

Development & Infrastructure Services Committee Meeting

Minutes for Monday 11 March 2013

CONFIRMED



**shire of
kalamunda**

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MINUTES

1.0 OFFICIAL OPENING

Cr Margaret Thomas, the Development & Infrastructure Services Committee Chairman was an apology. Deputy Chairman, Cr John Giardina felt unwell and preferred not to officiate. Councillors agreed that the Deputy Shire President, Cr Allan Morton would chair the meeting.

The Chairman opened the meeting at 6.31pm, and welcomed Councillors, Staff, the Press and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Sue Bilich	(Shire President) North Ward
Allan Morton	(Chairman) South West Ward
Noreen Townsend	South West Ward
Justin Whitten	South West Ward
Geoff Stallard	South East Ward
John Giardina	South East Ward
Frank Lindsey	South East Ward
Martyn Cresswell	North West Ward
Dylan O'Connor	North West Ward
Bob Emery	North West Ward

Members of Staff

Rhonda Hardy	Acting Chief Executive Officer
Clayton Higham	Director Development & Infrastructure Services
Darrell Forrest	Manager Governance
Andrew Fowler-Tutt	Manager Development Services
Warwick Carter	Manager Economic Property & Procurement Services
Sam Assaad	Manager Infrastructure Operations
Michelle Clark	Executive Assistant to the CEO
Meri Comber	Governance Officer

Members of the Public 3

Members of the Press 1

2.2 Apologies

Councillors

Margaret Thomas	North Ward
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2.3 Leave of Absence Previously Approved

Nil.

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Mr Colin Sheppard – Query Regarding Water on his Property

Q1. When I built my property in 1976 I was advised by the Council to direct excess storm water to the bottom end corner of my block down the verge and in front of the other block; there were no houses on the other block. This was fine for years and years.

Recently I called into the Shire office but was unable to resolve a matter, whilst I believe I have non-conforming rights to continue this practise I am told this is not the case. I am told a letter was sent to me telling me to fix up the pipe. I have never put a pipe there, they cut a section in the kerbing and put a pipe down, but I knew nothing about it and they say I have to look after this piece of pipe. My next door neighbours run over this pipe and break it.

The property at number 16 was having problems with water and the Council put a type of well outside with pipes down to drain. I have always paid my rates but I am getting no thanks and no help with my problem. I have tried to contact a Shire Councillor for help but have not been successful. Please can I have some assistance?

A. The Director Development & Infrastructure Services was unaware of the situation and will instruct staff to investigate and meet with Mr Sheppard.

Q2. What is the law regarding a neighbour throwing garbage over my fence from a barbeque? I want to know where I stand as I am paying dearly for my dog which has been poisoned.

A. A Councillor arranged to meet with Mr Sheppard the following day.

To assist Mr Sheppard, the Chairman adjourned the meeting at 6.47pm and the meeting recommenced at 6.52pm.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil.

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the Development & Infrastructure Services Committee Meeting held on 11 February 2013 are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (10/0)**

6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

6.1 Nil.

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 **19. Waste Tenders – Domestic Collection and Bulk Kerbside Collection** - (Attachment 1) Provided under separate cover.
Reason for Confidentiality – *Local Government Act 1995*: Section 5.23 (2) (c), "a contract entered into or which may be entered into, by the local government which relates to a matter to be discussed at the meeting".

8.0 DISCLOSURE OF INTERESTS

8.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

8.1.1 Nil.

8.2 Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

8.2.1 Nil.

9.0 REPORTS TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

15. Proposed Dedication of Lot 550 Hale Road, Wattle Grove as a Public Road

Previous Items	GS144/2011
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	PG-DEV-013
Applicant	Shire of Kalamunda
Owner	Shire of Kalamunda

Attachment 1	Deposited Plan
Attachment 2	Structure Plan for Wattle Grove Cell 9
Attachment 3	Section 56 of <i>Land Administration Act 1997</i>

PURPOSE

1. To consider applying to the Department of Regional Development and Lands to dedicate Lot 550 Hale Road, Wattle Grove as a public road under Section 56 of the *Land Administration Act 1997* ("LAA") (Attachment 1).

BACKGROUND

Locality Plan

2.



3. Under the adopted Structure Plan for Wattle Grove Cell 9, Parcel 1 forms a part of the Public Open Space and Parcel 2 is shown as a local road. Refer (Attachment 2).
4. In the course of preparing the Concept Plan for the commercial area of Cell 9 located on Hale Road, it was discovered that both parcels of land still belong to a de-registered company A J Property Nominees Pty Ltd.
5. In November 2011, the Council resolved to request a transfer of land from the Australian Securities and Investment Commission to the Shire of Kalamunda. The resolution also indemnified the Australian Securities and Investment Commission ("ASIC") against all claims, losses, suits, damages, demands,

costs and expenses incurred by the Commission related to the transfer of land and in particular against claims of the creditors of A J Property Nominees Pty Ltd.

6. In November 2012, Lot 550 was transferred to the Shire of Kalamunda.

DETAILS

7. Parcel 1 forms an important access road to the recently approved Neighbourhood Shopping Centre on Lot 34 Hale Road. Parcel 2 is identified under the adopted Cell 9 Structure Plan as a future road reserve.
8. The land is now being held in freehold title with the request that it be dedicated as a public road. The process involves transferring the land to the State of Western Australia in fee simple, at no cost and re-vesting and dedication as a Road reserve under Section 56 of the LAA.
9. Once the land is dedicated as a Public Road, the Shire of Kalamunda will need to provide an indemnity to the Minister for Lands.

STATUTORY AND LEGAL IMPLICATIONS

10. Should the directors of the de-registered company or any other person claim they have lost an interest in the land as a result of dedication, there is a possibility of a claim for compensation against the Minister.
11. Section 56 of the LAA specifies that upon the Minister granting a request under the subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (Attachment 3).
12. Section 56 (6) of the LAA specifies that "If the land referred to in subsection (1)(b) of (c) is dedicated under subsection (3)(a), a person with an interest in that land...is not entitled to compensation because of that dedication". Section 56 (6) will not prevent a person from making a claim for compensation. The Shire, however, will be entitled to rely on the operation of Section 56(6) as a defence to any claim for compensation.

POLICY IMPLICATIONS

13. Nil.

PUBLIC CONSULTATION/COMMUNICATION

14. Nil.

FINANCIAL IMPLICATIONS

15. Legal costs and fees involved would be met by Cell 9 Scheme funds. All costs related to the construction and drainage of the road (Parcel 1) will be met by the developer of Lot 34 Hale Road.
16. Should any claim for compensation arise, the Shire might be liable to provide the funds.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

17. The acquisition of the subject land and subsequent dedication of the land as a public road is consistent with the intent of the Structure Plan for Wattle Grove Cell 9 as well as the Concept Plan for commercial centre. Parcel 1, in particular, will allow for a better design outcome for the commercial centre, by separating the access to the front and the rear of the site and providing greater connectivity to the balance of the commercial area.

Sustainability Implications

Social Implications

18. Nil.

Economic Implications

19. Nil.

Environmental Implications

20. Nil.

OFFICER COMMENT

21. In November 2011, the Council resolved to acquire the subject land acknowledging its importance in providing vehicle access to the future shopping centre site on lot 34. The next step is to dedicate the land as a public road.
22. Indemnifying the Minister for Land against any possible claim for compensation may result in the Shire being liable to provide compensation, should such claim eventuate.
23. There is a good reason to believe, however, that any claim by the ex-directors of the de-registered company is very unlikely. The two parcels of land have been overlooked by the directors for over 20 years following the completion of the original subdivision when the land was left as remnant parcels. No rates have ever been paid for this land since the subdivision and the land has been identified in planning documents as being intended for use as a future road.
24. Considering the level of risk to the Shire from any potential claim for compensation is minimal, it is recommended that the land be transferred to the State free of cost and once the transfer is granted, the Minister for Land be indemnified against any possible claim for compensation under the LAA.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 15/2013)

That Council:

1. Authorises preparation of the documents for the transfer of Lot 550 Hale Road, Wattle Grove from the Shire of Kalamunda to the State of Western Australia.
2. On receipt of advice from the Department of Regional Development and Lands that the request for transfer is granted, provides indemnity to the Minister for Land against any possible claim for compensation under the *Land Administration Act 1997*.

Moved: **Cr John Giardina**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (10/0)**

Attachment 1

VERSION	AMENDMENT	AUTHORISED BY	DATE				
M37115 889 DP 49229				550 3072 m ² Total Area 6144 m ²		28 P 6757	
422.45				29 P 6757		30 P 6757	
20.12				31 P 6757		32 P 6757	
3072 m ²				33 P 6757		34 P 6757	
20.12				35 P 6757		35 P 6757	
HALE ROAD				3072 m ²		32.19	
COMPILLED FROM P 6757				INTERESTS AND NOTIFICATIONS		SCANLAN SURVEYS PTY LTD LICENSED SURVEYORS P O BOX 429 MIDLAND 6936 TEL: 08 9250 2261 FAX: 08 9274 6206 Email: bill@scanlansurveys.com.au 6962/12/1 CT	
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS	

TYPE FREEHOLD		
PURPOSE CONVERSION		
PLAN OF LOT 550		
DISTRICT CANNING FILE		SSA NO
TOWNSITE		
LOCAL AUTHORITY SHIRE OF KALAMUNDA		LOCALITY WATTLE GROVE
FORMER TENURE LOT 288 D 4424 C/T 1282/744	ON INDEX BG34(2)20.20 BG34(2)20.19 BG34(2)21.20	FIELD BOOK COMPILED
SCALE: 1:2000 @ A3 ALL DISTANCES ARE IN METRES 0m 20m 40m 80m 120m		
SURVEYOR'S CERTIFICATE - Reg 54 I hereby certify that this plan is accurate and is a correct representation of the - (a) survey; and/or (b) calculations from measurements; (* delete if inapplicable) undertaken for the purposes of this plan and that it complies with the relevant written laws in relation to which it is lodged. Licensed Surveyor Date		SURVEYOR'S CERTIFICATE - Compiled WM SCANLAN I hereby certify that this compiled plan (a) is a correct and accurate representation of the survey(s) of the subject land; and (b) is in accordance with the relevant law in relation to which it is lodged. Licensed Surveyor Date
LOGGED DATE FEE PAID ASSESS No.	TYPE OF VALIDATION FULL AUDIT LEGAL COMPONENT DOCKET CERTIFIED CORRECT I.S.C. F.S.C.	SURVEY FIRM SCANLAN SURVEYS APPROVED BY WESTERN AUSTRALIAN PLANNING COMMISSION FILE EXEMPT FROM WAPC APPROVAL Delegated Under S.16 P & D Act 2005 Date
IN ORDER FOR DEALINGS		
SUBJECT TO		
FOR INSPECTOR OF PLANS & SURVEYS DATE AUTHORIZED LAND OFFICER		
APPROVED		
INSPECTOR OF PLANS & SURVEYS DATE AUTHORIZED LAND OFFICER		
Western Australian Land Information Authority		
DEPOSITED PLAN		
73910		
SHEET OF VERSION		

Attachment 2



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Proposed dedication of Lot 550 Hale Road, Wattle Grove as a Public Road
Structure Plan for Cell 9

Attachment 3

LAND ADMINISTRATION ACT 1997 - SECT 56

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Western Australian Consolidated Acts

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LAND ADMINISTRATION ACT 1997 - SECT 56

56 . Dedication of land as road

(1) If in the district of a local government —

(a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or

(b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —

(i) the holder of the freehold in that land applies to the local government, requesting it to do so; or

(ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;

or

(c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

(2) If a local government resolves to make a request under subsection (1), it must —

(a) in accordance with the regulations prepare and deliver the request to the Minister; and

(b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.

(3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —

(a) subject to subsection (5), 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.

(4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for

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compensation in respect of land referred to in subsection (6) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

(5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —

- (a) unallocated Crown land or, in the case of a private road, alienated land; and
- (b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.

(6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

[Section 56 amended by No. 59 of 2000 s. 16.]

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Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

16. Amendment to Local Planning Scheme No. 3 – Lot 601 (17A) Mead Street, Kalamunda – Rezone from Public Purpose to District Centre

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	PG-LPS-003
Applicant	Gray and Lewis Land Use Planners
Owner	Landcorp

Attachment 1	Existing and Proposed Scheme Zoning Maps
Attachment 2	Old Road Board Street Block Master Plan

PURPOSE

- To consider whether to initiate an amendment to Local Planning Scheme No. 3 (“the Scheme”) to rezone Lot 601 (17A) Mead Street, Kalamunda, from Local Reserve Public Purpose – Community to District Centre. Refer to (Attachment 1).

BACKGROUND

Land Details:

-

Land Area:	3,096sqm
Local Planning Scheme Zone:	Local Reserve Public Purpose – Community
Metropolitan Region Scheme Zone:	Urban

Locality Plan

-
-
-



-
4. The subject property contains the former Police traffic office, Radio Station and is adjacent to the bus terminus. Mead Street forms the southern boundary of the Kalamunda Town Centre.
 5. In February 2013, Council resolved (Resolution OCM 02/2013) to adopt the Old Road Board Street Block Master Plan Option 1 – Short Term (“Master Plan”) (Attachment 2). Council also resolved to consider a longer term option for the site which proposes the relocation of the bus terminus and discussion with the Perth Transport Authority regarding their lease arrangement with the Shire. Both options have no impact on the proposed rezoning of the subject lot.
 6. The Master Plan identifies the property as being suitable for mixed use development with an area at the rear for associated car parking. This could incorporate residential/commercial with limited retail with an active street frontage.

DETAILS

7. The applicant has proposed to rezone the property from Local Reserve Public Purpose – Community to District Centre.
8. If rezoned to District Centre, uses such as Community Purpose, Consulting Rooms, Office, Shop and various types of residential development, amongst others, can be considered on the property. The overall height of the building would be at the discretion of Council, but could be up to three stories in height.

STATUTORY AND LEGAL IMPLICATIONS

Local Planning Scheme No. 3

9. The *Town Planning Regulations 1967* establish procedures relating to amendments to local planning schemes. If Council decides to initiate the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning.
10. If Council does not initiate the amendment, the process ceases and there is no Right of Review (appeal) to the State Administrative Tribunal. If the proposal progresses to the Minister’s determination, irrespective of the Minister’s decision, there is no Right of Review.
11. Clause 4.2.3 (Objectives of the Zones – Commercial Zones) of the Scheme states that the objectives of District Centre zoned areas are the following:
 - a. To promote, facilitate and strengthen the District Centres as the major foci of activity, particularly for shopping, business, professional, civic, cultural, entertainment facilities and related employment opportunities.
 - b. Provide for medial and other health related services.

-
- c. Allow for the establishment of uses which would co-exist with the District Centre's activities whilst recognising a limited level of residential activities in the District Centre.
 - d. Achieve safety and efficiency in traffic and pedestrian circulation.
 - e. Ensure that the scale, size, design and location of buildings are compatible with the existing development in the District Centre.
12. Although not mentioned, the District Centre zone does allow for consideration of residential land uses.

Local Planning Strategy

13. The Local Planning Strategy ("Strategy") identifies the Kalamunda Town Centre as the primary activity centre for the Shire, and outlines the following actions and strategies, amongst others:
- Encourage a range of activities, including residential, to ensure vibrancy.
 - Ensure business needs are recognized through land use planning and parking provision
 - Provide for future commercial development of an appropriate type and scale to compliment "village" theme.

POLICY IMPLICATIONS

Old Road Board Street Block

14. The Master Plan is a strategic planning tool that will guide future development consistent with the values, concerns and visions expressed by the community and embraced by the Council for the next 20 years.
15. The Master Plan identifies the property as being suitable to be redeveloped for mixed use purposes residential / commercial with limited retail with an area at the rear for car parking purposes.

Directions 2031 and Beyond

16. *Directions 2031 and Beyond* is a high level strategic plan that establishes a vision for future growth of the Perth metropolitan area.
17. It encourages more consolidated urban areas within walking distance of activity centres.
18. It promotes higher densities and urban fill opportunities in areas close to activity nodes, promoting the need to cater for future population growth, housing affordability and maximise use of existing infrastructure.

WA Planning Commission Development Control Policy 1.6 – Planning to Support Transit Use and Transit Orientated Development

19. Development Control Policy 1.6 – Planning to Support Transit Use and Transit Orientated Development (“Policy”) encourages the integration of land use and transit facilities.
20. The Policy encourages residential development within walking distances of five to seven minutes, or 400 metres, of transit facilities due to benefits such as:
 - a. The potential to reduce car dependence.
 - b. To increase accessibility for those without access to private vehicles.
 - c. To reduce congestion on the road network and the demand for new road space.
 - d. To reduce fuel consumption and air pollution.
 - e. To provide quality diverse and affordable forms of development.

PUBLIC CONSULTATION/COMMUNICATION

21. If the amendment is initiated by Council, it would be formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*.
22. The amendment would be required to be advertised in the form of a notice being published in a district newspaper, advertised to nearby landowners and referred to government agencies for comment. The applicant would also be requested to arrange for a sign advertising the proposal to be erected on the subject property.

FINANCIAL IMPLICATIONS

23. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

24. Key goals of the Strategy are to encourage a range of activities, including residential to ensure vibrancy, and to provide for future commercial development of an appropriate type.
25. The subdivision and development of the land could assist the Shire in addressing its strategic goal to effectively plan for future community needs by providing higher density housing. It also could address the anticipated increase in population identified in *Directions 2031 and Beyond* prepared by the WA Planning Commission, and included in the Strategy.

Sustainability Implications

Social Implications

26. If the amendment and subsequently future commercial uses are approved, it may provide employment opportunities for the local population.

Economic Implications

27. Nil.

Environmental Implications

28. Nil.

OFFICER COMMENT

29. The property has been identified under the Old Road Board Street Block Master Plan as being suitable for mixed use purposes typically residential / commercial with some retail with an area at the rear for associated car parking.
30. The proposed District Centre zone represents an extension of the Kalamunda Town Centre zone which will allow for a similar range of land use activities in close proximity to transport and community related facilities.
31. Importantly the zoning would allow for medium density residential development of between R30 to R60, which will complement the range of densities that will be covered as part of the Local Housing Strategy for the nearby residential area.
32. If the amendment is approved, issues relating to the appearance and location of future buildings on the property, amongst others, will be dealt with at the development application stage.
33. Considering the above it is recommended that Council initiates the amendment.

A Councillor requested clarification regarding the status of the Masterplan for the "super block". Staff confirmed that the first stage of super block Masterplan was endorsed in the February 2013 Ordinary Council Meeting. This is an independent person's application and must be dealt with separately.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 16/2013)

That Council:

1. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

SHIRE OF KALAMUNDA

LOCAL PLANNING SCHEME NO. 3

AMENDMENT NO.

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Rezoning Lot 601 (17A) Mead Street, Kalamunda, from Public Purpose – Community to District Centre.

The amendment documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

Moved: **Cr Frank Lindsey**

Seconded: **Cr John Giardina**

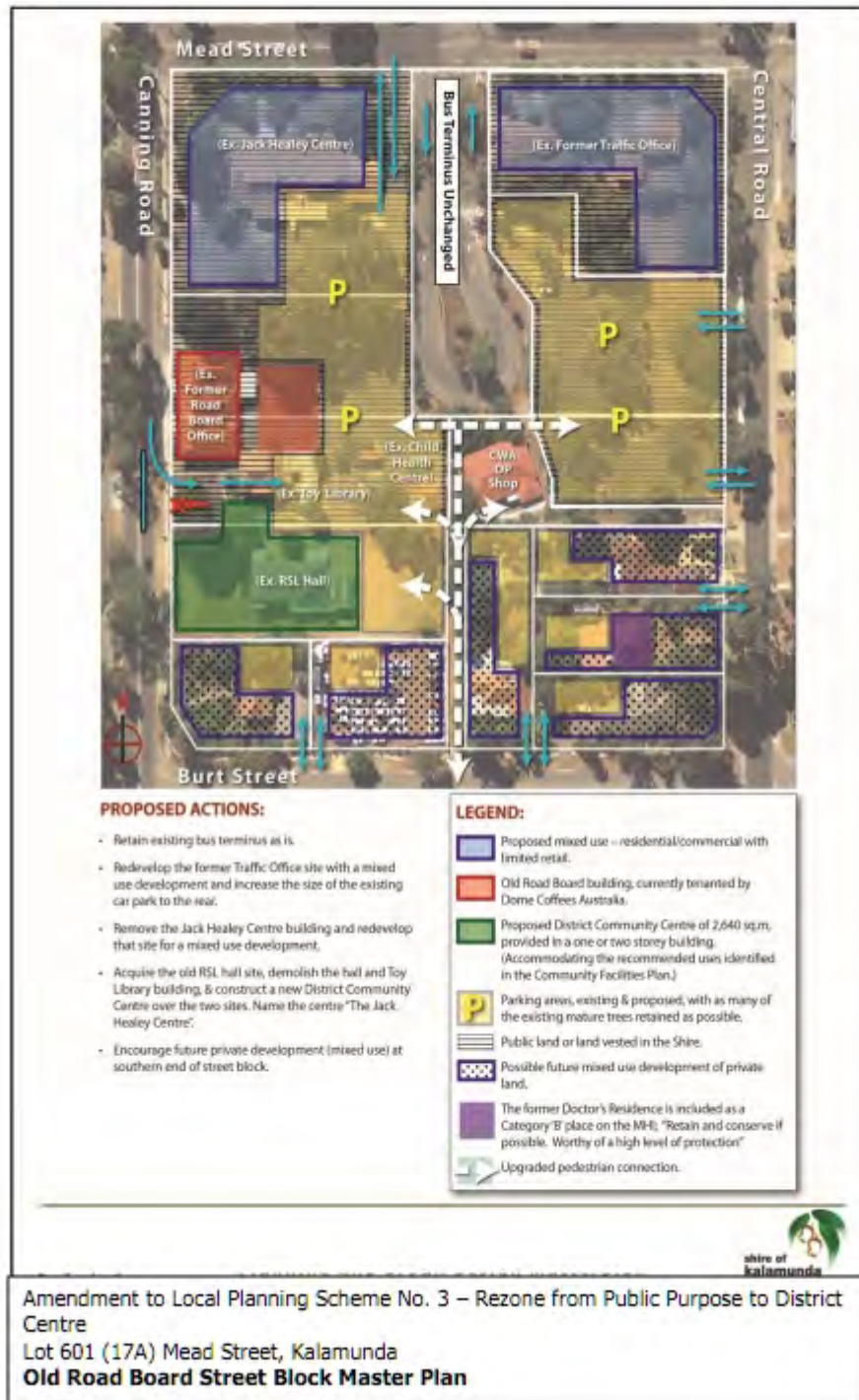
Vote: **CARRIED UNANIMOUSLY (10/0)**

Attachment 1



Amendment to Local Planning Scheme No. 3 – Rezone from Public Purpose to District Centre
 Lot 601 (17A) Mead Street, Kalamunda
Existing and Proposed Scheme Zoning Maps

Attachment 2



Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

17. Proposed Modified Local Planning Policy DEV 20 – Outbuildings – Guidelines for Assessment

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Development Services
File Reference	OR-CMA-16
Applicant	N/A
Owner	N/A
Attachment 1	Existing Local Planning Policy DEV 20 – Outbuildings – Guidelines for Assessment
Attachment 2	Draft Modified Local Planning Policy DEV 20 – Outbuildings – Guidelines for Assessment

PURPOSE

1. To consider proposed modifications to Local Planning Policy DEV 20 – Outbuildings – Guidelines for Assessment (“Policy”) and whether to advertise (Attachments 1 and 2).

BACKGROUND

2. Local Planning Scheme No. 3 (“the Scheme”) foreshadows the development of policies to guide decision-making.
3. The Policy Register is being reviewed and, where considered necessary, modifications are being made to policies and will be presented for Council consideration.

DETAILS

4. To consider the proposed modified Policy and whether to advertise for public comment.
5. The Policy stipulates the locational, usage and size requirements for outbuildings on private property.
6. The Policy includes provisions for sea containers which are to be considered as being outbuildings in their own right. Currently no requirements exist for sea containers which have created problems from a compliance perspective when complaints are received from the public regarding their placement on private property.
7. The modified Policy will be used in conjunction with the Scheme and Residential Design Codes (“RD Codes”) when assessing what impact outbuildings will have on the amenity of an area.

STATUTORY AND LEGAL IMPLICATIONS

8. The Shire may prepare a Local Planning Policy in respect to any matter related to the planning and development of the Scheme area. Policies may apply to a particular class or matter and throughout the Scheme relate to one or more parts of the Scheme area.
9. A Local Planning Policy is not part of the Scheme and does not bind the Council in its decision making, however, Council is to have due regard to the Policy when making a decision.

POLICY IMPLICATIONS

10. If Council adopts the modified Policy it will be included in the Shire's Policy Register.

PUBLIC CONSULTATION/COMMUNICATION

11. The Scheme prescribes the procedure for advertising a Local Planning Policy. It will be necessary to advertise the Policy once a week for two consecutive weeks in a newspaper circulating the District with a submission period of 21 days. The Policy will also be on display at the Administration office.
12. Following the advertising period, the proposed Policy will be presented to Council for consideration of adoption, with or without modification.

FINANCIAL IMPLICATIONS

13. There will be a cost involved in advertising the proposed modified Policy, this is however, covered in the Development Services budget.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

14. The proposed modified Policy stipulates the Shire requirements which will be applied so that the amenity of an area is not significantly impacted by outbuildings on private property.

Sustainability Implications

Social Implications

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

OFFICER COMMENT

18. The Policy clarifies design and use requirements for outbuildings and differentiates between Local Planning Scheme and RD Codes provisions. It also codifies the use of sea containers which in the past have traditionally been placed on properties without any consent, often leading to poor aesthetic outcomes.
19. Under an Urban Zone only one sea container is permitted on a temporary basis for the purpose of moving domestic items to and from a property. Under a Rural zone however the number of sea containers proposed will be assessed on its merits in accordance with the provisions of the scheme.
20. The Policy also removes the categorisation of “oversized” outbuildings in Rural zones based on land area to floor area ratio and the need to refer such proposals to Council for determination as required under the current Policy.
21. Assessment of outbuildings in Rural zones will be based on the provisions relating to site requirements and other matters to be considered in the Local Planning Scheme. Assessment of outbuildings in urban areas will be based on the requirements of the RD Codes. In this regard a maximum of 60sqm floor space applies. Any proposal to increase this provision will be assessed against the performance base criteria of the RD Codes.
22. The proposed Policy will assist in the procedural and governance aspects of the Shire’s development control responsibilities with regard to outbuildings on private property. It is therefore recommended that the proposed modified Policy be advertised for public comment.

A revised Draft Policy (Attachment 2) was circulated to Councillors prior to the meeting and is attached to these Minutes. The words “sea containers” have been removed from 2.1, 2.2 and 2.3. The original paragraph 2.7 was also deleted.

Councillors clarified the consequences of this Policy being in place.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 17/2013)

That Council:

1. Endorses the draft modified Local Planning Policy DEV 20 – Outbuildings – Guidelines for Assessment for the purpose of advertising, in accordance with Clause 2.4 of Local Planning Scheme No. 3 (Attachment 2).

Moved: **Cr Noreen Townsend**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (10/0)**

Attachment 1

POLICY REGISTER



Title:	Outbuildings – Guidelines for Assessment		
Policy No.:	DEV20		
Date Adopted:	16 March 2009	Date Last Reviewed:	unknown

Objective:	To provide guidelines for assessment of applications for outbuildings.
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Staff is delegated the authority to determine applications, without reference to nearby landowners (in respect of the 'oversized' aspect) on the basis of the following limitations: *Note: The area limitations refer to the total outbuilding floor areas (i.e. the aggregate, where there is more than one outbuilding on the property).*

1. Setbacks

- a) Outbuildings in Residential zones be located from side, (including secondary street frontages), and rear boundaries in accordance with the boundary setbacks required under Table 1 of the Residential Design Codes (RD-Codes) of Western Australia. Except for properties zoned R5 the rear setback may be reduced to 1m or 1.5m depending on the length of wall facing that boundary, and in properties zoned R2.5 the rear setback may be reduced to 3m.
- b) Outbuildings in Special Residential be located a minimum of 3 metres from the side and rear boundaries. Outbuildings in Residential Bushland zone shall be setback in accordance with the relevant RD-Code provisions required under Table 1 of the Residential Design Codes and the exceptions detailed at point a) above for properties zoned R2.5 or R5.
- c) Outbuildings in all other zones be located in accordance with the requirements of Table 2 of the Local Planning Scheme No. 3.
- d) No special setback requirements other than those normally applicable are imposed for outbuildings on properties which abut battleaxe configuration lots.

2. Aesthetics

- a) Outbuildings located at the side of, or in front of the residence, will, unless otherwise approved, be constructed of the same material and construction design as the residence to which they are appurtenant, and be set back from the side and front boundary in accordance with the setbacks required for the residence.
- b) Applications for dissimilar materials or reduced setback will be determined as per point 3 of this policy.
- c) Applications for outbuildings that have Zincolume or white or off white Colorbond exterior roof and wall cladding that are substantially visible from surrounding properties shall be referred to neighbours for comment.

3. Size of outbuilding

Staff have delegated authority to approve outbuildings without referral to neighbours that comply with the restrictions below, providing the outbuilding does not have exterior wall cladding in Zincolume or white or off white Colorbond.

- a) Residential and Urban Development zones with a nominated RD-Code
 - (i) do not exceed 60m² in area or 10% (in aggregate) of the lot area whichever is the lesser.
 - (ii) do not exceed a wall height of 2.4m, above the natural ground immediately below.
 - (iii) do not exceed a ridge/apex height of 4.2m, above the natural ground immediately below.

b) Rural Zones

These provisions shall apply to Rural, Special Rural, Special Residential, Rural Agriculture, Rural Conservation, Rural Landscape Interest and Rural Living zones. They are also applicable to land zoned Urban Development for which there is no nominated RD-Code applicable.

- i) Lots between 4000m² and 9999m² –
 - Maximum floor area 100m²
 - Maximum roof height 4.2m, above the natural ground immediately below
 - Maximum wall height 3.0m, above the natural ground immediately below
- ii) Lots 1.0 – 2.0 hectares
 - Maximum floor area 150m²
 - Maximum roof height 5.0m, above the natural ground immediately below
 - Maximum wall height 3.8m, above the natural ground immediately below
- iii) Lots in excess of 2.0 hectares
 - Maximum floor area 200m²
 - Maximum roof height 5.0m, above the natural ground immediately below
 - Maximum wall height 3.8m, above the natural ground immediately below

The provisions referred to at i) - iii) apply only to domestic outbuildings; they do not apply to rural outbuildings, which shall be determined on the merits applicable in each case, but shall be referred to Council if the floor area exceeds 300m².

3. Neighbour referral

If the policy above requires that an application be referred to neighbours, staff shall seek comment from **affected** adjoining neighbours and in the event no objection is received, staff shall determine the application, unless the outbuilding exceeds 300m² in area, then the application must be referred to a Meeting of the Council for determination.

CROSS REFERENCES (If any):

Management Practice No.		Delegation No.:	
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LEGAL REFERENCES

Legislation:	
Local Law:	

Notes:	
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Attachment 2

POLICY REGISTER



Title:	Outbuildings – Guidelines for Assessment		
Policy No.:	DEV20		
Date Adopted:		Date Last Reviewed:	
Rationale	To provide criteria that will assist in the consideration of applications for outbuildings on private property in the Shire.		
Related Local Law	Nil.		
Related Policies	State Planning Policy 3.1 – Residential Design Codes		
Legislation	Local Planning Scheme No. 3		
	<p>1. APPLICATION OF POLICY</p> <p>1.1 The Policy applies to all Class 10a buildings under the Building Code of Australia (Outbuilding) on private property in the Shire, which includes garages, sheds, rainwater tanks and sea containers.</p> <p>2. GENERAL PROVISIONS</p> <p>2.1 Outbuildings are to comply with the requirements of Local Planning Scheme No. 3 unless otherwise approved by the Shire.</p> <p>2.2 Outbuildings are not to be erected within 1.2 metres of a septic tank and/or within 1.8 metres of a leach drain.</p> <p>2.3 Outbuildings are to be located so as not to obstruct vehicles and/or pedestrians.</p> <p>2.4 Variations to Policy and/or Scheme provisions are to be advertised to effected landowners and/or referred to the applicable authority for comment.</p> <p>2.5 The external colour and material of outbuildings are to blend with existing development on the property.</p> <p>2.6 The external colour and material details of outbuildings being submitted to and approved by the Shire prior to the building permit being issued.</p> <p>2.7 Outbuildings shall not be used for human habitation unless a temporary planning approval has been granted in accordance with Local Planning Scheme No. 3.</p> <p>2.8 Outbuildings can only be used in conjunction with a home occupation, home business as defined under the Local Planning Scheme No. 3 and industrial or commercial purpose with the prior approval of the Shire.</p>		

	<p>3. RESIDENTIAL, RESIDENTIAL BUSHLAND AND URBAN DEVELOPMENT ZONE</p> <p><u>Outbuildings</u></p> <p>3.1 Outbuildings are to comply with the requirements of the Residential Design Codes.</p> <p>3.2 An outbuilding on vacant land, unless associated with the construction of an approved building, shall not be approved. This will be deemed to be the use Storage which is not permitted.</p> <p><u>Sea Containers</u></p> <p>3.3 A maximum of one sea container is permitted only if being used by removalists and/or those residing on the property where it is to be located, for the purpose of moving domestic items to/from the property.</p> <p>3.4 A maximum of one sea container is permitted during the construction of an approved building, and must be removed within 48 hours of the building's completion.</p> <p>4. RURAL PROPERTIES</p> <p><u>Outbuildings</u></p> <p>4.1 An outbuilding on vacant land will not be approved unless associated with the construction of an approved dwelling, or being used to store items used to maintain the property. This will otherwise be deemed to be the use Storage which is not permitted.</p> <p>4.2 The size of an outbuilding will be assessed on its individual merit, having due regard to the matters outlined under Clause 10.2 of Local Planning Scheme No. 3 such as, but not limited to, the potential impact on the area's amenity, the effect on the natural environment and the likely effect of the height, bulk, scale, orientation and appearance of the proposal.</p> <p><u>Sea Containers</u></p> <p>4.3 A sea container does not require Shire approval if on the property for no longer than 48 hours in total. Approval is to be obtained from the Shire if it is to remain on the property for a longer period.</p> <p>4.4 A maximum of one sea container is permitted during the construction of an approved building, and must be removed within 48 hours of the building's completion.</p> <p>4.5 The number of sea containers proposed will be assessed on its individual merit, having due regard to the matters outlined under Clause 10.2 of Local Planning Scheme No. 3 such as, but not limited to, the potential impact on the area's amenity, the effect on the natural environment and the likely effect of the height, bulk, scale, orientation and appearance of the proposal.</p>
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Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

18. Waste Strategy 2013-2022

Previous Items	OCM 67/2011
Responsible Officer	Director Development & Infrastructure Services
Service Area	Infrastructure Operations
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Waste Strategy 2013-2022

PURPOSE

1. To consider and approve the Waste Strategy 2013-2022.

BACKGROUND

2. The current Waste Strategy was developed in March 2011. Several of the strategies from that review have not been completed, including bringing the bulk kerbside collection in-house.
3. The waste services were reviewed in late 2012 to identify any further strategies and investigate further the proposals from the previous strategy.
4. Incorporated into this review has been an assessment of:
 - Best practice waste services delivered by local authorities across Australia.
 - Proposals by EMRC.
 - Drivers and issues facing service providers.
 - 2011 Customer Satisfaction Survey.
5. The review has identified eight specific actions to be implemented over the life of this strategy (Attachment 1).

DETAILS

6. In most states across Australia, charges for taking waste to a tip site have been growing rapidly, through a combination of state government levies and fees as well as supply and demand pressures as landfills rapidly fill.
7. The Shire is a member of the EMRC, which operates the Red Hill tip site intends to develop the Hazelmere site into a resource recovery facility.
8. The EMRC has also commenced planning for a treatment facility at Red Hill based on waste to energy or anaerobic treatment of organic waste. When operational, the plant will reduce the tonnage of waste to landfill and (possibly) provide a revenue stream. This should reflect in lower tipping fees for member councils, including the Shire.
9. The proposed facility is at least three years from operation.

-
10. In addition to the above matters, the community has become more aware about waste management issues, and there is a push from the community to look at various other management options including reuse and recycling schemes. This includes the “normal” recyclables as well as tyres, batteries, whitegoods, green waste and eWaste.
 11. The community is also aware of how the amenity of their suburbs are impacted by illegally dumped items, the bulk kerbside collection and other environmental waste.
 12. There is also a push to improve services and reduce the cost to use waste services, such as increased number of bulk collections and reduced fees for using the transfer station.
 13. All these factors have resulted in the development of eight strategies for implementation over the next ten years. These are:
 - Strategy 1 – Improve Collections
 - Strategy 2 – Improve Waste Education and Promotion
 - Strategy 3 – Composting and Worm Farms
 - Strategy 4 – Transfer Station
 - Strategy 5 – Commercial Waste Charges
 - Strategy 6 – Litter Service for Community Groups
 - Strategy 7 – Bins in public spaces and events
 - Strategy 8 – Internal Waste Generation

STATUTORY AND LEGAL IMPLICATIONS

14. Nil

POLICY IMPLICATIONS

15. Nil

PUBLIC CONSULTATION/COMMUNICATION

16. The 2011 Customer Satisfaction Survey indicated the following desires from the community:
 - Implement a green waste service, with the possibility of mulching this resource.
 - Provide additional bulk collections (increase from two per annum to three or four per annum).
 - Reduce the cost of taking items to the transfer station, including the possibility of free tip passes.
 - Improve recycling in the community and in public facilities and events.

FINANCIAL IMPLICATIONS

17. The proposed waste strategies and resultant improved services will increase the cost of providing the waste service from \$350 per annum to \$401 per annum (per residential property) commercial rates will increase to \$526 per annum.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

18. Nil.

Sustainability Implications

19. There are a number of environmental improvements that will result from the implementation of the eight strategies, including the following:
- Reduced waste to landfill, including around 8,000 tonnes of green waste per annum.
 - Reduced cartage cost of taking green waste to Red Hill as this can be treated within the Shire.
 - Creation of a valuable resource by mulching and composting green waste.
 - Increased recycling with provision of recycling opportunities in public places and events.
 - Improved community involvement in waste through education, displays and provision of tools such as compost bins or worm farms.
 - Improved amenity through replacing the kerbside collection with a skip bin service.
 - Reduced scavenging of waste.
 - Improved service as residents can choose a time that is suitable for their skip bin to be delivered.
 - Increased collection opportunities allowing irregular waste streams to be collected.
 - Reduced likelihood of illegal dumping in parks, open space and public places.

Social Implications

20. Through the 2011 Customer Satisfaction Survey, several improvements were identified and requested and the Waste Strategy implements all these ideas into a practical service model.

Economic Implications

21. The waste service is self-funding and the improvement in service is achievable with only a moderate increase in waste charges (less than \$1 per week).

Environmental Implications

22. There are significant environmental benefits including:
- Reduced waste to landfill.
 - Reduced cartage saving fuel and reducing carbon emissions.
 - Creation of a valuable resource by mulching and composting green waste.
 - Increased recycling with provision of recycling opportunities in public places and events.
 - Improved community involvement in waste through education, displays and provision of tools such as compost bins or worm farms.
 - Reduced dumping of waste in the environment.

OFFICER COMMENT

23. The waste service is a core function of local government and one that is obvious to the community.
24. Although the current services are adequate, the 2011 Community Satisfaction Survey identified a number of improvements.
25. Most of the improvements identified in the Waste Strategy are best practice waste services.
26. The key outcomes of the Waste Strategy will be:
- Improved level of service.
 - Increased reuse and recycling.
 - Better customer satisfaction.
 - Reduced illegal dumping.
 - Improved amenity and environments.

A Councillor was concerned about the direction of the Strategy and has requested further research with regard to the EMRC's approach to green waste. He foreshadowed a Motion to defer the item to the March Ordinary Council Meeting. There was no Mover for the Officer's Recommendation.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 18/2013)

That Council:

1. Endorses the Waste Strategy 2013-2022 (Attachment 1).

Moved:

Seconded:

Vote: **LAPSED**

Voting Requirements: Simple Majority

COMITTEE RECOMMENDATION TO COUNCIL (D&I 18/2013)

That:

1. The decision to endorse the Waste Strategy 2013-2022 (Attachment 1) is deferred to the March Ordinary Council Meeting.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Martyn Cresswell**

Vote: **CARRIED UNANIMOUSLY (10/0)**

Attachment 1

Waste Strategy 2013-2022



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kalamunda**





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Appendix A – Comments from the 2011 Customer Satisfaction Survey



Executive Summary

The provision of the waste service is a key element of the Shires services to our community. Within this service there are currently a number of functions including the following:

1. Providing a collection service to householders (combining general and recyclable items).
2. Providing a verge service to capture larger items from residential properties.
3. Providing waste collection services in public buildings, parks and at events.
4. Dealing with illegally dumped and hazardous items (e.g. needles).
5. Running a transfer station.

The latest customer satisfaction survey shows that the community believe that there are improvements that can be made to the services provided and specifically the following four actions:

1. Provide free services at the transfer station.
2. Increase the verge collection (three to four collections).
3. Improving amenity whilst the collection is underway.
4. Introduce a green waste service.

Over and above this, there are four key drivers that need to be considered in implementing changes to the waste service, which are:

1. Increasing waste charges.
2. Environmental pressure to minimise waste.
3. Eliminate illegal dumping.
4. Improve services and amenity.

Consideration of the needs of the community and the key drivers has led to the development of 8 strategies:

- Strategy 1 – Improve Collections
- Strategy 2 – Improve Waste Education and Promotion
- Strategy 3 – Composting and Worm Farms
- Strategy 4 – Transfer Station
- Strategy 5 – Commercial Waste Charges
- Strategy 6 – Litter Service for Community Groups
- Strategy 7 – Bins in public spaces and events
- Strategy 8 – Internal Waste Generation

The overall budget for waste services will increase as per the following table:

	2012/13	2013/14
Overall budget	\$7,492,569	\$9,820,782
Residential waste charge	\$350	\$401
Commercial waste charge	\$350	\$561



2011 Customer Satisfaction Survey

The 2011 Customer Satisfaction Survey (CSS) included a number of questions relating to their satisfaction with the

provision of waste services, as well as allowing respondents to provide written commentary.

Both the results of the survey and comments are summarised in this section.

Overall there was a good level of satisfaction with the domestic rubbish collection (91%) and recycling collection (87%). The bulk waste collection was lower at 74% whilst the results for Red Hill and the level of recycling were poor at 37% and 52% respectively.

These results are also reflected in the commentary which can be summarised as follows:

(Full comments are provided in Appendix A)

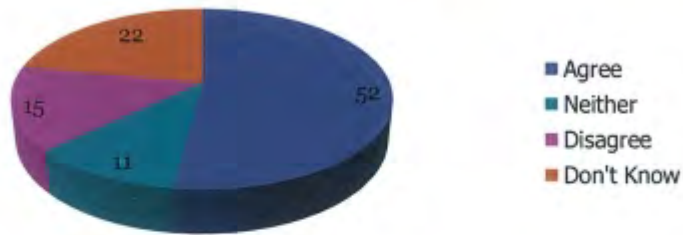
Service	Comment	Number
Transfer Station	Return to free passes to Transfer Station	6
Bulk Waste	Increase to 3-4 collections	3
Bulk Waste	Eyesore when waste is out for a period	3
Green Waste	Can we have a collection	2
Recycling	Weekly collections	2
Bins	'Second Hand' Bins when moving into a property	1
Bulk Waste	Provide at times suitable for resident (bin)	1
Compost	Provide compost bins	1
Domestic Collection	Cleanaway provide poor service	1
Domestic Collection	Bins are too big – opt in/out service	1
General	Provide recycling services to small business	1
General	Eradicate plastic from the community	1
Green Waste	Mulch green waste as this is a form of recycling	1
Public Bins	More bins required in High Wycombe	1
Recycling	Separate plastic, paper and steel	1
Recycling	More options – bins in public areas	1
Red Hill	Should cost less	1

As can be seen from this table the key actions for consideration include:

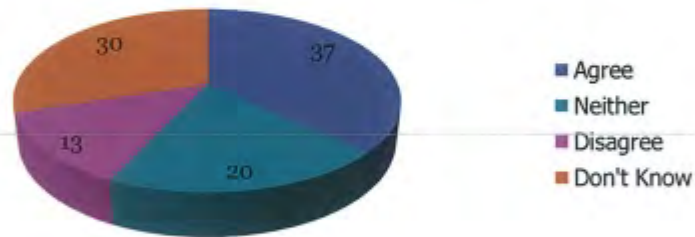
1. Provide free services at the transfer station.
2. Increase the verge collection process.
3. Improve amenity whilst the collection is underway.
4. Introduce a green waste service.



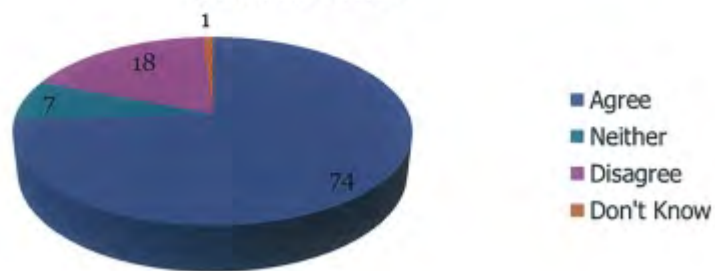
I am satisfied with the level of recycling undertaken within the Shire



I am satisfied with the standard of service provided at the Red Hill landfill site

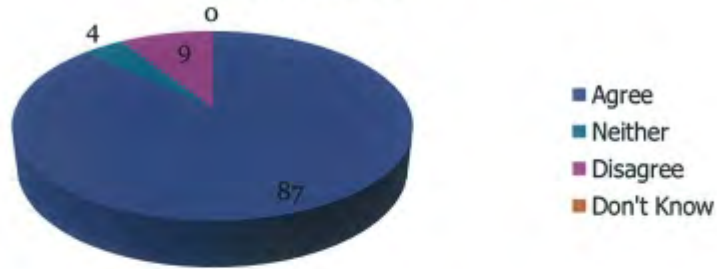


I am satisfied with the standard of bulk waste kerbside collection service





I am satisfied with the standard of the recycling collection service



I am satisfied with the standard of the domestic rubbish collection service





Issues for the Future

There are four major issues that need to be recognised in developing a waste strategy:

1. Increasing **waste charges** mean that the cost to ratepayers will increase rapidly as landfill charges escalate.
2. **Environmental pressure** to minimise waste and look at alternative uses for waste (re-use, recycling, energy generation etc.).
3. Eliminate **illegal dumping**. There is a significant cost in dealing with illegally dumped waste, including OH&S costs, additional disposal costs and environmental consequences. It is more efficient to have an orderly collection and disposal process.
4. **Improve services and amenity.**

Waste Charges

It is clear from experience on the east coast that waste charges and levies will increase rapidly over the next few years as a means for state government to 'encourage' reuse and recycling and to minimise waste to landfill. The EMRC recognise the impact of landfill in its waste charges and also are developing means to reduce the future volumes of waste going to the tip. This includes the anaerobic digestion and waste to energy plants currently undergoing review.

Irrespective of the above, further complications are that the Shire is located a significant distance from Red Hill and therefore the Shire also pays an additional cost in cartage of the waste.

Environmental Pressures

The comments from the 2011 Customer Satisfaction Survey reflect experience in other jurisdictions where the community are voicing their desire for various forms of reuse and recycling of waste.

This includes:

- Normal forms of recycling (plastic, paper and metals);
- organic waste (composting and worm farms) and
- green waste

Illegal Dumping

Illegal dumping has more impact than just the financial cost of cleaning up the items. In most cases, there is an OH&S risk in staff having to deal with unknown waste and there are also the environmental impacts as these items are often dumped in bushland and ecological sensitive areas. Finally there is degradation in amenity as a result.



There are a number of causes for illegal dumping including:

- cost to dispose of items;
- inconvenience getting to the dumping location and
- laziness

Generally the last item in the above list is a symptom or result of the second.

In order to manage illegal dumping it is important that due consideration is given to how the waste is collected and the cost of doing so.

Services and Amenity

The provision of a waste service is an integral component that the Shire offers its residents, however it is more than just a household collection. There are several components to an effective service that needs to consider the following:

1. General household waste;
2. recycling at home and in the community;
3. green waste;
4. bulk items and whitegoods;
5. tyres and rubber;
6. chemicals, paint and the containers;
7. asbestos;
8. needles and other potentially hazardous waste;
9. e-waste and
10. ad-hoc items

It must be recognised that without a proactive collection arrangement for all these waste streams, the likelihood of illegal dumping increases and the amenity of the community is impacted.



Strategies

Strategy 1 – Improve Collections

Service	Current Service	Comment
Putrescible Waste	Weekly collection, taken to Red Hill for disposal, includes green waste and other items that could be recycled or reused.	Possible for some of this waste to be composted, look at encouraging worm farms, compost bins. Green waste collection EMRC - Waste to Energy? Encourage recycling
Recycling	Fortnightly collection, taken to Red Hill for processing. Some loads become contaminated and are then tipped.	Education and promotion to improve recycling outcomes. Look at other options for recycling
Green Waste	Nil	Ability to utilise as mulch, resulting in cost savings (both reduced cartage and tipping costs and reduced cost to purchase virgin mulch). Some of this waste stream could be composted, however for most owners there is considerably more than can be dealt with.
Hard Waste	Twice yearly collection on verge, several limitations to types of materials collected	Propose to increase to three services a year via a skip bin collection service.
E-waste/mobile phones/light tubes & globes	EMRC programs	Continue with current programs, however look at education and promotion of these (EMRC Education Officer). Also consider having programs in the community.



Service	Current Service	Comment
Building and construction waste	Nil	Small quantities of building waste are often dumped in bushland, creeks and other public areas. It may be appropriate to accept small quantities of building and construction waste at the transfer station. This would be more efficient than dealing with the dumped items, especially when there is the possibility of contamination with asbestos or other hazardous items.
Asbestos	Nil	Asbestos is often dumped with considerable ramifications for the community and staff in managing the situation. It may be appropriate to accept small quantities of correctly sealed asbestos at the transfer station.
Paint/Chemicals/Batteries	Car batteries are collected at the transfer station. Other batteries are collected through external programs. Paints and chemicals were collected up to 2011. Drum Muster (empty containers) was considered but never eventuated.	Expand programs, to cover all waste stream as dumping these or pouring them down drains has considerable environmental impacts and extreme risks for staff in dealing with issues. Look at education and promotion of these.
Metal	Transfer station	Continue with current programs, however look at education and promotion of these.
Timber	Transfer station, however contamination has occurred on a regular basis which results in tipping of the entire bin rather than recycling.	Continue with current programs, however look at education promotion of these.



Service	Current Service	Comment
Whitegoods	Collected through bulk verge collection if de-gassed and door removed	It is difficult for a private individual to degas a fridge. It may be appropriate to accept these items at the transfer station and arrange for degassing as part of the service. The individual cost per item would reduce and be able to be captured as part of the tipping fee, reducing the likelihood of illegal dumping.
Other	Nil	Look at regular open days so that residents have the opportunity to take unusual items to the transfer station for disposal. These could be free days or at low cost to encourage attendance.

Strategy 2 – Improve Waste Education and Promotion

- There are a number of areas where additional education and promotion would lead to better waste outcomes, including:
 - Recycling
 - Composting or worm farms
 - Avoid, reuse, recycle
 - Open days
- The EMRC employs an education officer who liaises with schools and it would be beneficial to use this resource to improve education both in schools and across the wider community.

Strategy 3 – Composting and Worm Farms

- The provision of compost bins and worm farms at reduced cost to ratepayers, would encourage households to redirect these waste streams from landfill, reducing tipping costs.
- Currently around 30% of waste is compostable and for every 10% of this waste stream not sent to landfill the Shire would save \$75,000.



- A simple worm farm would cost around \$85 retail. The unit cost could up to \$65. Selling these to the community at \$75 each would provide a 12% saving and still cover costs for the Shire in the provision of these.
- To set up this system a budget of \$50,000 is required. Income can be used to purchase additional units.

Strategy 4 – Transfer Station

- The location of the transfer station is not effective, as most residents would have to travel uphill with a loaded trailer to get there. In addition, the distance for a number of residents is equivalent to Hazelmere.
- The opening hours are restrictive and this is reflected in the low use of the facility.
- The site is small and inefficient in layout and there is no capacity for expansion to cater for additional waste streams.
- The possibility of relocating the transfer station functions to a new site in the foothills would improve use, however this would raise the question as to why not utilise Hazelmere.
- Do we consider having regular collection days at various locations around the Shire to provide wider access and better volumes.

Strategy 5 – Commercial Waste Charges

- Currently commercial services are charged at the same rate as residential.
- It is recommended that commercial services are charged a higher rate to reflect the difficulty in servicing these properties.

Strategy 6 – Litter Service for Community Groups

- Currently the service is provided either as part of the normal residential service or as part of the in-house service.
- It is recommended that all community group bins are collected in-house, but that recycling and green waste services are also implemented.
- This will allow community groups to demonstrate a commitment to the environment and further reduce tipping costs.
- There will be an additional cost in the collection of waste.



Strategy 7 – Bins in public spaces and events

- To encourage and demonstrate commitment to recycling it is recommended that bins are provided in public spaces.
- This is consistent with the 2011 CSS which indicated that only 52% of the community felt we were undertaking an adequate level of recycling.
- The cost of a twin bin station would be \$1,800 in comparison to \$1,000 for a single bin.
- The bin replacement can be staged in order of priority and condition of bin, with an allocation of \$100,000 (approx. 50 bins = 15-20 parks) per year. Any park upgrade would include the cost of bin replacement in the project budget.

Strategy 8 – Internal Waste Generation

- The Shire creates a large volume of waste through its activities.
- Construction waste – to continue recycling and reuse initiatives such as road profilings, demolition waste and excavated materials.
- Green Waste to mulch – reuse materials in landscaping garden beds and medians.
- Organic waste composting – provide staff with the ability to redirect organic waste to composting.



Recommendations

	Proposed Service
Household Collection Service (contractor)	1 weekly rubbish bin 1 fortnightly recycling bin and 1 fortnightly green waste bin.
Worm Farm & Compositing bins	Provide worm farms and compost bins at a reduced rate to enable the community to recycle some of their organic waste and reduce the amount of waste to Red Hill.
Bulk Verge Collection (contractor)	Allocation of 3 skip bins per property per annum to be collected on direct arrangement with contractor.
Litter (in-house)	Consists of retrieving illegal dumping and litter, and disposing of material at Walliston Transfer Station.
Servicing of Shire litter bins (in-house)	Currently serviced by small compactor rubbish truck and operator. Roll out replacement of public bins with twin bins (general and recycling separation).
Walliston Transfer Station (in-house)	Open 4 days per week, Tuesday, Wednesday, Friday and Sunday. For disposal of all waste streams (some on specific dates). Look at options to relocate the transfer station to a better site or alternatively to partner with Red Hill and Hazelmere.
Other Collections (in-house and partnered)	Regular collections of e-waste, batteries, chemicals, hazardous items, building waste (small quantities), whitegoods, tyres and open days (any item).



Budget

Item	12/13 Budget	13/14 Budget
Household Collection	\$1,902,821	\$2,215,127
Third Bin (one-off cost)		\$908,160
Bulk Verge or Skip Bin (in-house = \$2,187,200 in 13/14)	\$1,438,282	\$1,940,400
Transfer Station	\$393,447	\$455,620
Red Hill	\$2,588,960	\$2,846,800
Worm Farm / Compost Bin		\$50,000
Litter Control	\$99,000	\$200,000
	\$19,500	\$40,000
MBP Repair & Public Bin replacement	\$144,752	\$249,100
Tyre Recycling	\$2,500	
Hazardous Waste Collection, Tyres & Open Days		\$50,000
Illegal Dumping	\$68,000	\$20,000
Other Costs	\$835,307	\$845,575

Total Service Cost	\$7,492,569	\$9,820,782
Rate Charge - Residential	\$350	\$401
Rate Charge - Commercial	\$350	\$526

Implementation and Communication Plan

All new services will be implemented on 1 July 2013. There will need to be significant promotion and education in the lead up. The preliminary communication plan is as follows:

- March 2013 – Council approval of Waste Strategy and changes to services.
- April 2013 – Commence advertising on web site, local papers and other media (including social media). Strong Public Relations Campaign to commence to ensure that residents are informed relating to service improvements and how they are affected.
- May 2013 – Preliminary direct mail out. EMRC Education Officer in schools to talk to kids about new changes and provide leaflets to take home.
- May 2013 – Set up shop fronts and displays in shopping centres around the Shire to advertise the proposed changes and provide information to the community. (continue to August 2013)
- June 2013 – Coverage in all local papers relating to changes that will commence in July. Flyers at all Shire of Kalamunda locations, article in the Shire Newsletter and E-News, articles and coverage on Social media sites including facebook and twitter, the Shire website, on KCR 102.5fm.
- June 2013 – Direct mail of waste guide.
- July 2013 – Roll-out all programs and changed services.
- July 2013 – Direct mail of pamphlet with rates notice.

Implementation Management

During the implementation period (March – December 2013) it is critical that Shire staff monitor and manage how the services are run. This includes the following specific actions:

1. Ensure that all recycling and green waste bins are inspected in the first month of roll-out to identify any contamination issues and educate residents. Where contamination occurs on a regular basis, the removal of that collection may be required to ensure the integrity of the waste stream.
2. In areas where it is considered that the placement of a 3m³ skip bin could be problematic, the Shire and contractor representatives will inspect the property to identify alternative solutions (such as utilising the 1.5m³ bins. Where no feasible solution is identified, the Shire will negotiate an alternate service with the affected resident.
3. Shire staff will undertake regular reviews and communication with contractors to identify issues and improvements to the services.



Appendix A – Comments From The 2011 Customer Satisfaction Survey

Waste & Recycling

- Why does it cost to use Transfer Station. Suggest return to no fee, we already pay enough rates.
- Red Hill should cost a lot less.
- Bulk waste collection: we would prefer 3-4 times per year.
- Cut out bulk verge collection and issue free passes to residents.
- Get rid of Cleanaway. I have given up complaining. Service is crap!
- It should be free to dump domestic rubbish – free tip site as well as kerbside collection.
- Kerbside collection - great but pickup time should be shorter as rubbish an eyesore when on the verge for weeks on end.
- I would prefer to get the bulk waste bin several times per year rather than the current bulk waste collection. If I had the power to book/order waste bin when I had time to achieve specific garden/household maintenance jobs I would feel like I was getting better value for my money. It would also alleviate the visually unattractive sight/hazard of rubbish piled on verges.
- My wife and I were not very happy having to pay the full amount on second-hand rubbish bins when we just moved into our new home. And ... we love Embers :).
- Could we have more regular collection of garden waste.
- I think the bulk rubbish on verge collections is terrible, it makes the Shire look awful, more like building sites.
- Public open space at rear of Coles High Wycombe desperately needs bins.
- As a fire prone area we are encouraged to cut back branches, sweep leaves etc. The twice yearly bulk rubbish collection is insufficient to cope with this. Perhaps at least 3-4 passes to the transfer station could be issue to help us out -I'm sure people would use them!
- We have two people in our house and only need rubbish collection once a fortnight. Perhaps an opt in/opt out system could save money.
- Re rubbish collection - need extra bulk collections - but suggest free tip passes for rate payers as done in previous years (long time ago) or have four roadside pickups per year.

Recycling

- Learn from City of Stirling re recycling: they have green waste mulching service, excellent form of recycling.
- Recycling: hopefully one day can get serious and separate plastic/tin/paper like in Europe.
- Would prefer Recycling to be weekly instead of fortnightly.
- Would like to see recycling bins changed to weekly and introduction of green waste bin.
- More recycling bins for public at council buildings eg. for cardboard in foyer, regular recycle near carpark.
- More encouragement for recycling in the community eg. Provide compost bins.
- The shire claims to be environmentally friendly, yet does not provide recycling services for small business' who produce the majority of local recyclable waste.
- Please do more to eradicate plastic in our community.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

19. Waste Tenders – Domestic Collection and Bulk Kerbside Collection

Previous Items	Nil
Responsible Officer	Director Development & Infrastructure Services
Service Area	Infrastructure Operations
File Reference	
Applicant	N/A
Owner	N/A
Confidential Attachment 1	Tender Evaluation Report - eQuotes 01, 02, 03, 04 & 05-2013 and RFT 1302 <i>Reason for Confidentiality Local Government Act 1995 S5.23 (2) (c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting”.</i>

PURPOSE

1. To consider tenders for the supply of domestic and bulk kerbside collection services.

BACKGROUND

2. The current service contracts expire on 30 June 2013, including:
 - Weekly Putrescible Waste collection.
 - Fortnightly Recycling collection.
 - Bulk kerbside collection.
3. The 2013 Waste Strategy identified some key improvements to the services provided by the Shire. This included:
 - Implementation of a Green Waste service.
 - Implementing a skip bin service to replace the kerbside collection.
4. Request for Quotes (RFQ) and eQuotes (eQ) were advertised in the West Australian and online in December 2012 with the closing date on 15 January 2013.

DETAILS

5. The RFQ and eQ's covered the following services:
 - Putrescible waste collection (weekly).
 - Recycling collection (fortnightly).
 - Green Waste collection (fortnightly).
 - Kerbside collection (twice annually) and Bulk skip-bin service – (three per year).
 - Supply of MGB's (third bin for Green Waste).

6. The tenders were assessed on 16 and 17 January 2013 by a panel consisting of:
- Manager Infrastructure Operations
 - Coordinator Waste
 - Coordinator Works
7. The assessment was overseen by the Coordinator Procurement.
8. All responses were assessed against compliance and qualitative criteria to ensure best value for the Shire.
9. The tenders for the weekly and fortnightly collections were assessed individually and as a package, given that these services are best delivered under a single contract. In both assessments, Perth Waste delivered a better overall service as reflected in their scores across the individual and packaged services.

Tenderer	Overall Score (packaged service)	Rank
Perth Waste	75.60	1
Cleanaway	63.47	2
Avon Waste	60.70	3
SITA Australia	52.77	4

10. The tenders for the kerbside collection showed that the skip bin service was significantly lower priced than the verge collection. Perth Waste provided the best value tender overall (skip bin service). It is recommended that no award be made for the bulk verge collection.

Tenderer	Overall Score	Rank
Perth Waste (skip)	92.80	1
Cleanaway (skip)	83.04	2
KRS Contracting (kerb)	71.16	3
WA Recycling (kerb)	64.97	4

11. The provision of the third bin was assessed, with one submission being rejected due to non-compliance. GC Sales provided the best value service.

Tenderer	Overall Score	Rank
GC Sales	88.13	1
Sulo MGB	85.30	2
Perth Waste	82.12	3

STATUTORY AND LEGAL IMPLICATIONS

12. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions & General) Regulations 1996*.

POLICY IMPLICATIONS

13. Policy PUR1 – Purchasing Policy has been followed and complied with.

PUBLIC CONSULTATION/COMMUNICATION

14. The Waste Strategy provides for an implementation and communication plan to deliver information and resources to the community.

FINANCIAL IMPLICATIONS

15. The provision of waste services is self-funding with the costs of providing this service fully collected through the waste charge.

16. The budget comparison is for the current service and new services as follows:

	Current Service 2012/13	Current Service 2013/14	New Service 2013/14
Services	Weekly Putrescible Fortnightly Recycling Bulk Kerbside	Weekly Putrescible Fortnightly Recycling Bulk Kerbside	Weekly Putrescible Fortnightly Recycling Fortnightly Green Bulk Skip Bin
	\$3,341,103	\$4,942,790	\$4,155,528
Supply MGB's			\$908,160*
Total	\$3,341,103	\$4,942,790	\$5,063,687

* one off cost

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

17. Nil.

Sustainability Implications

Social Implications

18. The 2011 Customer Satisfaction Survey indicated a desire for a Green Waste service and for improvements to the kerbside collection, such as increasing the number of services and considering a skip bin to replace the unsightly kerbside collection.

19. The proposed changes in services provides these improvements at a lower cost (when the supply of the additional bin is excluded).

Economic Implications

20. The kerbside collection tender indicates that if the Shire were to remain with this service, there would be a significant price increase. This would result in an increase per household of \$74.05 per annum. By implementing the skip bin service, the increase per household is reduced to \$20.50.
21. The increase cost of providing the green bin service, including the one off bin provision is \$49.80 per household.
22. Overall households will pay an additional \$70.30 per annum to receive an additional bin and replace the kerbside collection with a skip bin service. This compares to an increase of \$74.05 when maintaining only two bins and the kerbside collection.

Environmental Implications

23. The provision of the Green Waste service will allow the Shire to reduce the quantity of waste being sent to Red Hill, with the result that there will be less waste to landfill.
24. Even for the Green Waste that is sent to Red Hill, the costs are significantly lower (\$126.60 per tonne for general waste, \$42.75 per tonne for uncontaminated Green Waste, \$99.21 per tonne if contaminated).
25. Whether utilised internally or taken to Red Hill, the Green Waste service will provide savings in the waste service costs, estimated at between \$211,000 to \$1,055,000 per annum.
26. The Green Waste will be mulched in accordance with Australian Standards. This will allow the mulch to be used internally, reducing cartage costs and providing an additional resource at low-cost.
27. In times where there is excess mulch/compost produced through this process, some of the resultant mulch and compost could be returned to residents at a reduced cost as an incentive and reward.

OFFICER COMMENT

28. The community has indicated a desire to improve waste collection services, including looking at green bin service and replacing the kerbside collection.
29. Given the Shire's location, environment and geography, Green Waste is a large component of the waste stream. Even if composted privately there is significantly more Green Waste per property than can be dealt with internally.
30. Currently most Green Waste forms part of the general waste stream and is delivered to Red Hill and placed in landfill.
31. Clean Green Waste is a resource that can be mulched, composted and reused, with significant environmental benefits as well as a reduction in transporting and tipping.

32. The EMRC are developing a proposal for a waste to energy service. The service is a minimum of three years away, and therefore the Green Waste contract, having a life of three years can be reassessed at this time if the EMRC plant is operational. Further, the options provided will give the Shire scope to continue these services if necessary.
33. The new green bin will cost \$908,160 to implement. If at the time the Green Waste service is under review the decision is made to discontinue the service (either because of the EMRC facility or otherwise), these bins will be returned to stock to be utilised as replacement bins for either the general or recycling services.
34. There have been numerous complaints about the kerbside collection, regarding:
- Its frequency.
 - Scavenging.
 - Windblown waste and spreading.
 - Loss of amenity.
35. The cost of maintaining the kerbside collection in its current form is significantly higher than replacing it with a skip bin service. In addition the skip bin service provides an additional service per household.
36. It is noted that there will be some properties where placement of the skip bin may be problematic. These properties will already have issues with placing loose waste on the verge. In these instances staff and contractors will work with the individual to develop a service plan.
37. The evaluation has indicated that the main waste contracts will be delivered by a single contractor. An assessment has been made of the capacity for this contractor to deliver on these services and this evaluation has indicated that Perth Waste should have the capacity to meet its obligations.
38. The advantage of this is that the community will have a single point of contact across all domestic services.
39. The Waste Strategy provides an implementation plan including advertising and education of the changes to the services.

A Councillor had concerns regarding endorsing the proposed Waste Strategy (Report 18) and requested further research. Since Reports 18 and 19 are related he foreshadowed a Motion to defer the item to the Ordinary Council Meeting. There was no Mover for the Officer's Recommendation.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 19/2013)

That Council:

1. Approves Perth Waste as the tender for the following services and relevant contract price:
 - Putrescible Waste - \$1,059,916.
 - Recycling - \$630,115.20
 - Green Waste - \$525,096
 - Kerbside Collection (Skip Bin) – \$1,940,400.
2. Approves GC Sales as the tenderer for the supply of the third bin, with a contract price of \$908,160.
3. Agrees that no award is made for the bulk kerbside collection.

Moved:

Seconded:

Vote: **LAPSED**

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 19/2013)

That:

1. A decision regarding Report 19, Waste Tenders – Domestic Collection and Bulk Kerbside Collection be deferred to the March Ordinary Council Meeting.

Moved: **Cr Frank Lindsey**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (10/0)**

10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Nil.

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

11.1 Cr John Giardina – Business Goodall Road, Lesmurdie

Q. Has an application been submitted for approval to keep a bus on Goodall Road, Lesmurdie, as no work appears to have been done on the vehicle in the six months since the original Council approval?

A. Manager Development Services confirmed that the Shire has written to the owner and requested he submit a new application for keeping a bus.

11.2 Cr Frank Lindsey – Waste Disposal

Q. I understand both City of Swan and Shire of Mundaring have been experimenting with the supply of large bags supplied by the EMRC for green waste. Has there been any communication with these local governments while preparing the Shire of Kalamunda's Waste Strategy?

A. Director Development & Infrastructure confirmed this would be investigated by the Manager Infrastructure Operations.

11.3 Cr Noreen Townsend – Changes Highlighted

Q. When changes are made to agenda documents which are re-circulated to Councillors could the alterations be highlighted?

A. Acting Chief Executive Officer noted this would take place.

11.4 Cr Whitten – Light

Q. As the light seems to be constantly on, could the sensor for the light on the corner of Hartfield and Hale Roads be checked?

A. The Acting Chief Executive Officer said this will be looked into.

12.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12.1 Cr Justin Whitten – Resident – Wandoo Road

Q. I have received a complaint from a Wandoo Road resident regarding his neighbour's unmaintained garden and home which he feels is a fire risk. There is also noise pollution caused by a loose part on the solar system. Although the Shire has participated in a mediation process in the past this is an on-going problem, is there anything else that can be done?

A. Officers have inspected the property and found that it was compliant with the provisions of the Bush Fire Act 1954. Remediation works are required on the verge and will be undertaken by Shire staff. There is not sufficient evidence to suggest the site is unkempt as per Clause 5.21 of the Scheme. At this point we

cannot serve a notice on the landowner. There is no record of a complaint being received relating to noise from the solar system at this property. The complainant can submit a written complaint to the Shire's Health Service which will then be investigated pursuant to the Environmental Protection (Noise) Regulations 1997. Shire Officers will however write to the landowner requesting that some consideration be given to tidying up the site and securing the loose solar panel.

13.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

13.1 Nil.

14.0 MEETING CLOSED TO THE PUBLIC

14.1 Nil.

15.0 CLOSURE

15.1 There being no further business the Chairman declared the meeting closed at 7.10pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Chairman

Dated this _____ day of _____ 2013