



# **Minutes**

**Ordinary Council Meeting**

**Thursday 26 March 2015**



**Ordinary Council – 26 March 2015**  
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Minutes of the Ordinary Meeting of Council held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday 26 March 2015.

The Presiding Member Cr W Barrett declared the meeting open the time being 9.01am.

## 1. ATTENDANCES

Cr W Barrett	Shire President
Cr C Thompson	Deputy Shire President
Cr M Reid	Councillor
Cr E Menara	Councillor
Cr B Beacham	Councillor
Cr S Lee	Councillor
Cr A Black	Councillor
Cr B Thomson	Councillor
Cr P Briggs	Councillor
Mr D Unsworth	Chief Executive Officer
Mrs J Burton	Director Corporate and Community Development
Mr A Smith	Director Technical Services
Mr R Peake	Director Planning and Sustainability
Mrs F Hide	Coordinator Executive Services
Ms J Spence	Administration Support Officer (Executive)

There were 17 members of the public, 3 members of staff and 2 member of the press in attendance at this time.

## 2. ABSENT

Nil

## 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

## 4. PUBLIC QUESTION TIME

**Mr David Bolt**, 107 Murray River Drive, South Yunderup - Proposed Fellmongering Facility Lot 1675 (4756) South Western Highway, North Dandalup.

File Ref: SO10/26

I seek the indulgence of Council given that due to the late notice of the rescission motion I have not been afforded any opportunity to make a formal deputation to Council regarding the noxious industry.

Q1. Are the Councillors aware that under the WAPC Approved North Dandalup Structure Plan as well as the Approved Nambelup North Dandalup Rural Residential Plan there are plans to accommodate 3835 homes including 2 new schools and retail centres to be built in the local area surrounding the proposed Noxious Industry, the closest homes of which will be only 1900 odd meters away?

If so will the Councillors fully consider the amenity of the 15,000 future residents that are anticipated to move into North Dandalup over the coming years if they approve a noxious industry on their doorstep? In particular has the Council fully costed the financial impact and economic value that could be lost if these homes did not get built if the North Dandalup becomes tainted and perceived as a noxious industrial zone. Given rates per house in the shire are approaching 2000 per year this equates to approximately one million dollars (\$1M) in Rates let alone without considering any flow on benefits 15,000 people coming to the township will bring to local businesses.

- Q2. Can the Council confirm if the proponents of the fellmonger facility have any approval to dispose of the bye product and considerable waste water that will be produced from treating 5000 hides per week?
- Q3. Is the Council aware that the majority of jobs proposed to be created by the noxious industry will be itinerant such as truck drivers and management staff that will not necessarily reside in the district? Will these jobs continue to exist regardless of where the facility is located?

**The Shire President** advised **Mr Bolt** that his questions would be taken on notice and a response will be provided in writing.

**Mr Edgar Norris Evans**, 76 Money Road, North Dandalup - Proposed Fellmongering Facility Lot 1675 (4756) South Western Highway, North Dandalup.

File Ref: SO10/26

**Mr Evans** requested to provide a preamble to his questions which was disallowed by the Presiding Member **Cr W Barrett**.

Through the Chair I ask the following questions of Cr Barrie Thompson:

- Q1. How many times have you met with Ms Paras Shah?
- Q2. When did you first meet Ms Paras Shah?
- Q3. When did you first promise your support for the proposed Hide Curing Facility?
- Q4. Do you have a conflict of interest with respect to your proposed Rescission Motion, to revoke Council's refusal of the Hide Curing facility application at the Ordinary Council Meeting on the 26 February 2015, and this now approve the application?
- Q5. It would be appreciated if Cr Thomson would answer in writing alternatively if he insists he answers verbally today the answers be recorded verbatim in the minutes.

**The Shire President** advised **Mr Evans** that questions 1 to 5 would be taken on notice and a response will be provided in writing.

- Q6. May I ask the Chair whether the Notice of Motion will be debated today? IF NOT, how is it that the CEO has allowed this matter to be agendad thus drawing many people to the Shire unnecessarily?

### Response

The **Chief Executive Officer** advised **Mr Evans** in response to question 6 that this matter was not listed on the agenda and referred to "**Section 3.10 Motions of which Previous Notice has been Given**" of Council's Standing Orders Local Law which states:

- (2) A notice of motion is to be given at least five working days before the meeting at which the motion is moved; and
- (3) A notice of motion is to relate to the good government of persons in the district.

The **Chief Executive Officer** also referred to “**Section 3.12 New Business of an Urgent Nature Introduced by a Decision of the Meeting**” which states:

*In cases of extreme urgency or other special circumstances, matters may, with the consent of the person presiding, or by a decision of the members present, be raised without notice and decided by the meeting.*

In the case of the rescission motion, it is my opinion that this item is not a matter of *extreme urgency* and, while Council can deal with the rescission motion as a matter of urgency, it does so of its own volition and has the power to deem this item urgent.

Council’s Standing Orders Local Law “**Section 3.13 Motions without Notice by Absolute Majority of the Council**” states:

*A motion moved without notice (as is the case with Cr B Thomson’s rescission motion), shall be worded so as to refer to a particular matter for investigation and report to Council or a committee for consideration of the Council at a later date, except where the Council is satisfied that sufficient information has been provided and that the urgency of the matter is such as to warrant an immediate decision by the Council.*

The **Shire President** thanked **Mr Evans** for his questions.

**Mr Raymond Ayres**, 224/1370 Paterson Road, Nambelup - Proposed Fellmongering Facility Lot 1675 (4756) South Western Highway, North Dandalup.

File Ref: SO10/26

- Q1. Why would the Councillors vote against the recommendations of their officers?
- Q2. Can I ask how Alcoa are able to block people from a gazetted area e.g. the Rhone-Poulenc Plant formerly used for this purpose?

The **Shire President** advised **Mr Ayres** that his questions would be taken on notice and a response provided to him in writing.

**Ms Shelli Royans**, 4576 South Western Highway, North Dandalup - Proposed Fellmongering Facility Lot 1675 (4756) South Western Highway, North Dandalup.

File Ref: SO10/26

- Q1. Why has the Abattoirs on Lakes Road, not been considered?

The **Shire President** advised **Ms Royans** that her question would be taken on notice and a response provided to her in writing.

**5. CONFIRMATION OF MINUTES****5.1 Ordinary Council Meeting – 12 March 2015****OFFICER RECOMMENDATION/COUNCIL DECISION:****OCM15/046****Moved: Cr P Briggs****Seconded: Cr C Thompson**

**That the Minutes of the Ordinary Council Meeting held on Thursday 12 March 2015 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY 9:0**

**6. DECLARATIONS OF INTEREST**

Nil

**7. ANNOUNCEMENTS BY THE SHIRE PRESIDENT WITHOUT DISCUSSION**

Nil

**8. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION**

Nil

**9. CORRESPONDENCE**

Nil

**10. PETITIONS, MEMORIAL, DEPUTATIONS AND PRESENTATIONS**

**9.10am Sarah Baggaley**, Pastor, Austin Cove Community Church, provided a presentation to Council - Item 12.7 Community Assistance Fund Round Three refers.

**Sarah Baggaley** informed Council that she is a mother of three, wife, resident of South Yunderup, Co-founder and Pastor of Austin Cove Community Church and founder of Austin Cove Community Support and provided the following information in support of their application for funding - Community Assistance Fund Round Three.

Austin Cove Community Support exists to offer support to our local community by way of education, assistance in the form of food, practical acts of kindness and other community focused initiatives.

Austin Cove Community Support works closely with Bridge Builders and Austin Cove Community Church to provide assistance to the local community; with Bridge Builders being the Auspicing Body for Austin Cove Community Support.

The vision of Austin Cove Community Support is building a strong, resilient and loving community in South Yunderup and beyond. Their mission is to provide support to the local community through education, practical assistance and community groups and programs which promote encouragement, empowerment and community.

Austin Cove Community Support members dress up at Halloween as angels to collect nonperishable food items which are then donated to the Bridge Builders. They also conduct parenting and betterment programs such as how to “drug proof” your kids and a youth program which provides a safe environment for kids to hang out, which normally attracts

between 40 and 65 kids every Friday night. They also have approximately 200 youth registered on their books.

The Austin Cove Kids Community was established in 2011 and takes place on a Friday afternoon encouraging kids to hear stories, play games and sing and dance. It also teaches kids peer relationships, healthy self-esteem, personal safety, honesty and integrity and to have fun and chill out!

**The Shire President** thanked **Mrs Baggaley** for her presentation which concluded at 9.19am and advised that this matter has been listed on today's Agenda for consideration. He also commended the work undertaken by the Austin Cove Kids Community by involving the youth in their community.

**11. RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES HELD SINCE PREVIOUS MEETING OF COUNCIL**

Nil

## 12. REPORTS OF OFFICERS

### Planning and Development

#### 12.1 Delegated Decisions of Development Applications for February 2015

Delegated Decisions of Development Applications for February 2015					
Application Number	Description	Address	Decision	Date Received	Decision Date
P165/2014	Proposed earthworks and drainage	Lot 107 Pinjarra Road, Pinjarra	Approved	03/07/2014	11/02/2015
P255/2014	Rural worker's dwelling	49 Keane Road, Coolup	Approved	5/11/2014	12/02/2015
P261/2014	Estate signage	60 Lloyd Avenue Ravenswood	Approved	17/11/2014	23/02/2015
P285/2014	Jetty extension	Lot 2060 Riverside Drive Furnissdale	Approved	08/12/2014	27/02/2015
P292/2014	Jetty	176 Banksia Terrace South Yunderup	Approved	09/12/2014	27/02/2015
P293/2014	Mooring piles and jetty	134 Banksia Terrace South Yunderup	Approved	09/12/2014	27/02/2015
P296/2014	Shopping centre	Lot 9010 South Yunderup Road South Yunderup	Approved	11/12/2014	10/02/2015
P303/2014	Home business - Hairdresser	10 North Yunderup Road North Yunderup	Approved	19/12/2014	3/02/2015
P010/2015	Shed	68 Midsummer Circle Pinjarra	Approved	09/01/2015	02/02/2015
P014/2015	Shed	59 Midsummer Circle Pinjarra	Approved	14/01/2015	05/02/2015
P017/2015	Retrospective Dam	Lot 1 Pinjarra – Williams Road Dwellingup	Approved	16/01/2015	05/02/2015
P018/2015	Retrospective home business – blind cleaning	60 Lymon Road, Stakehill	Approved	19/01/2015	06/02/2015
P026/2015	Caretaker's house	326 Pinjarra – Williams Road Blythewood	Approved	30/01/2015	17/02/2015
P028/2015	Shed	Unit 14, 70 Rodoreda Crescent Ravenswood	Approved	02/02/2015	25/02/2015
P029/2015	Shed	7 York Street, Furnissdale	Approved	02/02/2015	03/02/2015
P030/2015	Carport	29 Tanderra Place, South Yunderup	Approved	03/02/2015	04/02/2015
P031/2015	Variation to building envelope and shed	Lot 106 Gilbert Road North Dandalup	Approved	03/02/2015	04/02/2015
P033/2015	Shed	574 Lakes Road, Barragup	Approved	04/02/2015	25/02/2015
P034/2015	Retrospective – various structures	230 Gull Road, Nambeelup	Approved	04/02/2015	19/02/2015
P036/2015	Shed Extension	4209 South Western Highway North Dandalup	Approved	04/02/2015	10/02/2015
P037/2015	Patio	10 – 16 South Yunderup Road South Yunderup	Approved	06/02/2015	10/02/2015
P038/2015	Shed	4 First Street, Pinjarra	Approved	09/02/2015	26/02/2015
P039/2015	Canal wall	51 Tanderra Place South Yunderup	Approved	10/02/2015	12/02/2015
P040/2015	Below ground fibreglass pool	28 Woolah Place South Yunderup	Approved	11/02/2015	12/02/2015

	and barrier fence				
P041/2015	Front fence	47 Moyup Way South Yunderup	Approved	11/02/2015	16/02/2015
P043/2015	Dam	84 River Road, Dwellingup	Approved	13/02/2015	27/02/2015
P044/2015	Extension	20 Sollya Crescent, Dwellingup	Approved	16/02/2015	19/02/2015
P046/2015	Variation to building envelope	Lot 112 McMahon Road North Dandalup	Approved	16/02/2015	18/02/2015
P047/2015	Shed	4 Batavia Quays South Yunderup	Approved	17/02/2015	18/02/2015
P048/2015	Dwelling	20 Cardup Lane South Yunderup	Approved	16/02/2015	18/02/2015
P049/2015	Variation to building envelope	Lot 83 Readheads Road North Dandalup	Approved	16/02/2015	18/02/2015
P051/2015	Signs on building	60 Lloyd Avenue, Ravenswood	Approved	04/02/2015	25/02/2015
P055/2015	Variation to building envelope	44 Empress Court, Barragup	Approved	20/02/2015	26/02/2015
P058/2015	Grouped Dwelling (Aged or dependent person's dwelling)	Unit 4, 18 Banksia Terrace South Yunderup	Approved	20/02/2015	27/02/2015
P059/2015	Carport	11 Shean Place South Yunderup	Approved	25/02/2015	27/02/2015
P060/2015	Patio	26 Woolah Place South Yunderup	Approved	25/02/2015	27/02/2015
151268	Three lot subdivision	214 McLarty Road, Meelon	Supported	15/01/2015	17/02/2015
C147390	Clearance of conditions – Two lots	37 – 39 Foreshore Cove South Yunderup	Conditions Cleared	29/01/2015	02/02/2015

#### Development Applications for February 2015 – Not Proceeded

Application Number	Description	Address	Decision	Reason
P276/2014	Jetty	Abuts Reserve 26735 - Landowner of Lot 143 (7) Foreshore Cove, South Yunderup	Refused	Inconsistent with Peel Region Scheme 'Boating Facilities Policy'
P277/2014	Jetty	Abuts Reserve 26735 - Landowner of Lot 131 (23) Foreshore Cove, South Yunderup	Refused	Inconsistent with Peel Region Scheme 'Boating Facilities Policy'
P284/2014	Jetty	Abuts Reserve 26735 - Landowner of Lot 160 (19) Foreshore Cove, South Yunderup	Refused	Inconsistent with Peel Region Scheme 'Boating Facilities Policy'
P022/2015	Retaining Wall and Fill	95 Midsummer Circle, Pinjarra	Returned	Planning approval not required – retaining walls will not exceed .5m in height.
P042/2015	Creation of two building envelopes	32 Thomasfield Place, Ravenswood	Withdrawn	Proposed location and split nature of the building envelope unlikely to be supported.

## Corporate Governance

### 12.2 Australian Local Government Association 2015 National General Assembly

File Ref: 1166  
Author and Title: Dean Unsworth, Chief Executive Officer

#### Appendix 1

#### Introduction

Each year the Australian Local Government Association (ALGA) hosts its National General Assembly.

This report is presented to Council to consider attendance again this year.

#### Background/Proposal

This year's ALGA National General Assembly theme is 'Closest to the Community: Local Government in Federation'.

A more detailed summary of this year's National General Assembly is attached at **Appendix 1**.

An added benefit of attending the Assembly is the opportunity to present and meet with members of parliament and lobby for financial support for key projects. In past years the Shire President and Chief Executive Officer have presented to a wide range of Ministers and opposition members on a number of projects, such as the Murray Regional Equestrian Centre, Managed Aquifer Recharge Scheme, funding to improve the water quality in and around the Peel Estuary, Murray Aquatic Centre and Pinjarra Bowls Peel Home and Community Care building.

If Council were supportive of another visit to Canberra, the main focus would be to present a funding proposition for stage 2 of the Murray Regional Equestrian Centre.

#### Consultation

Australian Local Government Association.

#### Sustainability Implications

*Economic - (Financial impact to the community)*

Not applicable

*Social - (Quality of life to community and/or affected landowners)*

Not applicable

*Environment - (Impact on environment's sustainability)*

Not applicable

*Governance/Risk Statement - (Policy implications/level of risk)*

Council Policy CG22 – Elected Member Professional Development, Conferences and Training

Council Policy CG22 states:

*Councillors may nominate themselves to attend a conference that will enhance their knowledge of Local Government issues.*

*The following are examples of conferences that have been identified as relating to Elected Members:*

- *National General Assembly of Local Government (up to 1 and the Chief Executive Officer)*
- *WA Local Government Week*
- *Special ‘one off’ conferences sponsored by WALGA or the Department of Local Government*
- *Annual conferences of major professions of Local Government*
- *The Annual Road Congress*
- *Conferences which advance the development of Elected Members in their roles as Councillors*
- *Conferences of organisations on which a Councillor has been elected or appointed as a delegate.*

*Council may authorise attendance by more than the number of specified delegates if a particular purpose or need arises.*

The Chief Executive Officer is authorised to approve requests from Elected Members for professional development training and conference attendance without referring to Council providing that the cost does not exceed \$3000 for any single instance and up to \$4000 in any 12-month period.

### **Statutory Environment**

Nil

### **Options**

In the past four years the Council has sent the Shire President and Chief Executive Officer to the ALGA National General Assembly and to make presentations to various Ministers and senior government and opposition senior staff.

### **Resource Implications**

Financial

Approximate cost of each delegate:

- Airfares \$ 850
- Registration \$ 899
- Accommodation and meals \$ 600

Estimate cost per delegate \$2349

Workforce

Nil

### **Conclusion/Justification of Officer Recommendation**

That Council authorise the Shire President and Chief Executive Officer to attend the 2015 ALGA National General Assembly and to organise and make deputations to various members of government and opposition to support funding for the Murray Regional Equestrian Centre.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION:**

**OCM15/047**

**Moved: Cr M Reid**

**Seconded: Cr B Beacham**

**That Council authorises the Shire President and Chief Executive Officer to attend the 2015 ALGA National General Assembly from 14-17 June 2015.**

**CARRIED UNANIMOUSLY 9:0**

### 12.3 Assignment of Alfresco Dining Lease – Portion of Reserve 39896

File Ref:	R39896
Previous Items:	PPS Dec 13    Item 7.4    (PPS13/160) OCM Dec13    Item 11.4    (OCM13/253)
Proponent/s:	Yellara Nominees Pty Ltd (ACN:113 529 534) Skyknight Pty Ltd (ACN: 116903407)
Author and Title:	Robert Marlborough, Manager Governance

#### Introduction

Council is requested to consider assigning the lease held by Yellara Nominees Pty Ltd for a portion of Reserve 39896 which is used by the Sandy Cove Tavern as an Alfresco Dining area to Skyknight Pty Ltd for the same use.

#### Background/Proposal

Council supported a lease agreement being developed for a portion of Reserve 39896 at Lot 1833 Delta Drive, South Yunderup with the proprietors of the Sandy Cover Tavern in December 2013 and the following Committee recommendation was adopted (OCM13/253).

1. *authorises the Chief Executive Officer to consider the submissions and determine the lease of an approximate 55m2 portion of Reserve 39896 Delta Drive, South Yunderup, to the owners of the Sandy Cove Tavern on terms and conditions considered appropriate by the Chief Executive Officer including an initial five year term with a further five year option and an annual rental determined by market valuation, escalated annually by the consumer price index with a further market review after the first five years; and*
2. *authorises the Chief Executive officer and Shire President to sign and seal the lease documentation.*

A lease for a portion of the Reserve to accommodate the proposed use was developed and endorsed with Yellara Nominees Pty Ltd on 16 January 2014 (Landgate Reference M728530) for an initial term of 5 years with a similar option period at a rental of \$500 per annum, excluding GST.

A request has been submitted through Council's Solicitors McLeod and Co for the lease to be reassigned from Yellara Nominees Pty Ltd to Skyknight Pty Ltd to enable a liquor licence to be registered with the Department of Racing and Gaming for the leased area.

#### Consultation

Correspondence from McLeod and Co (Barristers and Solicitors);

#### Sustainability Implications

*Economic - (Financial impact to the community)*

The proposal to reassign the existing lease is not expected to financially impact the community, as changes to the lease costs are not proposed.

*Social - (Quality of life to community and/or affected landowners)*

Supporting the assignment is not expected to adversely affect the adjoining landowners as no change in use is proposed.

*Environment – (Impact on environment's sustainability)*

Not Applicable

*Governance/Risk Statement – (Policy implications/level of risk)*

The *Local Government Act 1995* and Council policies are not impacted by this proposal and the level of negative community comment is considered to be low as no change to the existing situation is proposed.

**Strategic Outcomes**

*Murray 2023 – Strategic Community Plan*

<b>Theme 5 Economic Development</b>	
<b>Objective 5.1</b> <i>Create an attractive environment for businesses to establish and grow.</i>	<b>Strategy 5.1.3</b> <i>Attract strategic businesses.</i>

**Statutory Environment**

Part 22 of the current lease agreement provides the following in relation to assignment.

**22.1 No Assignment without Consent**

The Lessee must not assign this Lease or dispose of the Leased Premises or any part of the Leased Premises without the prior written consent of the Lessor and any other person whose consent is required under this Lease or at law.

**22.3 Lessor's Consent to Assignment**

Provided all parties whose consent is required under this Lease or at law to an assignment give their consent, then the Lessor may not unreasonably withhold its consent to the assignment or transfer of this Lease if:

- a) the proposed assignee is a respectable and responsible person of good financial standing;
- b) the lease of the tavern described in Recital B is transferred or assigned to the proposed assignee or transferee;
- c) all Amounts Payable due and payable have been paid and there is no existing unremedied breach, whether notified to the Lessee or not, of any of the Lessee's Covenants;
- d) the Lessee procures the execution by the proposed assignee or transferee of a deed of assignment to which the Lessee is a party and which deed is prepared and completed by the Lessor's solicitors; and
- e) the deed of assignment contains a covenant by the assignee with the Lessee to pay all Amounts Payable and to perform and observe all the Lessee's Covenants.

**22.6 Costs for Assignment**

If the Lessee wishes to assign or transfer this Lease, the Lessee must pay all reasonable professional and other costs, charges and expenses, incurred by the Lessor or other person whose consent is required under this Lease, of and incidental to:

- a) the enquiries made by or on behalf of the Lessor as to the respectability, responsibility and financial standing of each proposed assignee;
- b) any consents required under this Lease or at law; and
- c) all other matters relating to the proposed assignment or subletting,

whether or not the assignment proceeds.

**Options**

The current lease expressly provides for assignment.

**Resource Implications**

Financial

Nil

Workforce

Nil

**Conclusion/Justification of Officer Recommendation**

To proposal presented to approve the assignment of the lease will not impact on the use of the area under the current lease and the change is requested to support liquor licensing requirements

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION:**

**OCM15/048**

**Moved: Cr C Thompson**

**Seconded: Cr B Thomson**

**That Council:**

- 1. supports the current lease with Yellara Nominees Pty Ltd on Reserve 39896 to be assigned to Skyknight Pty Ltd of level 2/140 Colin Street, West Perth on the existing lease terms and conditions;**
- 2. reaffirms that all costs associated with the assignment are the responsibility of the current lessee; and**
- 3. authorises the Chief Executive Officer to prepare, execute and seal a formal deed of assignment.**

**CARRIED UNANIMOUSLY 9:0**

## 12.4 Road Closure - Portion of Fimmel Lane and Boundary Adjustment Reserve 45518

File Ref:	R45518 - 0721		
Previous Items:	CCS July.09	Item 8.1	(CCS09/152)
	OCM July.09	Item 10.3.2	(OCM09/123)
	CCS Oct 09	Item 5.6	(CCS09/199)
	OCM Oct 09	Item 10.8.2	(OCM09/250)
Author and Title:	Robert Marlborough, Manager Governance		

### Appendix 2

#### Introduction

Council is requested to consider supporting a proposal to close a small portion of Fimmel Lane adjacent to the Pinjarra Heritage Rail Station to allow a recently renewed lease for the Pinjarra Heritage Rail Station with Alcoa of Australia to be formally registered and to support a previous decision to close a portion of Fimmel Lane and realign the boundaries of Reserve 45518.

#### Background/Proposal

In 2009 reports were presented to Council to facilitate the closure of a small portion of Fimmel Lane and realign the boundaries of Reserve 45518 to locate the Pinjarra Heritage Rail Station and other Shire infrastructure within the Reserve boundaries.

Reserve 45518 is located on the Pinjarra - Williams Road and currently comprises Lots 361, 362 and 363. The land is vested to the Shire under a Management Order for the purpose of Museum, Tourism, Infrastructure and Community Purposes with the power to lease for up to 21 years.

The previous reports to Council provided advice that the existing parking facilities, public toilet and a substantial portion of the Pinjarra Heritage Rail Station building were located within road reserve (Fimmel Lane) and on the adjoining Railway Corridor.

Council subsequently supported negotiations commencing with the Public Transport Authority, WestNet Rail and other relevant State agencies to vary the Reserve boundaries and close a portion of Fimmel Lane to include the existing identified public infrastructure within the reserve boundary.

Discussions have been ongoing with the Public Transport Authority and other agencies for some time. A survey plan has been completed and provided by the Department of Lands to support the closure of 325m<sup>2</sup> of Fimmel Lane and vary the reserve boundary to achieve the outlined objectives. A copy of the plan is attached for Council's information at **Appendix 2**.

#### Consultation

Discussion with the Public Transport Authority, West Net Rail, Brookfield Rail and Alcoa Australia.

#### Sustainability Implications

##### *Economic - (Financial Impact to the Community)*

There will be very minimal financial impact on the community as a result of the proposal presented and the costs are further detailed in the financial section of this report.

*Social - (Quality of life to community and/or affected landowners)*

No physical changes are proposed to the existing situation on the land, therefore there will be no adverse social impact on the adjoining landowners.

*Environment – (Impact on environment's sustainability)*

Not Applicable

*Governance/Risk Statement – (Policy Implications/Level of Risk)*

The risk of negative community or state agency comment will be addressed by the consultation process required by the *Land Administration Act 1997*. Council Policy and processes are not affected by the proposal presented and the level overall risk is considered to be low.

**Statutory Environment***Section 58 - Land Administration Act 1997 - Closing Roads*

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —
  - (a) by order grant the request; or
  - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - (c) refuse the request.
- (5) If the Minister grants a request under subsection (4) —
  - (a) the road concerned is closed on and from the day on which the relevant order is registered; and
  - (b) any rights suspended under section 55(3)(a) cease to be so suspended.
- (6) When a road is closed under this section, the land comprising the former road—
  - (a) becomes unallocated Crown land; or
  - (b) if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.

**Road Closure Process**

1.	Report/Background information to Councillors before Council Meeting to close road
2.	Signed copy of Council Resolution to close road
3.	Copy of advertisement to close road
4.	Copies of any submissions and objections to advertisement

5.	Signed copy of Council motion and comments on submissions and objections
6.	Copies of correspondence to public utility service providers and other agencies (as required) confirming their agreement to the proposed closure Water Corporation, Western Power, Alinta Gas, Telstra, Department of Mines and Petroleum, Dampier to Bunbury Natural Gas Pipeline (DPNGP) Land Access Minister, Department of Lands
7.	Sketch plan showing proposed allocation/sale of land in road to adjoining owners (to identify easements under either section 27A of the Town Planning and Development Act 1928 for drainage works, water, electricity or gas, if required or, under section 144 of the LAA)

### Options

Council has the option of:

1. supporting the proposal to close the identified portion of Fimmel Lane; or
2. rejecting the proposal.

If the proposal is not supported there is a potential risk associated with future land tenure matters on the reserve.

### Financial Implications

Financial

The cost to complete the closure of the road and undertake the realignment of the reserve boundaries is estimated at \$500 which includes advertising and legal expenses.

Workforce

Officer's time to prepare advertising and other associated correspondence.

### Conclusion/Justification of Officer Recommendation

The land tenure issues on the Reserve need to be resolved to ensure that the Shire facilities can effectively operate and manage the community facilities on the reserve and it is recommended to Council to progress the proposed closure of the portion of Fimmel Lane and the boundary adjustment to Reserve 45518.

### Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION:

**OCM15/049**

**Moved: Cr B Beacham**

**Seconded: Cr P Briggs**

**That:**

- 1. Council supports the closure of the portion of Fimmel Lane as identified in the survey plan detailed at Appendix 2;**
- 2. Council approves for advertising to be published in a newspaper circulating within the district advising of the proposal to close the identified portion of Fimmel Lane and public comment be invited for a period of 35 days;**

- 3. after the close of the public consultation period a further report be presented to Council to consider the submissions received, if any and determine if the road closure is to proceed; and**
- 4. Council supports the proposed boundary adjustment to Reserve 45518 as detailed in the provided survey plan; and that boundary adjustment proceed, subject to the completion of the road closure process.**

**CARRIED UNANIMOUSLY 9:0**

## 12.5 Confirmation of Payment of Creditors February 2015

Author and Title: Julie Burton, Director Corporate and Organisation Development

### Appendix 3

In accordance with Local Government (Financial Management) Regulations 1996 13(1) Schedules of all payments made through the Shire's Bank Accounts are presented to Council for their inspection. The list includes details for each account paid incorporating:

- a. Payees name
- b. The amount of the payment
- c. The date of the payment
- d. Sufficient information to identify the transaction

Invoices supporting all payments are available for the inspection of the Council and a certificate signed by the Chief Executive Officer, stating that all invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment.

### Voting Requirement

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION:****OCM15/050****Moved: Cr P Briggs****Seconded: Cr C Thompson**

**That Council notes the payments authorised and made by the Chief Executive Officer, exercising delegated authority and detailed in the list of accounts paid for the month of February 2015 presented to Council, in accordance with the Local Government (Financial Management) Regulations 1996.**

**CARRIED UNANIMOUSLY 9:0**

## 12.6 Monthly Financial Report – February 2015

Author and Title: Tracie Unsworth, Manager Finance

### Appendix 4

#### Summary

Presented to Council is the monthly financial report for February 2015.

The reports identify the financial position of Council and contain:

- Statement of Financial Activity, plus notes -
  1. Graphical representation of Statement of Financial Activity
  2. Net Current Funding Position
  3. Significant Variances
  4. Cash and Investments
  5. Budget Amendments
  6. Receivables
  7. Grants and Contributions
  8. Cash Backed Reserves
  9. Capital Disposals and Acquisitions
  10. Trust Fund

#### Voting Requirement

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION:****OCM15/051****Moved: Cr C Thompson****Seconded: Cr A Black****That Council receives the February 2015 Monthly Financial Report.****CARRIED UNANIMOUSLY 9:0**

## 12.7 Peel Development Commission Board Vacancies

File Ref:	1628		
Previous Item	PPS April 14	Item 8.1	PPS14/041
	OCM April 14	Item 12.2	OCM14/048
Author and Title:	Dean Unsworth, Chief Executive Officer		

### Appendix 5

#### Introduction

Correspondence has been received from the Peel Development Commission (**refer Appendix 5**) advising that nominations are now being sought to appoint a Local Government representative to the Peel Development Commission Board.

#### Background/Proposal

The Commission has requested that Council nominate up to two (2) Councillors to fill a vacancy which has arisen as a result of the expiration of the current term of Cr John Allert (Shire of Boddington).

The Commission requires one (1) Elected Member experienced in the economic and social development of the region. Other qualities should include decision making abilities, an ability to work cooperatively within a team environment and interests relevant to the Peel community.

A Vacancy information form and nomination form is also attached (**refer Appendix 5**).

An advertisement calling for nominations to the community/Ministerial appointments commenced week beginning 9 March 2015 with applications closing on Friday 1 May 2015.

#### Consultation

Peel Development Commission

#### Sustainability Implications

*Economic - (Financial Impact to the Community)*

Not applicable.

*Social- (Quality of life to community and/or affected landowners)*

Not applicable.

*Environment – (Impact on environment's sustainability)*

Not applicable.

*Governance/Risk Statement – (Policy Implications/Level of Risk)*

Nil

#### Strategic Outcomes

*Not applicable*

**Statutory Environment**

*Regional Development Commissions Act 1993*

**Options**

Council is requested to nominate up to two (2) Councillors for the Peel Development Commission Board vacancy.

**Financial Implications**

Nil

**Conclusion/Justification of Officer Recommendation**

As detailed within this report.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council advises the Minister for Regional Development that Councillors \_\_\_\_\_, and \_\_\_\_\_ are the Shire of Murray's nominations for the Peel Development Commission Board vacancy.

Expressions of interest were received from Cr C Thompson, Cr B Beacham and Cr B Thomson.

Moved: Cr C Thompson

Seconded: Cr M Reid

That Council advises the Minister for Regional Development that Councillors C Thompson and B Beacham are the Shire of Murray's nominations for the Peel Development Commission Board vacancy.

WITHDRAWN

**Moved: Cr S Lee**

**Seconded: Cr P Briggs**

**That following the expressions of interest from Crs C Thompson, B Beacham and B Thompson that this item be deferred to the next Ordinary Council Meeting on 9 April to allow Councillors time to consider and vote on the three nominations received.**

**COUNCIL DECISION:  
OCM15/052**

**The item moved by Cr S Lee and seconded by Cr P Briggs was PUT and was  
CARRIED UNANIMOUSLY 9:0**

**Reason for change**

Council changed the Officers Recommendation as three nominations were received for the Peel Development Commission Board vacancy and it was requested that Councillors be provided with ballot paper to allow a vote to be taken.

## Recreation and Community Development

### 12.8 Community Assistance Fund – Round Three

File Ref: 8/9116  
 Author and Title: Julie Burton, Director Corporate and Organisation Development

#### Appendix 6

#### Introduction

Council is requested to consider the application from Austin Cove Community Support Group, as a part of the third round of the Community Assistance Fund for 2014/15. This application was deferred from the 12 March 2015 Ordinary Council meeting to allow a representative from the Group to speak to the project.

#### Background/Proposal

The Shire of Murray Community Assistance Fund aims to assist community groups to build and strengthen their organisational capacity, develop skills or host an event in an endeavour to deliver services within the Shire of Murray that effectively contributes to building vibrant, inclusive and healthy communities.

There are four funding rounds per financial year with the third round of funding applications closing in February and the final round closing in May 2015. The Community Assistance Fund has a total pool of \$15,000 of which there was a balance of \$4,720 available for allocation for the third and fourth rounds.

The application from the Austin Cove Community Support group was deferred from the previous Council meeting in order to provide an opportunity for a representative to address Council in regard to the outcomes of the Group and the current funding application. A summary of the assessment of the application is detailed in the below table:

1. D15/7710	Austin Cove Community Support	Austin Cove Kids Community Six month project to promote morals and values and self-esteem through stories, singing, games and craft whilst educating families and encouraging community participation.	\$1100	\$1000
Assessment: This project strongly supports the youth and families in Murray, especially in South Yunderup and is a strong fit with the criteria. Officers encourage community groups to offer services to the youth and families in our community. (Note: maximum limit is \$1000)				

#### Consultation

Community consultation has not been undertaken but all applicants are required to discuss the project with a Council Officer prior to submitting an application.

#### Sustainability Implications

*Economic - (Financial impact to the community)*

The proposed project is not likely to have an impact on the local economy as the nature of the application is economically static.

*Social - (Quality of life to community and/or affected landowners)*

The proposed project enhances community participation through the delivery of wellbeing programs that foster social and community relationships.

*Environment – (Impact on environment’s sustainability)*

The proposed project is not expected to impact on environmental sustainability.

*Governance/Risk Statement – (Policy implications/level of risk)*

Policy CC12 – Community Assistance Fund. The application has been received through the Community Assistance Fund and meets the criteria as detailed in policy CC12.

**Strategic Outcomes***Murray 2023 – Strategic Community Plan*

<b>Theme 1</b> Community Wellbeing	
<b>Objective</b> 1.2 Promote a Harmonious Community	<b>Strategy 1.2.2</b> Provide programs that encourage community participation, cohesion and build capacity.

**Statutory Environment***Local Government Act 1995 – Part 6 Financial Management***Options**

Council has the option of:

1. supporting the recommended amount;
2. supporting a contribution less than the requested amount; or
3. not supporting a contribution.

**Resource Implications**

## Financial

Council has provided an allocation of \$15,000 within the 2014/15 budget for the purposes of the Community Assistance Fund. A balance of \$4,720 remained for round three and four, with \$1,500 being approved on 12 March 2015 as a part of round three.

Supporting the officer recommendation would result in the total approved funding for round three being \$2,500 leaving a balance of \$2,220 to be allocated in Round 4.

## Workforce

The proposed project will have minimal impact beyond associated established service provisions.

**Conclusion/Justification of Officer Recommendation**

The funding requested for the proposed project meets the criteria of the Policy CC12, Community Assistance Fund. Council has traditionally supported funding to community organisations to run events and conduct projects that build community capacity, spirit and engagement. By supporting the proposed project, Council continues to have a positive impact in our local community.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Moved: Cr M Reid**

**Seconded: Cr P Briggs**

**That Council:**

1. **supports a contribution of \$1000 from the Community Assistance Fund to the Austin Cove Community Support Group for their Austin Cove Community Kids Community for six months.**

**Foreshadowed Motion:**

**Cr S Lee** gave verbal notice of his intention to move the following motion, should the substantive motion currently under debate be defeated or withdrawn.

That Council supports a contribution of \$500 from the Community Assistance Fund to the Austin Cove Community Support Group for their Austin Cove Community Kids Community for six months.

**COUNCIL DECISION:****OCM15/053**

**The Officer Recommendation moved by Cr M Reid and Seconded by Cr P Briggs was PUT and was**

**CARRIED 8:1**

Following the result of voting, names are recorded as follows:

For: Cr W Barrett, Cr M Reid, Cr E Menara, Cr C Thompson, Cr B Beacham, Cr A Black, Cr B Thomson, Cr P Briggs

Against: Cr S Lee

## 12.9 Community Sport and Recreation Facilities Fund Small Grants Round Application

File Ref:	8/9232; 7412-02		
Previous Items:	Item 9.2	PPS Aug 2014	(PPS14/096)
	Item 12.3.3	OCM Aug 2014	(OCM14/111)
	Item 9.1	PPS Oct 2014	(PPS 14/128)
	Item 12.3.2	OCM Oct 2014	(OCM14/130)
Author and Title:	Julie Burton, Director Corporate and Organisation Development		

### Introduction

Council is requested to consider and prioritise applications in relation to the funding available through the Department of Sport and Recreation's Community Sport and Recreation Facility Funding (CSRFF) Small Grants Program.

### Background/Proposal

The Department of Sport and Recreation (DSR) has invited applications for its March round of CSRFF small grant funding. Through this program the State Government provides financial assistance to develop basic, sustainable infrastructure for sport and recreation. The program is available for projects of less than \$200,000 and the funding will contribute up to one third of total eligible project costs with grants ranging between \$2,500 and \$50,000.

Applications for the Small Grants Program are required to be submitted to the local government authority for Council consideration and prioritisation. They are then forwarded to the Department of Sport and Recreation by 31 March 2015.

Two projects are presented to Council for consideration:

#### 1. Sport and Recreation Plan

Council adopted a Community Infrastructure Plan in 2013. The proposed Sport and Recreation Plan will compliment this overarching plan and guide Council decision making in relation to the resources it allocates to sport and recreation, and to assist in the development of individual townsites strategies.

In December 2014 an invitation was issued to three companies to submit Expressions of Interest for the development of the Shire of Murray's Sport and Recreation Plan. Two submissions were received.

Consultants are proposed to be responsible for the development of a plan to meet the recreation needs of the community for the period 2015 - 2030. As the Shire has numerous facilities, there is a need to strategically plan for improvements and develop strategies that will ensure infrastructure is adequate and can appropriately meet the community needs and population growth in the future.

The purpose of the Plan is to provide a better understanding of the current and likely future recreational needs of residents and to develop a framework for the effective provision, management and development of recreation facilities and services within the Shire of Murray.

Development of the Plan will include active community engagement with residents, sporting and community groups and other stakeholders.

\$60,000 is required for the development of this Plan, of which it is proposed that the Shire's contribution of \$40,000 is considered for allocation within the 15/16 budget, if the grant application is successful.

## 2. Murray Leisure Centre Clubrooms

At the December 2012 Ordinary Council meeting it was resolved that a report be presented to the February Planning, Policy and Strategy Committee to investigate the building of a club room and additional storage at the Murray Leisure Centre (MLC). Plans were drawn with an estimated cost of \$130,757.

In February 2013, Council submitted a funding application under the Department of Sport and Recreation's Community Sport and Recreation (CSRFF) Small Grant Fund. At the time the application was refused, with the Department of Sport and Recreation advising that this was due to relatively recent receipt of \$2 million towards the construction of the Centre.

The grant application was again submitted in September 2014, however at the October 2014 Ordinary Council meeting it was resolved that the Shire withdraw its application for the MLC Storage Room under advice from DSR, and that it be re-submitted in the next round of funding in March 2015.

The Murray Aquatic Centre and Leisure Centre refurbishment was completed in April 2011. At the time of construction it was acknowledged that more storage space for a future swimming club would be required. However due to the budget and the lack of need at that time, the space was not included. Since the opening of the aquatic facilities, the local swimming club has been very successful and has grown faster than anticipated. Due to this growth, there now appears a need to build storage space that will cater for groups such as swimming clubs as well as other sports.

It is proposed to construct the extension of a brick or concrete building to the north-eastern wall of the existing pool hall and adjoining hydro-therapy pool wall. Direct access could be via the existing break out door of the pool hall, however after hour's access would be provided for from the existing car park. As no access to the existing toilet facilities would be available without giving users direct access to the main building the new area would require the provision of suitable toilets.

The extension would consist of a meeting/club room, office and storage area and also double as a breakout area for the pool deck allowing for the marshalling of swimmers during a swim meet. The northern wall is expected to be floor to ceiling windows allowing for unrestricted vision to the outside areas. Framed glass bi-fold or similar doors would separate the room from the pool deck to allow use of the room for club and other private functions while maintaining clear vision to the pool area. Separate storage and office areas are also proposed.

Funding of \$43,586 is recommended to be sought from the DSR for this project, equating to one third of the project cost.

### **Consultation**

- A Balanced View Consulting
- CCS Strategic
- Tredwell Management
- Piranhas Swimming Club
- Cary Green, Department of Sport and Recreation

## Sustainability Implications

### *Economic - (Financial impact to the community)*

The projects identified in this report both have an element of economic benefit to the Shire. The grant applications, if successful, will allow for the development of a Sport and Recreation Plan that will position Council to meet the recreation needs of the community for the next fifteen years, and will assist in ensuring that facilities are maintained without additional financial burden on the Shire.

### *Social - (Quality of life to community and/or affected landowners)*

Council recognises that the provision of recreation services and facilities is important to improve community health, social and economic wellbeing of its residents.

### *Environment – (Impact on environment's sustainability)*

With a number of sport and recreation facilities spread across numerous towns within the Shire, there is a need to strategically plan for improvements and develop strategies that will ensure facilities can appropriately respond to community needs and population growth in the future.

### *Governance/Risk Statement – (Policy implications/level of risk)*

There is no Shire policy on Council deciding which projects should be submitted for funding.

All projects must be decided purely on their merit. There is a possible reputational risk to Council if it does not respond to identified issues, challenges, constraints and opportunities such as the changing recreation needs of residents, demand for access to Council's sporting facilities, increasing costs to provide, maintain and manage infrastructure and increasing demand and expectation for higher quality facilities balanced with access to open space.

## Strategic Outcomes

### *Murray 2023 – Strategic Community Plan*

<b>Theme 1</b> <i>Community Development</i>	
<b>Objective 1.3</b> <i>Encourage a healthy lifestyle</i>	<b>Strategy 1.3.1</b> <i>Provide sport, facilities, parks and open spaces that encourage community participation</i>

<b>Theme 4</b> <i>Infrastructure and Asset Management</i>	
<b>Objective 4.1</b> <i>Build and maintain infrastructure to meet the needs of a growing population</i>	<b>Strategy 4.1.3</b> <i>Ensure the effective utilisation of current facilities</i> <b>Strategy 4.1.4</b> <i>Provide community facilities that meet future population needs</i>

## Statutory Environment

Nil

## Options

Council has the option of:

1. Not supporting either application;

2. Supporting one of the applications; or
3. Changing the priority of the applications

### **Resource Implications**

#### Financial

The applications for CSRFF are for small grants under \$200,000 and will provide up to one third of the cost of the project.

The total amount of funding being sought from DSR is \$63,586. The current budget contains an allocation for the MLC Clubroom project, and an allocation is proposed from the 15/16 budget if the Sport and Recreation Plan is funded.

#### Workforce

Nil

### **Conclusion/Justification of Officer Recommendation**

Under the CSRFF guidelines, all applications must be presented to the relevant local government for prioritisation. No applications for funding under the CSRFF small grants round have been received from community groups.

Both funding applications are beneficial to the future development of sport and recreation facilities in the Shire.

The development of a Sport and Recreation Plan will guide Council decision making in relation to the resources it allocates to sport and recreation, provide a better understanding of the current and likely future recreational needs of residents and develop a framework for the effective provision, management and development of recreation facilities and services within Murray.

As the project for the MLC Clubrooms was withdrawn under advice from DSR, it is expected that this project would receive a favourable outcome should Council support its resubmission. The Clubrooms at MLC would not only benefit the Pinjarra Swimming Club, but also other sporting groups that utilise the Centre. Storage space is at a critically low level that is impacting on the ability to safely conduct activities at Murray Leisure Centre.

### **Voting Requirements**

Simple Majority

#### **OFFICER RECOMMENDATION/COUNCIL DECISION:**

**OCM15/054**

**Moved: Cr C Thompson**

**Seconded: Cr S Lee**

**That Council prioritises the Small Grants applications in the following order:**

- 1. development of a Sport and Recreation Plan, requiring funding of \$20,000; and**
- 2. construction of clubrooms and storage space at the Murray Leisure Centre requiring funding of \$43,586.**

**CARRIED UNANIMOUSLY 9:0**

**Technical Services**

Nil

**12.10 Council Resolution/Outstanding Items**

Register attached – **Appendix 7**

- 13. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING AND ANY BUSINESS THAT THE PRESIDING MEMBER MAY THINK DESIRABLE TO BRING UNDER THE NOTICE OF THE COUNCIL AND MAY HAVE DIRECTED TO BE ENTERED AS AN ORDER OF THE DAY**

Nil

- 14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

- 15. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING**

- 15.1 Proposed Fellmongering Facility Lot 1675 (4756) South Western Highway, North Dandalup.**

File Number: SO10/26

**Cr B Thomson**

**That Council approves the proposed Fellmongering (Hide Curing) Facility at Lot 1675 South West Highway, North Dandalup (SO10/26-01) for up to 5000 hides per week, as submitted by Goldmark Leather Pty Ltd, subject to the following conditions:**

- a) Prior to the facility increasing the number of hides from 3 000 to 5 000 per week the applicant must demonstrate that Conditions 1(b) to 1(l) have been cleared and /or managed to the satisfaction of the Shire.**
- b) An Environmental Management Plan is to be prepared and submitted to the Shire for approval. The approved plan is to be implemented to the satisfaction of the Shire. The plan is to include management measures, monitoring and contingency options in relation to the following:**
  - wastewater, drainage (including water sensitive urban design methods) and infiltration of rainwater;**
  - dust suppression and monitoring;**
  - odour suppression and monitoring which includes pre-odour benchmarking and 6 months of post operational field assessments is to be undertaken by an approved consultant at the applicant's expense. Should the outcome of field assessments determine odour suppression measures are required, mitigation measures / works are to be undertaken at the expense of the applicant, to the satisfaction of the Shire;**
  - transport (to and from the site);**
  - noise mitigation;**
  - fire and emergency;**
  - revegetation (to further facilitate odour suppression, screening of the operational area and enhance visual amenity and;**
  - a complaints and response register which is to include; name, phone number and address of complainant, time and date it was received, nature of complaint, possible cause(s) and actions taken by the applicant to address and/or mitigate issue. The register is to be made publically available and to be submitted to the Shire annually;**

- c) **A Nutrient Irrigation Management Plan which demonstrates how the development / use is to be isolated from the environment (specifically groundwater) and which outlines management and contingency measures should a breach occur is to be prepared and submitted to the Shire for approval. The approved plan is to be implemented to the satisfaction of the Shire. The plan is to show how the building is to be sealed, any water run-off is to be contained, stored and cleaned to an acceptable and effectively nutrient free standard before any on site discharge;**
- d) **The existing crossover / access to South Western Highway is to be upgraded / constructed to the specifications of Main Roads Western Australia and to the satisfaction of the Shire. This is to include a sealed pavement for a distance of 50 metres from the South Western Highway road pavement;**
- e) **The parking bays and driveways are to be designed in accordance with the Australian Standard for Off Street Parking (AS 2890) unless otherwise specified by this approval. Such areas are to be constructed to at least an compacted gravel (or similar) standard and be drained, marked and thereafter be maintained in a sound state of repair. Unsealed surfaces to be managed sufficient to prevent dust nuisance beyond the property boundary.**
- f) **A suitably screened bin storage area is to be provided in accordance with clause 4.2.7 of the Shire’s Health Local Laws in a location to be agreed in writing by the Shire.**
- g) **The fellmongering (hide curing) building is to be appropriately sealed to the satisfaction of the Shire to minimize the potential for odour and noise emissions;**
- h) **The development is to be connected to an approved phosphorous retentive effluent disposal system;**
- i) **All liquid waste associated with the fellmonger use is to be removed off-site by a licensed service provider;**
- j) **All storage compounds are to have a minimum capacity of 110% of the largest chemical container, plus 25% of the capacity of all stored individual containers. Separate compartments and contained drainage should be used to isolate incompatible materials (eg. those likely to react);**
- k) **All plant and equipment should be the quietest reasonably possible and available and should include the use of broad-band reversing beepers on forklifts; and**
- l) **The hours of operation associated with the transporting of hides and employee operational activities are restricted to 7.00 am to 5.00 pm Monday to Friday and 7.00 am to 12.00 noon on Saturdays.**

**Footnotes:**

- i) **waste liquids, used containers, rinse residues or contaminated litter from spill clean-up should not be buried on site or discharged to drains or soakage. These wastes should be effectively contained until recycled or disposed of at an approved site, remote from any sensitive water resource;**
- ii) **the subject area is located within the Murray Groundwater Area as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in this proclaimed area for purposes other than domestic and / or stock watering taken from the superficial aquifer, is subject to licensing by Department of Water. The issuing of a groundwater license is not guaranteed but, if issued, will contain a number of conditions that are binding upon the licensee; and**

- iii) **the proposal is located within the Peel-Harvey Catchment and the provisions of the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992 and Statement of Planning Policy No 2.1 – Peel-Harvey Coastal Plain Catchment (SPP 2.1) shall apply.**

**16. CONFIDENTIAL ITEMS**

Nil

**17. ANY OTHER BUSINESS THE RECEPTION OF WHICH HAS BEEN APPROVED BY THE PRESIDENT OR COUNCIL**

**There being no further business, the Presiding Member declared the meeting closed, the time being 9.38am.**