snap-on snap-off, fast-fill and auto shut-off” facility. Plant will be refuelled each morning, leaving the vehicles almost empty overnight. No major servicing, which could lead to fuel and oil spills, will take place on the site. Such servicing will be undertaken at the Proponent's workshop in Brunswick Junction. Minor spills which may occur occasionally will be neutralised by soil processes.”

A comprehensive Water Management Plan is required as a condition of approval. A copy of the Water Management Plan can be found in **Attachment 5**.

Noise

The proponent states as follows:

*“The proposed development will generate some operational noise during periods of ripping, stripping, crushing, etc, but this will be limited to approximately four weeks in the initial phase of the operation. There are three rural residences located within 1 000m of the proposed extraction area” (shown as red squares in **Attachment 2**) “with residence 1 the closest at 600m from Stage 2.*

*To identify and mitigate any potential noise impacts, a Noise Management Plan has been prepared and is included as Appendix 4” (refer **Attachment 6**). “The management plan includes a noise impact assessment conducted by Lloyd George Acoustics Pty Ltd in January 2010 for the previous EIL application.”*

Dust

Proposed measures to limit the impact of dust are outlined in a Dust Management Plan (refer **Attachment 7**).

Rehabilitation

The majority of the rehabilitation commitments from the previous EIL have been undertaken and completed. It is proposed that the remaining open area adjacent to the access road of 0.45ha will be rehabilitated as part of this EIL operation, as shown in Figure 3.

The objective of rehabilitation for this project is to establish a stable land form and a self-sustaining pasture grass cover with little to no weed species. Details of rehabilitation are in Section 6 of the excavation report (refer **Attachment 8**).

Conclusion

Given the inspection of the site and the photos provided in **Attachment 9**, it is noticeable that the remnant vegetation in the stage 1 and 2 areas are intrinsically significant and provide an important visual amenity and screening function. Also, most of Lot 67 has been cleared for extractive industry already. It is therefore recommended that pockets of remnant trees be required to remain within the two extractions areas and that prior to any Extractive Industry Licence being issued the need for an approved clearing permit is recommended. **Attachment 10** has been included detailing the pockets of vegetation required to be retained.

It is acknowledged that the above requirements will reduce the amount of gravel available for extraction.

Statutory/Policy Environment

District Planning Scheme No. 1 – zones the property as “General Farming” within which an Extractive Industry is an ‘SA’ use.

Clause 9.1 – sets out the development requirements for Places of Landscape Value.

Clause 9.12 – sets out the requirements for lodging an extractive industry application.

Shire of Harvey Extractive Industries Local Law 2017, requires the issue of an EIL prior to the commencement of any site works.

SIGNED _____ DATED 18th July 2017.

Strategic Framework

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

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

- *Minimise land use conflict.*
- *Protect significant vegetation, where possible."*

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

Risk Management

The Risk Theme Profile identified as part of this report is ***Providing Inaccurate Advice/Information***. The Consequence could be Financial, Reputational or Compliance if an incorrect approval is given or a condition is missed. The risk is mitigated by the report being thoroughly researched, peer reviewed and provided by a qualified Council officer, resulting in LOW risk being present.

Budget Implications

Nil.

Officer's Recommendation

That Council:

1. Notes the submissions received during the public advertising period;
2. Grants Development Approval for the extraction of gravel from Lot 67 Sandalwood Road within two stages (Reference 17/14004) subject to the following conditions:
 - a. A person shall not without the written approval of Council, undertake a land use in respect of which Council has granted Development Approval subject to conditions, until all of those conditions have been complied with to the satisfaction of Council;
 - b. A modified site plan being submitted for the approval of the Manager of Planning Services confirming the areas whereby vegetation protection is required prior to the issue of an Extractive Industry Licence. The plan is to be reflective of ***Attachment 10*** contained within this report;
 - c. All extraction to achieve compliance with:
 - i) The Shire of Harvey Extractive Industry Local Law 2017, including the holding of a valid licence for all periods of operation; and
 - ii) The Department of Water's "Water Resource Considerations for Extractive Industries 2014".
 - d. The Applicant is to submit and implement a dust management plan to the satisfaction of the Executive Manager of Technical Services prior to the issue of an Extractive Industry Licence;

SIGNED _____ DATED 18th July 2017.

-
- e. Stockpiles are to be kept to a maximum height of 5m to avoid visual impact and/or material wind drift;
 - f. Operating hours are restricted to 7.00am – 6.00pm, Monday to Friday and 7.00am – 12 noon Saturday. No activities to occur on Sundays or Public Holidays;
 - g. Any proposed clearing of native vegetation is prohibited unless done under a clearing permit issued in accordance with the *Environmental Protection Act 1986*, or the clearing is exempt from the need for a clearing permit;
 - h. No extraction should occur within 5m of any native tree crown drip zones along the boundaries of the extraction areas;
 - i. A suitable temporary demarcation barrier is erected 5m from the crown drip zone of retained trees to protect the trees and root systems from accidental machinery damage;
 - j. Prior to the issue of an extractive industry licence, the applicant is required to provide a rehabilitation management and monitoring plan to the satisfaction of the Manager of Planning Services which is to include:
 - i) All slopes of the batters at the end of excavation, being retained at no more than 1:6 vertical to horizontal;
 - ii) Revegetation and rehabilitation of the extraction area to bushland similar to the adjoining remnant bushland to the satisfaction of the Shire of Harvey; and
 - iii) Rehabilitating each extraction stage is to be undertaken in accordance with the endorsed plan before the subsequent stage has commenced to the satisfaction of the Manager Planning Services.
 - k. The extracted areas are to be rehabilitated as native bushland to the satisfaction of the Manager of Planning Services;
 - l. A reinstatement bond calculated at a rate of \$5,000 per hectare, is to be received prior to the issue of an Extractive Industry Licence and retained for up to (3) three years beyond the completion of the rehabilitation works, to ensure success of planting;
 - m. 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;
 - n. Provision of a detailed Water Management Plan for approval by the Department of Water prior to the issue of an Extractive Industry Licence. The Water Management Plan should contain monitoring and management measures in addition to mapping at a scale of no less than 1:500 indicating:
 - i) Contours;
 - ii) Watershed boundaries;

- iii) Property boundaries;
- iv) Proposed extraction areas; and
- v) Availability of water for the purposes of rehabilitation and dust suppression.

The Water Management Plan may be combined with the Storm Water Management Plan and is to be compiled and implemented to the satisfaction of the Executive Manager of Technical Services and the Department of Water;

- o. The 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 and which includes the following items:
 - i) The extractive industry shall not intercept the water table;
 - ii) No exposure of the groundwater shall be permitted;
 - iii) there will be no dewatering of the extraction area permitted;
 - iv) No standing water will occur at the end of mining / post rehabilitation;
 - v) If any interception of groundwater occurs, work should cease and an advice notice provided, followed by agreed remedial action;
 - vi) If any interception of groundwater occurs, work shall cease and an advice notice provided to the Department of Water within 48 hours, followed by agreed remedial action;
 - vii) There will be no storage of hydrocarbons on-site;
 - viii) On-site refuelling of equipment will be from a mobile service vehicle carrying appropriate spill prevention and clean-up equipment; and
 - ix) No major repairs or maintenance will take place on site.
- p. The Applicant is to provide an information brochure, which has been prepared to the satisfaction of the Department of Parks and Wildlife and the Manager of Planning Services, 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.

- q. Weed control shall be undertaken in accordance with an approved Management Plan to the satisfaction of the Manager of Planning Services and the Department of Agriculture and Food;
- r. Any refuelling activities must be undertaken in accordance with the Department of Water'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;
- s. Ongoing quarterly contributions shall be made towards the maintenance and upgrading of Sandalwood Road in accordance with the methodology adopted by Western Australian Local Government Association in the document "Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks, May 2015" to the satisfaction of the Executive Manager of Technical Services. All payments are to be finalised prior to the issue of any new annual Extractive Industry Licence;
- t. The Applicant is to engage a suitably qualified independent expert to carry out an annual audit of compliance of the conditions of Development Approval and Extractive Industry Licence. Such an audit must be submitted prior to an annual renewal licence being issued by Council;
- u. Activities such as crushing and screening, may be prescribed and as such, require a Works Approval, License or Registration under Part V of the Environmental Protection Act 1986 (EP Act); and
- v. 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.

Advice Note:

1. The Applicant is advised of their obligations under the Environment Protection and Biodiversity Conservation Act 1999; and
2. The Department of Aboriginal Affairs recommends that reference be made to the State's Aboriginal Heritage Due Diligence Guidelines.
3. In accordance with its delegation under Clause 27 Notice and Delegations Instruments advises the Applicant that Application 17/14004 shall be deemed to be approved under the Greater Bunbury Region Scheme.

17/173.

Campbell/Wood

"That the Officer's Recommendation be adopted."

CARRIED 10-0

Item No.	8.1.5
Subject:	Application for Development Approval – Extractive Industry (Sand)
Proponent:	B & J Catalano Pty Ltd
Location:	Lot 4 Runnymede Road, Wellesley
Reporting Officer:	Planning Officer (ND)
File No.:	A002628/EX/003
	Attachment Reg. No. 17/12764

Summary

Council has received an Application for Development Approval for sand extraction at Lot 4 Runnymede Road, Wellesley. It is proposed to extract a total area of 20.4ha (330,000m³) in three stages over a five year period up to 2022. This is a request for continuation of existing Development Approval at the site which has recently expired.

Approval subject to conditions is recommended.

Background

Lot 4 has a total area of 140.48 ha and is located approximately 4.4km east of the Binningup townsite (refer **Attachment 1**). The site is zoned 'General Farming' under the Shire of Harvey District Planning Scheme No. 1 and 'Rural' under the Greater Bunbury Region Scheme. Runnymede Road connects to Wellesley Road which in turn connects with the Forrest Highway 2 kms to the west.

The western portion of the site has been utilised for sand extraction since obtaining an extractive industry licence on 7th March 2007 (06/15151). The approval included the allowance of a nil setback to a portion of the northern boundary which abuts the Stage One area within the Lot 7 property.

The last Development Approval issued was on 27th April 2012, and expired 27th April 2017. In the eastern portion of the site, about 75% of Lot 4 remains native bushland. A renewal of the sand extraction approval for Lot 4 was granted on the 27th April 2012, (12/03987) that also continued the ability to extract within the setback area.

Lot 4 has elevations ranging between approximately 15 and 50m AHD with the higher areas in the central eastern portion of the site. The extraction area is located in an area with gentle slopes of less than 4% and an average elevation of 18-20m AHD. Water runoff infiltration occurs via the porous nature of the sand surface therefore there are no distinctive drainage lines or watercourses on the site.

The Development Proposal

The application is to continue the extraction of sand from the site, as the existing five year approval period has lapsed. This application applies to Stages 1 – 4 as shown on **Attachments 2 and 3**.

Environmental Considerations

Attachment 4 provides a description of environmental considerations within and bounding the site via the WALGA Environmental Planning Tool.

The extraction area is about 1.5km to the west of an “Environmentally Sensitive Area” (ESA) as designated by the Environmental Protection Authority. The eastern two-thirds of the site is recognised as having a “medium” to “high” suitability as a western ringtail possum habitat.

Groundwater Hydrology

The Applicant states as follows:

“Based on an evaluation of information provided by the Department of Water, together with data on static water elevation obtained from the drill log of a private bore sited on Lot 4, groundwater occurs at an average of 7m AHD below the site and there is an annual variation of approximately 1m. Groundwater flow is towards the Mialla Swamp to the west.”

Vegetation

The extraction area is not within a vegetated area. Clearing of this area for grazing occurred prior to the sand extraction being established.

The majority of Lot 4 (the non-extraction area) can be described as native vegetation classified as Bassendean Central and South complex associations and comprises mainly Marri, Peppermint, Jarrah, Banksia and Spearwood type vegetation, typical of the mid Swan Coastal Plain.

Comment

Advertising

The proposal was advertised in accordance with Clause 2.3 of the Scheme for a period of 21 days. Twelve (12) submissions were received, three (3) being from nearby landowners and ten (10) being from government referral agencies, which are generally supportive of the proposal subject to appropriate conditions.

A summary of the submissions is provided in **Attachment 5 – Table of Submissions**.

In terms of government agency submissions, most were standard comments and statements of non-objection. However the most significant advice was that received from the Department of Water (DoW) in regard to extraction levels and groundwater table issues.

Staff note that the proposal is located in an area which already accommodates extractive industries and previously there have been no objecting landowners in the locality. On this occasion there was a single submission of objection from an adjoining landowner. Concern was raised in relation to the possible disruption to groundwater flow through the adjoining landowner’s property.

In terms of Government agency comment the most notable issue that has been raised is related to the groundwater separation/pit floor separation distance as raised by the DoW.

Weeds

It is proposed that any cottonbush will be removed from each stage as it progresses and reoccurrence will be monitored. Topsoil is to be stockpiled in large quantities for a sufficient period to enable natural die off of the weed seed bank within the topsoil. The topsoil will be reseeded with pasture grasses during rehabilitation.

Alteration of the Land Surface and Visual Impacts

At the completion of extraction moderate slopes of 1:6 will remain. It is stated that existing topsoil from the site will be placed over the site in a staged manner such that each excavation stage area is rehabilitated to the final landform.

Staff advise that the proposed pit does not have any adverse visual impacts from Wellesley Road and Forrest Highway.

WaterSurface and Stormwater Management

Given the site's low slopes and high permeability of the sandy soils, water and stormwater management is not considered to be an issue.

- There will be no storage of hydrocarbons on-site.
- On-site refuelling of equipment will be from a mobile service vehicle carrying appropriate spill prevention and clean-up equipment.
- No major repairs or maintenance will take place on site.

Groundwater Management

The following conditions can be applied from the DoW's comments:

- The extractive industry shall not intercept the water table.
- No exposure of the groundwater shall be permitted.
- There will be no dewatering of the extraction area permitted.
- No standing water will occur at the end of mining / post rehabilitation.
- If any interception of groundwater occurs, work should cease and an advice notice provided, followed by agreed remedial action.

Noise

The majority of noise from the site will be generated by a loader and haulage trucks.

A separation distance of 300-500m is recommended by the EPA for sand extraction (Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses) to avoid conflict between incompatible land uses. No houses exist within 1000m of the site.

Dust

Staff notes that the issue of dust has not been raised by any adjoining landowner during the life of the current pits in the area. Notwithstanding the need for a condition requiring an ongoing commitment to dust minimisation is recommended as part of a Development Approval.

Dieback Management

Sand is not a known source of Dieback and as such management measures are not as stringent as for gravel extraction, however, consistent with other recent approvals a Dieback Management Plan is considered appropriate.

Proposed Revegetation/Rehabilitation

Attachment 6 provides details of proposed rehabilitation and maintenance. The vegetation buffer to Runnymede Road as shown in the attachments will remain. 13ha of the 15.61ha extraction area will be returned to pastures and 2.61ha will be planted with native vegetation.

Road Maintenance

Runnymede Road has been sealed and is being maintained by B & J Catalano for appropriate site access. Notwithstanding, consistent with all recent approvals the requirement to make a contribution towards the maintenance of Runnymede and Wellesley Road should comply with Council's current position which is that maintenance is to be in accordance with the methodology adopted by WALGA in the document "*Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks, May 2015*" to the satisfaction of the Shire's Executive Manager of Technical Services with payments finalised prior to any new annual Extractive Industry Licence being issued.

Statutory/Policy Environment

District Planning Scheme No. 1 – zones the property as 'General Farming' within which an Extractive Industry is an 'SA' use.

Clause 9.13 – sets out the requirements for lodging an extractive industry application.

Shire of Harvey Extractive Industries Local Law 2017 requires the issue of an Extractive Industry Licence prior to the commencement of any site works.

Strategic Framework

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

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

- *Minimise land use conflict.*
- *Protect significant vegetation, where possible."*

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

Risk Management

The Risk Theme Profile identified as part of this report is ***Providing Inaccurate Advice/Information***. The Consequence could be Financial, Reputational or Compliance if an incorrect approval is given or a condition is missed. The risk is mitigated by the report being thoroughly researched, peer reviewed and provided by a qualified Council officer, resulting in LOW risk being present.

Budget Implications

Nil.

Officer's Recommendation

That Council:

1. Notes the submissions received during the public advertising period; and
2. Grants Development Approval for the extraction of 330,000m³ of sand from Lot 4 Runnymede Road within stages 1-4 (Reference 17/12764) subject to the following conditions:
 - a. A person shall not without the written approval of Council, undertake a land use in respect of which Council has granted Development Approval subject to conditions, until all of those conditions have been complied with to the satisfaction of Council;
 - b. Compliance with the approved plans submitted on 5th December 2016, by Lundstrum Environmental for Catalano Pty Ltd (17/12764), as modified by this approval;
 - c. All extraction to achieve compliance with:
 - i) The Shire of Harvey Extractive Industry Local Law 2017, including the holding of a valid licence for all periods of operation; and
 - ii) The Department of Water's "Water Resource Considerations for Extractive Industries 2014".
 - d. The Applicant is to submit and implement a dust management plan to the satisfaction of the Executive Manager of Technical Services prior to the issue of an Extractive Industry Licence;
 - e. Stockpiles are to be kept to a maximum height of 5m to avoid visual impact and/or material wind drift;
 - f. Operating hours are restricted to 7.00am – 6.00pm, Monday to Friday and 7.00am – 12 noon Saturday. No activities to occur on Sundays or Public Holidays;
 - g. Any proposed clearing of native vegetation is prohibited unless done under a clearing permit issued in accordance with the Environmental Protection Act 1986, or the clearing is exempt from the need for a clearing permit;
 - h. No extraction should occur within 15m of any native tree crown drip zones along the boundaries of the extraction areas;
 - i. A suitable temporary demarcation barrier is erected 15m from the crown drip zone of retained trees to protect the trees and root systems from accidental machinery damage;
 - j. Prior to the issue of an extractive industry licence, the applicant is required to provide a rehabilitation management and monitoring plan to the satisfaction of the Manager of Planning Services which is to include:
 - i) All slopes of the batters at the end of excavation, being retained at no more than 1:6 vertical to horizontal;

SIGNED _____ DATED 18th July 2017.

- ii) Revegetation and rehabilitation of the extraction area to bushland similar to the adjoining remnant bushland to the satisfaction of the Shire of Harvey; and
 - iii) Rehabilitating each extraction stage is to be undertaken in accordance with the endorsed plan before the subsequent stage has commenced to the satisfaction of the Manager Planning Services.
- k. 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;
- l. Provision of a detailed Water Management Plan for approval by the Department of Water prior to the issue of an Extractive Industry Licence. The Water Management Plan should contain monitoring and management measures in addition to mapping at a scale of no less than 1:500 indicating:
- i) Contours;
 - ii) Watershed boundaries;
 - iii) Property boundaries;
 - iv) Proposed extraction areas; and
 - v) Availability of water for the purposes of rehabilitation and dust suppression.

The Water Management Plan may be combined with the Storm Water Management Plan and is to be compiled and implemented to the satisfaction of the Executive Manager of Technical Services and the Department of Water;

- m. The 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 Licence and which includes the following items:
- i) A piezometer is to be installed at the eastern portion of the property to establish the maximum seasonal groundwater level (MSGSL) and set an appropriate extraction depth there;
 - ii) Extractive activities should not occur less than 300mm of the maximum seasonal groundwater level;
 - iii) The operations must not expose groundwater at any time;
 - iv) No hydrocarbons (fuels, oils, lubricants etc) shall be stored on site;
 - v) All refuelling and maintenance must be carried outside of the pit area in bunded areas;
 - vi) The pit to be rehabilitated with clean free draining fill overlain by topsoil, noting a minimum separation distance of 0.5m to the MSGSL (for final pasture landuse);

-
- vii) There will be no dewatering of the extraction area permitted;
 - viii) No standing water will occur at the end of mining / post rehabilitation;
 - ix) If any interception of groundwater occurs, work shall cease and an advice notice provided to the Department of Water within 48 hours, followed by agreed remedial action;
 - x) On-site refuelling of equipment will be from a mobile service vehicle carrying appropriate spill prevention and clean-up equipment; and
 - xi) No major repairs or maintenance will take place on site.
- n. The Applicant is to provide an information brochure, which has been prepared to the satisfaction of the Department of Parks and Wildlife and the Manager of Planning Services, 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.
- o. Weed control shall be undertaken in accordance with an approved Management Plan to the satisfaction of the Manager of Planning Services and the Department of Agriculture and Food;
- p. Any refuelling activities must be undertaken in accordance with the Department of Water'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;
- q. Ongoing quarterly contributions shall be made towards the maintenance and upgrading of Runnymede and Wellesley Roads in accordance with the methodology adopted by Western Australian Local Government Association in the document "Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks, May 2015" to the satisfaction of the Executive Manager of Technical Services. All payments are to be finalised prior to the issue of any new annual Extractive Industry Licence;
- r. The Applicant is to engage a suitably qualified independent expert to carry out an annual audit of compliance of the conditions of Development Approval and Extractive Industry Licence. Such an audit must be submitted prior to an annual renewal licence being issued by Council;

- s. Activities such as crushing and screening, may be prescribed and as such, require a Works Approval, Licence or Registration under Part V of the Environmental Protection Act 1986 (EP Act); and
- t. 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.

Advice Note:

1. The Department of Aboriginal Affairs recommends that reference be made to the State's Aboriginal Heritage Due Diligence Guidelines.

17/174. **Simpson/Wood**
"That the Officer's Recommendation be adopted."

CARRIED 10-0

Cr. Burgoyne and Cr. Carbone returned to the Chamber at 4.52p.m.

Development Services Committee
20th June 2017

MINUTES

17/175. **Simpson/Beech**
"That the Minutes of the Development Services Committee Meeting, held on Tuesday, 20th June 2017, be received and the recommendations listed hereunder be adopted en-bloc."

8.1 PLANNING REPORT

- 8.1.1 Request for Reconsideration of Conditions of Development Approval – Proposed Horticulture – Pearson Nominees Pty Ltd – Lots 9, 10, 2940 and 3025 Ludlow Road, Myalup (A000177).

8.2 BUILDING REPORT

- 8.2.1 Building Permit Applications Received – Building Permits Issued – May 2017 – Shire of Harvey (BSR017 (15)).

CARRIED 12-0

Mr. Dandridge left the Meeting at 4.55p.m.

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

Item No.	1		
Subject:	Dog Exercise Areas		
Proponent:	Shire of Harvey		
Location:	Various Locations in the Shire District		
Reporting Officer:	Executive Manager of Corporate Services		
File No.:	RS/A/020		Attachment Reg. No.

Summary

Council has in place a number of dog exercise areas as depicted in **Attachment 1**. These areas were last reviewed in 2014. It is recommended that a minor changes be implemented to the current exercise areas and that a request for a Dog Exercise Area at Eastwell Road (The Elbow) raised at the 2017 Australind Community Meeting be refused.

Background

This report is split into three areas:

1. A generalised request that a Dog Exercise Area be considered in the vicinity of the Treendale locality.
2. An amendment to the Dog Exercise Area in the Harvey townsite at Meridan Park.
3. Consideration of the request for the area known as "The Elbow" in Australind to become a Dog Exercise Area.

Comment***Dog Exercise Area – Treendale Locality***

This matter has been raised previously and has been noted by Council's Rangers when undertaking inspections in the area. Council has also recently been in receipt of complaints regarding dogs being off lead in the Treendale area and additional signage has been installed stating that dogs must be on leads in Recreational areas.

It was considered that public consultation be undertaken prior to Council considering the designation of any areas in Treendale as dog exercise areas. In discussions with Council's Rangers, and consistent with complaints about dogs being off lead causing a nuisance, it is considered that the areas in Treendale currently designated as public open space are not suitable to be designated as dog exercise areas. The areas in question as noted on **Attachment 2**, are small and not defined by any physical barriers reducing their suitability as proposed exercise areas.

As Treendale further develops dog exercise areas may become more apparent in form and if guided by community requests. At this stage soliciting feedback on the matter is not supported as such a proposal is not considered appropriate at this point in time. The nearest Dog Exercise Area to Treendale is the Leschenault Recreation Park – Sports Field 3 which is relatively close by.

Dog Exercise Area Signage Amendment – Meridan Park, Harvey Townsite

A relatively simple change to signage at this park is required. Currently the signage leading into the fenced area of the park indicates an unrestricted Dog Exercise Area. When organised sport is being undertaken (Soccer) it is not compatible to have the area as a designated Dog Exercise Area. Examples from other shires denote signs that have areas such as this designated as Dog Exercise Areas, however only when organised sporting activities are not undertaken. It is proposed to amend the signage present to indicate this.

Concerns have been raised recently regarding dog owners not picking up their dog's faeces at this location. It is proposed to undertake reminder advertising to restate owner's responsibilities in this regard as part of updating the signage at this site. This location has been a busy Dog Exercise Area for many years.

Request for Dog Exercise Area – Eastwell Road Australind (The Elbow)

A request for Council to consider designating a Dog Exercise Area at Eastwell Road (The Elbow) was raised at the 2017 Australind Community Meeting. A Location Plan is per **Attachment 3**. The land is owned freehold by the Shire of Harvey and may be the subject of development in the future. Council members would be aware of the new Ablution facility currently being built at this location as well as water access improvements (jetty and improved boat ramp) which have attracted grant funding recently and will be installed in 2017/18.

The area has been inspected for suitability and a number of photos taken (refer **Attachment 4**).

The area is not considered suitable for designation as a Dog Exercise Area for the following reasons:

- The usable site is small in area with limited clearing.
- There is limited green space or grassed areas.
- The area is predominantly used for boat launching/retrieval into the Collie River, creating a traffic movement hazard. There is no designated traffic plan or design.
- The area has a low degree of supervision/inspection, though this may change in the future.

The nearest Dog Exercise Area to this location is Lot 131 Lucy Victoria Avenue.

Statutory/Policy Environment

Section 31 of the Dog Act 1976 (As Amended) reads as follows –

- (3A) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.
- (3C) At least 28 days before specifying a place to be —
- (a) a place where dogs are prohibited at all times or at a time specified under subsection (2B); or
 - (b) a dog exercise area under subsection (3A); or
- a local government must give local public notice as defined in the *Local Government Act 1995* section 1.7 of its intention to so specify.

The situation with Meridan Park is a proposed amendment to an existing dog exercise area hence the advertising requirement would not apply. For the avoidance of doubt and to properly inform members of the public, should the Officer's Recommendation be supported to amend the signage and therefore the designation at Meridan Park, advertising of the proposed change to signage and meaning would be undertaken.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategies 4.1.2 and 4.2.2 state:

4.1.2 *"Continue to engage the community through annual community meetings around the Shire."*

4.2.2 *"Maintain, review and ensure relevance of Council's policies and local laws."*

Risk Management

The Risk Theme Profile identified as part of this report is ***Inadequate Engagement Practices***. The Consequence identified is ***Reputational***. The Consequence rating associated with this matter is *Moderate* (3), and the Likelihood of Council not engaging with the Community on changes relating to dog control is considered *Rare* (1) giving a LOW Risk Rating of (3).

Budget Implications

Minor costs in signage amendment would be an operational Budget matter.

Officer's Recommendation

That Council:

1. Amends signage at Meridan Park, Harvey to indicate that when organised sport is being undertaken (Soccer) the designation of the Dog Exercise Area contained within the enclosed fenced area is not applicable, noting that the area is a Dog Exercise Area at all other times;
2. Advertises the proposal to amend the Dog Exercise Area signage at Meridian Park, Harvey as described in this report as well as reinforcing dog owners responsibilities at this location; and
3. Having considered two areas, being the general area known as Treendale, Australind, and that of "the Elbow" in Eastwell Road, Australind as for designation as Dog Exercise areas (in part) advise through normal media release that these areas are not considered suitable at this point in time.

17/176. **Campbell/Adams**
"That the Officer's Recommendation be adopted."

CARRIED 11-1

Item No.	2
Subject:	Leschenault Leisure Centre – Grow Cook Eat Create Proposal
Proponent:	Grow Cook Eat Create Inc.
Location:	Leschenault Leisure Centre
Reporting Officer:	Manager Community and Economic Development
File No.:	A005529 Attachment Reg. No. 17/01290

Summary

This report presents a proposal to conduct a new activity called “Grow Cook Eat Create” at the Leschenault Leisure Centre and recommends that Council supports the proposal by providing free use of the Pat Rutherford Room for a six month trial period.

Background

Grow Cook Eat Create Inc. is a not for profit organisation established in 2013 to facilitate a community kitchen program through disability support agency “Life Without Barriers”. Funding for the program was discontinued at the end of 2015 and the Facilitator has been looking for alternative premises and funding since that time.

Although the program is not specifically for people with disabilities the majority of participants have some level of disability. Grow Cook Eat Create is a communal cooking activity where participants learn valuable life skills including how to budget and cook healthy options, gain independence and improve their social connections.

A number of potential venues have been explored including the Australind Senior Citizens Centre, the Australind Tennis Pavilion and the Pat Rutherford Room at the Leschenault Leisure Centre. Aside from the School holiday periods, the Pat Rutherford Room is largely underutilised and would provide a suitable venue for the program one day per week.

Following discussions with the Facilitator, email correspondence and a Business Case has been received from Grow Cook Eat Create (refer **Attachment 1**) seeking Council’s support for the program. The proposal is to provide free use of the Pat Rutherford Room on Wednesdays during the School Term between the hours of 9am and 2pm.

Comment

The proposal is considered to have merit and could be supported for a six month trial period at minimal cost to the Shire. The normal hire fee for the Pat Rutherford Room is \$43 per hour so it could be argued that there is an “opportunity cost” of \$215 per day or \$4,300 in potential lost revenue for a 20 week program. The reality however is that there has been minimal use of the Room for the past number of years and there have been no enquiries regarding its availability on Wednesdays for some time. It is acknowledged that there would be some additional costs incurred such as electricity and water consumption but these costs are not anticipated to be significant.

The Business Case includes a project budget (p7) which nominates a contribution of \$20 per participant per day to cover the cost of food and cleaning products, miscellaneous kitchen items and a contribution to the Facilitator’s wages. This is considered to be a reasonable cost for most people to participate in the program.

Should Council be supportive of the proposal it would demonstrate a strong commitment towards improving opportunities for community members with disability which make up nearly 20% of the Shire's population. It would also allow Council to address some areas of the Shire's draft Disability Access and Inclusion Plan which will shortly be released for public comment.

On balance the proposal is considered to be worthy of Council's support for a six month trial period. At the end of the six month trial the program would be reviewed to determine its success or otherwise and a further report presented to Council.

Statutory/Policy Environment

The organisation will be required to be registered by the Shire of Harvey as a food business under the Food Act 2008. Council has previously determined that community and charitable groups should be exempt of any fees and charges as part of this registration process.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 - 2023, Strategies 3.1.4 and 3.2.1 state:

3.1.4 *"Continue to support community events and programs."*

3.2.1 *"Implement the Disability Access and Inclusion Plan."*

Budget Implications

The report recommends that Council waive the normal hire fees for the use of the Pat Rutherford Room for a six month trial period which could result in a potential loss of income of \$4,300. Some additional costs for electricity and water consumption would be incurred however these costs are not expected to be significant.

Risk Management

The Risk Theme Profile identified as part of this report is ***Providing Inaccurate Advice/Information***. The Consequence could be Reputational depending on whether Council wishes to support the proposal or not. The Risk Consequence is considered to be "Low" (2) and the Likelihood "Unlikely" (2) resulting in a "Low" (4) level of risk.

Officer's Recommendation

That Council:

1. Subject to normal conditions of hire, insurance and bond requirements, grants approval for the Grow Cook Eat Create program to use the Pat Rutherford Room at the Leschenault Leisure Centre on Wednesdays between the hours of 9am and 2pm for a six (6) month trial period and agrees to waive the normal hire fees for the use of the Room; and
2. Receives a further report on success or otherwise of the program following the six (6) month trial period.

17/177.

Adams/Shortland

"That the Officer's Recommendation be adopted."

CARRIED 12-0

SIGNED _____ DATED 18th July 2017.

Item No.	3
Subject	Appointment of Authorised Officers/Appointment of Fire Control Officer
Proponent:	Chief Executive Officer
Location:	Shire of Harvey
Reporting Officer:	Executive Manager Corporate Services
File No.:	CCU003

Summary

This report recommends the appointment of Council's Rangers as Authorised Officers pursuant to the Local Government (Miscellaneous Provisions) Act 1960.

This report also recommends the appointment of Mr. Shaun Champ, Council's new Community Emergency Services Manager as a Fire Control Officer for the Shire of Harvey district.

Background

On 26th April 2017, Council updated its Authorised Officer appointments in the main due to the advent of new Local Laws coming into place. It has been noted that one set of appointments was omitted, which was also not contained in the previous list. That set of appointments is for Council's Rangers to be Authorised Officers pursuant to the Local Government (Miscellaneous Provisions) Act 1960.

Specifically this refers to Part XX of that Act, being Cattle Trespass, Pound Keepers and Rangers. Council's Rangers are from time to time called upon to deal with straying cattle under this legislation and hence need to be authorised to do so.

The second part of this report seeks to formally appoint Mr. Shaun Champ, Council's new Community Emergency Services Manager as a Fire Control Officer for the Shire of Harvey District. This is an administrative matter which forms part of the Memorandum of Understanding between Council and the Department of Fire and Emergency Services (DFES) for this position.

This appointment is a natural progression from the replacement of Mr. Mike Carter in this position by Mr. Champ.

Comment

Both of these appointments are administrative in nature.

Previously the appointment of the Community Emergency Services Manager as a Fire Control Officer was undertaken through the Bush Fire Advisory Committee (BFAC). Fire Control Officer appointments have recently been finalised for 2017/18 by the BFAC, hence this matter is most expediently dealt with through a Council decision direct.

The appointment of the Community Emergency Services Manager not only is a requirement under the agreement between Council and DFES, it has a practical application of enabling the officer to perform functions that are a necessary part of the role. In particular the control of Fire Incidents in the absence of a designated Fire Control Officer has been a function that has previously occurred and would be expected to again. Mr. Champ is qualified as a Level 1 Incident Controller, DFES Trainer and Assessor (Certificate IV) as well as having the practical experience to be appointed as a Fire Control Officer.

SIGNED _____ DATED 18th July 2017.

Statutory/Policy Environment

Local Government (Miscellaneous Provisions) Act 1960, Part XX, Cattle Trespass, Pound Keepers and Rangers.

Bush Fires Act 1954, Section 38 (1) – power to appoint Fire Control Officers. Bush Fire Brigades Local Law 2017, Clause 3.14 relates to the appointment of these positions.

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 report is ***Failure to Fulfil Compliance Requirements***. The consequence could be “Compliance” or “Reputational” if Council's list of Authorised Officers is not current and synchronised with the current legislation. Likewise any function to be performed by a Fire Control Officer must be by a duly appointed officer.

By updating the list of Authorised Officers and making the Fire Control Officer appointment this Risk is negated in entirety.

Budget Implications

Nil.

Officer's Recommendation

That Council:

1. Updates its list of Authorised Officers by making the following amendments to that document:

Rangers Robert Steers, John Scotland and Scott Frater are appointed as Authorised Officers pursuant to the Local Government (Miscellaneous Provisions) Act 1960, Part XX, Cattle Trespass, Pound Keepers and Rangers.

2. Appoints Mr. Shaun Champ, Community Emergency Services Manager as a Fire Control Officer for the Shire of Harvey district.

17/178. **Campbell/Burgoyne**
“That the Officer's Recommendation be adopted.”

CARRIED 12-0

Item No. 4			
Subject: Meetings for Coming Months			
File No.: CCC001			
Meeting	Location	Date	Time
Special Council	Harvey Chamber	10 th July 2017	4:00p.m.
Development Services Committee	Australind Chamber	11 th July 2017	4:00p.m.
Corporate Services Committee	Australind Chamber	18 th July 2017	2:00p.m.
Ordinary Council	Australind Chamber	18 th July 2017	4:00p.m.
Leschenault Leisure Centre Advisory Committee	LLC	21 st July 2017	8:00a.m.

Officer's Recommendation

That the meetings for coming months be noted.

17/179.

Giancono/Burgoyne

"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.

N. REPORTS OF MEMBERS**Cr. Giancono**

Cr. Giancono reported on his attendance at:

- A meeting of the Binningup Community Association; and
- A meeting of the Binningup Christian Youth Camp.

Cr. Monagle

Cr. Monagle reported on his attendance at:

- A function at which a recent Leeuwin Sail Training participant presented which was an excellent endorsement of the program; and
- A meeting regarding the proposed Sophia College conversion into a Rehabilitation Facility.

Cr. Burgoyne

Cr. Burgoyne reported on his attendance at the Annual Community Dinner held in Australind noting the quality of the Award winners.

Cr. Lovitt

Cr. Lovitt reported on her attendance at:

- The annual Leschenault Leisure Centre Open Day with approximately 2,000 people attending throughout the day;
- Dr. Rob Gordon's Yarloop Fire Recovery presentation;
- A meeting of the Leschenault Catchment Council;
- A meeting of the Yarloop Workshop Committee; and
- South West Small Business Awards evening.

Cr. Campbell

Cr. Campbell reported on his attendance at a Board meeting of the Australind Senior High School.

Cr. Adams

Cr. Adams reported on his attendance at:

- A meeting of the Morrissey Homestead Inc. Board of Management Committee held 12th June 2017;
- A meeting of the Riverlinks Child Care Centre held 14th June 2017; and
- A Leschenault Catchment Council community meeting held on 19th June 2017.

Cr. Beech

Cr. Beech reported on his attendance at:

- Annual Community Dinner held 9th June 2017, noting it was an excellent evening and congratulated the organisers;
- A meeting of the Harvey Community Radio 95.5FM held 12th June 2017;
- Dr. Rob Gordon's Yarloop Fire Recovery presentation held 13th June 2017, along with the Shire President and Cr. Lovitt; and
- A meeting of the Regional Road Group along with the Executive Manager Technical Services held 26th June 2017.

Cr. Jackson

Cr. Jackson reported on her attendance at:

- A meeting of the Kemerton Industrial Park Coordinating Committee;
- A meeting with Robyn Clarke (MP), David Templeman (Minister for Local Government) and the Chief Executive Officer.
- A meeting of the Peron Naturaliste Partnership;
- Annual Community Dinner held 9th June 2017;
- A meeting of the Community Sub Committee for Fire Recovery;
- A meeting of the Harvey Local Emergency Management Committee;
- A community meeting of the Leschenault Catchment Council;
- The Yarloop Community Resource Centre's opening at their new premises based at the Yarloop Pavilion;
- Dr. Rob Gordon's Yarloop Fire Recovery presentation held 13th June 2017;
- A meeting of the Lesueur Community Consultative Committee;
- A meeting with Anissa Williams, the Regional Tourism Officer regarding the Bunbury Geographe Growth Plan;
- A Harvey Visitor Centre Workshop;
- A meeting of the Bunbury Wellington Economic Alliance;
- Australian Social Symposium on Social Engagement hosted at the University Club of Western Australia;
- A Board meeting of the Harvey Senior High School;
- A Parliament House Meeting with Mr. Don Punch MLA and Mr. Mick Murray MLA regarding the Bunbury Geographe Growth Plan;
- A meeting of the WALGA South West Zone which discussed the banning of single use plastic bags and the issue of Corellas seeking to ensure adequate funding is in place through the Department Parks and Wildlife for control measures; and
- A meeting of the South West Development Commission with the terms of Chairman Stuart Hicks and Acting Chief Executive Officer Anna Oades concluding.

O. ORDERS OF THE DAYOfficer's Recommendation:

That Council notes the use of the Common Seal on items previously authorised by Council as follow:

- Funding Agreement 'The Elbow' Boat Ramp Upgrade and Finger Jetty Construction Between Minister for Transport and Shire of Harvey. Prepared By Department of Transport

17/180. **Campbell/Monagle**
"That the Officer's Recommendation be adopted."
CARRIED 12-0

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

Cr. Wood requested permission of the meeting to put forward a motion for a vote of thanks to Council's Executive Manager Technical Services.

17/181. **Campbell/Beech**
"That Council allows Cr. Woods Motion Without Notice."
CARRIED 12-0

17/182. **Wood/Campbell**
"That Council acknowledge and thank Mr. Theo Naudé for his years serving as the Shire's Executive Manager Technical Services."
CARRIED 12-0

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

17/183. **Burgoyne/Campbell**
"That Council suspends Standing Orders and Moves Behind Closed Doors in accordance with Section 5.23 (2)(b) of the Local Government Act 1995, to deal with matters that relate to the personal affairs of any person in relation to the Shire's Honours and Awards system."
CARRIED 12-0

Standing Orders were suspended at 5.37p.m.

Mr. Collie, Ms. Gelmi, Mr. Hall, Ms. Hepburn, Mr. Naudé, Mr. Quinlivan and Mr. Stewart left the meeting at 5.37p.m.

Resumption of Standing Orders

17/184. **Campbell/Burgoyne**
 “That Standing Orders be resumed.”

CARRIED 12-0

Standing Orders were resumed at 5.59p.m.

R. CLOSURE

There being no further business to discuss, the meeting was declared closed at 6.00p.m.

I, Tania Gae Jackson certify that the aforesaid Minutes of the meeting held on Tuesday, 27th June 2017, are confirmed as a true and correct record of that meeting on Tuesday, 27th June 2017.

Tania G. Jackson
SHIRE PRESIDENT