



# Minutes

Council Meeting held Thursday 28 June 2018

## **Unconfirmed Public Copy**

### **PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING**

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Nannup must obtain, and should only rely on, written notice of the Shire of Nannup's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council meeting.

Any advice provided by an employee of the Shire of Nannup on the operation of a written law, or the performance of a function by the Shire of Nannup, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire of Nannup. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Nannup should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.



# Contents

<b>Item</b>	<b>Minute</b>	<b>Title</b>	<b>Page</b>
1		<b>Declaration of Opening</b>	1
2		<b>Record of Attendance/Apologies/Leave of Absence/Visitors (Previously Approved)</b>	1
3		<b>Response to Previous Public Questions Taken on Notice</b>	1
4		<b>Public Question Time</b>	2
5		<b>Application for Leave of Absence</b>	2
6		<b>Petitions/Deputations/Presentations</b>	2
7		<b>Declarations of Interest</b>	2
8		<b>Confirmation of Minutes of Previous Meetings</b>	3
	18100		
9	18101 18102	<b>Minutes Of Council Committees</b>	3
10		<b>Announcements By Presiding Member Without Discussion</b>	3
11		<b>Reports By Members Attending Committees</b>	3
12		<b>Reports of Officers</b>	
12.1	18103	Delegated Planning Decisions for May 2018	4
12.2	18104	Proposed Changes to the Draft Local Planning Strategy	6
12.3	18105	Development Application - Community Purpose (Men's Shed) on a Local Reserve	10

12.4	18106	Application for Survey-Strata Subdivision, WAPC Ref No.435-18	21
12.5	18107-18108	Request to extension for Reduced Rate on Town Hall Hire Fees	35
12.6	18109-18111	WALGA Annual General Meeting – Voting Delegate Nominations	39
12.7	18112	Support the Friends of Community House in their external grant application	42
12.8	18113	Nannup Visitor Centre Service Agreement	45
12.9	18114	Acceptance of Department of Local Government, Sport and Cultural Industries grant	48
12.10	18115	Acceptance of Department of Industry, Innovation and Science grant	50
12.11	18116	Youth Supervision Policy	52
12.12	18117	Nannup Main Street Redevelopment Stage 3	54
12.13	18118	Balingup Road Blackspot Expenditure	57
12.14	18119	Budget Monitoring – May 2018	60
12.15	18120	Monthly Accounts for Payment - May 2018	62
12.16	18121	2018/19 Budget Adoption	64
<b>13</b>		<b>New Business Of An Urgent Nature Introduced By Decision Of Meeting</b>	<b>74</b>
<b>14</b>		<b>Meeting Closed To The Public</b>	<b>74</b>
<b>15</b>		<b>Elected Members Motions Of Which Previous Notice Has Been Given</b>	<b>74</b>
15.1	18122	Proposed Closure of DBCA Nannup	74
<b>16</b>		<b>Question By Members Of Which Due Notice Has Been Given</b>	<b>76</b>
<b>17</b>		<b>Closure Of Meeting</b>	<b>76</b>

# Minutes

## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

## 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

(previously approved)

### ATTENDANCE:

Councillors: T Dean, R Mellema, V Hansen, P Fraser C Buckland, R Longmore, N Steer and C Stevenson.

David Taylor – Chief Executive Officer  
Tracie Bishop – Manager Corporate Services  
Jon Jones – Manager Infrastructure  
Jane Buckland – Development Services Officer

### APOLOGIES:

Nil

### LEAVE OF ABSENCE:

Nil

**VISITORS:** Rita Stallard, Cheryle Brown, Kerri Firth, Len Gilchrist, Derek Brown, Michael Pickup, John Thompson, Wouter Brenkman, Charlie Ferguson, Jim Green.

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

The Chief Executive Officer located the missing letter from Mrs Rita Stallard; this has been communicated to Mrs Stallard and she is satisfied with this outcome.

The question from Mr Charles Gilbert in regard to the methodology for the calculation of rates is still being discussed between the Chief Executive Officer and Manager of Corporate Services. A meeting has been held with Mr Gilbert; an outcome of which is that further information is to be provided to Manager Corporate Services.

#### **4. PUBLIC QUESTION TIME**

##### **Mrs Rita Stallard – East Nannup Road**

**Q 1** I heard that the tip is closing; is that right?

**A 2** The Shire President advised this was not the case.

**Q 2** Is it the management being changed and if so, will the tip shop remain, will the management strategy be put up for public comment and will the public be given the opportunity to comment?

**A 2** The Chief Executive Officer advised that yes Council will be taking over the management of the Waste Management Facility. This is scheduled to occur at the end of the current contract which ends on the 30<sup>th</sup> of September 2018. In regards to all other queries, these will be considered within the Waste Management Strategy currently being considered by management. Once this strategy has been completed it will be brought to Council for consideration and implementation.

#### **5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

#### **6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

#### **7. DECLARATIONS OF INTEREST**

The Shire President will read out any declarations received relating to financial, proximity or impartiality interests and ask for any further declarations to be made.

Councillor Stevenson declared in Impartiality Interest in Item 12.5 as she is a member of the Nannup Film Society Inc.

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**18100 STEVENSON/BUCKLAND**

*That the Minutes of the Ordinary Council Meeting held 24 May 2018 and the Special Council Meeting 21 June 2018 be confirmed as a true and correct record.*

**CARRIED (8/0)**

**9. MINUTES OF OTHER COUNCIL COMMITTEES/REPRESENTATIVE COMMITTEES**

**18101 STEER/FRASER**

That the Minutes of the Shire of Nannup Risk Management Committee meetings held 20 March 2018 and 12 June 2018 be confirmed as a true and correct record.

**18102 STEVENSON/BUCKLAND**

That the Minutes of the BIG N meetings held on 7 June 2018 be received.

**10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**11. REPORTS BY MEMBERS ATTENDING COMMITTEES**

Nil

**12. REPORTS OF OFFICERS**

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for May 2018
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	7 June 2018
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.1.1 – Register of Delegated Development Approvals

**BACKGROUND:**

To ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve Application for Development Approval that meet the requirements of both Local Planning Scheme No.3 (LPS3) and adopted Council policy.

Delegated planning decisions will be reported to Council on a monthly basis to ensure that Council has an appropriate level of oversight on the use of this delegation. A Register of Delegated Development Approvals, detailing those decisions made under delegated authority in May 2018 is presented in Attachment 12.1.1.

**COMMENT:**

As shown in the attachment, each application has been advertised in accordance with LPS3 and Council’s adopted Local Planning Policy *LPP5 Consultation* as detailed in the Policy Implications section of this report.

During May 2018, three (3) development applications were determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for May 2018 compared to May 2017:

	<b>May 2017</b>	<b>May 2018</b>
<b>Delegated Decisions</b>	1(\$10,000)	3 (\$367,482)
<b>Council Decisions</b>	Nil	Nil
<b>Total</b>	<b>1(\$10,000)</b>	<b>3 (\$367,482)</b>

**STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005, Local Government Act 1995 and LPS3.*

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires that a written record of each delegated decision is kept.

**POLICY IMPLICATIONS:**

Applications for Development Approval must be assessed against the requirements of LPS3 and Local Planning Policies adopted by Council. These Policies include Local Planning Policy *LPP5 Consultation* which details the level and scope of advertising required for Applications for Development Approval.

Each application processed under delegated authority has been processed and advertised, and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

**FINANCIAL IMPLICATIONS:**

The required planning fees have been paid for all applications for Development Approval processed under delegated authority.

**STRATEGIC IMPLICATIONS:**

Nil.

**RECOMMENDATION:**

That Council receives the report on Delegated Development Approvals for May 2018 as per Attachment 12.1.1.

**VOTING REQUIREMENTS:**

Simple Majority

**18103 STEVENSON/HANSEN**

***That Council receives the report on Delegated Development Approvals for May 2018 as per Attachment 12.1.1.***

***CARRIED (8/0)***

AGENDA NUMBER:	12.2
SUBJECT:	Proposed Changes to the Draft Local Planning Strategy
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	TPL3A
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	18 June 2018
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.2.1 - Letter from Department of Planning, Lands and Heritage 12.2.2 - <i>State Planning Policy 2.5 Rural Subdivision and Development Control Policy 3.4 Subdivision of Rural Land</i> 12.2.3 - Extract from Local Planning Scheme No.3 12.2.4 - Submission

**BACKGROUND:**

The Shire administration has received correspondence from the Department of Planning, Lands and Heritage (DPLH) requesting that the Shire remove the minimum rural lot size criteria from the draft Local Planning Strategy (the Strategy). In summary, the DPLH recommend that the draft Strategy is modified to delete support for the minimum 80/40 rural lot size criteria.

The DPLH have identified nine privately owned lots of 80 hectares or more which would have the potential to subdivide under the current minimum lot size criteria once other constraints are considered. A further 27 lots have other constraints which would impact on any potential subdivision even though they meet the minimum lot size criteria.

The correspondence from the DPLH is shown in Attachment 12.2.1.

**COMMENT:**

While the Western Australian Planning Commission (WAPC) is the decision-maker for subdivision applications in Western Australia, local governments provide advice to the WAPC.

The WAPC have various policies relating to subdivision, including rural subdivision, such as *State Planning Policy 2.5 Rural Planning and Development Control Policy 3.4 Subdivision of Rural Land*.

Both of these policies are outlined in Attachment 12.2.2. These policies generally have a presumption against the creation of additional rural lots.

In the Shire of Nannup, Local Planning Scheme No.3 (LPS3) provides the statutory basis for subdivision of rural land on land zoned 'Agriculture' and 'Agriculture Priority 2'. Clauses 3.13.1.4 and 3.13.3.4 of LPS3 relate to creating general agricultural lots with a minimum lot size of 80 hectares or creating intensive agricultural lots with a minimum lot size of 40 hectares (80/40 criteria) and are shown in Attachment 12.2.3.

The draft Strategy, supported by Council which Officers have been progressing over approximately the last 3 years, continued to support the minimum 80/40 rural lot size subdivision criteria based on LPS3.

While it now appears that Council is close to obtaining WAPC endorsement of the draft Strategy, there is a need to address the matter of the DPLH's recommendation to remove the minimum 80/40 rural lot size criteria. DPLH have highlighted that the removal of the 80/40 subdivision criteria is necessary to comply with WAPC policies and planning regulations as Regulation 11(2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015 states "a local planning strategy must apply any State or regional planning policy that is relevant to the strategy".

The WAPC also advise there is an existing adequate supply of intensive agricultural sized lots in the Shire of Nannup.

In anticipation of the endorsement of the Strategy, the Council administration has recently commenced the review of LPS3 with a goal of producing Local Planning Scheme No.4. This process will take time, the process will be subject to community and stakeholder consultation and the final decision will be made by the Minister for Planning. The DPLH have also recently advised they will require the removal of the 80/40 criteria provisions in the new Scheme.

Consultation

DPLH have acknowledged that the change to the draft Strategy would have been better addressed during advertising however they have also advised that re-

advertising the change to the draft Strategy is not warranted given any public submissions are unlikely to change the outcome.

Council administration wrote to the owners of the 36 properties identified by DPLH to advise of the proposed modifications to the draft Strategy giving them the opportunity to provide their views to Council. Owners were also encouraged to lodge a subdivision application in the short term if they had been considering subdividing their properties at any time in the future.

Four written submissions were received and are shown in Attachment 12.2.4. Two of the submissions were in support of retaining the 80/40 criteria and two supported its removal. Officers have spoken to an additional five property owners who had questions about the implications of the removal of the 80/40 criteria.

### Summary

If the final decision was to be Council's, Officers would recommend that the 80/40 criteria be retained in both the Strategy and the Scheme. Most of the local government area is State Forest or National Park, the criteria is long established and it suits the land form, topography, soil types, rainfall and potential productivity of private land in the Shire of Nannup.

It is however suggested that given the wording of *State Planning Policy 2.5 Rural Subdivision*, the fact that the WAPC is the determining body for subdivision applications and that the Minister will be responsible for approving Local Planning Scheme No.4, that Council reluctantly accepts the modification to the draft Strategy.

Following confirmation of Council's agreement to the modification, it is anticipated that the draft Strategy will be finalised and endorsed by the WAPC under delegated authority.

### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005, State Planning Policy 2.5 Rural Subdivision, Development Control Policy 3.4 Subdivision of Rural Land, Shire of Nannup Draft Local Planning Strategy and Local Planning Scheme No.3.*

### **POLICY IMPLICATIONS:**

WAPC policy changes will impact a number of rural landowners.

**FINANCIAL IMPLICATIONS:**

There are potential implications for some rural landowners in limiting subdivision.

**STRATEGIC IMPLICATIONS:**

Outlined in this report and in the attachments.

**RECOMMENDATION:**

1. That Council advise the Department of Planning, Lands and Heritage that it is Council's preference to retain the 80/40 rural lot size criteria in the draft Local Planning Strategy.
2. While noting this, Council accepts the removal of the 80/40 rural lot size criteria from the draft Local Planning Strategy as per Attachment 12.2.1.
3. This is on the basis that the revised Local Planning Strategy can be shortly endorsed by the Western Australian Planning Commission under delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority

**18104 MELLEMA/BUCKLAND**

- 1. That Council advise the Department of Planning, Lands and Heritage that it is Council's preference to retain the 80/40 rural lot size criteria in the draft Local Planning Strategy.**
- 2. While noting this, Council accepts the removal of the 80/40 rural lot size criteria from the draft Local Planning Strategy as per Attachment 12.2.1.**
- 3. This is on the basis that the revised Local Planning Strategy can be shortly endorsed by the Western Australian Planning Commission under delegated authority.**

**CARRIED (7/1)  
Against: Cr Stevenson**

AGENDA NUMBER:	12.3
SUBJECT:	Development Application - Community Purpose (Men's Shed) on a Local Reserve
LOCATION/ADDRESS:	Reserve 53247 - Lot 251 Widdeson Street, Nannup
NAME OF APPLICANT:	Nannup Men's Shed Incorporated
FILE REFERENCE:	RES53247 & ASS28
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	19 June 2018
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	12.3.1 - Development plans from applicant 12.3.2 - Location map 12.3.3 - Extract of Planning and Development (Local Planning Schemes) Regulations 2015 12.3.4 - Submissions 12.3.5 - Response to submissions from applicant

**BACKGROUND:**

The application seeks approval for the Nannup Men's Shed Incorporated to use a portion of Lot 251 Widdeson Street, Nannup (Reserve 53247) for a 'community purpose' which includes constructing a building on the property.

The proposed building is a 30m x 15m barn-style shed with details of the proposal shown in Attachment 12.3.1.

The subject site is zoned "Public Purposes - School" in *Local Planning Scheme No.3* (LPS3) and is located towards the south eastern end of the Nannup townsite as shown in Attachment 12.3.2. The Nannup Men's Shed have been granted a Management Order over Reserve 53247 by the Department of Planning, Lands and Heritage with the order stating that the reserve is to be utilised for the designated purpose of 'Men's Shed' only.

The property is 11490m<sup>2</sup> in area, generally covered in native vegetation, with a recently cleared area along the northern side. This clearing was not undertaken by the Nannup Men's Shed Incorporated. The area proposed to be used for the operation of the Men's Shed comprises a cleared area of 3,000m<sup>2</sup> located in the south western corner of the property.

The property is adjoined by the Nannup District High School on the western boundary, with developed land zoned 'Residential' located to the north and undeveloped land zoned 'Residential' to the south.

The use proposed in the Development Application is classified as "community purpose" under LPS3. The Zoning Table of LPS3 does not list specific uses for a Local Reserve however Clause 2.3.2 of LPS3 states that the local government is to have due regard to matters set out in Clause 67 of the Deemed Provisions (see Attachment 12.3.3) and the ultimate purpose intended for the reserve.

***Community purpose*** means the use of premises designed or adapted primarily for the provision of educational, social and recreational facilities and services by organisations involved in activities for community benefit.

### Consultation

Council undertook consultation through inviting public comment on the Development Application for a period of 14 days by writing to 8 adjoining/nearby landowners and Nannup District High School.

Council received 12 submissions on the Development Application as outlined in Attachment 12.3.4. Seven submitters supported the proposed development while the other five submitters objected to the proposed development primarily for reasons of reduced amenity.

In summary, the submitters who objected to the proposal were concerned about the visual impact the proposed shed would have on residential properties along Widdeson Street, potential noise pollution and increased traffic in a residential area.

In response to these submissions, the applicant has provided a letter addressing the concerns which are set out in Attachment 12.3.5.

## **COMMENT:**

### Overview

The Nannup Men's Shed first approached Council for assistance in identifying a suitable parcel of land for their use in 2016. Officers identified an area of cleared land on the eastern side of Nannup District High School (Reserve 26684) which could be suitable and made initial enquiries with the Department of Education on behalf of the Nannup Men's Shed to determine if the land could be made available to the group.

The Department of Education advised that the land was required by the school for its ongoing operations however the Department would support the excision

and transfer of the eastern portion of the reserve to either the Shire or the Nannup Men's Shed.

At its meeting of 25 August 2016, Council resolved in part:

**16113 LONGMORE/STEVENSON**

***“That Council support the Nannup Men’s Shed in acquiring a portion of Reserve 26684 for Men’s Shed operations.”***

**CARRIED (7/0)**

In January 2017 the Department of Lands wrote to Council to advise that it had decided to excise a portion of Reserve 26684, previously reserved for the purpose of 'School Site', and create a new reserve for the purpose of 'Men's Shed'.

At its meeting of 25<sup>th</sup> January 2017, Council resolved in part:

**17007 STEER/LONGMORE**

***“That Council advises the Department that it supports the Management Order being issued to the Nannup Men’s Shed Inc., for management and control of the land.”***

**CARRIED (7/0)**

The Nannup Men's Shed was granted the Management Order over the newly-created Reserve 53247 on 11<sup>th</sup> April 2018.

Subject to implementing relevant conditions, Reserve 53247 appears suitable and capable of accommodating its intended purpose. The application does however raise various considerations which are outlined below.

Visual Impact

At its closest point, the proposed shed will be located approximately 43m from the nearest residential property and the cleared area surrounding the shed will be approximately 24m from the same property. The applicant has stated that they intend to retain the remaining trees between the cleared area and Widdeson Street in the form of a visual buffer.

The shed is proposed to be 6.21m high at its highest point which expected to be lower than the height of the trees on the property, and will be clad in green Colourbond rather than zincalume to reduce its visual and reflective impact.

As the applicant has noted, the owner of the nearest property at 15 Widdeson Street has cleared some of Reserve 53247 which has resulted in the visual buffer being reduced at this point. This clearing was undertaken in consultation with Nannup District High School and before the transfer of the management order to the Nannup Men's Shed.

### Noise

The applicant has advised that no formal hours of operation are proposed but that the shed would normally be utilised between 9:00am and 2:00pm with occasional use until 5:30pm. The applicant has also advised that the type of equipment to be used in the shed is not of an industrial nature but is the same as could be expected to be found in many backyard sheds. The shed is proposed to be insulated and clad on the inside to reduce noise emissions.

It is suggested that additional measures such as keeping the roller door on the northern side closed when machinery is being operated, should assist in the reduction of noise.

The vegetation to be retained along Widdeson Street should also act as a noise buffer.

### Traffic

The applicant has advised that vehicles travelling to and from the Nannup Men's Shed will access the property from Monaghan Street and not from Widdeson Street. Substantial car-parking will be provided on the cleared area around the proposed shed and the gravel section of Monaghan Street is proposed to be graded by the applicant to provide suitable access.

It is suggested that there will be no negative traffic impact on Widdeson Street during the normal operation of the Nannup Men's Shed.

### Proximity to Nannup District High School

A copy of the development application was forwarded to Nannup District High School for their review and comment which they have responded to in support of the proposed development. The Department of Education approved the excision of Reserve 53247 from the school reserve for the purpose of the Men's Shed. It is therefore suggested that there is no anticipated conflict between the school and the proposed development.

Following the Shire administration's assessment against LPS3, considering the views of the submitters and information provided by the applicant, it is recommended that the Council approve the proposed use of Lot 251 Widdeson Street, Nannup (Reserve 53247) for a 'community purpose', being the Nannup Men's Shed, and the associated construction of a new building.

**STATUTORY ENVIRONMENT:**

*Planning and Development (Local Planning Schemes) Regulations 2015 and LPS3.*

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil.

**STRATEGIC IMPLICATIONS:**

The proposal aligns with the *Shire of Nannup Strategic Community Plan 2017-2027* Focus Point 5.1 which is to "support existing and emerging community groups" by "providing community funding and support for events and community groups".

**RECOMMENDATION:**

That Council approve the proposed use of Lot 251 (Reserve 53247) Widdeson Street, Nannup for a 'community purpose' (Nannup Men's Shed), including the construction of a shed, subject to the following conditions:

1. The development hereby approved must be carried out in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire.
2. The vehicle access ways, vehicle manoeuvring areas and car parking spaces are designed, constructed and drained to the satisfaction of the local government prior to occupation of the development.

3. The roof and external walls of the building are to be clad in Colourbond colours to the satisfaction of the Shire.
4. No vehicular access is permitted between the property and Widdeson Street.
5. The operation of machinery is to be restricted to the hours of 9:00am – 5:30pm on any given day of the week.
6. The operator is to ensure that noise levels are considerate of adjoining and nearby properties at all times which comply with the *Environmental Protection (Noise) Regulations 1997* (and any associated amendments).
7. All building materials and equipment are to be stored inside the building.
8. All waste material is to be disposed of at an appropriate landfill site or waste treatment site.
9. A toilet and hand basin must be installed in the building. The installation is to be appropriately addressed to the satisfaction of the Shire prior to occupation.
10. The provision of details prior to occupation as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other areas) to the satisfaction of the Shire. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the Shire.
11. A Bushfire Emergency Management and Evacuation Plan is to be prepared to the satisfaction of the Shire and then implemented prior to occupation of the development. All measures contained in the Plan are to be maintained to the satisfaction of the local government.
12. The applicant is to submit and gain local government approval for a Management Plan, prior to occupation of the development, which addresses the responsibility for the behaviour of clients/visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality.

Advice

- A. The proponent is advised that this Development Approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.
- B. In relation to Condition 4, all vehicular traffic associated with the day-to-day activities of the Nannup Men's Shed are to use Monaghan Street to access

the property. This includes the parking of vehicles associated with visitors to the property.

- C. In relation to Condition 6, noise emissions must comply with the *Environmental Protection (Noise) Regulations 1997*. To comply with the Regulations, this may require all doors on the northern end of the proposed building to be closed when machinery is being operated and/or for machinery to be soundproofed within the building.
- D. In relation to Condition 7, no building/construction materials or equipment is to be stored outside the building, either in the cleared or non-cleared areas of the reserve.
- E. In relation to Condition 9, a toilet and hand wash facilities must be provided for members working at the premises as per the *Shire of Nannup Health Local Laws*.
- F. In relation to Condition 12, the Management Plan is to:
- address the responsibility for member/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
  - outline the approach to maximise the safety and security of members and visitors; and
  - acknowledge that the development is adjacent to a residential area and seek the operation to be a good neighbour including considering noise, litter and the approach to reducing fire risks.
- G. Signs may be erected or displayed to the specification and satisfaction of the Shire with details set out in *Local Planning Policy LPP18 Signs and Advertisements*.
- H. The applicant is advised to burn or remove all vegetation cleared from the site. Any material to be reused for projects should be relocated inside the building.
- I. A low fuel area should be permanently maintained around the building at all times.
- J. The applicant should consider screen planting in the cleared area north east of the development so as to minimise any adverse effects on the amenity of the neighbouring properties.
- K. The applicant is reminded of their general environmental duty to take all

reasonable and practical measures to ensure that the activities on the whole site, including during construction and maintenance projects, do not pollute the environment in a way which causes or may cause environmental harm.

- L. If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **18105 HANSEN/LONGMORE**

***That Council approve the proposed use of Lot 251 (Reserve 53247) Widdeson Street, Nannup for a 'community purpose' (Nannup Men's Shed), including the construction of a shed, subject to the following conditions:***

- 1. The development hereby approved must be carried out in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire.***
- 2. The vehicle access ways, vehicle manoeuvring areas and car parking spaces are designed, constructed and drained to the satisfaction of the local government prior to occupation of the development.***
- 3. The roof and external walls of the building are to be clad in Colourbond colours to the satisfaction of the Shire.***
- 4. No vehicular access is permitted between the property and Widdeson Street.***
- 5. The operation of machinery is to be restricted to the hours of 9:00am – 5:30pm on any given day of the week.***
- 6. The operator is to ensure that noise levels are considerate of adjoining and nearby properties at all times which comply with the***

***Environmental Protection (Noise) Regulations 1997 (and any associated amendments).***

- 7. All building materials and equipment are to be stored inside the building.***
- 8. All waste material is to be disposed of at an appropriate landfill site or waste treatment site.***
- 9. A toilet and hand basin must be installed in the building. The installation is to be appropriately addressed to the satisfaction of the Shire prior to occupation.***
- 10. The provision of details prior to occupation as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other areas) to the satisfaction of the Shire. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the Shire.***
- 11. A Bushfire Emergency Management and Evacuation Plan is to be prepared to the satisfaction of the Shire and then implemented prior to occupation of the development. All measures contained in the Plan are to be maintained to the satisfaction of the local government.***
- 12. The applicant is to submit and gain local government approval for a Management Plan, prior to occupation of the development, which addresses the responsibility for the behaviour of clients/visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality.***

**Advice**

- A. The proponent is advised that this Development Approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.***
- B. In relation to Condition 4, all vehicular traffic associated with the day-to-day activities of the Nannup Men's Shed are to use Monaghan Street to access the property. This includes the parking of vehicles associated with visitors to the property.***

- C. In relation to Condition 6, noise emissions must comply with the Environmental Protection (Noise) Regulations 1997. To comply with the Regulations, this may require all doors on the northern end of the proposed building to be closed when machinery is being operated and/or for machinery to be soundproofed within the building.**
- D. In relation to Condition 7, no building/construction materials or equipment is to be stored outside the building, either in the cleared or non-cleared areas of the reserve.**
- E. In relation to Condition 9, a toilet and hand wash facilities must be provided for members working at the premises as per the Shire of Nannup Health Local Laws.**
- F. In relation to Condition 12, the Management Plan is to:**
- address the responsibility for member/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;**
  - outline the approach to maximise the safety and security of members and visitors; and**
  - acknowledge that the development is adjacent to a residential area and seek the operation to be a good neighbour including considering noise, litter and the approach to reducing fire risks.**
- G. Signs may be erected or displayed to the specification and satisfaction of the Shire with details set out in Local Planning Policy LPP18 Signs and Advertisements.**
- H. The applicant is advised to burn or remove all vegetation cleared from the site. Any material to be reused for projects should be relocated inside the building.**
- I. A low fuel area should be permanently maintained around the building at all times.**

- J. The applicant should consider screen planting in the cleared area north east of the development so as to minimise any adverse effects on the amenity of the neighbouring properties.***
  
- K. The applicant is reminded of their general environmental duty to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction and maintenance projects, do not pollute the environment in a way which causes or may cause environmental harm.***
  
- L. If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.***

**CARRIED (8/0)**

AGENDA NUMBER:	12.4
SUBJECT:	Application for Survey-Strata Subdivision, WAPC Ref No. 435-18
LOCATION/ADDRESS:	Lot 67 Kearney Street, Nannup
NAME OF APPLICANT:	Martin Richards – MR Planning
FILE REFERENCE:	435-18 and A1682
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 June 2018
PREVIOUS MEETING REFERENCE:	28 June 2012, 28 April 2016
ATTACHMENT:	12.4.1 - Location map 12.4.2 - Cadastral map of locality 12.4.3 - Survey-Strata Subdivision Plan 12.4.4 - Planning report from applicant 12.4.5 - Endorsed Higgins Swamp Detailed Structure Plan A 12.4.6 - Part 1 Implementation from endorsed Higgins Swamp Detailed Structure Plan A

**BACKGROUND:**

An application for a survey-strata subdivision has been submitted to the Western Australian Planning Commission (WAPC) for the subdivision of Lot 67 Kearney Street, Nannup by MR Planning on behalf of the property owner Wandass Pty Ltd. The WAPC has referred the application to Council for comment. It is highlighted that the WAPC makes the decision on survey-strata subdivision applications with Council providing advice to the WAPC.

The site's location is shown in Attachment 12.4.1, while Attachment 12.4.2 outlines a cadastral map of the locality.

It should be noted that this application for subdivision refers to the property as Lot 67 Kearney Street. In all previous documentation and decisions regarding the property it has been referred to as Lot 67 Warren Road. The two addresses refer to the same property.

Attachment 12.4.3 shows the proposed survey-strata subdivision plan. The application proposes to subdivide the property to create eighteen (18) survey-strata lots. Most proposed survey-strata lots will be for residential purposes. The exemptions are Lot 5 which will be for tourism and conservation, Lot 17 which will

be mixed use (anticipated to be residential, commercial and possible tourism), while survey-strata Lot 18 will be a service road (common property).

The applicant's planning report is provided by in Attachment 12.4.4 which provides a description of the land, background to the proposal and details of the proposed subdivision.

Lot 67 is 2.2055ha hectares in area and includes a portion of Higgins Swamp.

Planning context and previous Council resolutions

The property is zoned "Special Use" and is included in Schedule 4 – Special Use Zones of the *Shire of Nannup Local Planning Scheme No. 3 (LPS3)* as SU5. The provisions set out for SU5 are outlined below:

<b>NO.</b>	<b>DESCRIPTION OF LAND</b>	<b>SPECIAL USE</b>	<b>CONDITIONS/SPECIAL PROVISIONS</b>
SU5.	Lots 65, 66, 67 & 68 Kearney Street, Warren Road and Higgins Street, Nannup	<ul style="list-style-type: none"><li>• Single House</li><li>• Bed &amp; Breakfast Accommodation</li><li>• Grouped Dwelling</li><li>• Home Business</li><li>• Home Occupation</li><li>• Home Office</li></ul>	1. Prior to any subdivision or further residential development of the site, a Structure Plan is to be prepared.

The property is not declared as a Bushfire Prone Area and is not located within a floodplain.

Council adopted the *Higgins Swamp Structure Plan* at its meeting of 28<sup>th</sup> June 2012 to provide a framework for the future development and subdivision of Lot 701 Kearney Street, Lots 67 and 68 Warren Road, and Lot 700 Higgins Street. The *Higgins Swamp Structure Plan* established the spatial distribution of appropriate land use classes together with development criteria to guide the preparation of the Detailed Structure Plan.

At its meeting on 28<sup>th</sup> April 2016, the Council resolved the following:

**16060 DEAN/MELLEMA**

***“To inform the Western Australian Planning Commission that the draft Detailed Structure Plan for Lot 67 Warren Road, Nannup be approved, subject to satisfactorily addressing minor corrections/modifications as identified within the Schedule of Local Government Corrections and Modifications.”***

**CARRIED (8/0)**

The *Higgins Swamp Detailed Structure Plan A* for Lot 67 Warren Road approved by the WAPC on 29<sup>th</sup> March 2017 elaborated on the design requirements at a site specific level, and as such, informed the preparation of the current application for subdivision.

**COMMENT**

Overview

The survey-strata subdivision application is consistent with the endorsed *Higgins Swamp Structure Plan* and the endorsed *Higgins Swamp Detailed Structure Plan A*. Accordingly, conditional approval is recommended to the application.

A number of conditions are recommended in accordance with the Detailed Structure Plan, site conditions, its context, WAPC policy and Council policy. Other than the cash-in-lieu condition for public open space, the recommended conditions are consistent with the WAPC's *Model Subdivision Conditions Schedule* (October 2017).

Subject to implementing relevant conditions, each proposed lot appears suitable and capable of accommodating its intended purpose. The application does however raise various considerations which are outlined below.

Roads

The service road (Lot 18) within the subdivision is proposed to be common property which will be jointly owned/managed by the survey-strata owners. While it will not be a public road managed by the Shire, the service road is required to be appropriately constructed by the developer and comply with Council's Works Policy *WRK13 Subdivisional Development Guidelines* and the Institute of Public Works Engineering Australia's *Local Government Guidelines for Subdivisional Development*

The subdivider has set aside land along Warren Road for future road widening as required by Main Roads WA and as set out in the structure plans.

### Cul-de-sacs

The proposed service road ends at the southern boundary of Lot 67 and the Structure Plan indicates that in future this service road could extend through adjoining Lot 68 to meet Higgins Street. Until such time as the road is constructed to its full proposed length, through both Lots 67 and 68, a temporary turning circle will be required to accommodate rubbish/recycling collection trucks and other traffic turning at its end.

The temporary turning circle is required to be constructed to required standards at the termination point as determined by the Shire. Council's Manager Infrastructure advises that a 9 metre radius temporary turning circle would be sufficient to accommodate a turning rubbish/recycling collection truck.

### Stormwater Management

The developer will be required to submit an Urban Water Management Plan, certified by a consulting engineer, detailing how stormwater will be managed within the subdivision area and to address water quality and run-off into Higgins Swamp. While most stormwater will be detained on site, portions of the site may be required to connect to the Council's Stormwater Drains.

### Public Open Space and future management of Higgins Swamp

Both the Structure Plan and Detailed Structure Plan set out that Higgins Swamp will continue to be privately owned in the future rather than becoming Public Open Space (POS) vested and managed by the Shire. While continuing to be privately owned, there is a requirement for more effective management including addressing the approach to stormwater management and revegetation.

Both the Structure Plan and Detailed Structure Plan included provisions that POS shall be provided in the form of a cash-in-lieu contribution. Additionally, Council's Local Planning Policy *LPP20 Developer and Subdivider Contributions* states that Council does not support the creation of POS which has no practical use or value and/or where the proposed POS duplicates existing nearby POS.

Marinko Tomas Bicentennial Park and the Nannup Recreation Centre are located approximately 200m to the south of the proposed subdivision and provide substantial developed POS for the area. It is suggested that in this situation, and

consistent with the endorsed *Higgins Swamp Detailed Structure Plan A*, that Council seeks a cash-in-lieu payment relating to the POS.

Future scheme amendment

To achieve proposed tourism development on Lot 5 and proposed mixed use (including commercial and possible tourism development) on Lot 17, there is a need for the applicant to submit a scheme amendment to the Shire and in-turn gain approval from the Minister for Planning.

**STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005* and LPS3.

**POLICY IMPLICATIONS:**

Local Planning Policies *LPP1 Cut & Fill and Retaining Wall*, *LPP2 Private Stormwater Drainage Connections to Council's Drains*, *LPP13 Car Parking and Vehicular Access* and *LPP20 Developer and Subdivider Contributions* are non-statutory documents which are designed to provide guidance to assist the Council in its decision making and in providing advice to the WAPC.

**FINANCIAL IMPLICATIONS:**

The developer is required to meet the cost of providing new infrastructure to service proposed lots in accordance with WAPC policies and in accordance with *Local Planning Policy LPP20 Developer and Subdivider Contributions Policy*. It is imperative, for instance, that the developer installs stormwater management systems that achieve effective stormwater control that meet best practice environmental standards and which ensure lower operating costs.

**STRATEGIC IMPLICATIONS:**

The site forms part of Policy Area No. 1 – Townsite in the *Shire of Nannup Local Planning Strategy*. The Strategy's recommendation for the policy area is that urban consolidation is encouraged subject to issues of effluent disposal and flooding being addressed where relevant. The site is outside of the 1 in 100 ARI floodplain.

The site represents a logical area to accommodate new development in Nannup and once implemented, it will provide an important boost to the development of Nannup.

**RECOMMENDATION:**

That Council support the Survey-Strata Subdivision of Lot 67 Kearney Street, Nannup (WAPC 435-18) subject to the following conditions:

No.	Code	Condition
1	B2 mod	Uniform fencing being constructed along the eastern boundaries of proposed Lots 15 and 16. (Local Government)
2	B6	<p>A management statement being prepared and submitted for the Western Australian Planning Commission's consideration and written confirmation in accordance with Section 5C of the <i>Strata Titles Act 1985</i> (as amended), to include the following additions to the by-laws contained in Schedules 1, 2 and 2A of that Act:</p> <ul style="list-style-type: none"> <li>a) Development or redevelopment on the survey-strata lots is to comply with a development approval issued by the local government.</li> <li>b) Amendment to or repeal of the above provision cannot be effected without the Western Australian Planning Commission's agreement. (Local Government)</li> </ul>
3	D2	Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water and Environmental Regulation. (Local Government)
4	D3	Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site, or where no UWMP exists, to the satisfaction of the Western Australian Planning Commission. (Local Government)
5	D5	<p>Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and</p> <p>In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (Local Government)</p>
6	D7	Suitable arrangements being made for connection of the land to

**Shire of Nannup  
Ordinary Council Meeting Agenda: 28 June 2018**

		the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)
7	D8	Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the <i>Planning and Development Act 2005</i> . (Local Government)
8	E3	Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply to the survey-strata lots shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C and Schedule 9A of the <i>Transfer of Land Act 1893</i> for the transmission of electricity by underground cable, or (in the case of approvals containing common property) via a portion of the common property suitable for consumer mains. (Western Power)
9	EN1	Prior to the commencement of subdivisional works a wetland management plan for Higgins Swamp is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)
10	R2	The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for 'Parks and recreation' and vested in the Crown under Section 152 of the <i>Planning and Development Act 2005</i> , such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)
11	T1	Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.  As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)
12	T2	Engineering drawings and specifications are to be submitted and

**Shire of Nannup  
Ordinary Council Meeting Agenda: 28 June 2018**

		<p>approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:</p> <ul style="list-style-type: none"> <li>a) street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider and/or</li> <li>b) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly and/or</li> <li>c) temporary turning areas are provided to those subdivisional roads that are subject to future extension,</li> </ul> <p>to the satisfaction of the Western Australian Planning Commission. (Local Government)</p>
13	T3	<p>Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area to the satisfaction of the Western Australian Planning Commission. The approved shared paths are to be constructed by the landowner/applicant. (Local Government)</p>
14	T6	<p>The road widening reserve being set out on a separate diagram or plan of survey (deposited plan) and transferred free of cost to the Commissioner for Main Roads WA for road purposes and without any payment of compensation. (Main Roads WA)</p>
15	T11	<p>All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's <i>DC 1.7 General Road Planning</i>. (Local Government)</p>
16	T16	<p>The proposed access way(s) being constructed and drained at the landowner/applicant cost to the specifications of the local government. (Local Government)</p>
17	T20	<p>Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)</p>
18	T21	<p>Pursuant to Section 150 of the <i>Planning and Development Act 2005</i> and Division 3 of the <i>Planning and Development Regulations 2009</i> a covenant preventing vehicular access onto Warren Road being lodged on the certificate(s) of title of the proposed lot(s) at the full expense of the landowner/applicant. The covenant is to prevent access, to the benefit of the Shire of Nannup, in accordance with the plan dated September 2015 (attached) and the covenant is to specify:</p> <p>"No vehicular access is permitted to and from Warren Road."</p>

**Shire of Nannup  
Ordinary Council Meeting Agenda: 28 June 2018**

		(Local Government)
19	T22	The landowner entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battle-axe access ways. (Local Government)
20	W1	Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lot(s) shown on the approved plan of subdivision. ( Water Corporation)
21	W2	Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot(s) shown on the approved plan of subdivision. ( Water Corporation)
<b>Advice</b>		
A	Da1	Condition 3 has been imposed in accordance with <i>Better Urban Water Management Guidelines (WAPC 2008)</i> . Further guidance on the contents of urban water management plans is provided in ' <i>Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions</i> ' (Published by the then Department of Water, 2008).
B	Ena3	The landowner/applicant is advised that the Department of Water and Environmental Regulation has prepared dust control guidelines for development sites which outline the procedures for the preparation of dust management plans.  The dust management plans are generally approved and their implementation overseen, by the Local Government. Further information on the guidelines can be obtained from the Department of Water and Environmental Regulation's website <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a> under air quality publications.
C	Ra1	With regard to Condition 10, provisions of section 153 of the <i>Planning and Development Act 2005</i> provide that arrangements can be made, subject to further approval of the Western Australian Planning Commission, for a cash-in-lieu contribution by the landowner/applicant to the local government.
D	Ta2	The landowner/applicant and the local government are advised to refer to the Institute of Public Works Engineering Australia <i>Local Government Guidelines for Subdivisional Development</i> (current edition). The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed.
E		The subdivider is encouraged to install appropriate uniform fencing on the boundaries of all of the proposed lots.

**VOTING REQUIREMENTS:**

Simple Majority

**18106 BUCKLAND/MELLEMA**

<b>No.</b>	<b>Code</b>	<b>Condition</b>
<b>1</b>	<b>B2 mod</b>	<b>Uniform fencing being constructed along the eastern boundaries of proposed Lots 15 and 16. (Local Government)</b>
<b>2</b>	<b>B6</b>	<b>A management statement being prepared and submitted for the Western Australian Planning Commission's consideration and written confirmation in accordance with Section 5C of the Strata Titles Act 1985 (as amended), to include the following additions to the by-laws contained in Schedules 1, 2 and 2A of that Act:</b>  <div style="margin-left: 40px;"> <b>c) Development or redevelopment on the survey-strata lots is to comply with a development approval issued by the local government.</b>   <b>d) Amendment to or repeal of the above provision cannot be effected without the Western Australian Planning Commission's agreement. (Local Government)</b> </div>
<b>3</b>	<b>D2</b>	<b>Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water and Environmental Regulation. (Local Government)</b>
<b>4</b>	<b>D3</b>	<b>Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site, or where no UWMP exists, to the satisfaction of the Western Australian Planning Commission. (Local Government)</b>
<b>5</b>	<b>D5</b>	<b>Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and  In the event that remediation works are required, the</b>

		<i>landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (Local Government)</i>
6	D7	<i>Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)</i>
7	D8	<i>Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)</i>
8	E3	<i>Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply to the survey-strata lots shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C and Schedule 9A of the Transfer of Land Act 1893 for the transmission of electricity by underground cable, or (in the case of approvals containing common property) via a portion of the common property suitable for consumer mains. ( Western Power)</i>
9	EN1	<i>Prior to the commencement of subdivisional works a wetland management plan for Higgins Swamp is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)</i>
10	R2	<i>The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for 'Parks and recreation' and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)</i>
11	T1	<i>Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.</i>  <i>As an alternative, and subject to the agreement of the Local</i>

		<b>Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)</b>
12	T2	<b>Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:</b>  <ul style="list-style-type: none"> <li><b>d) street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider and/or</b></li> <li><b>e) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly and/or</b></li> <li><b>f) temporary turning areas are provided to those subdivisional roads that are subject to future extension, to the satisfaction of the Western Australian Planning Commission. (Local Government)</b></li> </ul>
13	T3	<b>Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area to the satisfaction of the Western Australian Planning Commission. The approved shared paths are to be constructed by the landowner/applicant. (Local Government)</b>
14	T6	<b>The road widening reserve being set out on a separate diagram or plan of survey (deposited plan) and transferred free of cost to the Commissioner for Main Roads WA for road purposes and without any payment of compensation. (Main Roads WA)</b>
15	T11	<b>All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's DC 1.7 General Road Planning. (Local Government)</b>
16	T16	<b>The proposed access way(s) being constructed and drained at the landowner/applicant cost to the specifications of the local government. (Local Government)</b>
17	T20	<b>Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local</b>

		<b>Government)</b>
18	T21	<b>Pursuant to Section 150 of the Planning and Development Act 2005 and Division 3 of the Planning and Development Regulations 2009 a covenant preventing vehicular access onto Warren Road being lodged on the certificate(s) of title of the proposed lot(s) at the full expense of the landowner/applicant. The covenant is to prevent access, to the benefit of the Shire of Nannup, in accordance with the plan dated September 2015 (attached) and the covenant is to specify:  "No vehicular access is permitted to and from Warren Road." (Local Government)</b>
19	T22	<b>The landowner entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battle-axe access ways. (Local Government)</b>
20	W1	<b>Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lot(s) shown on the approved plan of subdivision. (Water Corporation)</b>
21	W2	<b>Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot(s) shown on the approved plan of subdivision. ( Water Corporation)</b>
<b>Advice</b>		
A	Da1	<b>Condition 3 has been imposed in accordance with Better Urban Water Management Guidelines (WAPC 2008). Further guidance on the contents of urban water management plans is provided in 'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions' (Published by the then Department of Water, 2008).</b>
B	Ena3	<b>The landowner/applicant is advised that the Department of Water and Environmental Regulation has prepared dust control guidelines for development sites which outline the procedures for the preparation of dust management plans.  The dust management plans are generally approved and their implementation overseen, by the Local Government. Further information on the guidelines can be obtained from the Department of Water and Environmental Regulation's website <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a> under air quality publications.</b>
C	Ra1	<b>With regard to Condition 10, provisions of section 153 of the Planning and Development Act 2005 provide that arrangements can be made, subject to further approval of the Western Australian Planning Commission, for a cash-in-lieu contribution by the landowner/applicant to the local government.</b>

Shire of Nannup  
Ordinary Council Meeting Agenda: 28 June 2018

---

<b>D</b>	<b>Ta2</b>	<b><i>The landowner/applicant and the local government are advised to refer to the Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development (current edition). The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed.</i></b>
<b>E</b>		<b><i>The subdivider is encouraged to install appropriate uniform fencing on the boundaries of all of the proposed lots.</i></b>

**CARRIED (8/0)**

Cr Stevenson had declared an Impartiality Interest in the following Item which related to the “Request to extension for Reduced Rate on Town Hall Hire Fees” as she is a member of the Nannup Film Society Inc.

The Shire President advised that in accordance with the Local Government Act 1995, declaration of an Impartiality Interest does allow the Councillors to discuss and vote upon the matter being considered.

AGENDA NUMBER:	12.5
SUBJECT:	Request to extension for Reduced Rate on Town Hall Hire Fees
LOCATION/ADDRESS:	Nannup Town Hall
NAME OF APPLICANT:	Nannup Film Society
FILE REFERENCE:	ASS 5
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	18 June 2018
ATTACHMENT	12.5.1 – Letter from Nannup Film Society 12.5.2 – Email from Nannup Film Society

**BACKGROUND:**

Nannup Film Society are seeking Council’s continued support to extending the current town hall hire fee reduction of 50% per session and include a 50% reduction of the newly proposed fees pertaining to the use of the gas heaters for the 2018/19 financial year.

**COMMENT:**

The Nannup Film Society is a not-for-profit, small; membership based film society, run by a committee of volunteers and as such, runs on a very low budget. The Society’s primary aim are to promote and encourage interest in films, and to provide a means of bringing the community together on a regular basis in a spirit of goodwill, through the provision of a program of films for their membership.

Speaking with the Secretary, Davina Gibb, the Society is continually struggling to cover costs and run a number of fund raising initiatives such as sausage sizzles and wood raffles to help raise funds. The Society is not trying to make a profit, but just continue to provide an arts-based service to the community – this is only

possible if the Society runs as a membership-based organisation, with non-theatrical license fees (reduced to \$80 plus the DVD purchase per session compared to \$150-300 per session).

During the October 2017 Council meeting Council resolved the following in support of a 50% fee reduction:

**“17196 MELLEMA/FRASER**

***That whilst Council recognises the service that the Nannup Film Society provides to the Nannup community, it advises the Society that it is unable to accede to its requested reduction in Hall Hire Fees. However, to assist the society in continuing this service for the community and in recognition of its not-for-profit status, Council is prepared to approve a 50% per session reduction in the hire Fees for the financial year 2017/18 commencing from the Society’s next screening date following the October 2017 Council meeting.***

**CARRIED (8/0)”**

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Policy BLD 1 – Relating to Use/Hire of Community Facilities

*“Council will charge all hirers of its facilities as per its list of fees and charges which is reviewed annually in line with the budget.*

*Should a “not-for profit” community group/organisation seek the waiving of any fees and charges imposed for use/hire of a community facility, an application in writing is to be submitted and presented to Council for consideration.”*

**FINANCIAL IMPLICATIONS:**

Loss of income in Hall Hire fees and fees relating to the use of the gas heaters within the Town Hall.

2018/19 proposed Fees and Charge;

Hall Hire	Per Session	\$70
Surcharge for Gas Heaters	Per Hour	\$5

Surcharge for Gas Heaters	Daily	\$40
---------------------------	-------	------

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Community Strategic Plan 2017-2027  
Our Community Leadership  
Strategy 5.1 – Support Existing and Emerging Community Groups

**RECOMMENDATION**

That Council continue to support the Nannup Film Society in the 2018/19 financial year and approve the following:

- a) Continue the 50% per session reduction in Hall Hire Fees.
- b) Provide a 50% reduction to the newly proposed fees for 2018/19 associated with the use of the gas heaters in the Town Hall.

**VOTING REQUIREMENTS:**

Simple Majority

Cr Buckland foreshadowed a change to the recommendation. Cr Buckland proposed that the motion be amended to omit Part B (provide a 50% reduction to the newly proposed fees for 2018/19 associated with the use of the gas heaters in the town hall).

**AMENDED MOTION**

**18107 BUCKLAND/LONGMORE**

***That Council continue to support the Nannup Film Society in the 2018/19 financial year and approve the following:***

***a) Continue the 50% per session reduction in Hall Hire Fees.***

**LOST 4/4**  
***For: Crs Buckland, Longmore, Mellema, Stevenson***  
***Against: Crs Fraser, Hansen, Steer and Dean***

Casting Vote by the Shire President used to vote against the amended motion.

**18108 STEER/HANSEN**

***That Council continue to support the Nannup Film Society in the 2018/19 financial year and approve the following:***

- a) Continue the 50% per session reduction in Hall Hire Fees.***
- b) Provide a 50% reduction to the newly proposed fees for 2018/19 associated with the use of the gas heaters in the Town Hall.***

**CARRIED (8/0)**

AGENDA NUMBER:	12.6
SUBJECT:	WALGA Annual General Meeting – Voting Delegate Nominations
LOCATION/ADDRESS:	Not Applicable
NAME OF APPLICANT:	Western Australian Local Government Association
FILE REFERENCE:	DEP 14
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	18 June 2018

**BACKGROUND:**

Western Australian Local Government Association (WALGA) writes to advise that all Member Councils are entitled to be represented by two (2) voting delegates at the Annual General meeting of WALGA to be held at the Perth Convention Centre on **Wednesday, 1<sup>st</sup> August 2018**.

WALGA is therefore seeking the names of the voting delegates together with proxy voting delegates.

**COMMENT:**

WALGA seeks the above nominations in writing and only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or serving officers.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STRATEGIC IMPLICATIONS:**

Nil

**RECOMMENDATION:**

That Council nominates the Shire President and Cr Mellema as its Voting Delegates to the Western Australia Local Government Association Annual General meeting to be on Wednesday 1 August 2018 with Cr Steer and \_\_\_\_\_ being appointed as the proxy delegates.

**VOTING REQUIREMENTS:**

Simple Majority

Cr Stevenson moved that Standing Orders be suspended to allow for further discussion on this item.

**18109 STEVENSON/BUCKLAND**

*That Standing Orders be suspended.*

**CARRIED (8/0)**

**18110 STEVENSON/HANSEN**

*That Standing Orders be resumed.*

**CARRIED (8/0)**

**18111 LONGMORE/STEVENSON**

**AMENDED MOTION**

***That Council nominates the Shire President and Cr Fraser as its Voting Delegates to the Western Australia Local Government Association Annual General meeting to be on Wednesday 1 August 2018 with the Chief Executive Officer David Taylor being appointed as the proxy delegate.***

***CARRIED (8/0)***

AGENDA NUMBER:	12.7
SUBJECT:	Support the Friends of Community House in their external grant application
LOCATION/ADDRESS:	Community House – 2 Brockman Street, Nannup
NAME OF APPLICANT:	Friends of Community House
FILE REFERENCE:	RAT 9
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	18 June 2018

**BACKGROUND:**

Friends of Community House comprises of the Country Women’s Association, Nannup Craft Group, Community Op Shop and Jam Ladies. This collective group are investigating the viability of renovating the Community House and pursuing potential external funding and are seeking Shire support in this endeavour.

**COMMENT:**

A meeting was held with Council Officers earlier in the year to discuss maintenance issues with the Community House at 2 Brockman Street, Nannup.

During this meeting the Group requested alterations to the building in order to make the spaces more useable. It was mentioned at this time that the Community House was deemed by the Shire as a “disposable asset”. What this meant was that under the Shire’s Asset Management Framework the asset was classified as ‘disposable’ and did not fit under the classifications of ‘core’ or ‘non-core’. Therefore, only critical maintenance will be performed on the building (i.e electrical, plumbing structural repairs).

As a result, the Group have been looking at the viability of performing renovation works through external funding. The CEO held discussions with the Co-Ordinator of the Group and received clarification that the Group is exploring the possibility of seeking external grant funding to perform renovations to the building including but not limited to re-stumping, removal of wall and the replacement of the ceiling to improve the usability of the building. The Group is not seeking financial support from Council however is seeking permission to undertake the potential works and be provided support in the grant application, receiving of funds, project management and acquitting funds.

The extent of the renovations will be determined at the time of the grant application submission and Council will be kept informed.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Community Strategic Plan 2017-2027  
Our Community Leadership  
Strategy 5.1 – Support Existing and Emerging Community Groups

**RECOMMENDATION**

That Council endorse the following;

- a) Authorise the CEO to write a letter of support to the Friends of Community House illustrating Council's support to an external funding application relating to the renovation works at Community House.
- b) Authorise the CEO in conjunction with the Shire President to review and approve on the behalf of Council the extent of the works to be performed before a grant application is submitted.
- c) That Council staff assist the Friends of Community House in the writing of the grant application, receiving of funds, project management and acquitting the funds at the completion of the project.

**VOTING REQUIREMENTS:**

Simple Majority

**18112 HANSEN/FRASER**

***That Council endorse the following;***

***a) Authorise the CEO to write a letter of support to the Friends of Community House illustrating Council's support to an external funding application relating to the renovation works at Community House.***

***b) Authorise the CEO in conjunction with the Shire President to review and approve on the behalf of Council the extent of the works to be performed before a grant application is submitted.***

***c) That Council staff assist the Friends of Community House in the writing of the grant application, receiving of funds, project management and acquitting the funds at the completion of the project.***

**CARRIED (8.0)**

AGENDA NUMBER:	12.8
SUBJECT:	Nannup Visitor Centre Service Agreement
LOCATION/ADDRESS:	Warren Road and Forrest Street, Nannup
NAME OF APPLICANT:	A Taste of Nannup
FILE REFERENCE:	RAT 9
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	18 June 2018

**BACKGROUND:**

Mrs Heather Walford on behalf of the owners of “A Taste of Nannup” has written to Council requesting to be advised whether the Nannup Visitor Centre Service Agreement will be renewed in 2018/19 financial year. The Agreement was extended in February 2018 until June 2018 per the following Council resolution:

**“18036 STEVENSEN/LONGMORE**

***That Council advises the proprietors of “A Taste of Nannup” that it is prepared to consider the following in respect to the provision of Visitor Services beyond June 2018. –***

- 1. That Council, dependent upon the outcomes of the Local Tourism Organisation development and potential establishment from 1 July 2018, is prepared to consider entering into a further 12-month extension of the Agreement for the provision of Visitor Services with the same conditions and remuneration as previously supplied; and***
- 2. That following the above developments in respect to the outcomes of the LTO’s potential establishment and its viability in respect to the future delivery of visitor services for the region, and the financial capabilities of the Shire to Nannup to commit to the LTO’s ongoing cost structure, Council will then consider whether to re-tender for the provision of Visitor Services in Nannup or continue with “A Taste of Nannup” to provide these services for an extended period.***

***CARRIED (8/0)”***

**COMMENT:**

The Local Tourism Organisation is progressing with the Blackwood Alliance of Councils recently appointing an interim board at the meeting held on the 11<sup>th</sup> of

June 2018. The intent of the interim board is to call for nominations and establish a permanent board. The permanent board will then seek to appoint an executive officer with the aim to launch the Local Tourism Organisation in January 2020. At this point it would be untimely for Council to re-tender for the provision of Visitor Services in Nannup based on the current LTO developments and anticipated launch date in January 2020 (18 months). It would also be beneficial to add more qualitative and quantitative measures to be reported against within the 6-monthly report provided to Council.

The current contract expired on 31 May 2018, it is proposed that this contract be brought into line with the financial years for budgeting purposes.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

\$12,500 has been included within the draft 2018/19 Annual Budget.

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Strategic Community Plan 2017–2027

Our Economy

Strategy 2.2 Tourism /Recreation – Support the provision of a Visitor Centre Service and work with Warren Blackwood Alliance of Councils in the establishment of a Local Tourism Organisation or alternative structure in the delivery of Visitor Services.

**RECOMMENDATION**

That Council;

- a) Authorise the Chief Executive Officer to make a payment of \$833.33 plus GST to bring the contract into alignment with the financial years.
- b) Advise the proprietors of “A Taste of Nannup” that it is committed to a further one (1) year agreement until 30 June 2019 for visitor services and that at this stage it is reluctant to commit to an extension of the agreement based on the LTO being launched.
- c) Authorise the Chief Executive Officer in conjunction with the Shire President to include further qualitative and quantitative measures in the Agreement to be reported against by “The taste of Nannup”.
- d) Authorise the Chief Executive Officer to sign the extension of the Visitor Centre Service Agreement for a one (1) year period commencing 1 July 2018.

**VOTING REQUIREMENTS:**

Simple Majority

**18113 STEVENSON/LONGMORE**

*That Council;*

***a) Authorise the Chief Executive Officer to make a payment of \$833.33 plus GST to bring the contract into alignment with the financial years.***

***b) Advise the proprietors of “A Taste of Nannup” that it is committed to a further one (1) year agreement until 30 June 2019 for visitor services and that at this stage it is reluctant to commit to an extension of the agreement based on the LTO being launched.***

***c) Authorise the Chief Executive Officer in conjunction with the Shire President to include further qualitative and quantitative measures in the Agreement to be reported against by “The taste of Nannup”.***

***d) Authorise the Chief Executive Officer to sign the extension of the Visitor Centre Service Agreement for a one (1) year period commencing 1 July 2018.***

**CARRIED (8/0)**

**Shire of Nannup**  
**Ordinary Council Meeting Agenda: 28 June 2018**

---

AGENDA NUMBER:	12.9
SUBJECT:	Acceptance of Department of Local Government, Sport and Cultural Industries grant
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC60
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	11 June 2018
ATTACHMENTS:	12.9.1 - Letter of Acknowledgement

**BACKGROUND:**

Funding acknowledgement has been received of \$10,000 + GST from the Department of Local Government, Sport and Cultural Industries through the Department of Sport and Recreation's Flagship program. As this funding is over \$5,000, Council is required to accept the funding as per policy FNC6.

Each year the Department of Sport and Recreation has a pool of funds that they can assign to projects that align with their strategic focus. In consultation with Council Officers at a meeting in Nannup with the Regional Managers the funding was offered as a 12 month Recreation Centre activation project.

**COMMENT:**

Council has applied unsuccessfully over the past two years for recreation activation grants; hence this opportunity to partner with the Department of Local Government, Sport and Cultural Industries was appreciated.

The project is targeted to all of community with a range of recreation, cultural and physical activity workshops offered at the Recreation Precinct from July 2018 to June 2019. Community facilitators and trainers will be contracted to manage the programs, with an allocation of 120 hours to an external Project Officer.

The total project value is \$50,805.00 with a Council cash contribution of \$10,000.00 and in kind contribution of \$3,033.00. The balance of funds will be sought from external grants, in kind contributions and participant fees.

As the funds had to be drawn down from the Department prior to June 30<sup>th</sup> 2018 the grant agreement has been signed prior to the Council meeting with consent from the Shire President.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

\$10,000.00 cash contribution in the 2018/19 budget plus \$3,033.00 in kind (Officers hours and insurance)

**STRATEGIC IMPLICATIONS:**

Strategic Community Plan 2017 -2027

*1.1 All of Us / Who we are:*

We will retain pride in being a small but friendly town that is a welcoming place to live and full of wonderful people

**RECOMMENDATION**

That Council accept the grant of \$10,000.00 + GST from the Department of Local Government, Sport and Cultural Industries for the Recreation Precinct Activation program.

**VOTING REQUIREMENTS:**

Simple Majority

**18114 STEER/STEVENSON**

***That Council accept the grant of \$10,000.00 + GST from the Department of Local Government, Sport and Cultural Industries for the Recreation Precinct Activation program.***

***CARRIED (8/0)***

AGENDA NUMBER:	12.10
SUBJECT:	Acceptance of Department of Industry, Innovation and Science grant
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC6
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	11 June 2018
ATTACHMENTS:	12.10.1 - Letter of Acknowledgement

**BACKGROUND:**

Funding acknowledgement has been received of \$13,910.00 + GST from the Department of Industry, Innovation and Science through Round two of the Safer Communities Fund. As this funding is over \$5,000, Council is required to accept the funding as per policy FNC6.

**COMMENT:**

CCTV cameras will be installed around the Recreation Centre function centre to increase public safety around the facility and to deter crime and anti-social behaviour.

The total project value is \$15,301.00 with a Council cash contribution of \$1,400.00 from the 2017/18 budget.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

\$1,400.00 cash contribution in the 2017/18 budget

**STRATEGIC IMPLICATIONS:**

Strategic Community Plan 2017 -2027

**3.1 Our Shire and Streetscape:**

*Keep the charm and fabric of our unique shire and upgrade the amenity*

**RECOMMENDATION**

That Council accept the grant of \$13,900.00 + GST from the Department of Industry, Innovation and Science for the installation of CCTV cameras around the Recreation Centre and Function Room.

**VOTING REQUIREMENTS:**

Simple Majority

**18115 STEVENSON/MELLEMA**

***That Council accept the grant of \$13,900.00 + GST from the Department of Industry, Innovation and Science for the installation of CCTV cameras around the Recreation Centre and Function Room.***

***CARRIED (8/0)***

AGENDA NUMBER:	12.11
SUBJECT:	Youth Supervision Policy
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WLF 2
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	11 June 2018
ATTACHMENTS:	12.11.1 - Draft Youth Supervision Policy

**BACKGROUND:**

A youth supervisory issue has arisen in a nearby Council which has brought to the attention of staff that the current levels of supervision at Nannup youth activities are inadequate.

Consultation and research with similar size Shires has been undertaken to ensure that Council addresses its risk to both supervisors and participants of youth activities.

**COMMENT:**

There are no statutory requirements for supervision of community based youth activities and research has determined that policies are different in each Council, dependant on the community socio-demographics and available resources.

This policy has been developed to ensure that the current community based model of providing youth activities is sustainable whilst acknowledging that greater costs will be incurred to hosting activities in Nannup.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

The Youth Supervision Policy is incorporated into the Shire of Nannup Policy Manual.

**FINANCIAL IMPLICATIONS:**

Additional resourcing required, to be sourced through annual budgets or external grants as opportunities arise.

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Community Strategic Plan 2017-2027

**1.1 All of Us / Who we are:**

*We will retain pride in being a small but friendly town that is a welcoming place to live and full of wonderful people: promote a safe, healthy and connected town.*

**RECOMMENDATION:**

That Council adopts the Youth Supervision Policy and incorporates this into the Shire of Nannup Policy Manual.

**VOTING REQUIREMENTS:**

Simple Majority

**18116 BUCKLAND/HANSEN**

***That Council adopts the Youth Supervision Policy and incorporates this into the Shire of Nannup Policy Manual.***

**CARRIED (8/0)**

# **WORKS & SERVICES**

AGENDA NUMBER:	12.12
SUBJECT:	Nannup Main Street Redevelopment Stage 3
LOCATION/ADDRESS:	Shire of Nannup – Vasse Highway (Warren Road)
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK 33
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	18 June 2018

## **BACKGROUND:**

The 2017/18 Financial Year (FY) Main Street Redevelopment Project Stage 3 is a continuation of the Main Street Stage 1 and 2 Redevelopment already completed in the 2015/16 and 2016/17 financial year.

The project is located on Vasse Highway (Warren Road) through the Nannup town site. The section identified in this project is both sides of the road from Cross Street to Kearney Street, approximately 210 metres.

## **COMMENT:**

The continuation of the project carried on the upgrade already completed as in Stage 1 and 2 improving both the on-street and off-street parking facilities; upgrading drainage, kerbing and footpaths; improve pedestrian safety, the movement of vehicles and enhance and beautify the main street.

Main Roads WA asked that additional works be carried out beyond that originally intended or described in the original plans and that budgeted for in 2017/18 FY.

Additional works include raised 75mm kerbing which would allow the possible relaying of asphalt by Main Roads WA and the Shire of Nannup, an additional 30 metres of Drainage with one extra Gully Pit and Drainage Grate and the construction of a 40 metre x 1 metre x 150mm thick reinforced concrete backing behind kerb to allow trucks to mount the kerb when turning into Kearney Street.

**Shire of Nannup**  
**Ordinary Council Meeting Agenda: 28 June 2018**

---

This extra work has increased the total expenditure for this project beyond the allowed budget. Initial budgeted income and expenses for this project are as follows:

Income:	\$
Main Roads Contribution	110,000
Reserve Contribution	98,590
Rates Contribution	10,000
Total Income Budgeted	218,590
Expenses	
Wages	
Wages overheads	
Plant operations costs	
Plant depreciation	
Construction - Materials & Contracts	(218,590)

Current breakdown of actual costs is as follows:

Income:	\$
Main Roads Contribution	0
Reserve Contribution	98,590
Rates Contribution	10,000
Total Income to date	108,590
Expenses	
Wages	(14,034)
Wages overheads	(10,207)
Plant operations costs	(5,272)
Plant depreciation	0
Construction - Materials & Contracts	(204,458)
Total Expenses to date:	(233,971)

From the tables above Council will note that there is an overspend of \$125,381. It is expected that the budgeted main Roads contribution will be received in full which will result in total overspend, based on expenses to date of \$15,381.

Within the current Main Street Reserve account there remains a balance of \$19,855 once budgeted contributions have been transferred. Officer recommendation is that this balance be used to cover both current overspend and any overspend incurred as a result of complying with additional works requested by Main Roads Australia.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

An additional reserve contribution of up to \$19,855 to cover all additional overspends required in order to complete Stage 3 of the Main Street Project to Main Roads specifications.

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Community Strategic Plan 2013 - 2023

**RECOMMENDATION:**

That Council releases an additional contribution of up to \$19,855 as a result of overspends required in order to complete Stage 3 of the Main Street Project to Main Roads specifications from the Main Street Reserve Fund.

**VOTING REQUIREMENTS:**

Absolute Majority

**18117 MELLEMA/STEVENSON**

***That Council releases an additional contribution of up to \$19,855 as a result of overspends required in order to complete Stage 3 of the Main Street Project to Main Roads specifications from the Main Street Reserve Fund.***

**CARRIED (8/0)**

AGENDA NUMBER:	12.13
SUBJECT:	Balingup Road Blackspot Expenditure
LOCATION/ADDRESS:	Shire of Nannup – Balingup Road 9 to 13km
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK 32
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	18 June 2018

**BACKGROUND:**

A successful application for Black Spot funds in 2016 allowed improvement works to be carried out on a section of Balingup Road in the 2017/18 Financial Year. The Blackspot improvement works is an Australian Government Black Spot Program and is fully funded by the Federal Government.

The project was located between the 9.00 and 13.00 kilometre section on Balingup Road with the Treatment Proposal in the application to remove identified dangerous trees plus removal of other obstructions from the clear zone along the entire route, reinstate gravel shoulder where required install delineation and advisory signs on bends.

**COMMENT:**

The project was carried out utilising both contractors and Council Works Department staff to achieve the treatment as described involved not only the removal and pollarding of trees, but widening of drainage culverts, replacement of headwalls, widening of shoulders, reinstatement of the bitumen edges and replacement kerbing.

It was intended to carry out bitumen resurfacing where necessary but as this was not included in the original treatment proposal in the application it was subsequently not allowed to be carried out.

The work completed achieved the desired result described in the treatment proposal but did not spend the entire funds available.

The original grant funding was for the amount of \$550,000. These funds needed to be fully expended as at 30 June 2018. The finalised expenditure to date is \$516,946. Therefore there will be an estimated underspend of \$33,054. The result

of this underspend is that Council will not receive this portion of the funded monies for the 2017/18 Financial Year.

Council has already claimed \$440,000 with the final payment of \$76,946 due to be claimed by the end of June 2018.

The Manager Infrastructure has forwarded an invoice to Main Roads WA for this Final Claim.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

A budget shortfall within 2017/18 as a result of Grant revenue of \$33,054 not being able to be claimed.

**STRATEGIC IMPLICATIONS:**

Nil.

**RECOMMENDATION:**

That Council:

1. Recognises the under spend of \$33,054 of the Balingup Blackspot Program of works funds and that this portion of monies cannot be claimed.
2. That Council accepts the payment of \$76,946 as the final claim for the 2017/18 Financial Year Balingup Blackspot Program of works.

**VOTING REQUIREMENTS:**

Absolute Majority

**18118 STEVENSON/HANSEN**

***That Council:***

- 1. That Council recognises the under spend of \$33,054 of the Balingup Blackspot Program of works funds and that this portion of monies cannot be claimed.***
  
- 2. That Council accepts the payment of \$76,946 as the final claim for the 2017/18 Financial Year Balingup Blackspot Program of works.***

**CARRIED (8/0)**

# **FINANCE & ADMINISTRATION**

AGENDA NUMBER:	12.14
SUBJECT:	Budget Monitoring – May 2018
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Lorkiewicz – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	21 June 2018
ATTACHMENT:	Financial Statements for the period ending 31 May 2018

## **BACKGROUND:**

Local Government (Financial Management) Regulation 34(1) requires that Council report monthly on the financial activity from all the various operating and capital divisions. Council has adopted a variance threshold of 10% or \$30,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.14.1.

Whilst this has resulted in all variances of 10% being identified and reported, it only focuses attention on the performance to the month in question and not the likely outturn at the end of the year.

Monthly reporting draws on the flexibility allowed in the Financial Management Regulations to draw attention to likely under and overspends at the end of the year.

## **COMMENT:**

Please refer to the attachment, Financial Statements for period(s) ending 31 May 2018 for a detailed analysis of our end of year position, Note 2.

## **STATUTORY ENVIRONMENT:**

Local Government (Financial Management) Regulation 34(1)(a).

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

The attached financial statements detail financial outcomes for 2017/18.

**STRATEGIC IMPLICATIONS:**

Nil.

**RECOMMENDATION:**

Monthly Financial Statements for the period ending 31 May 2018 be received.

**VOTING REQUIREMENTS:**

Simple Majority.

**18119 LONGMORE/HANSEN**

***Monthly Financial Statements for the period ending 31 May 2018 be received.***

***CARRIED (8/0)***

**Shire of Nannup**  
**Ordinary Council Meeting Agenda: 28 June 2018**

---

AGENDA NUMBER:	12.15
SUBJECT:	Monthly Accounts for Payment - May 2018
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Lorkiewicz –Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	21 June 2018
ATTACHMENT:	12.15.1: Accounts for Payment – May 2018

**BACKGROUND:**

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 May 2018 to 31 May 2018 as detailed hereunder and noted on the attached schedule, are submitted to Council.

**COMMENT:**

If Councillors have questions about individual payments prior notice of these questions will enable officers to provide properly researched responses at the Council meeting.

There is currently one corporate credit card in use. A breakdown of this expenditure in the monthly financial report is required to comply with financial regulations. This breakdown is included within the attachments.

**Municipal Account**

Accounts paid by EFT	10519 – 10605	116,482.64
Accounts paid by cheque	20273 – 20285	12,885.77
Accounts paid by Direct Debit	DD10137.1 – DD10161.10	41,899.99
<i>Sub Total Municipal Account</i>		<b>\$171,789.85</b>

**Trust Account**

Accounts paid by EFT	10567 – 10568	521.45
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		<b>\$521.45</b>
<b>Total Payments</b>		<b>\$171,789.85</b>

**STATUTORY ENVIRONMENT:**

LG (Financial Management) Regulation 13

**POLICY IMPLICATIONS:**

None.

**FINANCIAL IMPLICATIONS:**

As indicated in Schedule of Accounts for Payment.

**STRATEGIC IMPLICATIONS:**

None.

**RECOMMENDATION:**

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$171,789.85 1 May 2018 to 31 May 2018 in the attached schedule be endorsed.

**VOTING REQUIREMENTS:**

Simple Majority

**18120 STEVENSON/HANSEN**

***That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$171,789.85 1 May 2018 to 31 May 2018 in the attached schedule be endorsed.***

**CARRIED (8/0)**

AGENDA NUMBER:	12.16
SUBJECT:	2018/19 Budget Adoption
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 3
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	21 June 2018
ATTACHMENTS:	12.16.1 - Budget Schedules 2018/19 12.16.2 - Fees & Charges 2018/19

**BACKGROUND:**

The 2018/19 Budget is presented to Council for adoption and setting of rating levels. This recommended budget is the product of numerous budget workshops completed by both Councillors and staff members. These workshops have examined all areas of committed and uncommitted income and expenditure and the output from this process provided guidance to officers on which items should be included or excluded from the final budget submission for 2018/19.

**COMMENT:**

**Budget Assumptions**

In compiling the base budget an assessment of probable levels of inflation and interest rates has been taken. Reasonable account has been taken of known or anticipated price increases and other committed expenditure. Inflation of 2.0% has been added to the base level of expenditure where confirmed price increases are not known.

Council has a degree of control over the main areas of uncertainty in the budget and should therefore be able to moderate its exposure to significant variations through the decisions taken during the budget process. However, the unpredictability of many of the factors influencing the Council's budget remains a risk and this is addressed through prudent estimates.

There are three major factors affecting the revenue budget:

- (a) The base budget for 2018/19 includes income from fees and charges of approximately \$421,204 however these are not guaranteed revenue streams.
- (b) Council receives income from investment interest. Interest rates are fluid and can fluctuate. In this regard Council has no control over actual income received through investment interest. For the 2018/19 period, an analysis has been undertaken based on current year interest received. As it is proposed that 50% of Federal Assistance Grants will be received within the current year it is feasible to assume that the following year interest will be similar. Included within the current budget is an amount of \$16,000 based on this analogy.
- (c) Council does not maintain a general level of working balances which can absorb unexpected fluctuations in its income and expenditure. In the event that there are significant adverse variations during the year money would need to be released from other earmarked reserves to cover any shortfall.

In the light of the assumptions made in compiling these estimates and reflected in the recommendation it is considered that the budget as presented is sufficient to meet the liabilities facing the Council during 2018/19.

### **Changes to the Base Budget**

Initially, at the beginning of the budgeting workshops Council looked at the cost of carrying out the same level of activity as in 2017/18. After taking into account the costs associated with the removal of capital grant income and including inflationary increases for this financial year the base budget income required increased significantly to an increase that could not be considered feasible. As a result, there have been considerable cuts to the operational budget in order to arrive at a more palatable budget increase from previous year.

Significantly, Reserve contributions for the upcoming year have been withheld from the draft budget.

Overall, within the budget for 2018/19 there have been savings made wherever possible. Taking all factors into consideration there is a net committed increase of 6.50%. All items that have been considered within the budgetary workshops for inclusion as well as items considered but not included are summarised in Attachment 4.

### **Reserves**

The budget process provides an opportunity for Council to assess the adequacy of its reserves. Council maintains a number of Reserves set up for specific purposes. The table in Attachment 2 details the Reserve position as reflected in the recommended budget.

While it is always considered important to be including Reserve contributions within a financial budget, given the particularly tight income streams currently available to the Shire of Nannup it is considered that a 12-month hiatus from these contributions is sustainable. The issue for Council will be in ensuring that this does not become the norm. If Reserve contributions are not resumed in upcoming financial periods, there is a danger that when contributions are required from these reserves (to ensure our Assets are well maintained and capital projects completed) there will be insufficient funds to proceed.

### **Funding Corporate Priorities**

Funding priorities for the 2018/19 year were analysed within the budget workshops. Priorities identified during this process include:

Increased legislative requirements have been included within this budget the following amounts will be used for this purpose:

- Annual Auditing Costs - \$25,000
- Other auditing requirements - \$ 8,500
- Integrated Planning requirements - \$12,000
- Regulation 17 Review - \$ 8,500
- \$54,000

Biosecurity was an area that was again considered within the 2018/19 budget. This was particularly relevant with the recent request for the Shire of Nannup to be included within the State Government's Declared Pest Rate Levy. While the consensus from ratepayers who responded to Council's survey was that overall respondents did not wish to be included in this initiative, there still is a need to look at Biosecurity for our local government. Council has included a figure of \$3,000 for this purpose to go towards the Feral Pig Eradication Program.

The refurbishment of the Recreation Centre change rooms has been included in this budget. The current change rooms are dated and detract from groups using these facilities. Funding opportunities are currently being explored to help source the funding required to complete these works. Should this funding not be available the refurbishment will be held over until funding can be sourced. Council contribution will be from an Asset Management contribution of \$50,000.

There were numerous Community group requests for contributions to ensure that their service could be continued these have all been considered on a case by case basis and wherever possible funding to continue to support these groups has been included within the budget. These are shown within Attachment 3.

There was also a request from the Nannup Music Club for a Self-Supporting Loan to enable this club to purchase their own premises. Council considered this request and at the April 2018 Ordinary Council Meeting and endorsed the following:

**18073 STEVENSON/LONGMORE**

***That Council endorse and pursue the application for a self-supporting loan on behalf of the Nannup Music Festival Inc. for the sum of \$350,000 on the following conditions:***

- 1. The loan period is for a 10-year period;***
- 2. All costs associated with the setup of both the loan and legal agreement surrounding this loan are recoverable expenses recoverable from the Nannup Music Festival Inc.;***
- 3. That a condition of the loan be that a term deposit be held and proof of this term deposit be given to the Shire of Nannup for the amount of \$22,000 or total amount of 6 months' repayments of the loan, whichever is the greater;***
- 4. That the implications of this loan application be included within the Annual Budget for the 2018/19 financial year.***
- 5. That Council authorise the CEO to implement necessary conditions to ensure security for the loan over assets owned by NMF.***

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

On the proviso that all of the conditions shown above are met, there is a budgetary item to support this loan. Actual impact of this loan on Council will be nil as a result of Point 2 above.

Waste management is a topic that is particularly relevant both nationally and globally in today's climate. There continues to be a lot of concern about how waste management is conducted and what will happen in the future with this waste material. The Shire of Nannup has, for a number of years, sub-contracted out the provision of this service provided at the waste management facility. This contract is due for review and/or renewal as at 1 October 2018. After considerable debate, Council has decided that for the 2018/19 year this service will be taken back to become an internally run facility. It is hoped that by doing this Council will be better placed to understand the true costs associated with providing this service as well as having a better understanding of the site lifespan and the maintenance costs and income streams.

An Economic Feasibility Study of the Scott River area is being commissioned as a joint project between Augusta Margaret River and the Shire of Nannup. The aim of this project is to gain a better understanding of the infrastructure requirements of this region moving forward. Within the 2018/19 budget an amount of \$5,000 has been included as Council's contribution.

A number of smaller items are included in the proposed budget to support existing council services and details of all the proposed changes to the budget are set out in the attachment. After taking these requests into account the overall increase in the budget is 6.50%.

### **Prospects for the Future**

The revised model underpinning the Long Term Financial Plan (LTFP) demonstrated that rates would need to increase by 6.50% in 2018/19. It is anticipated that further increases will be required annually if the Shire of Nannup is to become fully sustainable without the dependence on external capital grant funding. The actual level of increase will continue to be monitored and adjusted wherever possible. All projections are made with the assumption that current levels of Federal and State funding for our Roads Programs and Financial Assistance Grants remain as expected.

### **Conclusion**

The proposed rate requirement is \$1,695,348, an increase of 6.50% on 2017/18. The budget presented for adoption overall assumes a balanced budget, with a surplus brought forward of approximately \$799,634. This surplus has been included within the budget for 2018/19 to offset total budgetary requirements. It is made up of budgeted items brought forward (to be completed within the upcoming period), savings made wherever possible and the early payment of grant funding. A full breakdown of this surplus is included within Attachment 5.

Current predictions of actual outcomes for the current year suggest that there may be modest savings above that currently shown within our draft budget. The final surplus figure brought forward will not be known until the Annual Financial Statements have been completed and audited by our external auditors. The reason for the uncertainty is as a result of actual spending for the current year still occurring and outstanding purchase orders that will be completed within this timeframe. As with all other unknown outcomes at this point, any savings identified will be included within the budget review process. It is Officer recommendation that should savings above those known come to fruition that these savings be placed in to our Reserve accounts.

The proposed 2018/19 budget is considered, after taking all the above factors into account, sufficient to meet the liabilities facing the Council during 2018/19.

**STATUTORY ENVIRONMENT:**

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Section 6.2 of the Local Government Act 1995 stipulates that no later than 31 August each financial year or such extended time as the Minister allows each local government is to prepare and adopt by absolute majority in the form and manner prescribed a budget for its municipal fund for the financial year ending on the next following 30 June.

**POLICY IMPLICATIONS:**

None.

**FINANCIAL IMPLICATIONS:**

A rate requirement for 2018/19 of \$1,695,348.

**STRATEGIC IMPLICATIONS:**

The adoption of the proposed 2018/19 budget is the cornerstone of developing the long term financial sustainability of the Shire.

**RECOMMENDATION:**

That the following proposed recommendations be endorsed by Council:

**VOTING REQUIREMENTS:**

Absolute Majority

**18121 STEVENSON/BUCKLAND**

*That the following proposed recommendations be endorsed by Council:*

**Recommendation One – Rate in the Dollar and Minimum rates applied:**

**That Council impose the following Rates & Charges**

<b>Rate Type</b>	<b>Minimum Rate in \$</b>	<b>Rate in \$</b>	<b>Yield</b>
<b>GRV</b>	<b>\$928</b>	<b>0.086979</b>	<b>887,553</b>
<b>UV</b>	<b>\$1,118</b>	<b>0.004534</b>	<b>807,872</b>
			<b>\$1,695,425</b>

**Recommendation Two – Dates for payments in full and by instalments**

**Pursuant to Section 6.45 of the Local Government Act 1995 and regulations 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for payment in full by instalments:**

- Full Payment and 1st instalment due: 17/08/2018**
- 2nd Quarterly Instalment due 19/10/2018**
- 3rd Quarterly Instalment due 19/12/2018**
- 4th Quarterly Instalment Due 19/02/2019**

**Recommendation Three – Interest and Penalties**

- Council charge an 11% penalty charge per annum, calculated by simple interest on rates paid after the 35th day of service of the rates notice in accordance with the Local Government Act 1995;**
- Council charge a \$5 Administration Fee per remittance notice, per instalment, for rates levied in the 2018/19 financial year in accordance with the Local Government Act 1995;**
- Council charge a 5.5% interest charge per annum, calculated by simple interest on instalment payments for rates levied in the 2018/19 financial year in accordance with the Local Government Act 1995;**
- Council charge a 5.4% interest charge per annum, calculated by simple interest on deferred rates held after 1 July 2018 in**

***accordance with the requirements stipulated by the Office of State revenue.***

***Recommendation Four – Waste Management Levy:***

***That Council set the following rate under S66 of the Waste Avoidance and Resource Recovery Act 2007 to cover costs associated with management of the Waste Management Facility for 2018/19:***

	<b><i>Rate in the Dollar</i></b>	<b><i>Minimum Rate</i></b>
<b><i>GRV</i></b>	<b><i>0.000324</i></b>	<b><i>\$77</i></b>
<b><i>UV</i></b>	<b><i>0.000082</i></b>	<b><i>\$77</i></b>

***Recommendation Five – Rubbish Service Charges:***

***That Council set rubbish service charges at \$250 per service for the 2018/19 year and recycling service charge at \$150.00 per service for the 2018/19 year for all users within the Shire of Nannup.***

***Recommendation Six – Fees & Charges:***

***That Council adopts the 2018/19 Shire of Nannup Schedule of Fees and Charges as per Attachment 12.16.2.***

***Recommendation Seven – Elected Members Fees and Allowances for 2018/19***

***1. Pursuant to Section 5.99 of the Local Government Act 1995 and Regulations 34 of the Local Government (Administration) Regulations 1996, Council adopts the following sitting fees for individual meeting attendance:***

<b><i>a. Shire President</i></b>	<b><i>\$150 per Council meeting</i></b>
<b><i>b. Shire President</i></b>	<b><i>\$65 per Committee meeting</i></b>
<b><i>c. Councillors</i></b>	<b><i>\$130 per Council meeting</i></b>
<b><i>d. Councillors</i></b>	<b><i>\$65 per Committee meeting</i></b>

***2. Pursuant to Section 5.99A of the Local Government Act 1995 and regulation 34A and 34AA of the Local Government (Administration) Regulations 1996, Council adopts the following annual allowances for elected members:***

**a. Travel Allowance**

<b>Regular Car</b>	<b>Cents / Km</b>
<b>Up To 1600cc</b>	<b>0.51</b>
<b>1601cc – 2600cc</b>	<b>0.654</b>
<b>Over 2600 Cc</b>	<b>0.91</b>

**b. IT Allowance**

**\$1,300 per annum**

**3. Pursuant to Section 5.98(5) of the Local Government Act 1995 and Regulation 33 of the Local Government (Administration) Regulations 1996, Council adopts the following annual Local Government Allowance to be paid in addition to the meeting attendance fees:**

- |                                  |                |
|----------------------------------|----------------|
| <b>a. Shire President</b>        | <b>\$8,000</b> |
| <b>b. Deputy Shire President</b> | <b>\$2,000</b> |

**Recommendation Eight – Statutory Compliance:**

**That Council confirms that it is well satisfied with the services and facilities it provides. Council will continue to:**

- a) Integrate and co-ordinate, as far as practicable, with any provided by the Commonwealth, State or any other public body;**
- b) Will not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private and;**
- c) Be managed efficiently and effectively.**

**In accordance with Section 3.18(3) of the Local Government Act 1995.**

**Recommendation Nine – Material Variance Reporting 2018/19:**

**In accordance with Regulation 34(5) of the Local Government Financial Management Regulations 1996 and AASB 1031 Materiality, the level to be used in statements of financial activity in 2018/19 for reporting material variances shall be +/- 10% or \$30,000, whichever is greater.**

***Recommendation Ten – Reserve Name Change***

***That Council changes the current Long Service Leave Reserve fund name to Leave Reserve Fund to more correctly reflect the purpose for this reserve fund.***

***Recommendation Eleven – Budget Document:***

***That Council adopt the 2018/19 Shire of Nannup budget as presented. Financial implications being a cash budget inflow of \$1,695,425 and represents a 6.50% increase from previous year.***

**CARRIED BY ABSOLUTE MAJORITY (8/0)**

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

**13.1 OFFICERS**

**13.2 ELECTED MEMBERS**

**14. MEETING CLOSED TO THE PUBLIC**

**14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**

**15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

## MOTION

AGENDA NUMBER:	15.1
SUBJECT:	Proposed Closure of DBCA Nannup
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Councillor Tony Dean
FILE REFERENCE:	
AUTHOR:	Councillor Tony Dean
REPORTING OFFICER:	
DISCLOSURE OF INTEREST:	
DATE OF REPORT	28 June 2018

### **BACKGROUND**

Department of Biodiversity, Conservations & Attractions have made it known that they are to close the Nannup Depot and re-locate the workers to the Kirup Depot.

## **COMMENT**

This proposition by the Department of Biodiversity, Conservation & Attractions is unconscionable as it is simply too far for vehicles to respond if there is a fire in the Nannup Shire. Timing is key in an emergency situation and having to have trucks travel from Kirup is simply not acceptable.

## **STATUTORY ENVIRONMENT**

Nil

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

Nil

## **RECOMMENDATION:**

That this council write to the Hon Stephen Dawson, MLC, Minister for the Environment, with responsibility for Department of Biodiversity, Conservation & Attractions, to express the following:

1. Cease the continued downsizing of the Department of Biodiversity, Conservation & Attractions Nannup work crew from its current FTEs to a proposed 3.
2. Re-instate the full work crew to a minimum of at least 3 truck units, over the full 12 month periods, not just during fire season.
3. Seek an urgent meeting with the Minister to express our views as to the above.
4. Seek the full closure of the Kirup depot with a full relocation to Nannup, which is in the heart of forest country.

5. A copy of the resolution to be provided to the Honourable Adele Farina, MLC.

**VOTING REQUIREMENTS:**

Simple Majority.

**18122 DEAN/MELLEMA**

***That this council write to the Hon Stephen Dawson, MLC, Minister for the Environment, with responsibility for Department of Biodiversity, Conservation & Attractions, to express the following:***

- 1. Cease the continued downsizing of the Department of Biodiversity, Conservation & Attractions Nannup work crew from its current FTEs to a proposed 3.***
- 2. Re-instate the full work crew to a minimum of at least 3 truck units, over the full 12 month periods, not just during fire season.***
- 3. Seek an urgent meeting with the Minister to express our views as to the above.***
- 4. Seek the full closure of the Kirup depot with a full relocation to Nannup, which is in the heart of forest country.***
- 5. A copy of the resolution to be provided to the Honourable Adele Farina, MLC.***

**CARRIED (8/0)**

**16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**17. CLOSURE OF MEETING**

There being no further business to discuss the Shire President declared the meeting closed at 5:57pm.



**WESTERN AUSTRALIAN  
LOCAL GOVERNMENT ASSOCIATION  
SOUTH WEST ZONE**

**MINUTES**

DATE Friday 22 June 2018

COMMENCING 9.00 am

VENUE Shire Bridgetown - Greenbushes  
Nelsons of Bridgetown (Bridgetown Motel)  
38 Hampton Street, Bridgetown (corner Phillips Street).

PROGRAM	9.00 am	Opening
	9.05 am	Business as per agenda
	10.15 am	Morning Tea
	10.45 am	Meeting resumes
	11.00 am	Presentations
	12.30 pm	Lunch

**AGENDA FORMAT**

The agenda is sent in two parts. The first, being the Zone Agenda, the second the State Council Agenda in PDF format. The State Council Agenda was emailed separately to members

**E R Fisher**  
**Executive Officer**

**Distribution Lists** (by Email to the following addressees)

M Archer G Henley C Frewing Tony Nottle Kate Dudley	D Blurton S Stanley	M Osborne T. Smith	P Omedei A Campbell	Capel (Info) Paul Sheedy M Scott
Gaylene Godfrey M Bennett	D Taylor T Dean	T Clynych T Pratico	G Evershed P Townshend M Smith	A Lamb G Aird
M Parker Debbie Brown	B Piesse B Rose	M Degebrot (WALGA)	Vern McKay (Audit)	

**Please advise EO of any changes required**

## Contents

<b>Item</b>	<b>Subject</b>	<b>Page</b>
1	Opening & Announcements & Election of Office Bearers	3
2	Attendance and apologies	3
3	Visitors	3
4	Presentations	4
5	Confirmation of previous minutes	5
6	Business Arising	7
7	Reports	7
8	State Council Agenda	8
9	Discussion Forum/Zone Agenda Items	9
10	Zone Status Report	10
12	Financial Report	20
13	Schedule of meetings	22
14	Closure	22

## 1. Opening

The President, Cr T. Dean will open the meeting at 9 am and welcome all present

## 2. Attendance & Apologies

The following attendance and apologies are recorded:

Local Government	Delegate		CEO	
Shire of Augusta – Margaret River	Cr P Townshend Cr J Meldrum	Present Present	Mr. G Evershed	Apology
Shire of Boyup Brook	Cr G Aird	Present	Mr. A Lamb	Apology
Shire of Bridgetown-Greenbushes	Cr T Pratico Cr P Scallan	Present	Mr. T Clynych	Present
City of Bunbury	Cr T Smith	Present	Mr. M Osborne	Present
City of Busselton	Mayor G Henley	Present	Mr. M Archer	Present
Shire of Capel	Cr M Scott	Present	Mr. P Sheedy	Present
Shire of Collie	Cr S Stanley	Present	Mr. D Blurton	Present
Shire of Dardanup	Cr M Bennett	Present	Mr. M Chester	Present
Shire of Donnybrook-Balingup	Cr B Piesse	Present	Mr. B Rose	Present
Shire of Harvey	Cr T Jackson	Present	Mr. M Parker	Present
Shire of Manjimup	Cr P Omodei	Present	Mr. A Campbell	Present
Shire of Nannup	Cr T Dean	Present	D Taylor	Present
Executive Officer			Mr. E Fisher	Present

## 3. Visitors:

WALGA

Mr Mark Batty, Executive Manager Environment and Waste

Mr Ashley Robb, Project Officer Planning

#### Other Guests

Nick Belyea - Chairman SWDC

Ms. Rebecca Ball - CEO SWDC

Billy Wellstead – SWDC

Thalia Rose – SWDC

#### DLGS & Cl.

Ms Jodie Holbrook

## **4. Presentations**

### **4.1 Host Council Presentation**

Host shires are invited to provide a 15-20 minute presentation on current events affecting their local government area or to arrange an inspection of new or significant facilities of interest to members.

Cr P Scallan OAM made a presentation on the Talison Lithium mining project in the Shire of Bridgetown - Greenbushes

### **4.2 Presentations**

Hon Alannah MacTiernan MLC Minister for Regional Development; Agriculture and Food; Minister assisting the Minister for State Development, Jobs and Trade

Unfortunately weather conditions prevented the Minister attending. Ms. R Ball SWDC provide some responses as listed below.

A number of questions were submitted by Councils and are circulated separately with this Agenda including responses provided by Ms R Ball of the SWDC. Ms. Ball provided verbal responses to the meeting in the absence of the Minister.

### **4.3 Department of Local Government, Sport and Cultural Industries**

Ms Jodie Holbrook provided a briefing to the meeting with a Powerpoint presentation. The Powerpoint and briefing document has been circulated separately to delegates.

### 4.3 Special Meeting

The EO is to inquire if the Minister, Hon Alannah MacTiernan, MLC Minister for Regional Development; Agriculture and Food; Minister assisting the Minister for State Development, Jobs and Trade would be able to attend a Special Meeting of the Zone in Bunbury on Friday 27 July 2018.

Contingent on the above, the EO is to seek to co-ordinate a presentation by the Waste Manager of the Shire of Augusta Margaret River and invite the Chair of the State Waste Authority to attend for discussions on regional waste management. Member Councils are invited to have key staff attend this presentation.

## 5. Confirmation of Previous Minutes

### Corrections

Nil

Moved	Cr M Bennett	Seconded	Cr M Scott	Carried
-------	--------------	----------	------------	---------

### **MOTION:**

***The minutes of the meeting held at the Shire of Boyup Brook on Friday 27 April 2018 be confirmed as a true and correct record of the meeting***

## 6. Business Arising

### 6.1 Rural Fire Division

A copy of the Minister's response is attached to this agenda.

### 6.2 Landgate Revaluation Timetable

A response has been received and is included (Attachment).

### 6.3 Endorsed WALGA Position On Biosecurity (Attachment)

### 6.4 The WALGA biosecurity recommendations to Government (Post border)

Circulated separately as a 20 page PDF Document.

### 6.5 WALGA recent correspondence to the DPRID Director General on the issue. (Attachment)

## MOTION

Moved	Cr G Aird	Seconded		
-------	-----------	----------	--	--

### THAT:

***Reaffirm the position of WALGA on the matter of Biosecurity issues***

**Motion lapsed**

## 7 Reports

### 7.1 Report by State Council Delegate or WALGA Representative – key points

- State Roads Funding Agreement - changes to funding arrangements
- State planning Policy - SWZ proposal relating to the position of value of regional airports be included
- Third Party Appeal provisions – policy amended to only allow appeals on DAP decisions
- Community Resource centres – Meeting with the Minister arranged
- Infrastructure WA submission by SWZ – supported
- Surveillance Devices proposal – supported
- Vexatious & malicious FOI request proposal – supported
- Changes to WALGA Constitution regarding President/Vice President adopted
- Other Matters
- WALGA CEO – contract extended 12 months
- State President re-elected
- WALGA budget approved – no fee increase

### 7.2 WALGA State President's Report

**State / Local Government Partnership Agreement**

We had the first meeting of the Partnership Executive Group (*Premier, Treasurer, Minister for Planning & Transport, Minister for Local Government, Communities and Cultural industries, WALGA and LG Professionals*) on June 20<sup>th</sup> and;

- Established a strategic working group to underpin the executive with “arms and legs” to do the research and implementation actions that will give us outcomes and develop long term mutual agenda.
- Introduced the State to the WALGA Jobs Plan, which shows Local Governments how they can leverage off the States own jobs policy platform as part of their local economic development activity;
- Agreed on the need for implementing a major review of the planning system, which WALGA has ardently advocated for since 2016;
- Agreed on the need for a major review of local government fees and charges which are currently restricted or remain frozen due to State legislation and regulation;
- Discussed the need for relationship management in the sector at a number of levels, including elected members and CEOs;
- Agreed to explore establishing formal Partnership Agreements on Climate Change (*including Coastal Erosion*), and Procurement;
- Acknowledged the restrictions on road funding and the need for further review of this going forward.

Clearly there is value in a Partnership agenda like this and we look forward to achieving some great outcomes in the year ahead.

### **Local Government Act Review**

The Local Government Act review process continues. The Department has finalized the position papers on the items listed below and the Minister is looking to take policy positions to Cabinet in the near future.

The Minister plans to make public the policy positions following Cabinet endorsement, which will allow sector consultation to occur. The Minister is aiming to introduce a bill before the end of this calendar year.

The items to be covered in phase 1 are as follows;

- Elected Member training;
- Gifts
- Recruitment and performance review of CEOs;
- Standards of behaviour, misconduct and breaches;
- Public Notices;
- Availability of information;
- Administrative Efficiencies

In respect to phase 2, the following topics are listed for consideration;

- Increasing participation in Local Government Elections
- Financial Management
- Procurement
- Rating
- Beneficial Enterprises (Council Controlled Organisations)
- Integrated Planning & Reporting
- Community Engagement
- Local Laws
- Administrative Efficiencies

The Department of Local Government, Sport and Cultural Industries are holding topic forums on the above issues and are seeking expressions of interest from Elected Members and Local Government Officers with a personal interest in contributing to these forums.

I encourage Elected Members and Officers to nominate to contribute to these forums to assist in putting forward suggested changes to the Act and Regulations.

WALGA's advocacy will focus on the following key principles adopted by the Sector;

- Retain General Competence Principle
- Provide for a Flexible, Principles-based legislative framework
- Avoid Red Tape
- Size and Scale compliance regime

### **State of the Regions Report**

The 21st edition of the report reveals that innovation is the core driver of Australia's long-term economic growth and is typically undertaken by 'knowledge workers' who are currently concentrated in Australia's metropolitan capitals and inner cities. The research found that these workers tended to concentrate in regions where there was a wide variety of cultural and lifestyle choices.

Productivity and innovation happening in the inner cities are boosted by opportunities for human interaction, not only in offices and laboratories but also in cafes, shops, schools and recreational facilities. These interactions occur most intensively when they are within walking distance of each other and when they happen, productivity increases and this benefits the region as a whole.

Further infrastructure support, particularly telecommunications, transport, community and cultural infrastructure, will help attract knowledge workers and their families to rural and remote regions and help create the conditions that will build new economic opportunities and resilient, intelligent communities.

WALGA's Regional Economic Development Project is working to develop the capacity for WA Local Governments to understand these issues and recognise their community aspirations.

## **Rate Capping Likely For South Australia**

The South Australian Government has introduced legislation to cap council rates in South Australia, citing its commitment to keeping down “*cost of living pressures for South Australians*”, as justification.

Apparently the scheme will still enable councils to increase their rates if they can convince ratepayers and the independent regulator that the increase is necessary.

Research sponsored by the Australian Local Government Association showed that rate capping in NSW since the mid-1970s had simply led to a massive infrastructure and maintenance under spend at the local level.

The Western Australian State Government has committed on many occasions that a rate capping regime won't be implemented in WA.

Notwithstanding, the issue highlights the importance of maintaining open and robust communications with all sides of the political spectrum, along with open and accountable governance to ensure that Local Government's expenditure and service delivery is understood and in line with community expectations.

## **PRESIDENT'S CONTACTS**

During the May - June period, contacts that have occurred or are scheduled to take place prior to the July State Council meeting will be advised at the 4 July State Council meeting.

### **7.3 Annual Program of Topics for Discussion by Councils**

7.3.1 A special meeting has been proposed in July at Bunbury – see item 4.3

7.3.2 The Chairman of the State Emergency Management Committee has been invited to address the next meeting.

7.3.2 The EO has been asked to arrange a presentation by TRANSWA regarding transport services in the southwest region. The propose date is the 23 November 2018

### **7.4 Freight Policy Forum – termination advice from WALGA – For Noting**

The Freight Policy Forum was established in 2015 with the aim of developing the necessary policies; regulations and funding needed to enable Local Governments to provide a sustainable heavy vehicle road network that meets industry needs.

Under the guidance and direction of the Freight Policy Forum, the 'Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads' and the 'Policy for Assessing Applications to Operate

Restricted Access Vehicles on Local Government Roads' have been developed and endorsed by State Council. These tools are now available on the WALGA website to be adopted and adapted by Local Governments. Technical work on a model for heavy vehicle cost recovery on unsealed roads is in development and it is anticipated this will be incorporated within a revised Heavy Vehicle Cost Recovery Policy Guideline late this year.

Following discussion we have reached the view that the Freight Policy Forum has now achieved its initial objectives and will be concluded. There remain future threats and opportunities including additional axle loading (AMMS) arrangements, incremental cost recovery models and new investment in freight routes. The need to re-establish the Freight Policy Forum to address these or other issues will be considered in the future.

## **8. State Council Agenda**

The State Council Agenda numbers and page numbers have been retained for easy reference.

### **5. MATTERS FOR DECISION**

- 5.1 Updated Climate Change Policy Statement (05-028-03-0011 LS)
- 5.2 Interim Submission – Model Subdivision Conditions (05-047-01-0003 VJ)
- 5.3 Interim Submission – Position Statement – Housing on lots less than 100m<sup>2</sup> (05-306-03-0062 CH)
- 5.4 Policy for Restricted Access Vehicles on Roads Not on an Approved Network During Harvest (05-006-03-0004 ID)
- 5.5 WA State Library Strategy Implementation Plan and Consultation Report (05-057-02-0051 KD)
- 5.6 *Aboriginal Heritage Act 1972* Review Submission to Stage 1 (05-032-01-0001 KD)
- 5.7 Interim Submission – Review of the State Industrial Relations System (05-034-01-0001 KP)

### **6. MATTERS FOR NOTING / INFORMATION**

- 6.1 Report on Local Government Road Assets and Expenditure 2016/17 (06-007-03-0016 MB)
- 6.2 ERA Draft Decision – Western Power Access Arrangement (05-049-03-0001 DM)
- 6.3 2017-18 State Budget (05-088-03-0001 DM) **Error! Bookmark not defined.**
- 6.4 Research on Verge Permit Fees and Bonds (05-036-03-0061 VJ)
- 6.5 Independent Planning Reform – Green Paper (05-047-02-0015 VJ)
- 6.6 Update on the Noongar Standard Heritage Agreement for Local Government (05-032-01-0001 KD)
- 6.7 Community Resource Centre Funding and Service Model (05-018-03-0004 KD)
- 6.8 Alternative Approaches to Volunteer Based Health Services in the Regions Survey (05-031-01-0001 EDR)
- 6.9 *Public Health Act 2016* Regulation Review Program (05-031-01-0001 EDR)

### **7. ORGANISATIONAL REPORTS**

- 7.1 Key Activity Reports

- 7.1.1 Report on Key Activities, Environment and Waste Unit (01-006-03-0017 MJB)
- 7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)
- 7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)
- 7.1.4 Report on Key Activities, People and Place (01-006-03-0014 JB)
- 7.2 Policy Forum Reports (01-006-03-0007 TB)

**MOTION**

**MOVED**

**THAT *the recommendations in the State Council Agenda 5.2 – 5.7 be endorsed.***

Moved	Cr B Piesse	Seconded	Cr M Scott	Carried
-------	-------------	----------	------------	---------

**8.1 Excluded Items**

**5.1 Updated Climate change policy**

Moved	Cr S Stanley	Seconded	Cr P Townsend	Carried
-------	--------------	----------	---------------	---------

**MOTION**

**THAT:**

***The WALGA recommendation that the revised Climate Change Policy Statement be endorsed be amended by the inclusion of the additional comment “and that support be provided for communities impacted by any changes to the policy”***

**9. Discussion Forum/Zone Agenda Items**

Items submitted by Councils for discussion

**9.1 City of Busselton – Police Housing**

**MOTION**

Moved	Cr M Bennett	Seconded	Cr P Omedei	Carried
-------	--------------	----------	-------------	---------

***That SW Zone WALGA:***

**1. Write to the Minister for Housing and the Minister for Police to highlight the concerns including:**

- **Condition of housing available**
- **Costs of rent and rent increases**
- **Lack of surety in tenure to assist with rental options for Police Officers**

**2. Request that WALGA also raise these concerns outlined above with the relevant Ministers and Departments as this issue is common across Regional Western Australia in relation to Government Regional Officer Housing (GROH) as a whole.**

### **Background/Comments:**

The City of Busselton has recently been approached by the WA Police Union in relation to issues that their members are experiencing with GROH allocated housing within the South West Region. In addition these issues such as increasing rents, affordability and quality of housing are not isolated concerns with Police Officers. Other government employees such as teachers, nurses, parks and wildlife officers have also outlined similar concerns.

The attraction and retention of key government personnel within the Regions is extremely important to deliver the services expected by the community. At times, the housing situation has caused some government employees to leave their positions prematurely, which has an impact on service delivery and potentially puts Regional communities at risk.

The WA Police Union states that the State Government will be increasing GROH rents by a further \$30 per week which is on top of the \$30 increase applied the previous year. These rent increases essentially make it less attractive for Police Officers to serve in regional towns. The WA Police Union states that GROH rental costs will be increased over a 2 year period by \$3,120 per annum, however, the incremental pay increase of an average Police Officer is only \$2,000 over the same period.

This financial penalty for Police Officers is clearly a deterrent for officers wishing to consider relocation to our Region. As it is also understood that the quality of housing and availability of housing are also concerns with other sectors of government.

At present, the State School Teachers Union of WA is also running an active petition to lobby against the increases in GROH housing. More specifically, they are requesting the State Government to:

- Commit to a full review of the mechanism for GROH Rent Fixing;
- Direct DoE to suspend all GROH rent increases pending the outcome of this review; and
- Guarantee GROH will not be privatised, reduced or removed.
-

Basic requirements such as housing is a key attractant when recruiting staff to the Regional area. It is felt that housing should be made as an attractant and not a deterrent when government employees such as Police Officers, teachers, nurses etc. consider moving to our regional towns.

## 9.2 Community Resource Centres

Concern was raised by Cr B Piesse about the impact of the WA Government policy on the reduction of funding to CRCs particularly in the Wheatbelt where these centres provide a vital platform for the sustainability of communities. He went on the state that if the changes in policy resulted in his Council making up the funding deficiency it would result in a 2% rate increase overall which was a substantial impost on ratepayers.

### MOTION

Moved	Cr S Stanley	Seconded	Cr P Townsend	Carried
-------	--------------	----------	---------------	---------

***That SW Zone WALGA:***

***Advise WALGA of the concern expressed by members of the potential adverse impact to small communities by the WA Government decision to change the policy regarding the funding support of Community Resource Centres and the likely resultant impost on Council rates across communities.***

## 9.3 Increased Waste Resulting From Tourism

Cr P Townsend made comment of the deleterious impact of the increasing waste generated by tourists in the southwest region. This is a matter that requires consideration in any regional approach to waste management and reinforces the need for a regional co-operative effort.

## 9.4 Presentations to CEOs

The Zone President, Cr T Dean invited Cr M Scott (Capel Shir ) and Cr T Jackson (Harvey Shire) to present plaques to retiring CEO Paul Sheedy and also to CEO Michael Parker on the occasion of their leaving the Zone in appreciation of their long and sustained support for the activities of the SW Zone

## 10. Zone Status Report

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
<b>Sth West C</b>	<b>2018 April 27 State Council Agenda Item 5.1</b> Submission to ERA-Inquiry into Business Licensing	The WALGA recommendation be endorsed with additional comments: a) That delays are caused and costs increased due to the issues surrounding the slow and/or inadequate responses from state agencies b) Full private certification has created significant costs for local government the building industry and their clients due to their lack of understanding of planning and health controls.	The resolution from the South West Country Zone was considered at the State Council meeting and resolved as follows: <b>STATE COUNCIL RESOLUTION MAY 2018</b> That WALGA's submission to the Economic Regulation Authority Inquiry into Business Licensing be endorsed subject to the inclusion of the following additional comments: a) That delays are caused and costs increased due to the issues surrounding the slow and/or inadequate responses from state agencies; and, b) Full private certification has created significant costs for local government the building industry and their clients due to their lack of understanding of planning and health controls.	June 2018	<b>Wayne Scheggia</b> <b>Deputy CEO</b> <a href="mailto:wscheggia@walga.asn.au">wscheggia@walga.asn.au</a> <b>9213 2024</b>
<b>Sth West C</b>	<b>2018 April 27 Zone Agenda Item 9.1</b> Landgate Revaluation Timetable	That WALGA lobby Landgate to amend its timetable for completing annual revaluations of property rolls for all local government by 30 April each year	The Association will advocate to Landgate to amend its valuation timetable.  In addition, the Financial Management provisions including rating and valuations will be considered in phase 2 of the Local Government Act review process.	June 2018	<b>Tony Brown</b> <b>Executive Manager</b> <b>Governance &amp; Organisational Services</b> <a href="mailto:tbrown@walga.asn.au">tbrown@walga.asn.au</a> <b>9213 2051</b>

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
		so that the timetables for adoption of local government annual budgets are not unduly hindered by delays in receiving valuation rolls.			
<b>Sth West C</b>	<b>2018 April 27 State Council Agenda Item 5.3</b> Interim Submission-Development Control Policies 1.1, 1.2, 1.7, 2.5 and 5.1	That the WALGA recommendation be endorsed with the addition of a requirement that as there is a substantial economic importance attached to regional airports that need should be reflected in the environmental policy relating to aircraft noise.	<p>The report provides a number of recommendations connected to how the draft Policy relates to aircraft noise and industrial development on airport land. These comments are largely based around the lack of clarity on how planning at airports will be managed in the yet to be publicly released state-wide airports State Planning Policy. The Association raised these points as there is a clear exemptions related to aircraft noise in the draft Policy, something absent from the previous iteration.</p> <p>It is important to frame the above comments on airports in the overall intent of the draft Policy. The draft Policy seeks to ‘protect industry and infrastructure facilities from the encroachment of incompatible land uses...’, while also highlighting the ‘significant investment they represent and their current and future benefits’. As such, any inclusion of airports or aircraft noise in the draft Policy and subsequent planning decisions will need to be framed within this intent. The intent of the future state-wide airports State Planning Policy is unknown.</p> <p><b>STATE COUNCIL RESOLUTION MAY 2018</b></p>	June 2018	<b>Joanne Burges</b> <b>Executive Manager,</b> <b>People &amp; Place</b> <a href="mailto:jburges@walga.asn.au">jburges@walga.asn.au</a> <b>9213 2018</b>

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
			<p>1. That the interim submission to the WA Planning Commission on State Planning Policy 4.1 Industrial Interface be endorsed; and</p> <p>2. That WALGA advocate for the Department of Planning, Land and Heritage to include within the ‘intent’ of the future state-wide Airports State Planning Policy a clear position on the economic benefit of airports in regional areas.</p> <p>The above recommendation was provided to the Department of Planning Lands and Heritage for their consideration in the review of these documents.</p>		
<b>Sth West C</b>	<b>2018 April 27 State Council Agenda Item 5.6</b> Interim Submission on Infrastructure WA	That the WALGA recommendation be endorsed subject to consideration for regional projects \$50 million and above being included in the Infrastructure WA Strategy.	<p>Infrastructure Australia plays a role in evaluating projects that seek more than \$100 million of Commonwealth funding. The model proposed by the State Government suggests that Infrastructure WA evaluate proposals valued above a \$100 million threshold, and high risk projects below this threshold. Infrastructure bodies in other Australian jurisdictions have adopted a range of threshold values for projects.</p> <p>For example, Building Queensland assists with evaluating projects valued between \$50 million and \$100 million and leads evaluation of projects valued at more than \$100 million. Infrastructure NSW is involved in projects valued at more than \$10 million. There is no threshold value within the legislation establishing Infrastructure Victoria.</p> <p>Given the limited resources that will be available to Infrastructure WA there is the need to both encourage the organisation to focus on the highest impact projects, while also providing scope for a wide range of projects</p>	June 2018	<b>Ian Duncan</b> <b>Executive Manager</b> <b>Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> <b>9213 2031</b>

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
			<p>that the Government may fund to be considered.</p> <p><b>STATE COUNCIL RESOLUTION MAY 2018</b></p> <p>That the interim submission to the Department of Premier and Cabinet on the proposal for establishing Infrastructure WA as a statutory body under legislation be endorsed subject to the addition of a new recommendation that projects valued at <b>\$50 million and above</b> are included in the Infrastructure WA Strategy.</p> <p>The Interim Submission was amended and the Association wrote to the Department of Premier and Cabinet detailing the amendment to including projects valued at \$50 million and above in the Infrastructure WA Strategy and the rationale for this.</p>		
<b>Sth West C</b>	<b>2018 April 27 State Council Agenda Item 5.6</b> Interim Submission on Infrastructure WA	That the WALGA recommendation be endorsed subject to consideration for regional projects \$50 million and above being included in the Infrastructure WA Strategy.	<p>Infrastructure Australia plays a role in evaluating projects that seek more than \$100 million of Commonwealth funding. The model proposed by the State Government suggests that Infrastructure WA evaluate proposals valued above a \$100 million threshold, and high risk projects below this threshold. Infrastructure bodies in other Australian jurisdictions have adopted a range of threshold values for projects.</p> <p>For example, Building Queensland assists with evaluating projects valued between \$50 million and \$100 million and leads evaluation of projects valued at more than \$100 million. Infrastructure NSW is involved in projects valued at more than \$10 million. There is no threshold value within the</p>	June 2018	<b>Ian Duncan</b> <b>Executive Manager</b> <b>Infrastructure</b> <a href="mailto:iduncan@walga.asn.au">iduncan@walga.asn.au</a> <b>9213 2031</b>

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
			<p>legislation establishing Infrastructure Victoria.</p> <p>Given the limited resources that will be available to Infrastructure WA there is the need to both encourage the organisation to focus on the highest impact projects, while also providing scope for a wide range of projects that the Government may fund to be considered.</p> <p><b>STATE COUNCIL RESOLUTION MAY 2018</b></p> <p>That the interim submission to the Department of Premier and Cabinet on the proposal for establishing Infrastructure WA as a statutory body under legislation be endorsed subject to the addition of a new recommendation that projects valued at <b>\$50 million and above</b> are included in the Infrastructure WA Strategy.</p> <p>The Interim Submission was amended and the Association wrote to the Department of Premier and Cabinet detailing the amendment to including projects valued at \$50 million and above in the Infrastructure WA Strategy and the rationale for this.</p>		
Sth West C	<b>2018 February 23</b> <b>Zone Agenda Item 9.2</b> Proposed Changes to Commonwealth Funding Arrangements	That the SWZ request WALGA enter into negotiations with the relevant Commonwealth departments to address:	<ol style="list-style-type: none"> <li>1. The Commonwealth have advised that they cannot engage in said discussions until after the Austrade tender process has been completed, estimated to be late June/early July 2018. WALGA will pursue the conversation with the Commonwealth after this time.</li> <li>2. The Minister has agreed to review the BAM Act, commencing in the latter half of 2018, which will provide for WALGAs advocacy on the issue. WALGA will also raise the issue with both the Minister for Agriculture and the Minister for Environment, at the next opportunity.</li> </ol>	June 2018	<b>Mark Batty</b> <b>Executive Manager</b> <b>Environment and Waste</b> <u><a href="mailto:Mbatty@walga.asn.au">Mbatty@walga.asn.au</a></u> <b>9213 2078</b>

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
	for Environmental Groups	<p>1. The negative impacts of the proposed conditions that will attaché to payments of funds to voluntary environmental management groups particularly, retrospectivity of post project reimbursement and insufficiency of project administrative costs, and</p> <p>2. The need to ensure that any biosecurity projects avoid duplication, work collaboratively and are consistent with the provisions of the Biosecurity and Agricultural Management Act 2007.</p>			
<b>Sth West C</b>	<b>2018 February 23 Zone Agenda Item 9.1</b> Regional Waste Facility – CLGF Funding Update	<p>That the South West Zone</p> <p>1. Notes the correspondence from the Department of Planning infrastructure and Regional Development to the Bunbury Wellington Group of Councils requesting the return all of the Country Local Government Funds obtained for progressing</p>	WALGA will raise the issue of in seeking to address long-term waste solutions for the South West at its next regular meeting with the Chair of the Waste Authority.	June 2018	<p><b>Mark Batty</b>  <b>Executive Manager</b>  <b>Environment and Waste</b>  <u><a href="mailto:Mbatty@walga.asn.au">Mbatty@walga.asn.au</a></u>  <b>9213 2078</b></p>



<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
			<p>item lists contained within the Local Government Grant Scheme Manual.</p> <p>WALGA most recently met with DFES on 21 May 2018 to discuss the Local Government Grant Scheme. The Association was pleased to hear there is recognition of the need for a review, particularly since the State Governments announcement of a Rural Fire Division and subsequent mitigation funding announced in the recent state budget. This provides a timely opportunity to review the principles and associated procedures manual. WALGA welcomed this approach and it is the Associations aim to build on the contributions of members during the Review of the ESL conducted by the Economic Regulation Authority. Further meetings with DFES will be established in late July to progress the scope of a review.</p>	June 2018	
<b>Sth West C</b>	<b>2016 August 26</b> <b>Zone Agenda Item 7.6</b> Withdrawal of DLGC Owned Buildings – Shire of Collie	That WALGA make representation to the Department of Local Government and Communities and strongly oppose the Department of Local Government and Communities (DLGC) plans to withdrawal its support for	<p>WALGA has continued to raise the issue with the Department including the President’s column in the West Australian on 11 October 2017.</p> <p>The issue has been raised with the Minister’s chief of staff and at a number of forums, however the State Government has been resolute in their position.</p> <p>WALGA has met with Linkwest to discuss their role with assisting centres in the transition.</p> <p>With the McGowan Labor Government now fully implemented, the Association will raise this issue with both the Minister for Local Government, David</p>	June 2017	<b>Joanne Burges</b> <b>Executive Manager,</b> <b>People &amp; Place</b> <a href="mailto:jburges@walga.asn.au">jburges@walga.asn.au</a> <b>9213 2018</b>

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
		<p>childcare services and ownership of related assets on the ground of cost shifting to affected local governments and community organisations.</p>	<p>Templeman and the Minister for Community Services, Simone McGurk.</p> <p>The Department of Local Government and Communities has developed a new Supporting Communities Program to replace the existing Community and Neighbourhood Development Services, Individual and Family Support and Youth Support Services Programs. The program consists of two streams – a Stronger Communities sub-program and an Individual and Family Services sub-program. The Department invited service providers and key stakeholders to attend workshops to learn more about the proposed program and provide their input.</p> <p>The workshops were held on the afternoon of Friday, 2 June and Tuesday, 13 June 2017. The first workshop on 2 June was restricted to services funded under the current programs and local governments that currently provide them with accommodation. The second workshop was open to all interested organisations and Local Governments.</p> <p>WALGA President Cr Lynne Craigie and Executive staff met with Hon Simone McGurk MLA, Minister for Child Protection; Women’s Interests; Prevention of Family and Domestic Violence; Community Services on Wednesday 3 May 2017. WALGA raised the concerns of members with regard to recent withdrawals of funding for family centres. The Minister advised that Child Care Centres (where vested in Government) will be vested to organisations on conditional leases and that a new Fund Supporting</p>	<p>August 2017</p> <p>Nov 2017</p> <p>February 2018</p>	

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
			<p>Communities Program has been established to replace the existing Community and Neighbourhood Development Services, Individual and Family Support and Youth Support Services Programs. Valued at \$9.4 million the program will consist of two streams – a Stronger Communities sub-program and an Individual and Family Services sub-program.</p> <p>A discussion paper was released providing an overview of the program and feedback was sought until 14 July 2014 via the Tenders WA website. Organisations were encouraged to register with Tenders WA to receive further updates on the consultation process and for the development of the Request for Tender. If you require any assistance, please email <a href="mailto:tenderswa@finance.wa.gov.au">tenderswa@finance.wa.gov.au</a></p> <p>The Tender process is expected to open in September 2017. Further information can be obtained by emailing <a href="mailto:supportingcommunities@dlgc.wa.gov.au">supportingcommunities@dlgc.wa.gov.au</a></p> <p>On 27 October the State Government announced a Regional Community Child Care Development Fund that will receive one-off funding of \$1.658 million to ensure regional communities have sustainable childcare services in the future.</p> <p>Further announcements about specific regional funding components will be made in the coming weeks.</p> <p>WALGA is supporting and promoting a Department of Communities ‘Supporting Communities Program’ workshop on 2 February. This will give Local Governments an opportunity to give comment and</p>	April 2018	

<i>Zone</i>	<i>Agenda Item</i>	<i>Zone Resolution</i>	<i>WALGA Response</i>	<i>Up-date</i>	<i>WALGA Contact</i>
			<p>feedback on the new model of <i>Supporting Communities Program</i>.</p> <p>Ongoing</p>		

## 11. Finance

### 11.1 Financial Reports

**SOUTH WEST ZONE WA LOCAL GOVERNMENT ASSOCIATION  
FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 2018**

DETAILS	2017/18 ANNUAL BUDGET \$	2017/18 ACTUAL \$
<b>Opening Cash Funds at 1 July</b>	<b><u>12,353</u></b>	<b><u>12,387</u></b>
<b>Revenue</b>		
Interest on Investment	100	0
Member Council Contributions	7,200	7,200
<b>Total Revenue</b>	<b>7,300</b>	<b>7,200</b>
<b>Expenditure</b>		
Secretarial Service	(7,000)	(5,600)
Miscellaneous Expenses	(100)	(253)
<b>Total Expenditure</b>	<b>(7,100)</b>	<b>(5,853)</b>
<b>Surplus (Deficit) for Period</b>	<b>200</b>	<b>1,347</b>
<b>Closing Funds at 31 May 2018</b>	<b>12,553</b>	<b>13,734</b>

**Closing Funds at 31 May 2018 Represented By:**

**Cash at Bank**

Cheque Account \$1,888  
Term Deposit 0.5% - Holding Investment \$11,846

**Closing Funds at 31 May 2018** \$13,734

**Less Creditor**

Meeting Fee Due **(\$0)**

**Net Assets Available at 31 May 2018** \$13,734

**SOUTH WEST ZONE WA LOCAL GOVERNMENT ASSOCIATION**

**ANNUAL BUDGET FOR THE YEAR ENDING 30 JUNE 2019**

DETAILS	2017/18 ANNUAL BUDGET	2017/18 ACTUAL (EST)	2018/19 ANNUAL BUDGET
	\$	\$	\$
<b>Opening Funds at 1 July</b>	<b><u>12,353</u></b>	<b><u>12,387</u></b>	<b><u>12,427</u></b>
<b><u>Revenue</u></b>			
Interest on Investment	100	100	100
Member Council Contributions	7,200	7,200	7,200
<b>Total Revenue</b>	<b>7,300</b>	<b>7,300</b>	<b>7,300</b>
<b><u>Expenditure</u></b>			
Secretarial Service	(7,000)	(7,000)	(7,000)
Miscellaneous Expenses	(100)	(260)	(100)
<b>Total Expenditure</b>	<b>(7,100)</b>	<b>(7,260)</b>	<b>(7,100)</b>
<b>Surplus (Deficit) for Period</b>	<b>200</b>	<b>40</b>	<b>200</b>
<b>Closing Funds at 30 June 2019</b>	<b>12,553</b>	<b>12,427</b>	<b>12,627</b>

## 11.2 Payments

Executive Officer for administrative services	\$1400
Metal Artwork Creations Plaques	\$88.11

### MOTION:

#### **THAT:**

- 1. The financial report be received,***
- 2. The accounts be approved for payment***
- 3. The budget for the year ending 30 June 2019 be adopted including the annual fees of \$600 per annum***

Moved	Cr T Pratico	Seconded	Cr P Townsend	Carried
-------	--------------	----------	---------------	---------

## 12. Schedule of meetings 2018

The following dates are agreed for meetings for the next 12 months retaining the practice of meeting on the 4<sup>th</sup> Friday of the month.

<b>Month</b>	<b>Location</b>	<b>Agenda</b>
27 July 2018	Bunbury	Special meeting ( <b>Proposed</b> ) Minister MacTiernan and Regional Waste Management Forum
24 <sup>th</sup> August	Busselton	Chair of SEMC Mr Ron Edwards
23 <sup>rd</sup> November	Capel	Senior TRANSWA Officer

### **13. Closure**

The Deputy President thanked members and visitors for their attendance and the Shire of Bridgetown Greenbushes members and their staff for the hospitality extended to the Zone Delegates and closed the meeting at 12.25 pm.



Our Ref: 11114-2011  
Enquiries: Michael Bryden  
Tel: 9273 9074  
Email: [Michael.bryden@landgate.wa.gov.au](mailto:Michael.bryden@landgate.wa.gov.au)

Eliot Fisher  
Executive Director  
South West Zone  
WA Local Government Assoc.  
9 Lisa Rd.  
Australind WA 6233

**Sent via Email**

Dear Mr. Fisher

**Ref: Landgate Revaluation Timetable letter of 3 May 2018**

In response to your letter dated 3 May 2018 outlining your support for a request by the Shire of Bridgetown-Greenbushes to amend our (Landgate) timetable for completion of property rolls by 30 April.

It is our intent each year to complete and deliver rolls to all our clients, every shire in the state, by 1 May. Historically we proudly maintain a great record in this regard. Occasionally in certain years a combination of factors makes this deadline more difficult. This past year was one of those years.

We always endeavour to work with our Shire customers in the best ways possible and certainly not to hinder any of their own budget or reporting requirements. From time to time we are presented with influencing circumstances beyond our control that factor in the time to deliver, for this reason I cannot commit us to this deadline as a guarantee. It is also due to these rare occurrences the *Valuation of Land Act 1978* provides the dates for delivery be at the discretion of the Valuer General. However, we can assure you and the Shire of Bridgetown-Greenbushes all our efforts will be focussed on retaining our goal of achieving our milestone for delivery on 1 May.

We trust this will satisfy your obligation in representing your member Shire as well as Bridgetown-Greenbushes' intentions to publish their rates early.

Yours Sincerely

Michael Bryden  
**SENIOR MANAGER, RATING & TAXING  
VALUATION PROPERTY ANALYTICS  
OPERATIONS**

5 June 2018

Western Australian Land Information Authority ABN 86 574 793 858  
1 Midland Square, Midland, Western Australia 6056  
Postal Address: PO Box 2222, Midland, Western Australia 6936  
Telephone +61 (0)8 9273 7373 TTY +61 (0)8 9273 7571 [landgate.wa.gov.au](http://landgate.wa.gov.au)



# WALGA Position Statement

## 4.16 BIOSECURITY

1. Local Government believes that State Government has responsibility for the following parts of a biosecurity system:
  - Pre-border and border biosecurity measures and contingency funds to deal with new pest outbreaks;
  - Assistance to the private sector for newly established, industry-specific pests
  - Assistance to land managers for newly established pests (where the incursion has occurred despite the land owner's best biosecurity management effort);
  - Establishment of a biosecurity network and regional cooperative arrangements;
  - Enforcement of regulations;
  - Compliance with regulations on State Government managed land;
  - Specific research projects and specialised diagnostic services; and
  - Enhancement of barrier fences.
2. Local Government are not supportive of Recognised Biosecurity Groups (RBGs).
3. Local Government calls on the State Government to either reinstate the Agriculture Protection Board or develop a model similar to the NSW Local Land Services Act (2013) approach, and in consideration of either model that:
  - there are State Government approved strategic and operational plans which can be understood by landowners and other stakeholders, including Local Governments;
  - there is direct contact with Local Governments, State Government agencies and departments, and major industry groups;
  - either is resourced by State Government to undertake the required activities;
  - either be funded under the current funding arrangements as outlined in the Biosecurity and Agriculture Management Act (2007); and
  - it assists in the delivery of national, state and local priority species management.
4. That as matter of priority, the Government undertake a review of the operation and effectiveness of the Biosecurity and Agriculture Management Act (2007) and its regulations.

State Council Resolution

- March 2017 - 14.1/2017
- July 2015 – 70.4/2015
- January 2006 – 023.ENV.1/2006
- January 2006 – 046.ENV.2/2006

8 June 2018

Our Ref: 05-010-01-0001MB

Mr Ralph Addis  
Director General  
Department of Primary Industries and Regional Development  
PO Box 1143  
WEST PERTH WA 6872

Dear Mr Addis

### **REVIEW OF THE *BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007***

I am writing with regard to the impending review of the *Biosecurity and Agriculture Management Act 2007* (the BAM Act). WALGA welcomes the review as an opportunity to address the concerns of our members with the current approach to post border biosecurity in Western Australia and the need for a more strategic and integrated approach going forward.

WALGA's biosecurity policy position, adopted by State Council in March 2017 can be summarised as:

- Recognised Biosecurity Groups are no longer supported;
- A review of the operation and effectiveness of the BAM Act 2007 must be undertaken as a matter of priority; and
- As part of this review, the State Government needs to consider either reinstatement of the APB governance model, or the biosecurity aspects of the NSW *Local Land Services Act (2013)* model.

Local Governments' concerns regarding the current approach to post border biosecurity arise from the cumulative impact of a decline in the resourcing of, and support for, post border management of invasive species by the State Government over the last two decades.

The move to a more regional and community based, Recognised Biosecurity Group (RBG) approach under the BAM Act has been poorly developed and implemented by the State, as noted by the Auditor General report of December 2013. There remains a high level of uncertainty as to how Western Australia will manage established and future incursions of invasive species.

Given the significant issues that have been raised by WALGA, the Auditor General and other stakeholders, it is imperative that the terms of reference for the review of the BAM Act are comprehensive and allow for critical examination of the effectiveness of the current approach.

It is also the sector's expectation that the review will be transparent, that Local Government and other key stakeholders will be consulted early in the process and that there will be adequate opportunity to provide submissions. The State and Local Government Partnership Agreement, signed by the Premier in August 2017, recognises the importance of State and Local Government working together constructively and commits the State Government to consult as early as possible in the process of developing, amending or reviewing State legislation, regulation, policies or programs that will significantly impact Local Government operations or resources, so as to elicit meaningful contributions.

I have attached WALGA's policy position and paper which outlines the sector's concerns and identifies opportunities in relation to improved post border biosecurity arrangements. I would welcome the opportunity to meet with you and the review team to discuss these issues at your earliest convenience, to ensure that the Terms of Reference provide scope for a meaningful review of the Act.

WALGA looks forward to working constructively with your Department to deliver on our shared objective of ensuring a robust, sustainable and effective post border biosecurity framework for Western Australia.

For more information, please contact Executive Manager, Environment and Waste, Mark Batty on (08) 9213 2078, or at [mbatty@walga.asn.au](mailto:mbatty@walga.asn.au).

Sincerely

Ricky Burges  
**Chief Executive Officer**

Attachments: Post Border Biosecurity Policy Position; Recommendations to the State Government



---

## Minister for Emergency Services; Corrective Services

Our Ref: 65-04465

Mr Eliot Fisher  
Executive Officer  
South West Zone WA Local Government Association  
C/- 9 Lisa Road  
AUSTRALIND WA 6233

Dear Mr Fisher

Thank you for your correspondence dated 28 April 2018 regarding the location of the Rural Fire Division of the Department of Fire and Emergency Services, and the Bushfire Centre of Excellence for Western Australia.

I appreciate the time that you have taken to write to me to inform me of the resolution that was moved at a recent meeting of the South West Zone WA Local Government Association.

The Rural Fire Division and the Bushfire Centre of Excellence are at the heart of recently announced reforms to the state's bushfire management sector. The Centre of Excellence is an \$18 million investment that will have benefits across our state – for governments, volunteers, industry, researchers and communities. The Centre will encourage the sharing of knowledge, expertise, and promote best practice and continual improvement in rural and bushfire management. A key focus of the Centre will be enhancing the coordination and local delivery of specialist bushfire training, acknowledging and building on the success of existing volunteer-led training models.

To ensure adaptability, accessibility and to support the needs of local communities, the activities of the Bushfire Centre of Excellence and the Rural Fire Division will be decentralised to the greatest extent possible. This means local people, working in local communities, so that activities and services are meaningful and relevant. A modest, coordination hub will support regional activities and services, with a small group of centralised staff to provide coordination and training support services. The location of this coordinating hub is yet to be determined.

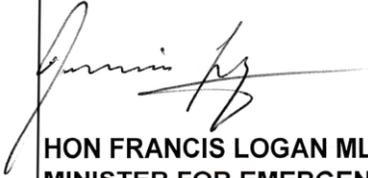
I have requested that DFES explore a range of geographic options for the location of the coordination hub. Specific consideration will be given to the accessibility of the hub to volunteers across our State, from the Pilbara through to Albany. DFES will work closely with central agencies on the design and location of the Centre and present recommendations to Government for consideration.

---

Level 10, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005  
Telephone: +61 8 6552 6300 Facsimile: +61 8 6552 6301  
Email: [minister.logan@dpc.wa.gov.au](mailto:minister.logan@dpc.wa.gov.au)

Thank you again for your interest in hosting the Rural Fire Division and the Bushfire Centre of Excellence and for your enthusiasm for this first-of-its-kind initiative.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Francis Logan', with a long horizontal stroke extending to the right.

**HON FRANCIS LOGAN MLA**  
**MINISTER FOR EMERGENCY SERVICES; CORRECTIVE SERVICES**  
19 JUN 2018



# Attachment 12.1.1

## Register of Delegated Development Approvals

Application Number	Owner's Name	Applicant's Name	Assessment Number	Property Address	Type of Development	Works or Use	Value of building work	Date Received	Advertised	Issue Date	Authority	
2018/07	Lyndon & Beth Crouch	Lyndon & Beth Crouch	A728	Lot 11(464) Cundinup South Rd, Cundinup	Additional use not listed (pasture raised eggs)	Use	\$0.00	5/02/2018	Yes - 42 days	5/06/2018	Delegated - CEO	Approval cancelled 02/07/2018 at request of applicant
2018/28	Robert Thomas & Lena Wickison	Sheds n Homes	A1816	Lot 1233(15) Diggers Green, Nannup	Over-height outbuilding on a vacant Residential property	Works	\$20,000.00	1/06/2018	No - no affected neighbours	6/06/2018	Delegated - CEO	
2018/29	Matt & Kerry Hill	Ross Beatty	A1292	Lot 107(14) Miller Rd, Nannup	Oversize outbuilding	Works	\$47,000.00	6/06/2018	Yes - 2 weeks	22/06/2018	Delegated - CEO	
2018/30	Peter Schmidt	Ross Beatty	A771	Lot 3(35) Wattle Pl, Darradup	Oversize outbuilding	Works	\$19,000.00	11/06/2018	Yes - 2 weeks	28/06/2018	Delegated - CEO	
2018/31	Magdalena Arangies-Grimbeek	Magdalena Arangies-Grimbeek	A224	Lot 2(8) Warren Rd, Nannup	Signs in a Heritage Area	Works	\$5,000.00	11/06/2018	Yes - 2 weeks	29/06/2018	Delegated - CEO	Jun-18 \$91,000.00

ATTACHMENT 1

**Attachment 12.2.1**

**Shire of Nannup  
Local Planning Scheme No. 3  
Scheme Amendment No. 20**

**Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup**

October 2017

Planning and Development Act 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

SHIRE OF NANNUP LOCAL PLANNING SCHEME No. 3  
AMENDMENT No. 20

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Deleting the provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’.
2. Adding the following provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’:

SU12	Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup	<ul style="list-style-type: none"> <li>• Hospital and Medical Centre</li> <li>• Residential Building</li> <li>• Caretakers Dwelling</li> <li>• Consulting Rooms</li> <li>• Single Dwelling</li> <li>• Home Office</li> <li>• Home Occupation</li> <li>• Agriculture – Extensive</li> <li>• Recreation – Private</li> <li>• Rural Pursuit</li> </ul>	<ol style="list-style-type: none"> <li>1. All future development is subject to the requirement to gain Development Approval from the local government.</li> <li>2. All applicable ‘Special uses’ shall be deemed to be ‘D’ uses pursuant to the Scheme.</li> <li>3. More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government.</li> <li>4. Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</li> <li>5. Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</li> <li>6. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</li> <li>7. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in with the landscape.</li> <li>8. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</li> <li>9. Stormwater drainage shall be designed to the satisfaction of the local government.</li> </ol>
------	--------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;
- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 23rd day of November 2017.



.....  
CHIEF EXECUTIVE OFFICER

Contents		
Section No.	Heading	Page No.
1.0	Introduction	5
2.0	Background	5
3.0	Planning Framework	7
4.0	Amendment Proposal	7
5.0	Planning Considerations and Planning Justification	8
6.0	Conclusion	9
Attachment		
1	Certificate of Title	
2	Location Plan	
3	Amendment Site Plan	
4	Current Special Use Provisions	
5	Structure Plan	
6	Proposed changes between current and proposed Special Use provisions	

## PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL GOVERNMENT	Shire of Nannup
DESCRIPTION OF LOCAL PLANNING SCHEME	Shire of Nannup Local Planning Scheme No. 3
TYPE OF SCHEME	District Scheme
SERIAL NO. OF AMENDMENT	20
PROPOSAL	To delete the current provisions/conditions for 'Special Use (SU12)' and replace with modified provisions/conditions.

## REPORT BY THE SHIRE OF NANNUP

### 1.0 INTRODUCTION

The Shire of Nannup seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to amend the *Shire of Nannup Local Planning Scheme No. 3* (LPS3). In particular, the Amendment proposes to modify the LPS3 provisions for Lot 3 of Plan 12565 Balingup-Nannup Road, Nannup (to be called the 'site').

This report provides background information relating to the site, sets out the planning framework, outlines the proposal and considers relevant planning considerations relating to the Amendment.

### 2.0 BACKGROUND

#### 2.1 Legal Description

The site is legally described as Lot 3 on Plan 12565 on Certificate of Title Volume 1514 Folio 993. The site has an area of 34.5667 hectares. Mystic River Pty Ltd is the site's registered proprietor. A copy of the Certificate of Title is provided in Attachment 1.

#### 2.2 Context and Location

The site is located in the Shire of Nannup within the Warren-Blackwood Region. The site is approximately 13 kilometres north-east of the Nannup townsite (see Attachment 2).

The site is located on the southern side of the Blackwood River and the Balingup-Nannup Road. Adjoining and surrounding land is predominantly used for the grazing of livestock and tree plantations. There are also tourist and vineyard operations.

#### 2.3 Physical Characteristics and Existing Land Uses

The site, shown in Attachment 3, has the following characteristics and features:

- most of the site contains pasture and is used for livestock grazing. Remnant vegetation is scattered across the central and south-east sections of the site;

- it is predominately moderately sloping, with steeper sections on parts of the eastern boundary and in the south-east section where there is remnant vegetation;
- seasonable drainage lines and watercourses dissect the site and they connect to the Blackwood River;
- there are a number of buildings including the Blackwood River Clinic (day hospital), Sky Lakes Retreat (accommodation units), staff accommodation, sheds and various dams;
- vehicular access is via the sealed Balingup-Nannup Road; and
- it is serviced by on-site water collection and on-site wastewater disposal.

The Blackwood River Clinic is an accredited 'D-Class' Day Hospital which provides treatment for a range of mental health issues such as anxiety, depression, trauma and PTSD as well as alcohol and substance abuse. The ambience and seclusion of the site provides the right serene setting to help clients seeking nature, meditation and therapy to help with their depression and anxiety. The clinic does not offer detox services. If someone does have an alcohol or substance issue they are required to have gone through detox before admission.

The Blackwood River Clinic contains therapy rooms, an office/reception area, records room, dining and activity rooms, quiet room, staff room, cool room, store room, consultation room and associated amenities (toilets and sanitary facilities). Currently, the maximum number of patients at the clinic at any time is 30. Further details are at <http://blackwoodriverclinic.com.au/>.

Sky Lakes Retreat is located near the Blackwood River Clinic boundaries and provides accommodation for up to 20 people. The accommodation contains bedrooms and ensuite bathrooms, a communal kitchen and lounge area. The accommodation component is ancillary to the day hospital. Sky Lakes Retreat provides low cost equity access accommodation. It assists to make coming to the clinic, for people in the rural area, even easier.

The staff accommodation ensures there is effective on-site management.

## 2.4 Previous Planning

The site was subject to Scheme Amendment No. 6 which was granted final approval by the Minister for Planning on 11 March 2010 and then gazetted on 26 March 2010. This rezoned the site from the 'Agriculture' zone to the 'Special Use' (SU12) zone to enable the development of a day hospital with associated accommodation. Attachment 4 sets out the LPS3 zoning provisions for the site which were introduced via Scheme Amendment No. 6. Attachment 5 outlines the approved Structure Plan which was associated with Scheme Amendment No. 6.

Numerous development approvals, building permits and licences have been issued for the Blackwood River Clinic (day hospital) and Sky Lakes Retreat.

Blackwood River Clinic made history on 7 February 2013 as the first facility in Australia to be surveyed by the Australian Council on Health Standards to the new National Safety and Quality Health Service Standards. On 13 May 2013, a key milestone was achieved when the Western Australian Health Department conducted its Approval to Occupy inspection and granted a license to Blackwood River Clinic to treat 30 patients.

The operators have previously prepared reports including a Bushfire Management Plan, Emergency Management and Evacuation Plan, Farm Management Plan and Landscape Protection Plan.

## 3.0 PLANNING FRAMEWORK

### 3.1 Overview

The key planning considerations were previously addressed through Scheme Amendment No. 6. This current Amendment, which is largely an administrative tidy-up, is consistent with the State, regional and local planning framework. This section will outline how the Amendment suitably addresses relevant planning strategies, plans and LPS3.

### 3.2 Key Documents

The Amendment is consistent with wide-ranging planning policies, strategies and plans which include *State Planning Policy 2.5 Rural Planning* (2016), *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (2015), *South West Regional Planning and Infrastructure Framework* (2015), *Warren-Blackwood Regional Planning Strategy* (1997), *Warren-Blackwood Rural Strategy* (2004), the *Shire of Nannup Local Planning Strategy* (2007) and the draft *Shire of Nannup Local Planning Strategy*. These documents, along with former Scheme Amendment No. 6, consider key planning, environmental, bushfire risk, servicing, landscape and economic development matters.

### 3.3 Shire of Nannup Local Planning Strategy

The site is located in Precinct NR1 in the *Shire of Nannup Local Planning Strategy* (2007). Precinct objectives include 'Protect and enhance landscape values of Nannup-Balingup corridor along Blackwood River valley' and 'Provide for the sustainable use of land within the agricultural zones...for a range of rural pursuits.' The draft *Shire of Nannup Local Planning Strategy* classifies the site as 'community purposes' which reflects the intent of the current LPS3 zoning.

### 3.4 Shire of Nannup Local Planning Scheme No. 3

The site is zoned 'Special Use (SU12)' in LPS3. Attachment 4 sets out the conditions/special provisions from LPS3 for SU12. As outlined in Attachment 4, various uses can be approved by the Shire for the site. A number of provisions are now superfluous given the Blackwood River Clinic and Sky Lakes Retreat are established. There is also a need for an administrative tidy-up.

The site is also located within the 'Special Control Area - Landscape Values Area'. The Landscape Values highlights the area has particular scenic value that should essentially be retained in its present state. The facility is not visible from Balingup-Nannup Road.

## 4.0 AMENDMENT PROPOSAL

The intent of the Amendment is to modify the provisions/conditions for SU12. Attachment 6 shows the proposed changes between the current and proposed Special Use provisions/conditions.

The proposed changes to the provisions/conditions for SU12 seek to:

- simplify matters given the facility is established;
- provide sufficient flexibility to changing circumstances;
- remove the requirement for a Structure Plan or the associated requirement to modify the Structure Plan given future development is a local development matter;
- add the use of 'consulting rooms' to address anticipated future requirements; and
- incorporate an administrative tidy-up of the planning rules.

## 5.0 PLANNING CONSIDERATION AND PLANNING JUSTIFICATION

### 5.1 Planning Suitability

The request to modify the provisions/conditions for 'Special Use (SU12)' raises limited planning issues given it is essentially an administrative tidy-up. Key statutory provisions will be retained in LPS3.

The planning justification for the Amendment is summarised below:

- the proposal is consistent with the planning framework;
- it reflects the range of existing development on site and relevant LPS3 controls will be retained;
- future uses and development require the submission of a Development Application and addressing relevant planning, environment, bushfire risk, servicing and landscape considerations; and
- it will continue to support the on-going operation of the Blackwood River Clinic and Sky Lakes Retreat. This in turn will enable the facility to continue boosting the local economy by outsourcing food, laundry, cleaning and maintenance and by providing employment opportunities.

### 5.2 Effective Management and Managing Land Use Conflict

The facility has been effectively operated since it opened. The operators have appropriately addressed the safety, security and management of patients/visitors through its duty of care considerations.

The operators have also sought to be a 'good neighbour' to ensure that patients and visitors are responsible and do not create inappropriate impacts to adjoining/nearby properties. A Management Plan has been approved and implemented to:

- address the responsibility for patient/visitor behaviour and management measures to minimise adverse impact on the amenity of the locality;
- outline the approach to maximise the safety and security of patients and visitors;
- seek the operation to be a good neighbour and be considerate including noise, litter and the approach to reducing fire risks;
- acknowledge that the development is located in an agricultural area and that the impacts of agricultural pursuits should be expected and tolerated;
- highlight the requirement to not enter adjoining private land; and
- require that either a manager or caretaker live on site.

Most of the site will continue to be utilised for agricultural activities which is compatible with adjoining and nearby land uses. The retention of the rural activity is integral to the therapy model which underpins the facilities healing program.

### 5.3 Managing Bushfire Risks and Addressing Emergency Management

Most of site is classified as a Bushfire Prone Area as shown at <https://maps.slip.wa.gov.au/landgate/bushfireprone>. Previously, FirePlan WA (fire management consultants) have prepared and have updated a Bushfire Management Plan (BMP) for the site which was endorsed by the Department of Fire and Emergency Services.

Any Development Application which proposes additional guest or overnight accommodation is expected to be classified as a vulnerable land use as set out in the *Guidelines for Planning in Bushfire Prone Areas*. Subject to what is proposed and where the development is located, it is expected there will be a requirement to review the endorsed BMP and/or prepare a BAL assessment.

Previously, an Emergency Evacuation Plan has been prepared. This requires the operator to assess patient danger in relation to their safety as well as community safety and evacuation process/procedures. The plan is periodically reviewed to ensure it remains current.

Proposed conditions/special provisions 4 and 5 provide statutory backing to ensure there are appropriate outcomes relating to managing bushfire risks and managing emergency management.

#### 5.4 Managing Landscape Impact

The development is concentrated in the southern section of the site. The site's key topographical features (the north ridge, the western ridge and the hill to the south east) shield existing buildings from the surrounding lots and passing vehicles on the Balingup-Nannup Road. The Amendment will not impact on the landscape values of the Balingup-Nannup Road and the Blackwood River Valley.

Proposed conditions/special provisions 6 and 7 provide statutory backing to ensure there are appropriate outcomes relating to managing landscape impact. Additionally, future Development Applications are required to address the Special Control Area - Landscape Values Area provisions of LPS3.

#### 5.5 Structure Plan

A Structure Plan is no longer considered necessary for the site given the Blackwood River Clinic and Sky Lakes Retreat are operational. The Amendment proposes to remove the requirement for a Structure Plan or the associated requirement to modify the Structure Plan given future development is a local development matter. There is however a statutory requirement that any form of development is associated with a Development Application.

#### 5.6 Services

Future development is required to be appropriately serviced including with on-site water collection and on-site effluent disposal. Proposed conditions/special provisions 8 and 9 provide statutory backing to ensure there are appropriate outcomes relating to servicing.

### 6.0 CONCLUSION

This report confirms that the Amendment is consistent with the planning framework and that amending the provisions/conditions for SU12 raises limited planning issues. The Amendment supports the on-going operation of the Blackwood River Clinic and the Sky Lakes Retreat.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the Amendment for SU12 relating to Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup.

Planning and Development Act 2005

SHIRE OF NANNUP

LOCAL PLANNING SCHEME No. 3

AMENDMENT No. 20

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Deleting the provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’.
2. Adding the following provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’:

SU12	Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup	<ul style="list-style-type: none"> <li>• Hospital and Medical Centre</li> <li>• Residential Building</li> <li>• Caretakers Dwelling</li> <li>• Consulting Rooms</li> <li>• Single Dwelling</li> <li>• Home Office</li> <li>• Home Occupation</li> <li>• Agriculture – Extensive</li> <li>• Recreation – Private</li> <li>• Rural Pursuit</li> </ul>	<ol style="list-style-type: none"> <li>1. All future development is subject to the requirement to gain Development Approval from the local government.</li> <li>2. All applicable ‘Special uses’ shall be deemed to be ‘D’ uses pursuant to the Scheme.</li> <li>3. More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government.</li> <li>4. Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</li> <li>5. Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</li> <li>6. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</li> <li>7. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in with the landscape.</li> <li>8. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</li> <li>9. Stormwater drainage shall be designed to the satisfaction of the local government.</li> </ol>
------	--------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Nannup at the Ordinary Meeting of the Council held on the 23rd day of November 2017.

  
.....  
SHIRE PRESIDENT  
  
.....  
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Shire of Nannup at the Ordinary Meeting of the Council held on the 23rd day of November 2017, proceed to advertise this Amendment.

  
.....  
SHIRE PRESIDENT  
  
.....  
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the Shire of Nannup at the Ordinary Meeting of the Council held on the ..... day of ....., 20..... and the Common Seal of the Shire of Nannup was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....  
DELEGATED UNDER S.16 OF  
THE P&D ACT 2005

DATE.....

APPROVAL GRANTED

.....  
MINISTER FOR PLANNING

DATE.....

---

# ATTACHMENT 1

---

WESTERN



AUSTRALIA

REGISTER NUMBER <b>3/P12565</b>	
DUPLICATE EDITION <b>1</b>	DATE DUPLICATE ISSUED <b>7/12/2006</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1514** FOLIO **993**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 3 ON PLAN 12565

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

MYSTIC RIVER PTY LTD OF 22 HAWKVALLEY CRESENT, MAIDA VALE

(T K002465) REGISTERED 28/11/2006

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

- \*M266198 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 8/5/2013.
- \*N562984 CAVEAT BY HEALTHE CARE BRC PROPERTY PTY LTD LODGED 24/2/2017.

**Warning:** A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1514-993 (3/P12565)  
PREVIOUS TITLE: 1514-992  
PROPERTY STREET ADDRESS: 2731 BALINGUP-NANNUP RD, NANNUP.  
LOCAL GOVERNMENT AUTHORITY: SHIRE OF NANNUP

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING M266198

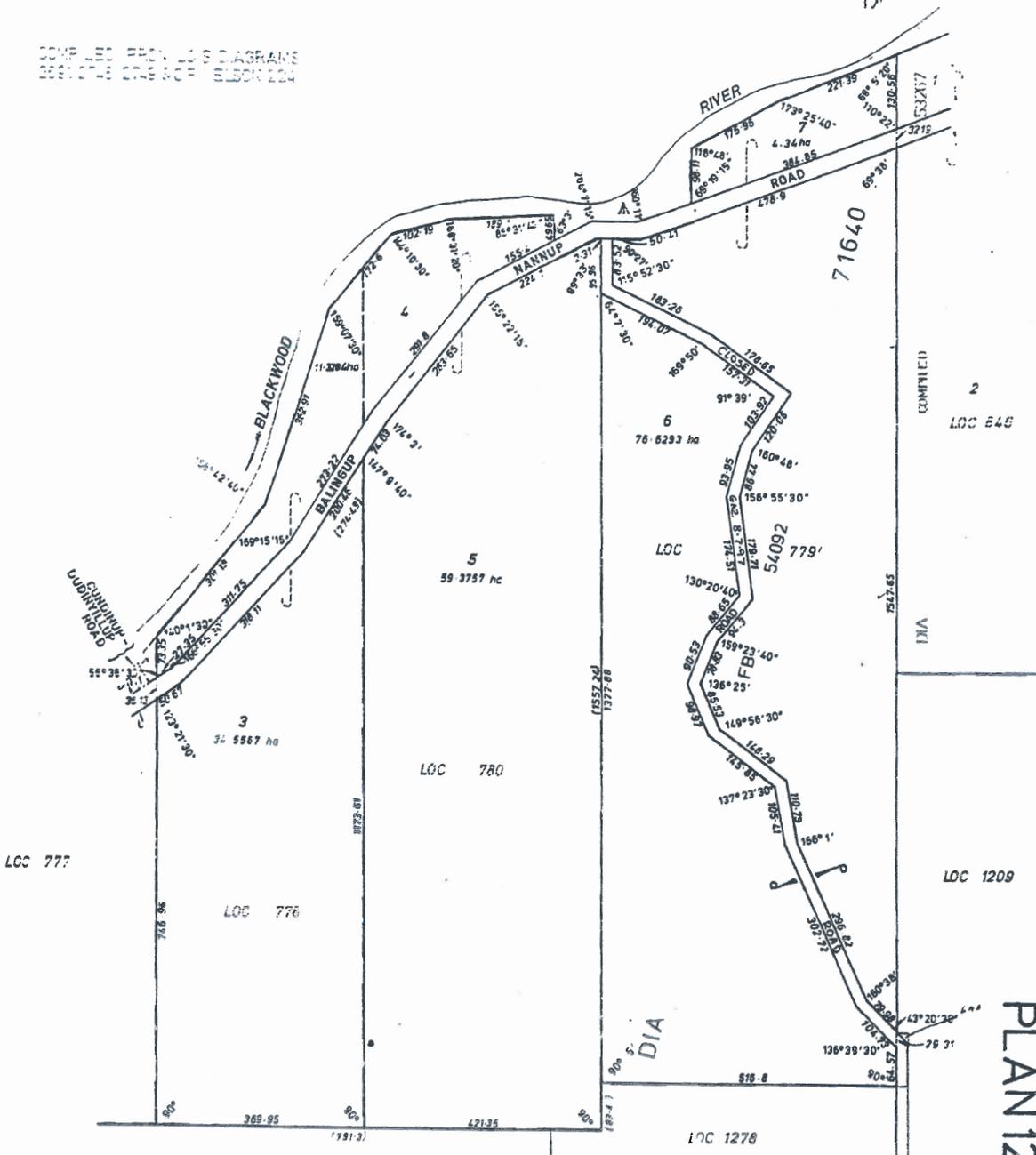
PLAN 12565

# NELSON LOCs 778, 779 & 780

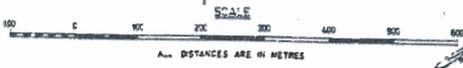
COMPILED  
TOTAL AREA 186 2301ha  
C/Ts 1280-532  
1220-141  
1040-999  
NOV 1514 -992

APPROVED  
24 8 78

COMPILED FROM L.O. DIAGRAMS  
ISSUED TO CONTRACTOR ELSBORN 2004



P 012565 F 01

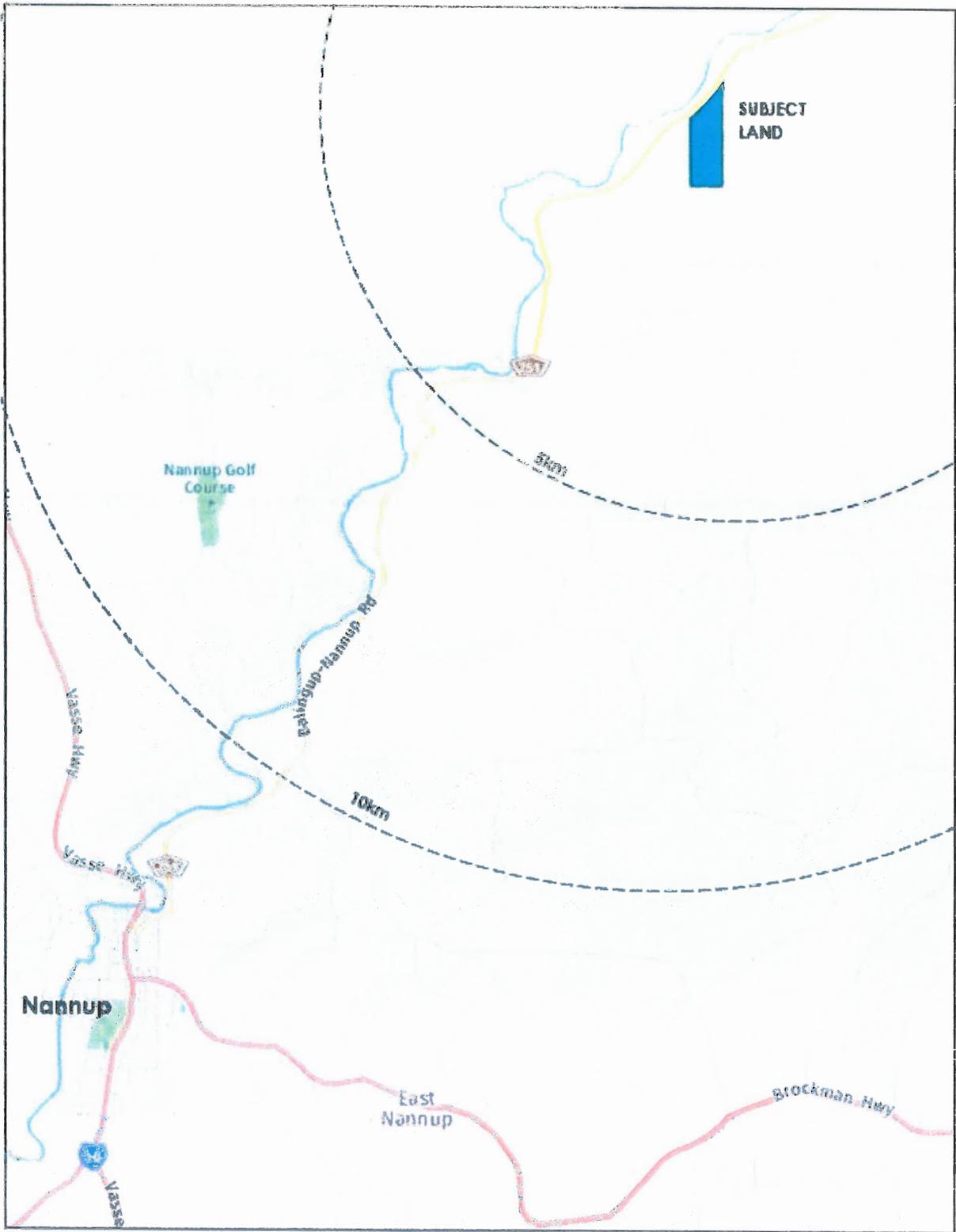


PLAN 12565

---

# **ATTACHMENT 2**

---



**LOCATION PLAN**

Lot 3 Balingup-Nannup Road  
 Nannup  
 SHIRE OF NANNUP

 **SUBJECT LAND**

---

# ATTACHMENT 3

---



---

# **ATTACHMENT 4**

---

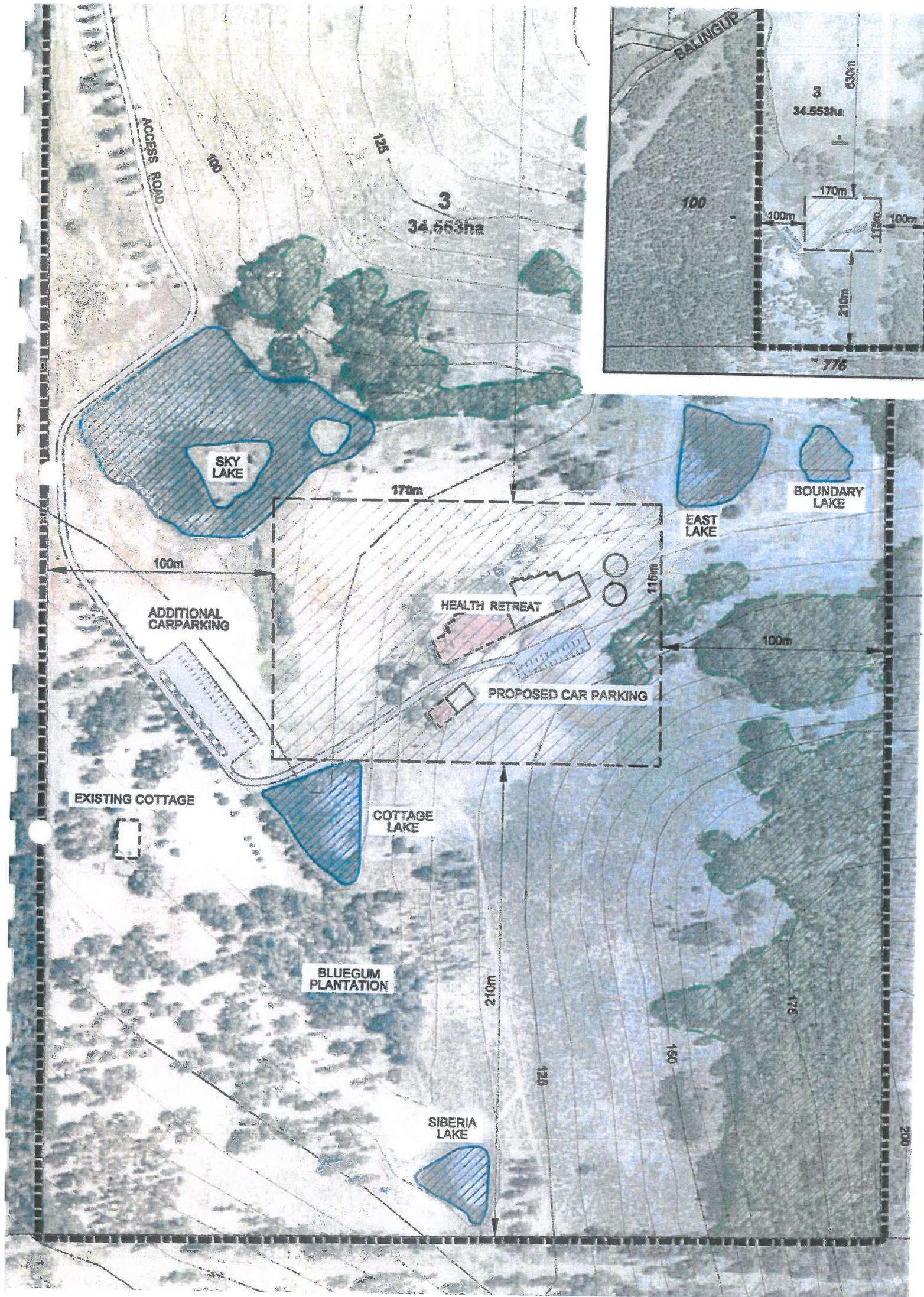
SU12	Lot 3 of nelson Location 778 Balingup Road, Nannup	<ul style="list-style-type: none"> <li>◦ Hospital and Medical centre (maximum of 30 patients at any one time)</li> <li>◦ Residential Building (maximum occupation of 20 persons)</li> <li>◦ Cartakers Dwelling</li> <li>◦ Single Dwelling</li> <li>◦ Home Office</li> <li>◦ Home Occupation</li> <li>◦ Agriculture – Extensive</li> <li>◦ Recreation – Private</li> <li>◦ Rural Pursuit</li> </ul>	<ol style="list-style-type: none"> <li>1. Development of the Site shall be generally in accordance with a Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission.</li> <li>2. Development may be considered by the local government as a variation from the endorsed Structure Plan provided that, in the opinion of the local government, such development would no compromise the intent of the Structure Plan and the purpose of the zone.</li> <li>3. Any development not within general intent of the endorsed Structure Plan will require consideration and endorsement of a new Structure Plan in accordance with the provisions of this Scheme.</li> <li>4. All applicable 'Special uses' shall be deemed to be 'D' uses pursuant to the Scheme and considered under part 10 of this Scheme.</li> <li>5. In addition to the requirements of clause 9.2 of this Scheme, a Fire Management Plan is required to be submitted with any development application. The plan shall include the following: <ul style="list-style-type: none"> <li>◦ All habitable buildings shall be designed and constructed in accordance with the requirements of Standards Australia AS3959-1999 "Construction of Buildings in Bush Fire Prone Areas" Level 2 construction standards or other standards that may be in force.</li> <li>◦ Fire prevention, fire management and the issue/need for onsite fire safety structures specifically related to the use of the land as a hospital shall be addressed.</li> <li>◦ Any other matter required by the local government, DEC and FESA.</li> </ul> <p>Implementation of the Fire Management Plan will be included as a condition of development approval.</p> </li> <li>6. In addition to the requirements of Clause 9.2 of the Scheme, an Emergency Management and Evacuation Plan which is to address (but not be limited to) the means by which patient and community danger will be limited (including means to prevent fire danger from smoking) is required to be submitted with an development application. Implementation of this plan will be included as a condition of development approval.</li> <li>7. In addition to the requirements of Clause 9.2 of the Scheme, a Farm Management Plan is required to be submitted with any development application to address the use of the majority of the land for agricultural purposes. Implementation of this plan will be included as a condition of development approval.</li> </ol>
------	----------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

			<p>The use of the land for the purpose of 'Residential Building' shall be ancillary to the hospital and/or medical centre use.</p> <ol style="list-style-type: none"> <li>8. All buildings (with the exception of the proposed 'Single Dwelling') shall be located within the designated building envelope as depicted on the Structure Plan.</li> <li>9. The "Single Dwelling" shall be setback in accordance with the relevant provisions of the 'Agriculture' Zone, specifically Clause 4.13.1.3.</li> <li>10. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</li> <li>11. The Local Government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in the landscape.</li> <li>12. The Local Government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</li> <li>13. Stormwater drainage shall be designed to the satisfaction of the local government.</li> <li>14. Every application for development shall be accompanied by a Landscape Protection Plan showing: <ul style="list-style-type: none"> <li>• Existing and proposed contours, including any cut and fill work intended to be undertaken;</li> <li>• Existing vegetation;</li> <li>• Proposed vegetation;</li> <li>• Vegetation proposed to be removed;</li> <li>• Location of effluent disposal systems; and</li> <li>• Location of access drive from road to dwelling and any parking areas.</li> </ul> <p>The plan will be required to be implemented as a condition of development approval.</p> </li> <li>15. As a condition of planning approval the local government may require upgrading of Balingup-Nannup Road in the vicinity of the entrance to the subject land along the construction of passing bays to facilitate safe vehicular access to the site.</li> </ol>
--	--	--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

---

# ATTACHMENT 5

---



ACCESS ROAD

3  
34.553ha

100

125

SKY LAKE

170m

100m

ADDITIONAL CARPARKING

HEALTH RETREAT

PROPOSED CAR PARKING

EXISTING COTTAGE

COTTAGE LAKE

BLUEGUM PLANTATION

SIBERIA LAKE

210m

125

150

175

EAST LAKE

BOUNDARY LAKE

100m

116m

BAL INSUP

3  
34.553ha

630m

100

100m

170m

175m

210m

776

200

---

# ATTACHMENT 6

---

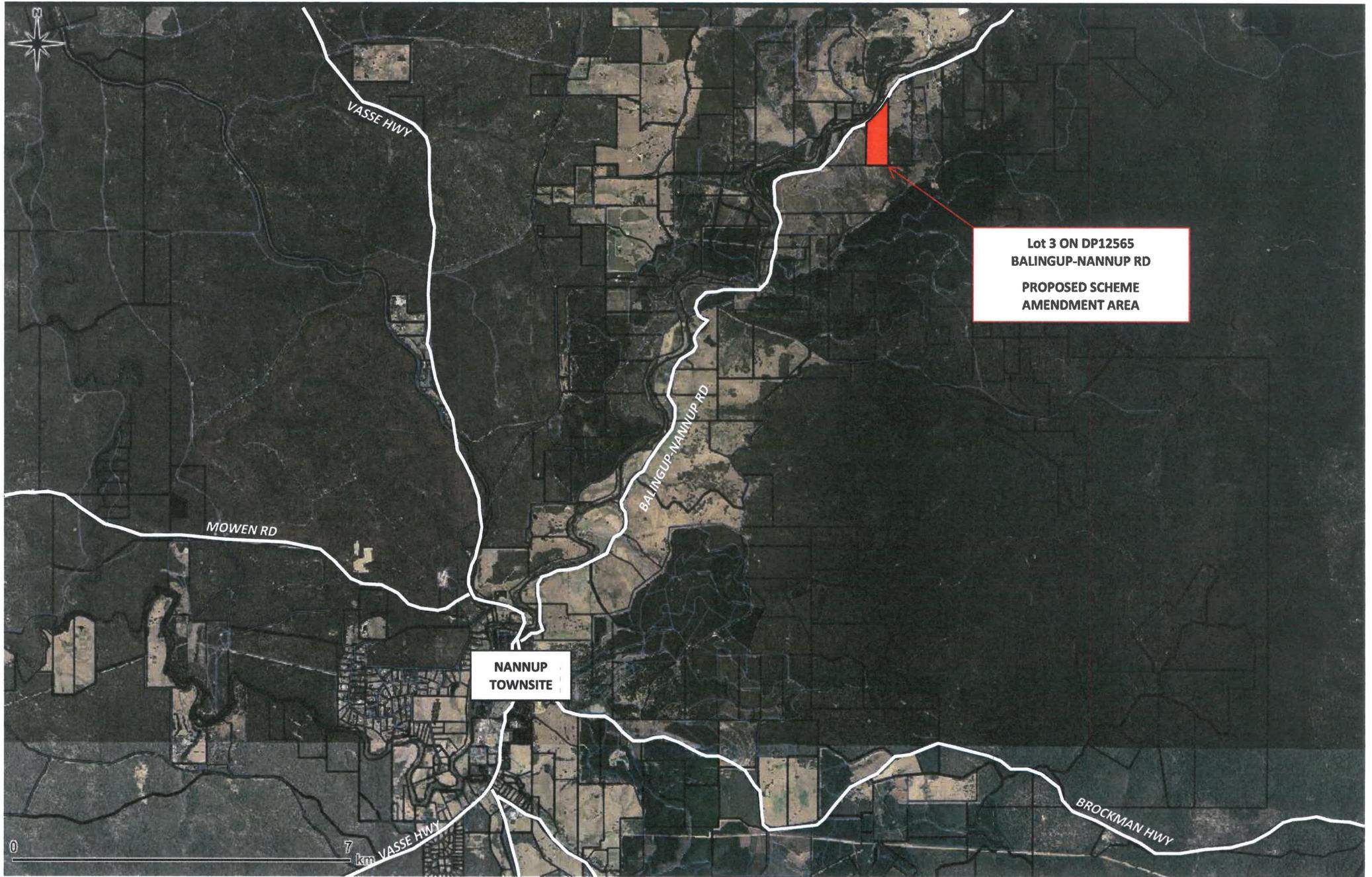
<p>SU12</p>	<p>Lot 3 <del>Plan</del> : 2565 of Location 778 Balingup, Nannup Road, Nannup</p>	<ul style="list-style-type: none"> <li>• Hospital and Medical centre (maximum of 30 patients at any one time)</li> <li>• Residential Building (maximum occupation of 20 persons)</li> <li>• Car takers Dwelling</li> <li>• <b>Consulting Rooms</b></li> <li>• Single Dwelling</li> <li>• Home Office</li> <li>• Home Occupation</li> <li>• Agriculture - Extensive -</li> <li>• Recreation - Private -</li> <li>• Rural Pursuit</li> </ul>	<p><del>1. Development of the Site shall be generally in accordance with a Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission.</del></p> <p><del>2. Development may be considered by the local government as a variation from the endorsed Structure Plan provided that, in the opinion of the local government, such development would not compromise the intent of the Structure Plan and the purpose of the zone.</del></p> <p><del>3. Any development not within general intent of the endorsed Structure Plan will require consideration and endorsement of a new Structure Plan in accordance with the provisions of this Scheme.</del></p> <p>All future development is subject to the requirement to gain Development Approval from the local government.</p> <p>4. All applicable 'Special uses' shall be deemed to be 'D' uses pursuant to the Scheme and considered under part 10 of this Scheme.</p> <p>More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government.</p> <p>Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</p> <p><del>5. In addition to the requirements of clause 9.2 of this Scheme, a Fire Management Plan is required to be submitted with any development application. The plan shall include the following:</del></p> <ul style="list-style-type: none"> <li><del>• All habitable buildings shall be designed and constructed in accordance with the requirements of Standards Australia AS3959-1999 "Construction of Buildings in Bush Fire Prone Areas" Level 2 construction standards or other standards that may be in force.</del></li> <li><del>• Fire prevention, fire management and the issue/need for onsite fire safety structures specifically related to the use of the land as a hospital shall be addressed.</del></li> <li><del>• Any other matter required by the local government, DEC and FESA.</del></li> </ul> <p>Implementation of the Fire Management Plan will be included as a condition of development approval.</p> <p>Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</p> <p><del>6. In addition to the requirements of Clause 9.2 of the Scheme, an Emergency Management and Evacuation Plan which is to address (but not be limited to) the means by which patient and community danger will be limited (including means to prevent fire danger from smoking) is required to be submitted with an development application. Implementation of this plan will be included as a condition of development approval.</del></p> <p>7. In addition to the requirements of Clause 9.2 of the Scheme, a Farm Management Plan is required to be submitted with any development application to address the use of the majority of the land for agricultural purposes. Implementation of this plan will</p>
-------------	---------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

			<p>be included as a condition of development approval. The use of the land for the purpose of 'Residential Building' shall be ancillary to the hospital and/or medical centre use.</p> <p><del>8. All buildings (with the exception of the proposed 'Single Dwelling') shall be located within the designated building envelope as depicted on the Structure Plan.</del></p> <p><del>9. The "Single Dwelling" shall be setback in accordance with the relevant provisions of the 'Agriculture' Zone, specifically Clause 4.13.1.3.</del></p> <p>10. In order to conserve the natural beauty of the locality all <del>trees</del> trees shall be retained unless <del>there</del> their removal is authorised by the local government.</p> <p>11. The local Government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in <del>with</del> the landscape.</p> <p>12. The local Government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</p> <p>13. Stormwater drainage shall be designed to the satisfaction of the local government.</p> <p><del>14. Every application for development shall be accompanied by a Landscape Protection Plan showing:</del></p> <ul style="list-style-type: none"> <li><del>• Existing and proposed contours, including any cut and fill work intended to be undertaken;</del></li> <li><del>• Existing vegetation;</del></li> <li><del>• Proposed vegetation;</del></li> <li><del>• Vegetation proposed to be removed;</del></li> <li><del>• Location of effluent disposal systems; and</del></li> <li><del>• Location of access drive from road to dwelling and any parking areas.</del></li> </ul> <p><del>The plan will be required to be implemented as a condition of development approval.</del></p> <p><del>15. As a condition of planning approval the local government may require upgrading of Balingup Nannup Road in the vicinity of the entrance to the subject land along the construction of passing bays to facilitate safe vehicular access to the site.</del></p>
--	--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## Attachment 12.2.2

SU12	Lot 3 on Plan 12565 Balingup -Nannup Road, Nannup	<ul style="list-style-type: none"> <li>• Hospital and Medical Centre</li> <li>• Residential Building</li> <li>• Caretakers Dwelling</li> <li>• Consulting Rooms</li> <li>• Single Dwelling</li> <li>• Home Office</li> <li>• Home Occupation</li> <li>• Agriculture –Extensive</li> <li>• Recreation – Private</li> <li>• Rural Pursuit</li> </ul>	<ol style="list-style-type: none"> <li>1. All future development is subject to the requirement to gain Development Approval from the local government.</li> <li>2. All applicable 'Special uses' shall be deemed to be 'D' uses pursuant to the Scheme.</li> <li>3. More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government.</li> <li>4. Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</li> <li>5. Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</li> <li>6. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</li> <li>7. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in with the landscape.</li> <li>8. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</li> <li>9. Stormwater drainage shall be designed to the satisfaction of the local government.</li> </ol>
------	---------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

# Attachment 12.2.3



## Attachment 12.2.4

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS/SPECIAL PROVISIONS
SU12	Lot 3 of nelson Location 778 Balingup Road, Nannup  <i>AMD 19 GG 06/04/18</i>	<ul style="list-style-type: none"> <li>• Hospital and Medical centre (maximum of 30 patients at any one time)</li> <li>• Residential Building (maximum occupation of 20 persons)</li> <li>• Cartakers Dwelling</li> <li>• Single House</li> <li>• Home Office</li> <li>• Home Occupation</li> <li>• Agriculture – Extensive</li> <li>• Recreation – Private</li> <li>• Rural Pursuit</li> </ul>	1. All applicable 'Special uses' shall be deemed to be 'D' uses pursuant to the Scheme.

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS/SPECIAL PROVISIONS
SU12	Lot 3 of nelson Location 778 Balingup Road, Nannup (Cont'd)  <i>AMD 19 GG 06/04/18</i>	A	<p>2. In addition to the requirements of clause 63 of the Deemed Provisions in this Scheme, a Fire Management Plan is required to be submitted with any development application. The plan shall include the following:</p> <ul style="list-style-type: none"> <li>• All habitable buildings shall be designed and constructed in accordance with the requirements of Standards Australia AS3959-1999 "Construction of Buildings in Bush Fire Prone Areas" Level 2 construction standards or other standards that may be in force.</li> <li>• Fire prevention, fire management and the issue/need for onsite fire safety structures specifically related to the use of the land as a hospital shall be addressed.</li> <li>• Any other matter required by the local government, DEC and FESA.</li> </ul> <p>Implementation of the Fire Management Plan will be included as a condition of development approval.</p> <p>3. In addition to the requirements of Clause 63 of the Deemed Provisions in the Scheme, an Emergency Management and Evacuation Plan which is to address (but not be limited to) the means by which patient and community danger will be limited (including means to prevent fire danger from smoking) is required to be submitted with an development application. Implementation of this plan will be included as a condition of development approval.</p>

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS/SPECIAL PROVISIONS
SU12	Lot 3 of nelson Location 778 Balingup Road, Nannup (Cont'd)  <i>AMD 19 GG 06/04/18</i>		<p>4. In addition to the requirements of Clause 63 of the Deemed Provisions in the Scheme, a Farm Management Plan is required to be submitted with any development application to address the use of the majority of the land for agricultural purposes. Implementation of this plan will be included as a condition of development approval.</p> <p>The use of the land for the purpose of 'Residential Building' shall be ancillary to the hospital and/or medical centre use.</p> <p>5. All buildings (with the exception of the proposed 'Single House') shall be located within the designated building envelope.</p> <p>6. The "Single House" shall be setback in accordance with the relevant provisions of the 'Agriculture' Zone, specifically Clause 3.13.1.3.</p> <p>7. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</p> <p>8. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in the landscape.</p> <p>9. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</p>

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS/SPECIAL PROVISIONS
SU12	Lot 3 of nelson Location 778 Balingup Road, Nannup (Cont'd)  <i>AMD 19 GG 06/04/18</i>		<p>10. Stormwater drainage shall be designed to the satisfaction of the local government.</p> <p>11. Every application for development shall be accompanied by a Landscape Protection Plan showing:</p> <ul style="list-style-type: none"> <li>• existing and proposed contours, including any cut and fill work intended to be undertaken;</li> <li>• existing vegetation;</li> <li>• proposed vegetation;</li> <li>• vegetation proposed to be removed;</li> <li>• location of effluent disposal systems; and</li> <li>• location of access drive from road to dwelling and any parking areas.</li> </ul> <p>The plan will be required to be implemented as a condition of development approval.</p> <p>12. As a condition of development approval the local government may require upgrading of Balingup-Nannup Road in the vicinity of the entrance to the subject land along the construction of passing bays to facilitate safe vehicular access to the site.</p>

**Attachment 12.2.5****Jane Buckland**

---

**From:** Sarah Dean  
**Sent:** Monday, 22 January 2018 12:09 PM  
**To:** Jane Buckland  
**Subject:** FW: Amendment 20 to Local Planning Scheme No. 3 (Standard Amendment) – Lot 3 on Plan 12565 (2731) Balingup-Nannup Road, Nannup

---

**From:** Daniel Wong [<mailto:daniel.wong@dwer.wa.gov.au>]  
**Sent:** Monday, 22 January 2018 12:03 PM  
**To:** ShireofNannup  
**Subject:** Amendment 20 to Local Planning Scheme No. 3 (Standard Amendment) – Lot 3 on Plan 12565 (2731) Balingup-Nannup Road, Nannup

22<sup>nd</sup> January 2018

Our Reference: PA 018301, DWERDT36136

Your Reference: TPL1-20

To: Shire of Nannup

Attention: Peter Clarke

**RE: Amendment 20 to Local Planning Scheme No. 3 (Standard Amendment) – Lot 3 on Plan 12565 (2731) Balingup-Nannup Road, Nannup**

Dear Peter,

Thank you for referring the above clearing proposal to the Department for our comment.

The amendment is to facilitate the on-going operation of the Blackwood River Clinic and Sky Lakes Retreat.

We have assessed the Scheme Amendment and supports the requirement to (1) gain Development Approval for all future development (noting the proposed car parking) and (2) stormwater drainage to be designed to the satisfaction of the local government.

This is on the basis of protecting the water resources from polluting activities, where the main risk relates to hydrocarbons from the car parking entering the dam (and waterway) particularly during large storm events.

Management of stormwater should be in accordance with the *Decision process for stormwater management in WA (DoW 2017)* and the *Stormwater Management Manual for Western Australia (DoW 2004–2007)*.

The Department has no objection to this Scheme Amendment.

Thank you.

Yours faithfully,

*Daniel Wong*

Environmental Officer  
Department of Water and Environmental Regulation  
South West Region

Email: [daniel.wong@dwer.wa.gov.au](mailto:daniel.wong@dwer.wa.gov.au)  
Phone: 08 9726 4113  
Fax: 08 9726 4100  
Postal: PO Box 261, Bunbury, WA 6231  
Location: 35-39 McCombe Road, Bunbury, WA 6230

**Water Resource Advice Only**

The Department of Water has recently merged with the Department of Environment Regulation and Office of the Environmental Protection Authority to create the new agency Department of Water and Environmental Regulation.

The former agencies are in the process of amalgamating their functions. Until this fully occurs, please note that the advice in this correspondence pertains only to water resource matters previously dealt with by the Department of Water.

**Disclaimer:** This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.

SHIRE OF NANNUP  
RECEIVED  
Ref: ~~11/11~~ No: 2018/45  
TDC 1-20  
8 FEB 2018  
Officer: Jane/Peter

Peter Clarke  
Chief Executive Officer  
Shire of Nannup  
PO Box 11  
Nannup WA 6275

**Amendment No. 20 – Blackwood River Clinic / Sky Lakes Retreat**

I wish to express my support for the abovementioned amendment.

The key planning considerations were previously addressed through Scheme Amendment No. 6 which was approved by the Minister for Planning.

The Blackwood River Clinic and Sky Lakes Retreat are a great asset to Nannup. The proposed planning rule changes will mean more local jobs and more money spent locally. I have been working at the Clinic for a year now and have gained a greater positive awareness on what the clinic offers. Any expansion of the facility can only be described as positive in my opinion.

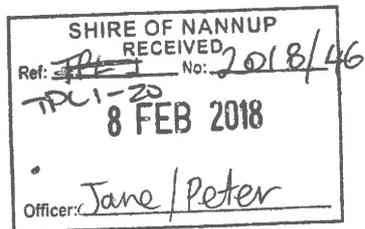
I trust the Council will support Amendment No. 20.

Yours faithfully

  
Neal Guthridge

8 February 2018

Peter Clarke  
Chief Executive Officer  
Shire of Nannup  
PO Box 11  
Nannup WA 6275



Dear Mr Clarke

**Amendment 20 – No. 2731 Balingup-Nannup Road, Nannup**

I whole heartedly support Amendment 20.

The Amendment supports the on-going operation and future planning of the Blackwood River Clinic and the Sky Lakes Retreat.

The property is an ideal location for the clinic and retreat. The ambience and seclusion of the site provides the right serene setting to help clients seeking nature, meditation and therapy to help with their depression and anxiety. As Senior Therapist at the Blackwood Clinic I can attest to the benefits of a facility such as this being supportive to the healing process.

We should be doing all we can to support development such as this.

The rezoning will also assist with job creation and it will add to Nannup's vitality.

I look forward to being advised that Amendment 20 has been approved.

Yours faithfully

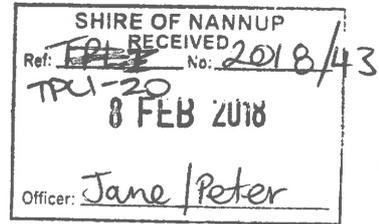
A handwritten signature in cursive script that reads "Elizabeth Sachse".

---

**Elizabeth Sachse**  
Senior Therapist

8 February 2018

8 February 2018



Peter Clarke  
Chief Executive Officer  
Shire of Nannup  
PO Box 11  
Nannup WA 6275

Dear Peter

**Scheme Amendment No. 20 to the Shire of Nannup Local Planning Scheme No. 3 - Lot 3 (No. 2731) Balingup-Nannup Road, Nannup**

I refer to the Shire's request for submissions regarding the above.

I live in Nannup and am very familiar with the site.

I am aware that the operators have sought to be a 'good neighbour' to ensure that patients and visitors are responsible and do not create inappropriate impacts to adjoining/nearby properties.

The development has already created various economic and community benefits including supporting local employment and assisting to increase the viability of many local businesses. The amendment and the operator's future plans will continue to boost the local economy by outsourcing food, laundry, cleaning and maintenance and by providing employment opportunities.

With the recent close of the Nannup Timber Mill the need for employment opportunities is even greater than before.

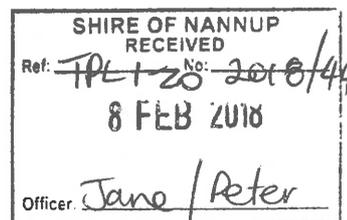
It is respectfully requested that the Council support the scheme amendment as proposed.

Yours sincerely



Erin Gore

Peter Clarke  
Chief Executive Officer  
Shire of Nannup  
PO Box 11  
Nannup WA 6275



8 February 2018

Dear Sir

**RE: REZONING OF LOT 3 BALINGUP-NANNUP ROAD, NANNUP  
(AMENDMENT NO. 20)**

Thank you for the opportunity to provide written comments regarding the above.

I have looked at the information on the Shire's website and confirm my support to the proposal.

The property is well suited for therapy.

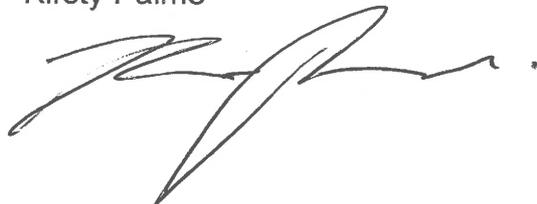
I consider the proposal will enhance Nannup through increasing money spent locally and assisting with job creation.

The Amendment will not impact on the landscape values of the Balingup-Nannup Road and the Blackwood River Valley.

I encourage your staff and the Council to support the rezoning.

Yours faithfully

Kirsty Palme

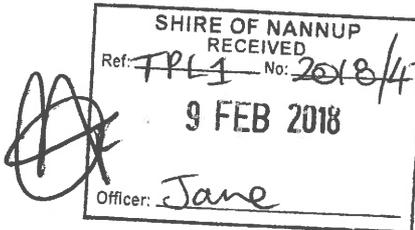




Department of  
Primary Industries and  
Regional Development

Your reference: TPL 1-20  
Our reference: LUP 292  
Enquiries: Leon van Wyk

Peter Clarke  
Chief Executive Officer  
PO Box 11  
NANNUP WA 6275  
[nannup@nannup.wa.gov.au](mailto:nannup@nannup.wa.gov.au)



Dear Peter

**COMMENT: LOCAL PLANNING SCHEME AMENDMENT (STANDARD AMENDMENT) – AMENDMENT 20 TO LOCAL PLANNING SCHEME NO. 3**

Thank you for the opportunity to comment on the proposed amendment to modify the provisions/conditions for Lot 3 (2731) Balingup-Nannup Road, Nannup.

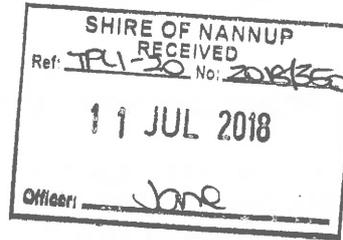
The Department of Primary Industries and Regional Development (DPIRD) does not object to the modification of the 'Special Use' zoning provisions/conditions for the abovementioned lot.

I trust these comments inform your decision on this matter. If you have any queries regarding the comments, please contact Leon van Wyk at (08) 9780 6171 or [leon.vanwyk@agric.wa.gov.au](mailto:leon.vanwyk@agric.wa.gov.au).

Yours sincerely

Neil Guise  
Regional Director  
Southern Region

Date: 31 January 2018



Our Ref: D04586  
Your Ref: TPL1-20

Jane Buckland  
Shire of Nannup  
[nannup@nannup.wa.gov.au](mailto:nannup@nannup.wa.gov.au)

Dear Ms Buckland

**RE: LOT 3 (2731) BALINGUP ROAD, NANNUP - LOCAL PLANNING SCHEME AMENDMENT - AMENDMENT 20 TO LOCAL PLANNING SCHEME NO. 3**

I refer to your letter dated 22 May 2018 regarding the submission of a Bushfire Management Plan (BMP) (Version 1.1), prepared by Smith Consulting and dated 15 May 2018, for the above Local Planning Scheme (LPS) Amendment. DFES provide the following comments with regard to *State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)* and the *Guidelines for Planning in Bushfire Prone Areas (Guidelines)*.

**Advice**

- DFES acknowledge that the site currently operates as Blackwood River Clinic (D-Class Day Hospital, maximum patients 30 people) and Sky Lakes Retreat (maximum accommodation 20 people).
- The LPS Amendment seeks to modify the provisions and conditions for Special Use (SU) 12 of the LPS No. 3 which will remove quantified patient and accommodation limitations, and permit future development to be determined as a local development matter, subject to a development application.
- The Shire has confirmed the LPS amendment proposes a change of use and an increase in the number of visitors, which constitutes an intensification of land use and triggers the application of SPP3.7. The existing BMP has been updated to reflect this.
- It should be noted that incorporating bushfire protection measures is generally harder to achieve where a development already exists as measures to reduce the bushfire risk may not be able to be implemented.
- Consequently, there is little influence DFES can advocate in relation to the full application of the acceptable solutions to address the bushfire protection criteria for the existing land use.

**Assessment**

**1. Policy measure 6.6.1 Vulnerable land uses**

Issue	Assessment	Action
<b>Bushfire Emergency Evacuation Plan (EEP)</b>	The BMP has not included or referenced a <i>"Bushfire Emergency Evacuation Plan"</i> therefore policy measure 6.6.1 addressing vulnerable land use has not been demonstrated. It is recommended that further consideration be given to the Guidelines Section 5.5.2 'Developing a Bushfire and Emergency Evacuation Plan' when updating the plan. This contains further detail in regard to what an EEP should include and will ensure the appropriate content is detailed when finalising the EEP for submission to the Shire.	Comment.

**Recommendation – supported compliant application**

DFES advises that the proponent has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved for the LPS Amendment.

DFES support of the LPS Amendment SU12 does not preclude support of any future development applications. It is critical that the future siting of development ensure site analysis, design and emergency management procedures respond to the intent and objectives of SPP3.7, with consideration of the vulnerable land use associated with the site.

If you require further information, please contact Land Use Planning Officer Sherrie Nicholas on telephone number 9482 1777.

Yours sincerely



**Michelle Neil  
DIRECTOR LAND USE PLANNING**

11 July 2018



Department of Biodiversity,  
Conservation and Attractions



8

SHIRE OF NANNUP  
RECEIVED  
Ref: TPL1-20 No: 2018/06  
08 MAR 2018  
Officer: plomer

Your ref: TPL1-20  
Our ref: 2017/003079  
Enquiries: Tracy Teede  
Phone: 08 9725 4300  
Email: swlanduseplanning@dbca.wa.gov.au

Chief Executive Officer  
Shire of Nannup  
PO Box 11  
NANNUP WA 6275

ATTENTION: Peter Clarke

**AMENDMENT 20 TO LOCAL PLANNING SCHEME NO 3 - LOT 3 (2731) BALINGUP-  
NANNUP ROAD NANNUP – BLACKWOOD RIVER CLINIC AND SKY LAKES RETREAT**

The Department of Biodiversity Conservation and Attractions Parks and Wildlife Service South West Region has no comments on the above proposal.

It is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework.

Thank you for the opportunity to comment on this application. Please contact Tracy Teede at the Parks and Wildlife Service's South West Region office if you have any queries regarding this advice.

For Regional Manager  
Parks and Wildlife Service

8 March 2018

**South West Region**  
PO Box 1693, Bunbury, Western Australia 6230  
Phone: (08) 9725 4300  
Email: bunbury@dbca.wa.gov.au  
dbca.wa.gov.au

## Attachment 12.2.6

<b>Shire of Nannup Local Planning Scheme No. 3 Scheme Amendment No. 20 – Schedule of Submissions</b>				
<b>No.</b>	<b>Name and Address of Submitter</b>	<b>Summary of Submissions</b>	<b>Local Government Comments</b>	<b>Local Government Recommendation</b>
1	Daniel Wong Department of Water and Environmental Regulation PO Box 261 Bunbury WA 6230	Submitter supports the amendment.  The Department notes that water resources should be protected from polluting activities, where the main risk relates to hydrocarbons from the car parking entering the dam particularly during large storm events.	That the submission be noted.  All future development of the property will require the proponent to gain Development Approval from the Shire.  The Department's comments in regards to polluting activity and the management of storm water can be addressed at the Development Application stage.	No modification to the amendment is required.
2	Neal Guthridge c/- Blackwood River Clinic PO Box 338 Nannup WA 6275	Submitter supports the amendment.	That the submission be noted.	No modification to the amendment is required.
3	Elizabeth Sachse c/- Blackwood River Clinic PO Box 338 Nannup WA 6275	Submitter supports the amendment.	That the submission be noted.	No modification to the amendment is required.
4	Erin Gore c/- Blackwood River Clinic PO Box 338 Nannup WA 6275	Submitter supports the amendment.	That the submission be noted.	No modification to the amendment is required.
5	Kirsty Palme c/- Blackwood River Clinic PO Box 338 Nannup WA 6275	Submitter supports the amendment.	That the submission be noted.	No modification to the amendment is required.

6	Neil Guise Department of Primary Industries and Regional Development PO Box 1231 Bunbury WA 6230	No objection to the amendment.	That the submission be noted.	No modification to the amendment is required.
7	Michelle Neil Department of Fire and Emergency Services 20 Southport St West Leederville WA 6007	<p>Submitter supports the amendment.</p> <p>The Department notes that the BMP has not included or referenced a "Bushfire Emergency Evacuation Plan". It is recommended that further consideration be given to the Guidelines Section 5.5.2 'Developing a Bushfire and Emergency Evacuation Plan' when updating the BMP. This contains further detail in regard to what an EEP should include and will ensure the appropriate content is details when finalising the EEP for submission to the Shire.</p>	<p>That the submission be noted.</p> <p>All future development of the property will require the proponent to gain Development Approval from the Shire.</p> <p>Any new development which proposes additional guest or overnight accommodation may be considered a vulnerable land use as set out in the <i>Guidelines</i> and it is expected that the proponent will be required to review the existing BMP and/or have a BAL assessment prepared.</p> <p>The Department's recommendation in regards to the EEP can be addressed at the Development Application stage.</p>	No modification to the amendment is required.
8	Tracy Teede Department of Biodiversity, Conservation and Attractions PO Box 1693 Bunbury WA 6230	Submitter makes no comment on the amendment.	That the submission be noted.	No modification to the amendment is required.

## Attachment 12.2.7

# SMITH CONSULTING

Bushfire Consultants

## BUSHFIRE MANAGEMENT PLAN

**Lot 3 (No 2731) Balingup Road, Nannup  
Shire of Nannup**



Prepared by Ralph Smith  
**SMITH CONSULTING**  
BPAD27541  
smith.consulting@bigpond.com  
0458 292 280

Site visited 5 April 2018; Report completed 15 May 2018

## Bushfire management plan/Statement addressing the Bushfire Protection Criteria coversheet

Site address:

Site visit: Yes  No

Date of site visit (if applicable): Day  Month  Year

Report author:

WA SPAD accreditation level (please circle):

Not accredited:  Level 1 BAL assessor  Level 2 practitioner  Level 3 practitioner

If accredited please provide the following:

SPAD accreditation number:  Accreditation expiry: Month  Year

Bushfire management plan version number:

Bushfire management plan date: Day  Month  Year

Client/business name:

	Yes	No
Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the bushfire protection criteria elements)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Is the proposal any of the following (see <a href="#">SPF 3.7 for definition</a> )?	Yes	No
Unavoidable development (in BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strategic planning proposal (including rezoning applications)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Minor development (In BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
High risk land-use	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vulnerable land-use	<input checked="" type="checkbox"/>	<input type="checkbox"/>

None of the above

**Note:** Only if one (or more) of the above answers in the tables is yes should the decision maker (e.g. local government or the WAPC) refer the proposal to DFES for comment.

Why has it been given one of the above listed classifications (E.g. Considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?

The change of the use of the building from staff residence to patient accommodation has been deemed to be a vulnerable land-use. It should be noted that the patients will be physically able to walk around, and historically some have worked in the farm area. They will be in residence for a period and will know the location and access.

The information provided within this bushfire management plan to the best of my knowledge is true and correct:

Signature of report author



Date

## Table of Contents

	<b>Page</b>
<b>1: Proposal Details</b>	<b>5</b>
<b>2: Environmental Considerations</b>	<b>7</b>
2.1: Native Vegetation – modification and clearing	7
2.2: Re-vegetation / Landscape Plans	7
<b>3: Bushfire Assessment Results</b>	<b>8</b>
3.1: Assessment Inputs	10
3.2: Assessment Outputs	16
<b>4: Identification of bushfire hazard issues</b>	<b>16</b>
<b>5. Assessment against the Bushfire Protection Criteria</b>	<b>17</b>
5.1: Compliance	17
5.2: Additional management strategies	19
<b>6: Responsibilities for Implementation and Management of the Bushfire Measures</b>	<b>21</b>
<b>List of Figures</b>	
Figure 1. Copy of site plan	5
Figure 2. Bushfire prone map	6
Figure 3. Vegetation classification map	8
Figures 4–5. Slope	13
Figure 6. Emergency access way	14
Figure 7. Access options	15
Figure 8. Spatial representation of BMP strategies	20
<b>Appendices</b>	
Appendix 1	22
Appendix 2	23

**Full Content Detail**

**Bushfire Management Plan Coversheet**

- Insert a BMP coversheet (as per coversheet issued by Department of Planning, Lands and Heritage (DPLH) or Fire Protection Association of Australia).
- The current DPLH template can be found at [www.planning.wa.gov.au](http://www.planning.wa.gov.au) under bushfire planning publications. The coversheet is to be included at the front page of the BMP.
- Ensure all relevant details of the coversheet are completed, including accreditation details and checking any relevant boxes to trigger referral to Department of Fire and Emergency Services.

**Document control**

Client: Health E Care

Report Version	Purpose	Author/reviewer and accreditation details	Date Submitted
1	To support the change of use of the staff quarters.	Ralph Smith	20 April 2018
1.1	To record the vulnerable land-use in the BMP coversheet	Ralph Smith	15 May 2018

**DISCLAIMER**

This Bushfire Management Plan has been prepared in good faith. It is derived from sources believed to be reliable and accurate at the time of publication. Nevertheless, this plan is distributed on the terms and understanding that the author is not responsible for results of any actions taken based on information in this publication or for any error or omission from this publication.

Smith Consulting has exercised due and customary care in the preparation of this Bushfire Management Plan and has not, unless specifically stated, independently verified information provided by others.

Any recommendations, opinions or findings stated in this report are based on circumstances and facts as they existed at the time Smith Consulting performed the work. Any changes in such circumstances and facts upon which this document is based may adversely affect any recommendations, opinions or findings contained in this plan.

**Section 1: Proposal Details**

The proposal is to change the use of the current staff quarters into accommodation for clients of the facility. The clients will be mobile, similar to the staff, and therefore not a change of risk to those using the accommodation if a bushfire was to occur in the area. There will be no new buildings associated with this proposal. The site has been operating for over five years without incident on the property, from a bushfire perspective, although the forest and plantation adjacent to the facility was subject to a significant bushfire a number of years ago (whilst the facility was operating). People do currently stay on-site overnight and have done so since the facility opened.

This BMP acknowledges the Fire Management Plan (FMP) which was developed by FirePlan WA in February 2008, revised September 2011, and again revised in December 2014, and endorsed by the Shire of Nannup, and seeks to update the FMP to the current requirements within the Guidelines.



**Figure 1.** Copy of the site plan showing the location of the building.

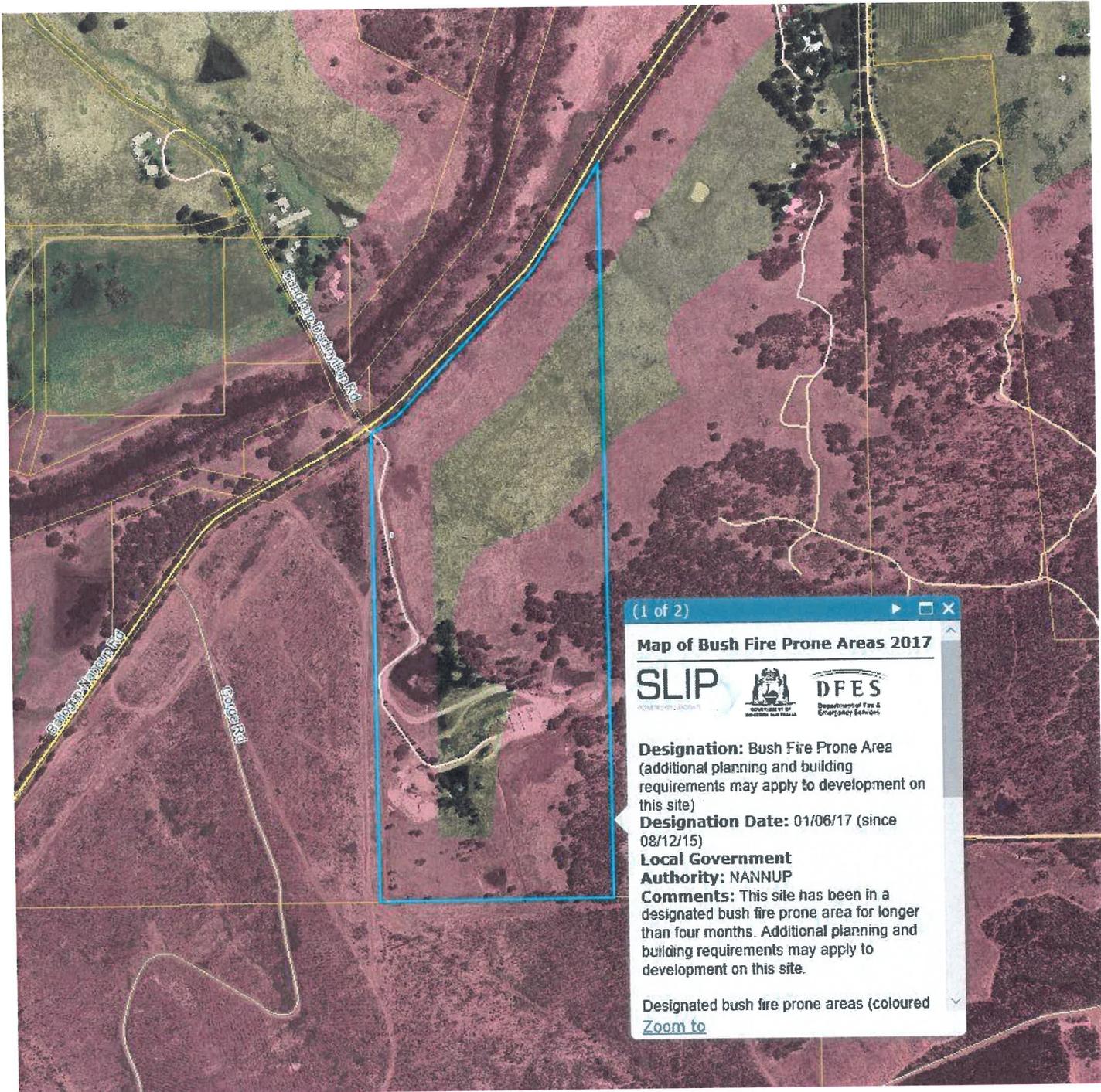


Figure 2. Map of bushfire prone area.

The location of the building where the change of use is to occur is within the declared bushfire prone area and will therefore require construction standards for any new dwelling to be constructed to the appropriate BAL rating.

## **Section 2: Environmental Considerations**

Some bushfire prone areas also have high biodiversity values. SPP 3.7 policy objective 5.4 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values.

### **Subsection 2.1: Native Vegetation – modification and clearing**

There will not be a need to clear native vegetation as a component of this change of building use. The site contains buildings and associated infrastructure to the south and reticulated and managed garden for the bulk of the site within 150 metres.

### **Subsection 2.2: Re-vegetation/Landscape Plans**

The site has a landscape plan centered on bushfire protection and mitigation and is actively maintained. The site is effectively divided into two zones with the area surrounding all buildings managed intensively and the zone away from the buildings managed through seasonal grazing.

The building protection zone contains the paths, reticulated gardens, introduced grasses which are mown regularly and retained at less than 10cm high, and trees.

The zone away from the buildings contains the grassland that is managed by seasonal grazing. This ensures that the grasses across the whole of the site are maintained in a managed state that would reduce the flame length, fire line intensity and head fire rate of spread when compared with unmanaged grasses.

The plan also considers the implications of the slope across the land and the potential for soil erosion. Management therefore consider the implication of the various bushfire protection options.

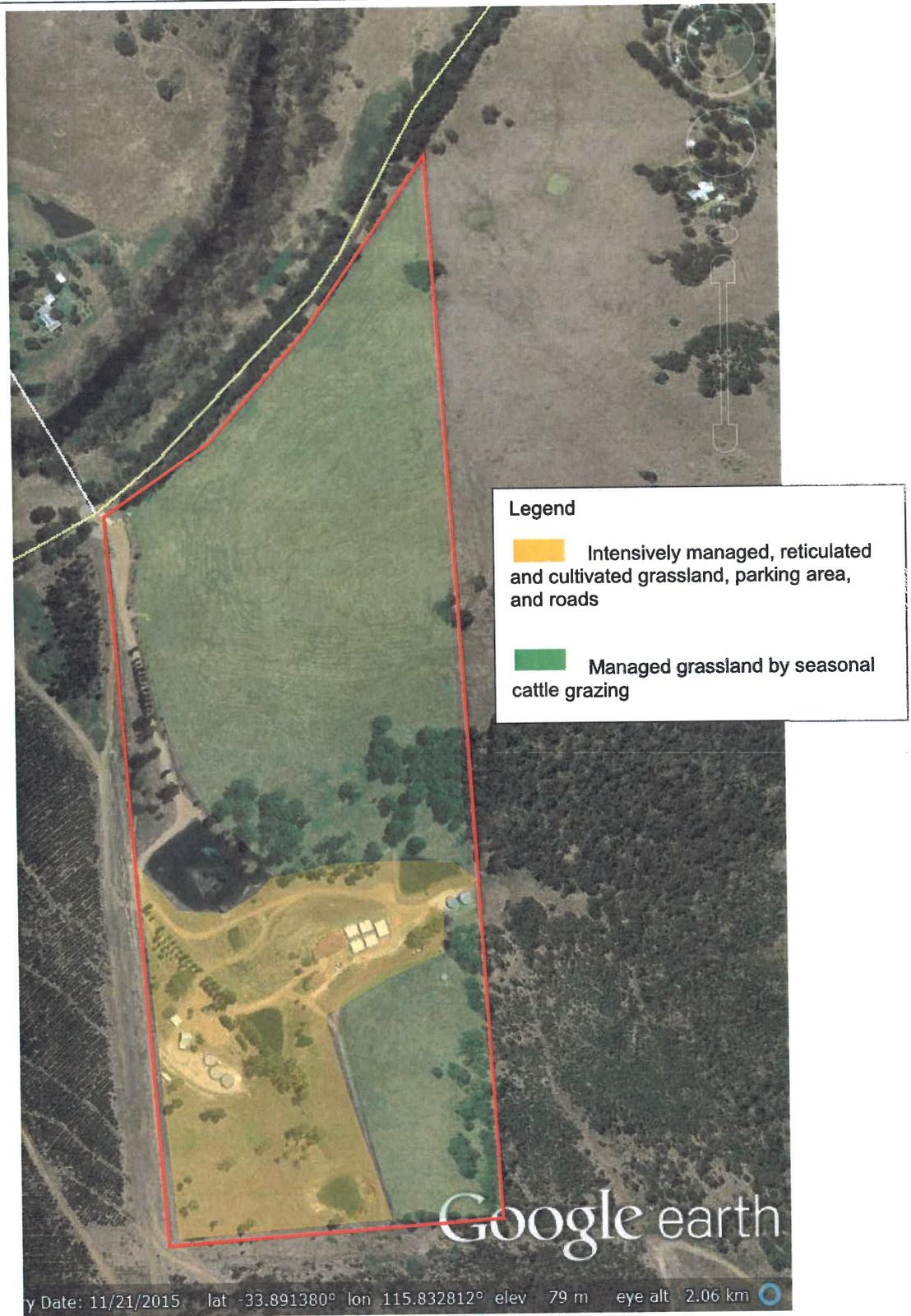


Figure 3. Landscape management plan (with indicative property boundary).

### Section 3: Bushfire Assessment Results

#### Subsection 3.1: Assessment inputs

Site Assessment

The assessment of the proposed change of building use was undertaken on 5 April 2018 for the purpose of determining the Bushfire Attack Level in accordance with AS 3959 (Method 1).

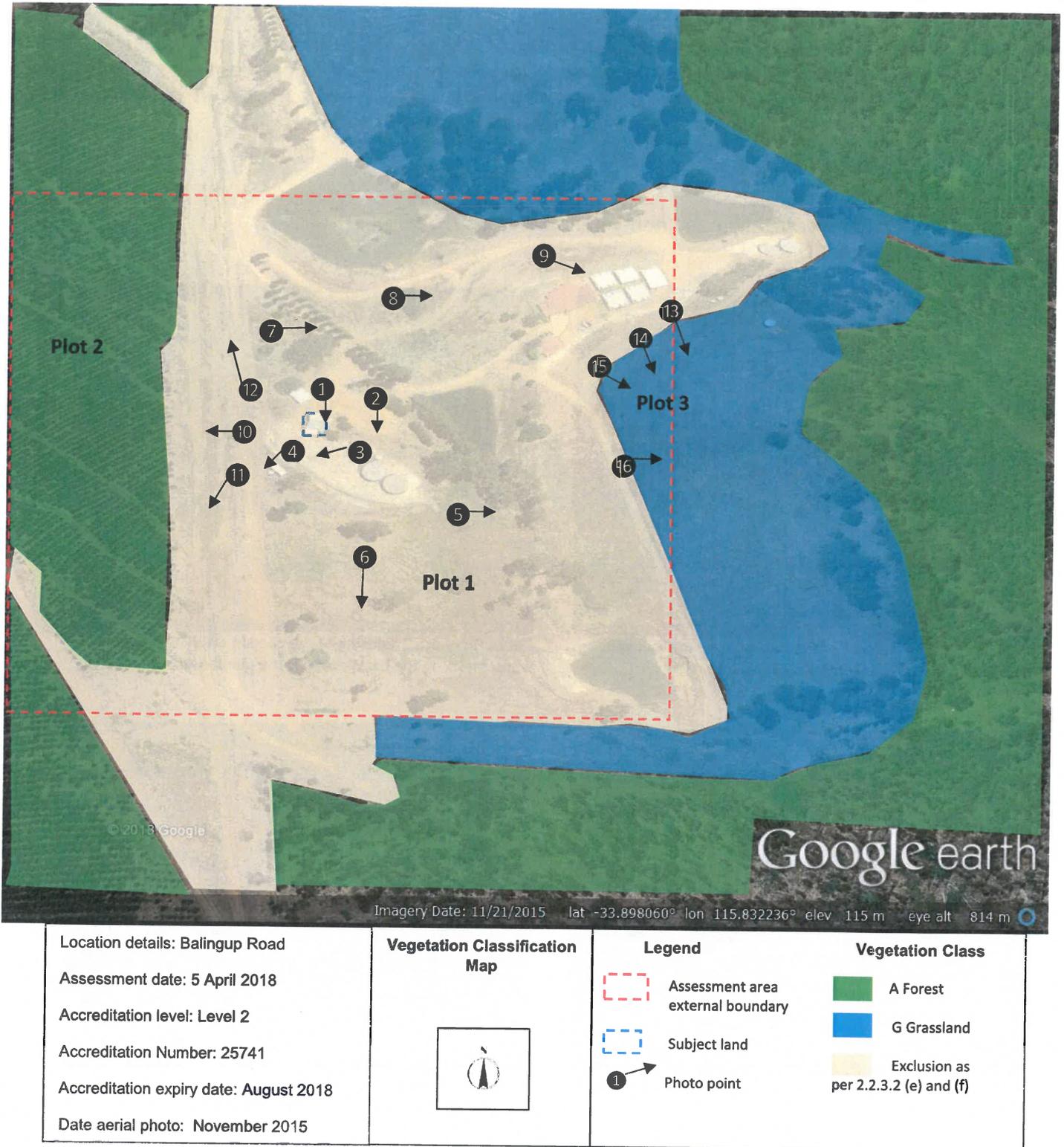


Figure 4. Vegetation classification map.

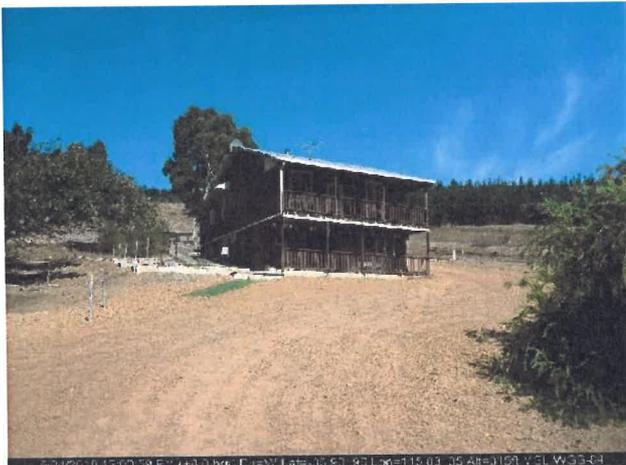
**Subsection 3.1: Assessment Inputs**

**Vegetation Classification**

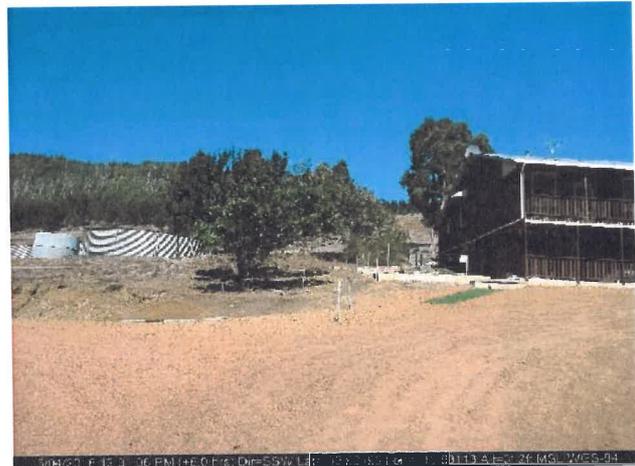
All vegetation within 150 metres of the proposed change of building use as indicated on the site assessment plan was classified in accordance with the Western Australian Government criteria and Clause 2.2.3 of AS 3959 was applied. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below. AS 3959 only requires consideration of 100 metres between vegetation and the building and 50 metres between vegetation and the building for grassland.

**Plot 1**

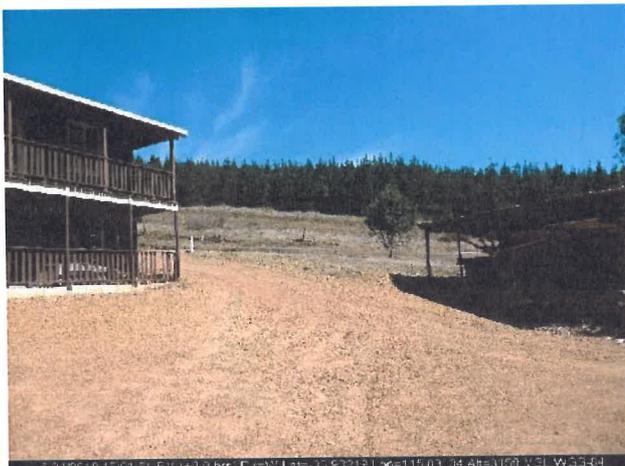
Exclusion – Low threat vegetation and non-vegetated areas  
Clause 2.2.3.2 (e) and (f)



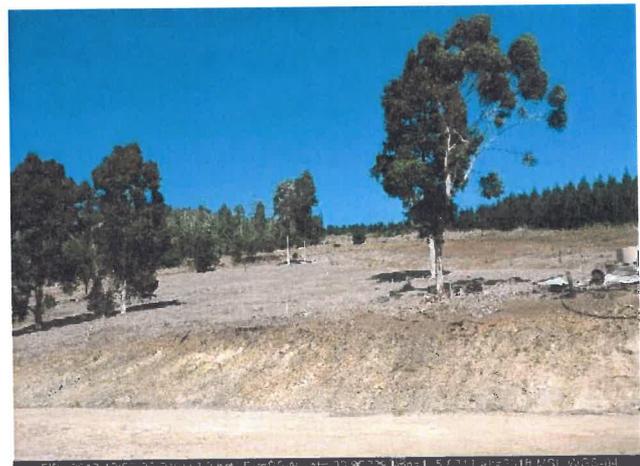
**Photo ID: Photo 1** Looking at the current dwelling that will have a change of use to accommodation for patients.



**Photo ID: Photo 2** Looking at the current dwelling, access and water tanks. In the background is the plantation.



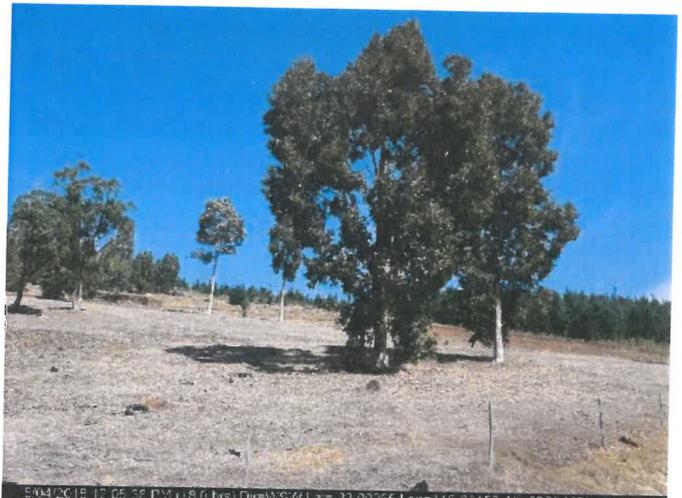
**Photo ID: Photo 3** Looking at the driveway infrastructure and dwelling.



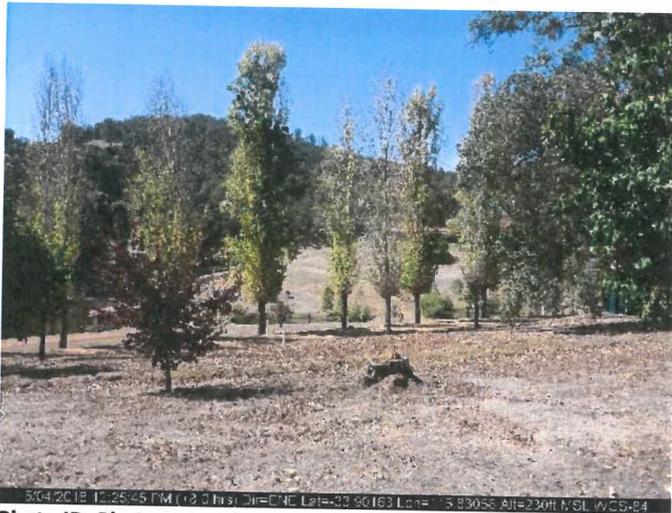
**Photo ID: Photo 4** Looking at the low threat vegetation and managed grassland upslope of the dwelling.



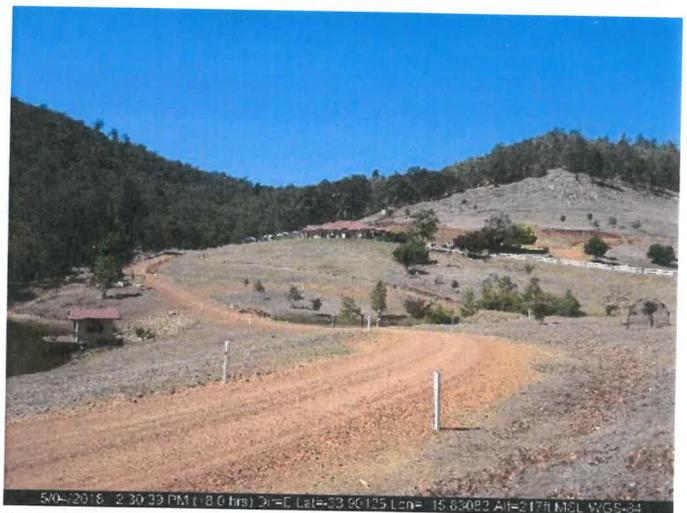
**Photo ID: Photo 5** Looking at the low threat vegetation east of the dwelling to have a change of use.



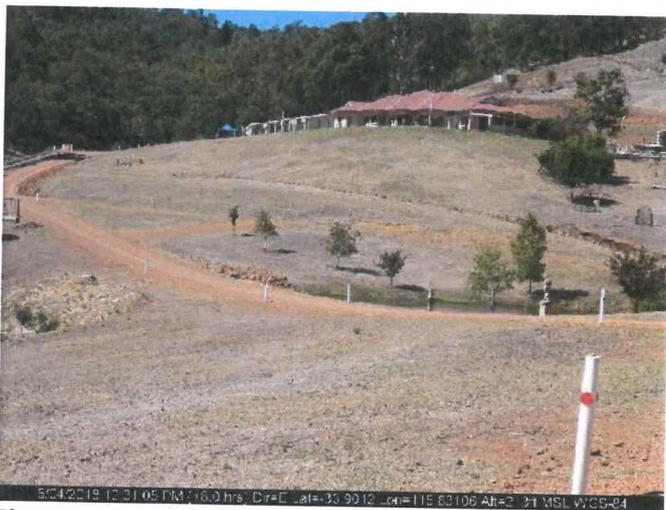
**Photo ID: Photo 6** Looking at the low threat vegetation south and upslope of the dwelling to have a change of use.



**Photo ID: Photo 7** Looking at the low threat vegetation down slope of the dwelling to have a change of use.



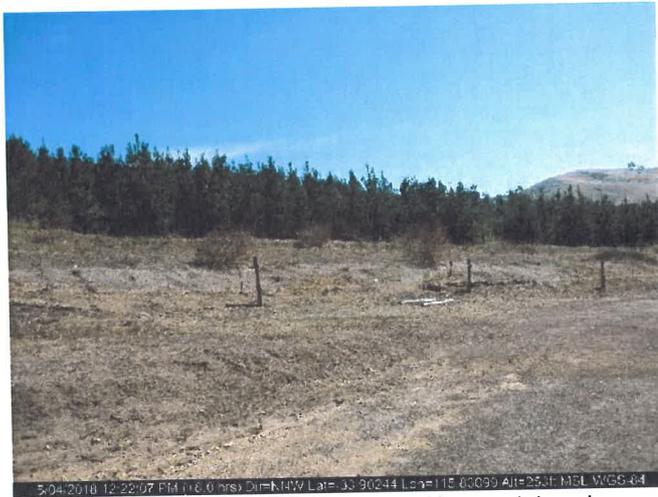
**Photo ID: Photo 8** Looking at the driveway and managed low threat vegetation.



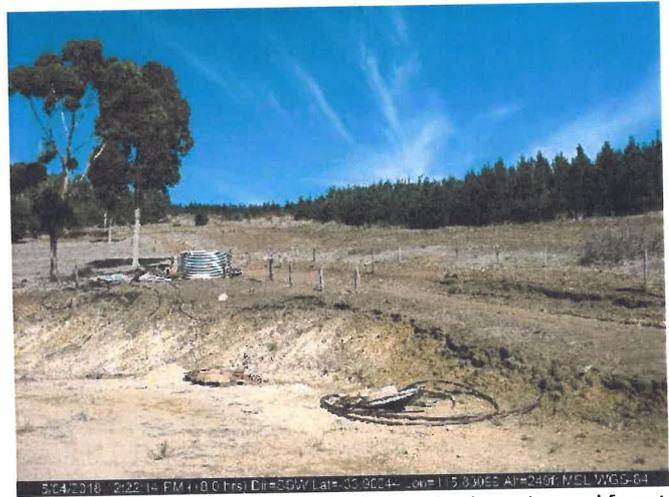
**Photo ID: Photo 9** Looking at the driveway and managed low threat vegetation and main buildings.

**Plot 2**

**Class A – Forest (including the plantation)**



**Photo ID: Photo 10** Looking at the cleared land and then the plantation.



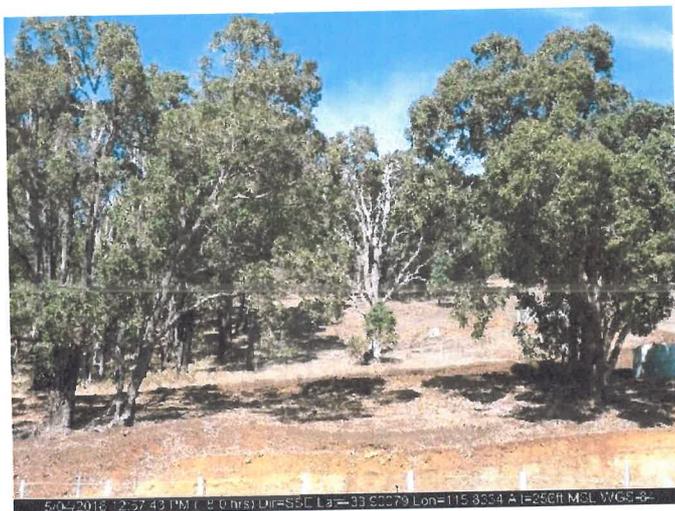
**Photo ID: Photo 11** Looking at the firebreak, plantation and forest south east of the proposed building use site.



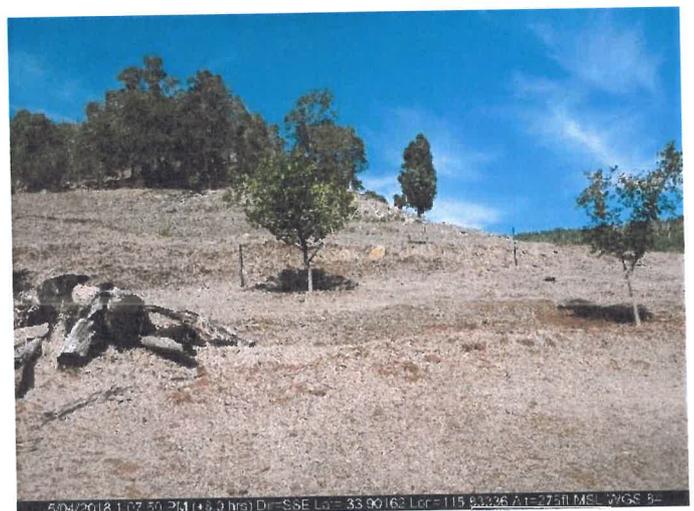
**Photo ID: Photo 12** Looking at the cleared land and then the plantation.

**Plot 3**

**Class G – Grassland**



**Photo ID: Photo 13** Looking at the grassland under a tree overstorey, vegetation between the change of use site and woodland.



**Photo ID: Photo 14** Looking at the grassland vegetation in the background and low threat vegetation in the foreground.

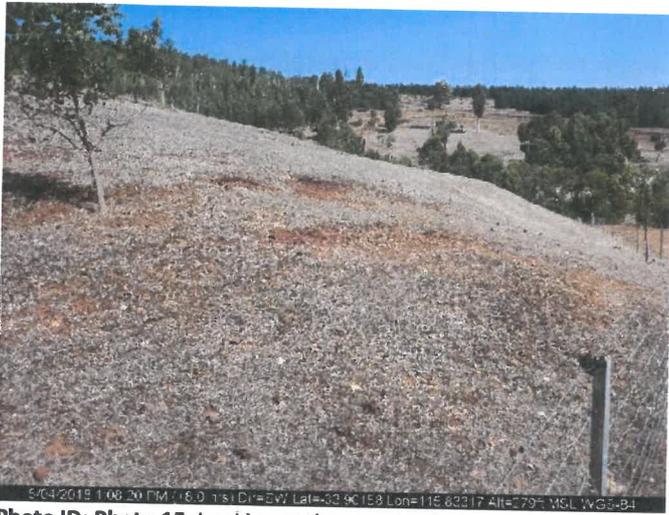


Photo ID: Photo 15 Looking at the grassland managed by grazing.

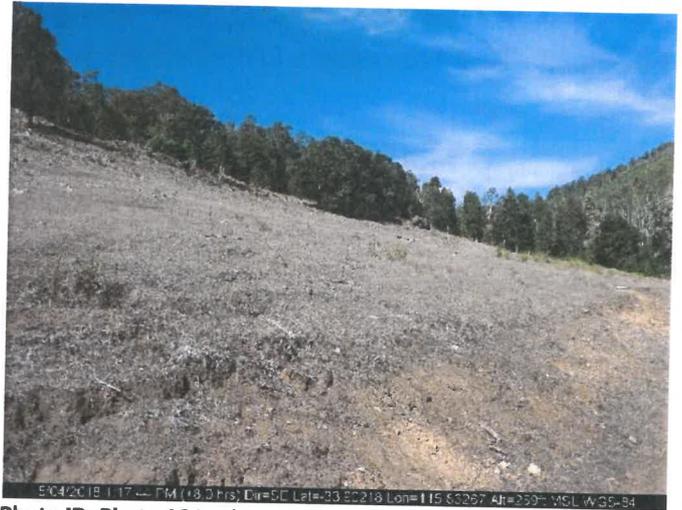


Photo ID: Photo 16 Looking at the grassland which is managed by grazing and additional intervention if required.

## Notes to Accompany Vegetation Classification

### 1. Plot 1

Exclusion – Low threat vegetation and non-vegetated areas  
Clause 2.2.3.2 (e) (f)

This plot comprises the cultivated and reticulated lawns and garden and infrastructure providing access to the site. It includes the road infrastructure and developed land on the lot. Within the exclusion plot the area is mown and chemical sprayed, and the site is parkland managed ensuring 'low threat vegetation' status.

### 2. Plot 2

Class A – Forest

This plot comprises the forest, which includes the plantation, on the neighbouring land adjacent to the site. The plot is separated from the site by cleared land and access or firebreaks. This plot is upslope or across slope from the building which is subject to the application for change of use.

### 3. Plot 3

Class G – Grassland

This plot comprises the extensive grassland areas that are grazed as a management strategy for bushfire fuels. The grassland is grazed during the months of June to December, inclusive, and the cattle are removed during summer as there is no summer feed. There are many kangaroos that grazed this area during summer. If required, there is additional management applied to manage the bushfire fuels.

## Other considerations in regard to vegetation

1. The fire spread algorithms applied in AS 3959 consider fine fuels as less than 6 mm diameter for dead material, and less than 3 mm diameter for live material.

**Potential Bushfire Impacts**

The potential bushfire impacts to the proposed lots from each of the identified vegetation plots are identified below.

Plot	Vegetation Classification	Effective Slope
1	Exclusion – Low threat vegetation and non-vegetated areas Clause 2.2.3.2 (e)	Not applicable
2	Class A – Forest	Upslope 17.28°
3	Class G – Grassland	Upslope 1.6°

**Slope**



Figure 1: Slope north of the building (down slope 0.97°).



Figure 2: Slope north-east of the building (upslope 13.6°).



Figure 3: Slope east of the lot boundary (upslope 8.47°).



Figure 4: Slope south of the lot boundary (upslope 17.28°).



Figure 5: Slope west of the lot boundary (upslope 1.32°).

**Subsection 3.2: Assessment outputs**

The BAL assessment is provided in place of a BAL Contour Map as per Section 5.3.1 of the Guidelines. The BAL rating is based on the separation between the vegetation and the building envelope, which is contained solely on the lot being considered.

Method 1 BAL Determination					
Lot	Applied Vegetation Classification	Effective Slope Under the Classified Vegetation (degrees)	Separation Distance to the Classified Vegetation (metres)	Highest BAL Contour	Modified BAL Contour
1	Exclusion – Low threat vegetation and non-vegetated areas Clause 2.2.3.2 (e) & (f)	Not applicable	Not applicable	LOW	LOW
2	Class A – Forest	Upslope 17.28°	73	12.5	12.5
3	Class G – Grassland	Upslope 1.6°	155	LOW	LOW

**Section 4: Identification of bushfire hazard issues**

The bushfire hazards can be broken up into the ownership or management of the land. On the development lot the bushfire hazard is effectively managed through the zoning and implementation of the reduced fuel levels across the lot. The areas closest to the buildings are intensively managed in a 'low threat vegetation' status during the bushfire season. The grass in the other portion of the lot is effectively managed through appropriate grazing during the grass growing season, so that the grass is less than 10 cm high during the bushfire season.

The intensively managed grassland within the lot provides significant bushfire protection to all of the buildings on the lot.

The forest and plantation on the neighbouring property pose the greatest threat to the buildings on the lot, although that is a significantly reduced bushfire threat when compared to a situation where the forest vegetation was downslope of the buildings. The slope of the land increases the level of protection to the buildings on the lot as the buildings are downslope from the vegetation. This means that any bushfire will be 'backing' down the slope towards the buildings. A 'backing' fire is the slowest running fire with the lowest flame heights and lowest intensity.

**Section 5: Assessment against the Bushfire Protection Criteria**

**Subsection 5.1: Compliance Table**

For each of the elements listed within Appendix 4 of these Guidelines, the 'intent' must be demonstrated by either addressing the relevant acceptable solutions; or where these acceptable solutions cannot be fully met, performance based solutions can be developed to achieve the 'intent'.

Acceptable solutions should be provided within a Table (example provided below) and not duplicated in the body of the BMP.

**Acceptable solutions:**

Present justification statements/discussion for the proposal's compliance or non-compliance with the relevant acceptable solutions.

In every case include all elements and their acceptable solutions but mark as N/A where appropriate.

**Performance Based Solutions**

Explanation and evidence based justification of how the performance based solution achieves the intent of the element. This must be presented to the extent that it clearly demonstrates the author understands the methodology being used to create the performance based solution, and a decision maker/advisor is able to verify the outcome.

Bushfire protection criteria	Method of Compliance	Proposed bushfire management strategies
	Acceptable solutions	
<b>Element 1: Location</b>	A1.1 Development location	The building is separated from the threat vegetation by an extensively managed reduced vegetation zone and gives a BAL rating of BAL-12.5.
<b>Element 2: Siting and design</b>	A2.1 Asset Protection Zone (APZ)	The building is protected by an APZ that is around 36 metres and then enhanced with the managed reticulated and cultivated gardens and associated infrastructure.
<b>Element 3: Vehicular access</b>	A3.1 Two access routes.	The Balingup-Nannup Road is a significant regional access road that provides two alternative access options. It is a sealed road.
	A3.2 Public road	The Balingup-Nannup Road is a public road and is in place and constructed.
	A3.3 Cul-de-sac (including a dead-end-road)	Not applicable.
	A3.4 Battle-axe	Not applicable.
	A3.5 Private driveway longer than 50 m A private driveway is to meet detailed requirements contained within the Guidelines.	The driveway is around 630 metres from Balingup Road to the building. The driveway is compliant with the Guidelines with driveway width, surface quality, passing areas and turn arounds.
	A3.6 Emergency access way	Not applicable.
	A3.7 Fire service access routes (perimeter roads)	Not applicable.
	A3.8 Firebreak width	The firebreaks are in place and comply with the Shire's firebreak notice.
<b>Element 4: Water</b>	A4.1 Reticulated areas	There are water tanks that provide water to the buildings.
	A4.2 Non-reticulated areas	The water supply for firefighting is a standpipe serviced by a 60,000 litre tank that is gravity fed. There is also 1.2 million litres of water within water tanks adjacent to the buildings. These tanks have camlock fittings and appropriate access. There are also a number of permanent water points that are suitable for firefighting trucks to draw additional water.
	A4.3 Individual lots within non-reticulated areas (Only for use if creating 1 additional lot and cannot be applied cumulatively)	Not applicable.

### **Subsection 5.2: Additional management strategies**

The additional management strategies associated with this change of building purpose are:

- The building (where change of use is proposed) is within the declared bushfire prone area and if any modifications are required they will be constructed to the appropriate standards as described in AS 3959.
- The building will be maintained in good order and condition.
- The creation and maintenance of the APZ will enhance protection.
- The remainder of the lot will be managed so that the bushfire fuels do not pose a significant bushfire threat to the buildings on the lot or neighbours.
- The roads servicing the lot are all bitumen which facilitate access into the lot.
- The fire suppression water supply on the lot is substantial and this will be maintained as a functioning facility.



## REQUIREMENTS

1. The minimum width of the APZ is 42–56 metres on the main slope. Vegetation in the APZ is to comply with Schedule 1 Element 2 of the Guidelines.
2. Excluded vegetation as per AS 3959 section 2.2.3.2 (e) and (f).
3. The driveway is longer than 50 m, and therefore requires a passing bay. This passing bay is located on the driveway.
4. The required turn around is within 50 m of the building.
5. The driveway will also create an internal strategic firebreak.
6. The fire hydrant is located on the internal access near the dam.
7. The main water supply tanks are all located upslope of the building.

## LEGEND

- Subject land 
- Hazard vegetation (forest) 
- Hazard vegetation (grass) 
- Excluded vegetation and Low fuel area 
- Gravel driveway 

Location details: Balingup Rd, Nannup  
 Assessment date: 5 April 2018  
 Prepared by: Ralph Smith  
 Accreditation level: 2  
 Accreditation number: 27541  
 Accreditation expiry: August 2018  
 Date of aerial photo: November 2015  
 Version No: 1

**Section 6: Responsibilities for Implementation and Management of the Bushfire Measures**

<b>DEVELOPER – PRIOR TO ISSUE OF TITLES</b>		
<b>No.</b>	<b>Implementation Action</b>	<b>Subdivision Clearance</b>
1	Construct the public roads. (in place now)	<input checked="" type="checkbox"/>
2	Install the strategic 50,000 L water tank to the standards stated in the BMP. (in place now)	<input checked="" type="checkbox"/>

<b>LANDOWNER/DEVELOPER – PRIOR TO SALE OR OCCUPANCY</b>	
<b>No.</b>	<b>Implementation Action</b>
1	Establish the Asset Protection Zone (APZ) to the dimensions and standard stated in the BMP (this can be the responsibility of the developer or the landowner – should be determined by the Local Government). (in place now)
2	Install the required water supply that meets construction and vehicle access specifications. (in place now)

<b>LANDOWNER/OCCUPIER - ONGOING</b>	
<b>No.</b>	<b>Management Action</b>
1	Maintain the Asset Protection Zone (APZ) and 'low threat vegetation' area to the current dimensions and standard stated in the BMP.
2	Comply with the relevant local government annual firebreak notice issued under s33 of the Bush Fires Act 1954.
3	Maintain vehicular access routes within the lot to the required surface condition and clearances.
4	Maintain the emergency water supply tank and dam and its associated fittings and vehicular access in good working condition.

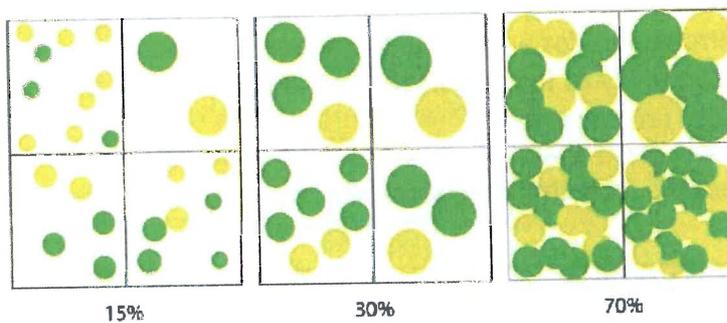
Appendix 1

**ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT**

**SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES**

- **Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.
- **Objects:** within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building (i.e. windows and doors).
- **Fine Fuel load:** combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.
- **Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and/or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Figure 16: Tree canopy cover – ranging from 15 to 70 per cent at maturity



- **Shrubs (0.5 metres to 5 metres in height):** should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m<sup>2</sup> in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.
- **Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.
- **Grass:** should be managed to maintain a height of 100 millimetres or less.

Appendix 2

The vehicular access technical requirements is an extract from the Guidelines, page 68.

Table 6: Vehicular access technical requirements

TECHNICAL REQUIREMENTS	1 Public road	2 Cul-de-sac	3 Private driveway	4 Emergency access way	5 Fire service access routes
Minimum trofficable surface (m)	6*	6	4	6*	6*
Horizontal clecrance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10
Minimum weight capacity (t)	15	15	15	15	15
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5

\*Refer to E.3.2 Public roads: Trofficable surface

# Attachment 12.3.1

Attachment 1

Ms Sharyn Gibellini (Lee)  
24 Hayes Road  
Nannup WA 6275

SHIRE OF NANNUP RECEIVED	
Ref: A1727	No: 2018/221
20 APR 2018	
Officer: DSO	

SHIRE OF NANNUP RECEIVED	
Ref: A1727	No: 18
18 JAN 2018	
Officer: DSO	

Jane Buckland/Development Services Officer  
Shire of Nannup  
Adam St  
Nannup 6275

Dear Jane

## Partial Road Closure – Unmade Road Reserve (Old East Nannup Road)

In reference to correspondence of 2 ~~September 2016~~ (Ref A1727) and previous correspondence, I would like to go ahead with the partial road closure of the *unformed* 'Old East Nannup Road' as suggested by the Shire's consultant planner. (Thus preserving legal access to neighbouring location 11185.) I was under the impression from the previous owner that the actual physical road to the buildings (constructed some 35 years ago) on 11185, is not on the unmade road reserve ... it would have meant constructing a road through the creek.

As per the attached plan, I would request the road be closed from the boundary of 11183 to the base of the wall of the dam and the land be incorporated back into location 11184, thereby honouring the legitimate swap that was made by Mr Les McLellan, but unfortunately was only partially completed by the *Nannup Roads, Health and Vermin Board* staff of the time. Mr McLellan was a very dignified man and was very articulate about the road closure, which was carried out for the better convenience of East Nannup Road traffic and the school bus circuit. I feel the circumstances relating to the 1997 Act of 'Private Road Closure' is somewhat different in this case and would request that it be acknowledged that an actual exchange of land was agreed to for the betterment of the government and not the land holder and therefore any associated costs do not fall on the land holder as they would not be feasible.

The minutes of the *Road, Health and Vermin Boards, 9 July 1955* clearly states:

*Mr McLellan applied to have a road on the eastern boundary of his property closed. The road is at present unmade and unused, and it is unlikely, owing to the roughness of the country, that it ever will be. An alternative road is being used at present.*

*Mr Ford moved and Mr Dunnet seconded that the road be closed. Carried.*

*On Crown Copyright Reserved Map of August 1962* it even states 'road closure 3627/52'.

The process had been carried out by the land holder, and by the shire; it was merely an administrative oversight at some point.

Having worked extremely hard with my previous partner for nearly thirty years on developing and working this land, and at the considerable expense of constructing a dam for horticulture, without knowledge of an open road reserve, it is important to me to have this issue rectified.

Regards

  
Ms Sharyn Gibellini  
Land Holder Location 11184  
January 2018





Attachment 12.3.2





Department of Biodiversity,  
Conservation and Attractions

## Attachment 12.3.3



Your ref: A1727  
Our ref: 2017/003079 PRS42650  
Enquiries: Tracy Teede  
Phone: 08 9725 4300  
Email: [swlanduseplanning@dbca.wa.gov.au](mailto:swlanduseplanning@dbca.wa.gov.au)

Chief Executive Officer  
Shire of Nannup  
PO Box 11  
NANNUP WA 6275

ATTENTION: Jane Buckland

### PROPOSED PARTIAL ROAD RESERVE CLOSURE – OLD EAST NANNUP ROAD EAST NANNUP

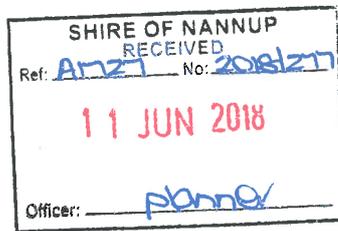
The Department of Biodiversity Conservation and Attractions Parks and Wildlife Service South West Region has no comments on the above proposal.

It is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework.

Thank you for the opportunity to comment on this application. Please contact Tracy Teede at the Parks and Wildlife Service's South West Region office on 97254 300 if you have any queries regarding this advice.

For Regional Manager  
Parks and Wildlife Service

11 June 2018



Date: **10/06/18**

Your Ref: A1727  
Our Ref: **PF229027-1**

**Telstra Plan Services**

Level 18, 275 George Street  
Brisbane, QLD 4000

Postal Address:  
Locked Bag 3820  
Brisbane, QLD 4001

Email: [F0501488@team.telstra.com](mailto:F0501488@team.telstra.com)

Jane Buckland  
nannup@nannup.wa.gov.au

Dear Jane,

**Re:** Road Closure

Thank you for your communication dated **06/06/18** in respect to the locations specified above.

Telstra's plant records indicate that there are **Telstra assets in the vicinity**. Subject to your compliance with the below conditions, **Telstra have NO OBJECTIONS** to the proposed closure.

We note that our plant records merely indicate the approximate location of the Telstra assets and should not be relied upon as depicting a true and accurate reflection of the exact location of the assets. Accordingly, if you haven't already done so please contact Dial Before You Dig for a detailed site plan and a list of Telstra Accredited Plant Locators (APL) to establish the exact location of Telstra assets (phone 1100 or visit [www.1100.com.au](http://www.1100.com.au)).

The network located by a Telstra Accredited Plant Locators may ensure the network is located within the proposed closure.

**In the event Telstra's assets require relocation**, please engage **Telstra's Asset Relocation** team to obtain a quote to relocate the assets from the location in question. The relocation of the assets would be carried out at your cost, however the relocation would ensure that the land/s and its projected use would not be hindered or restricted by easements. The existing network on this road cannot be built over.

Please phone 1800 810 443 (opt 1) or email [F1102490@team.telstra.com](mailto:F1102490@team.telstra.com) to arrange for asset relocation at the property.

As these assets comprise an essential component of the Telstra network, we take this opportunity to highlight Telstra's rights and requirements to ensure that they are understood. The following is stated for your information:

- (1) Telstra's existing facilities are grandfathered under the 1997 Telecommunications Act. This enables such facilities to legally occupy land in perpetuity for the duration of that facilities use.
- (2) Part 1 of Schedule 3 of the Telecommunications Act 1997 authorises a carrier to enter land and exercise any of the following powers:
  - inspect the land
  - install a facility
  - maintain a facility

**In the case of installation and planned maintenance a notification will be afforded and such work will generally proceed during business hours. However, from time to time, certain activities need to be carried out without delay in order to protect the integrity of the network. Such activities may require vehicular access without notice and at any time of the day or night. 24/7 access for maintenance must be maintained.**

(3) If at any time in the future it becomes necessary, in the opinion of the carrier because of a subdivision of any land to remove, or alter the position of a facility, the carrier may enter the land and do anything necessary or desirable for that purpose. The person who proposes to subdivide the land is liable to pay the carrier the reasonable cost of anything reasonably done by the carrier in this regard.

(4) If at any time in the future it becomes necessary, in the opinion of the carrier or the land owner to remove, or alter the position of any Telstra assets, the carrier may enter the land and do anything necessary or desirable for that purpose. If the land owner is contemplating carrier relocation of these assets, then the land owner is liable to pay the carrier the reasonable cost of anything done in this regard.

(5) All individuals have a legal "Duty of Care" that must be observed when working in the vicinity of Telstra's communication plant. It is the constructors/land owner's responsibility to anticipate and request the nominal location of Telstra plant in advance of any construction activities in the vicinity of Telstra's assets. **All enquires for plant locations should be made through Dial Before You Dig's freecall "1100" enquiry number. On receipt of plans, notwithstanding the recorded location of Telstra's plant, the constructor/land owner is responsible for potholing and physical exposure to confirm the actual plant location before site civil work begins.** Telstra reserves all rights to recover compensation for loss or damage caused by interference to its cable network or other property.

Telstra would also appreciate due confirmation when this proposed acquisition proceeds so as to update its **Cadastre** records. Information regarding acquisition of the land would be of benefit to us and should be directed to the following location:

Telstra - Cadastre Updates  
PO Box 102  
Toormina NSW 2452  
Attention: - Sally Cameron  
[F1103453@team.telstra.com](mailto:F1103453@team.telstra.com)  
[F1103452@team.telstra.com](mailto:F1103452@team.telstra.com)

Please pass all information contained in this communication to all parties involved in this proposed process. Any difficulties in meeting the above conditions, or questions relating to them, please do not hesitate to contact Telstra Plan Services; email [F0501488@team.telstra.com](mailto:F0501488@team.telstra.com)

Yours sincerely,



**Stephen Dryley-Collins**

For  
Manager – Brian O'Shea  
Telstra Plan Services

Development Services 629 Newcastle Street Leederville WA 6007 PO Box 100 Leederville WA 6902

T (08) 9420 2099  
F (08) 9420 3193



Your Ref:  
Our Ref: JT1 2012 04865 V01 - RC354574  
Enquiries: Ross Crockett  
Direct Tel: 9420 2013

SHIRE OF NANNUP RECEIVED  
Ref: A1721 No: 27/210  
11 JUN 2018  
Officer: Jane

6<sup>th</sup> June 2018

**Shire of Nannup  
P.O. BOX 11  
NANNUP W.A. 6275**

Attention of: **Jane Buckland**

**Re: Shire of Nannup - Road Closure Portion of Old East Nannup Road,  
East Nannup**

Thank you for your letter dated 31<sup>st</sup> May 2018. The Water Corporation offers the following comments in regard to this proposal.

**Water & Wastewater**

Reticulated water & wastewater services are remote from this proposed road closure. (See attached plan)

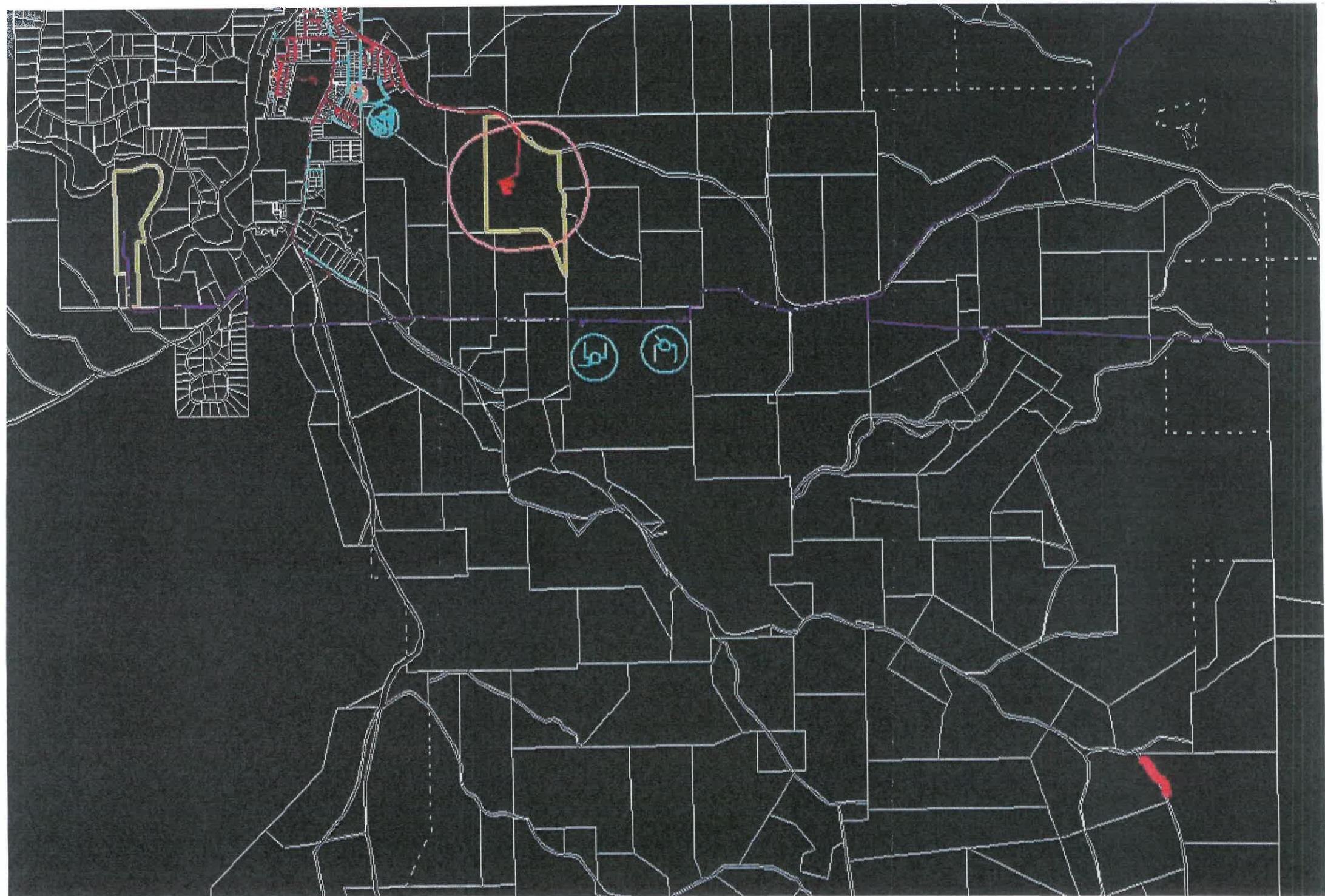
This closure does not appear to impact on the Water Corporation's infrastructure or operations.

Please provide the above comments to the land owner, developer and/or their representative.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

A handwritten signature in blue ink, appearing to read "Ross Crockett".

Ross Crockett  
Development Planner  
Land Planning  
Assets Planning Group



## **Attachment 12.4.1**

# **PLANNING ASSESSMENT REPORT**

## **Development Application for**

The installation of a Telecommunications Facility at

**151 Perks Road, Cundinup, WA 6275**

**(Lot 906 on Plan 69041)**

Document prepared by **Visionstream Pty Ltd**

On behalf of **Telstra Corporation Ltd**

**Project Name: Cundinup**

**Project No.: WA08723.01**

**May 2018**



Contents

Document Control .....	2
1.0 Executive Summary .....	3
1.1 Site and Proposal Details.....	3
1.2 Applicant Details .....	3
2.0 Introduction .....	4
3.0 Proposed Scope of Works .....	4
4.0 Purpose of the Proposal.....	4
5.0 Mobile Telecommunications Networks.....	5
6.0 Site Parameters .....	5
7.0 Candidate Sites .....	6
7.1 Nominated Candidate .....	9
7.2 The Site.....	9
8.0 Federal Regulatory Framework .....	10
8.1.0 Telecommunications Act 1997 .....	10
8.1.1 Telecommunications (Low-impact Facilities) Determination 2018 .....	10
9.0 State Regulatory Framework.....	11
9.1 Planning and Development Act 2005 .....	11
9.2 Statement of Planning Policy No. 5.2 - Telecommunications Infrastructures (WAPC) ...	11
10.0 Local Regulatory Framework .....	15
10.1 The Shire of Nannup Local Planning Scheme No. 3 .....	15
11.0 General Provisions.....	17
11.1 Visual Impacts.....	17
11.2 Heritage.....	17
11.3 Flora and Fauna .....	17
11.4 Traffic .....	18
11.5 Access .....	18
11.6 Utilities.....	18
11.7 Construction .....	18
11.8 Bushfire .....	19
12.0 Conclusion .....	21
Appendix A - Certificate of Title .....	22
Appendix B - Plans of the Proposal .....	23
Appendix C - Environmental EME Report.....	24
Appendix D - Site Photographs .....	25
Appendix E - Fact Sheets .....	29
Appendix F - Environment Analysis Report (EPBC) .....	<b>Error! Bookmark not defined.</b>

**Document Control**

This Development Application is prepared by:

Visionstream Australia Pty Ltd

ABN 85 093 384 680

Postal Address:

35-37 Kewdale Road

Welshpool WA 6106

**T** (08) 6555 8518

**W** [www.visionstream.com.au](http://www.visionstream.com.au)

<b>Document Control</b>				
Rev	Date	Status	Prepared by	Reviewed by
1.0	10/05/2018	Draft	M Fletcher	P Krusi
2.0	16/05/2018	Final	M Fletcher	
3.0				
4.0				

**DISCLAIMER**

Visionstream Australia Pty Ltd does not accept any risk or responsibility for a third party using this document, unless written authorisation is provided by Visionstream Australia Pty Ltd.

## 1.0 Executive Summary

### 1.1 Site and Proposal Details

<b>Address of Site</b>	151 Perks Road, Cundinup, WA 6275
<b>Legal Property Description</b>	Lot 906 on Plan 69041
<b>Local Authority</b>	Shire of Nannup
<b>Planning Instrument</b>	Shire of Nannup TPS No. 3
<b>Zone and Overlay</b>	Agriculture   Heritage – No heritage overlays
<b>Use</b>	Telecommunications Facility
<b>Owner</b>	Shayne Brown and Bobbie Brown

### 1.2 Applicant Details

<b>Applicant</b>	Telstra Corporation Limited ABN 051 775 556 C/- Visionstream Pty Ltd	
<b>Contact Person</b>	Matthew Fletcher	08 6555 8500 Matthew.fletcher@Visionstream.com.au
<b>Our Reference</b>	WA08723.01 Cundinup	

## 2.0 Introduction

This report has been prepared by Visionstream on behalf of Telstra as supporting information to a Planning Permit Application for the installation of a 60.0m high telecommunications facility 151 Perks Road in Cundinup, WA 6275, which is more formally known as lot 906 on Plan 69041.

### Refer to Appendix 1 for Title details

All mobile phone network operators are bound by the operational provisions of the federal *Telecommunications Act 1997* (“The Act”) and the *Telecommunications Code of Practice 2018*. The *Telecommunications (Low-Impact Facilities) Determination 2018* allows for the upgrade of existing mobile phone network infrastructure without the consent of a relevant statutory authority.

In this instance the proposed development does not comply as a “Low Impact facility” under the definitions contained in the Commonwealth legislation. Therefore, it is subject to the provisions of the *WA Planning and Development Act 2005* and the provisions of the Shire of Nannup’s *Town Planning Scheme No. 3*.

## 3.0 Proposed Scope of Works

The proposal is inclusive of the following scope of works:

- Installation of one (1) 60.0m lattice tower;
- Installation of one (1) triangular headframe;
- Installation of six (6) new panel antennas (no greater than 2.8m in length);
- Installation of two (2) parabolic antennas (0.9m in length)
- Installation of three (3) TMAs
- Installation of one (1) Telstra Equipment Shelter that is not more than 3m high with a base area of not more than 7.5m<sup>2</sup> at the base of the aforementioned monopole;
- Installation of associated ancillary cabling and equipment;
- Installation of 14m by 14m chain-link fence with a 3m wide gate.

Refer to Plans attached in Appendix B for further details.

## 4.0 Purpose of the Proposal

The purpose of the application is to receive development approval for the installation of a telecommunications facility 151 Perks Road in Cundinup on behalf of Telstra.

### Mobile Black Spot Program:

Telstra is building more than 650 new mobile base stations under the Mobile Black Spot Program, more than double all of our competitors combined. This includes an investment of more than \$260 million of our own capital, significantly contributing to the co-investment between Telstra, the Federal and State Governments as well as numerous local councils.

In addition to the more than 650 new mobile base stations, Telstra is continuing to install up to 250 small cells to deliver high speed 4G services in some small country towns where suitable Telstra infrastructure is available.

#### By way of a background:

Mobile phones and mobile broadband devices continue to play an important role in the lives of Australians. This includes providing the fundamental ability to be in contact with family and friends, operating businesses more efficiently and effectively as well as dialling triple 0 during a natural disaster or other emergency.

Because of the ever growing demand for more data and better reception, mobile phone carriers such as Telstra are continually having to upgrade and expand mobile phone networks to eliminate coverage blackspots and to keep up with the demands and expectations placed upon them by the community.

Recently Telstra has identified the need to increase the capacity of the mobile phone network in Cundinup due to demands placed upon the existing network by people in the locality. In addition, the proposal seeks to provide mobile coverage along the important thoroughfare of Vasse Highway and through large areas of state forest.

As the incumbent telco, Telstra knows how important access to modern telecommunications infrastructure is and in order to remedy the lack of mobile phone coverage in the aforementioned areas Telstra wishes to establish a new mobile telecommunications base station facility at 151 Perks Road in Cundinup.

## **5.0 Mobile Telecommunications Networks**

A mobile telecommunications network is made up of multiple base stations covering a geographic area. They work by sending and receiving radio signals from their antennas to mobile phones and other mobile devices such as tablet computers, wireless dongles etc. Base stations are designed to provide service to the area immediately surrounding the base station which can be up to several kilometers in distance. Depending on the technical objectives of a base station, the physical characteristics of each telecommunications facility; such as its height, number and size of antennas, equipment, cabling etc. will vary.

As a general rule, the higher the antennas of a base station the greater the range of coverage and the ability to relieve capacity issues. If this height is compromised then additional facilities, and thus more infrastructure, will be required for any given locality. The further a facility is located away from its technically optimum position the greater the compromise of the service. This may result in coverage gaps and require additional or taller base stations to provide adequate service.

Each base station transmits and receives signals to and from mobile devices in the area. As the mobile device users move around their devices will communicate with the nearest base station facility to them at all times. If the users cannot pick up a signal, or the nearest base station is congested because it is already handling the maximum number of phone calls or maximum level of data usage, then the users may not be able to place a call, they may experience call “drop outs” or they might experience a slow data rate while attempting to download content.

The current proposal will form part of Telstra’s NextG network solution to the Cundinup locality and will deliver essential mobile services (voice calling, SMS), as well as live video calling, video-based content including; news, finance and sports highlights, and high-speed wireless internet/wireless broadband. With a coverage footprint of more than 2.1 million square kilometers and covering more than 99% of the Australian population, Telstra’s NextG is Australia’s largest and fastest national mobile broadband network and, as a result, requires more network facilities, located closer together to ensure a high quality signal strength to achieve reliable service and the fastest possible data transfer rates.

## **6.0 Site Parameters**

Telstra commences the site selection process with a search of potential sites that meet the network’s technical requirements, with a view to also having the least possible impact on the amenity of the surrounding locality. Telstra applies and evaluates a range of criteria as part of this site selection process.

Telstra assesses the technical viability of potential sites through the use of computer modelling tools that produce predictions of the coverage that may be expected from these sites as well as from the experience and knowledge of the radio engineers.

There are also a number of other important criteria that Telstra uses to assess options and select sites that may be suitable for a proposed new facility. These take into account factors other than the technical performance of the site, and include:

- The potential to co-locate on an existing telecommunications facility.
- The potential to locate on an existing building or structure.
- Visual impact and the potential to obtain relevant town planning approvals.
- Proximity to community sensitive locations and areas of environmental heritage.
- The potential to obtain tenure at the site.
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

In making the proposal for this site at 151 Perks Road in Cundinup, Telstra has carefully weighed all of the aforementioned criteria. This analysis is detailed in the next section.

## 7.0 Candidate Sites

Telstra carefully examined a range of possible deployment options in the area before concluding that a new telecommunications facility at 151 Perks Road in Cundinup would be the most appropriate solution to provide necessary mobile phone coverage to the Cundinup locality.

Accordingly, this section of the report will demonstrate the following:

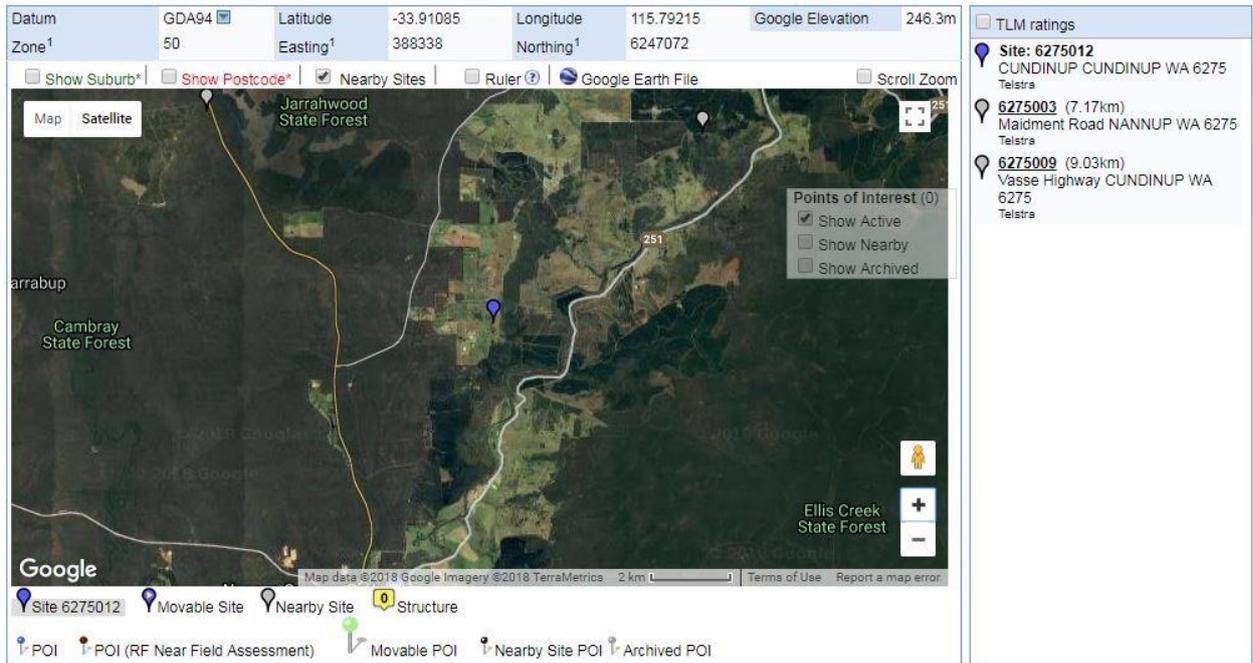
- Colocation opportunities and existing telecommunications infrastructure within proximity to the proposed installation; and
- An analysis of the locations considered when determining an appropriate location for a new telecommunications installation within the required coverage area.

### Colocation opportunities

The Communications Alliance Ltd. (formerly Australian Communications Industry Forum Ltd. - ACIF) *Industry Code C564:2011 – Mobile Phone Base Station Deployment* promotes the use of existing sites in order to mitigate the effects of facilities on the landscape. It should also be noted that as a first preference, Telstra attempts to utilise, where possible, any existing infrastructure or co-location opportunities.

Below is a map of existing and proposed telecommunications facilities surrounding the Cundinup locality – the blue marker indicates the location of the proposed telecommunications facility at 151 Perks Road in Cundinup.

The grey marker to the North-West indicates where an existing Telstra facility is and the grey marker to the North-East indicates where another Telstra facility is. However, the sites are more than 9km and 7km away respectively and, therefore, do not meet the coverage objectives of the Mobile Black Spot Site. Furthermore, there are no other nearby telecommunications facilities within the locality that would be capable of meeting the needs of the facility. Accordingly, there is an identified lack of suitable telecommunications facilities within the vicinity of the proposed installation. As a result, there were no suitable colocation opportunities to provide the required radio frequency coverage objectives.



**Figure 1: Location of nearby existing telecommunications facilities – Source: RFNSA, [www.rfnsa.com.au](http://www.rfnsa.com.au)**

Candidates considered

The site selected is deemed to be the most optimal location to achieve the required coverage requirements and requires a 60.0m high telecommunications facility at 151 Perks Road in Cundinup (Candidate O). This is further outlined below along with the balance of alternative candidates considered as part of the site selection process:

Candidate	Location	Proposal	Zoning	Description
Candidate A	Stage Forest 1 Lat:-33.859242 Long: 115.713366	Greenfield 60.0m lattice tower	State Forest	The site is located in generally undisturbed state forest and is also within an area identified as possibly containing sacred Aboriginal trees.  Given the potential negative impacts upon undisturbed state forest and Aboriginal heritage items and the fact that a more suitable candidate exists (Candidate O) that does not contain undisturbed state forest and Aboriginal heritage items, Candidate A was not selected as the preferred candidate.
Candidate N	456 South Cundinup Rd, Cundinup, WA 6275 Lat: -33.891788 Long: 115.797155	Greenfield 60.0m lattice tower	Agricultural Priority 2	This candidate is in land zoned as Agricultural Priority 2. Telecommunications infrastructure is listed as an X use in the zoning table which means that it is a use not permitted by the Scheme.
Candidate O	151 Perks Rd, Cundinup, WA 6275 Lat: -33.91085 Long: 115.79215	Greenfield 60.0m lattice tower	Agriculture	Preferred Candidate and the subject of this application.



Figure 2: Location of Proposed Candidates

## 7.1 Nominated Candidate

A preferred nominated candidate was selected for the proposed facility, based on the radiofrequency objectives, planning and environmental issues, potential community sensitive uses and engineering criteria as noted above. In this case, **Candidate O** (a new 60.0m lattice tower located at 151 Perks Road) was considered the best option. This was based on the following:

- The site is appropriately located and sited to minimise visual and environmental impacts on the immediate and surrounding areas;
- Well setback from sensitive uses;
- The site will achieve the required coverage objectives for the area;
- The site will meet design and construction considerations; and
- The proposal operates within the regulatory framework of Commonwealth, State and Local Government.

As stated above, the site selection process carefully considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility. On balance, it is considered that the location and height of the facility ensure optimal service provision to the area whilst minimizing any perceived impacts.

The proposed Telstra site has been sited and designed to minimise any adverse impact on the amenity of the surrounding locality. The site is located on cleared agricultural land away from sensitive sites such as Aboriginal heritage sites, state forest, schools and child care centres.

As a result of the aforementioned points it is considered that the siting and design effectively responds to the landscape setting in the area.

## 7.2 The Site

The subject site is located 151 Perks Road, Cundinup, WA 6275. The legal description of the property is Lot 906 on Plan 69041. A copy of the Certificate of Title has been attached for information purposes (**Appendix 1 – Certificate of Title**).

The land is owned by Shayen Brown and Bobbie Brown.

The aforementioned land is zoned 'Agriculture' under the provisions of the Shire of Nannup's *Local Planning Scheme No. 3* – refer to **Section 10.1** for additional information on planning schemes and map images.

The site is currently used for farming. The site will be accessed from the rear of the property off Perks Road. The adjoining properties are also characterized by farming land uses as well as state forest.



**Figure 3: Proposed Telstra Site – 151 Perks Road, Cundinup, WA 6275** (Source: Google Earth)

Appropriate setbacks to any identified ‘sensitive sites’ such as state forests and “Landscape Values Areas” have been considered and achieved during the detailed siting of the facility.

The site is located outside of areas of environmental significance as defined by The *Telecommunications (Low-Impact Facilities) Determination 2018*.

## 8.0 Federal Regulatory Framework

The following information provides a summary of the Federal legislation relevant to telecommunications development proposals.

### 8.1.0 Telecommunications Act 1997

The *Telecommunications Act 1997* (the Act) came into operation on 1<sup>st</sup> July 1997. The Act provides a system for regulating telecommunications and the activities of carriers and service providers.

Under the Act, telecommunications carriers are no longer exempt from State and Territory planning laws except in three limited instances:

1. There are exemptions for inspection of land, maintenance of facilities, installation of “low impact facilities”, subscriber connections and temporary defence facilities. These exemptions are detailed in the *Telecommunications (Low-impact Facilities) Determination 2018* and these exceptions are subject to the *Telecommunications Code of Practice 2018*;
2. A limited case-by-case appeals process exists to cover installation of facilities in situations of national significance; and
3. There are some specific powers and immunities from the previous *Telecommunications Act 1991*.

### 8.1.1 Telecommunications (Low-impact Facilities) Determination 2018

The *Telecommunications (Low-impact Facilities) Determination 2018* came into effect in March 2018.

The Determination contains a list of Telecommunications Facilities that the Commonwealth will continue to regulate. These are facilities that are essential to maintaining telecommunications networks and are

unlikely to cause significant community disruption during their installation or operation. These facilities are therefore considered to be 'Low-impact' and do not require planning approval under State or Territory laws.

The proposed facility at 151 Perks Road in Cundinup does not fall under the Determination and, therefore, requires approval under State planning legislation.

## 9.0 State Regulatory Framework

The following information provides a summary of the State legislation/ guidelines relevant to telecommunications development proposals.

### 9.1 Planning and Development Act 2005

The Minister of Planning and Infrastructure has ultimate authority for town planning in Western Australia. Development within Western Australia is controlled by the *Planning and Development Act 2005* through the application of environmental planning instruments. Under the *Planning and Development Act 2005*, the Western Australian Planning Commission (WAPC) is the responsible authority for land use planning and development matters and this report seeks to demonstrate compliance with the WAPC and other items of relevant legislation which pertain to the subject application.

### 9.2 Statement of Planning Policy No. 5.2 – Telecommunications Infrastructures (WAPC)

The WAPC *Statement of Planning Policy No. 5.2 – Telecommunications Infrastructure* (SPP 5.2) provides a framework for the preparation, assessment and determination of applications for planning approval of telecommunications facilities within the context of the planning system of Western Australia. *Planning Policy 5.2* states that 'telecommunications infrastructure should be located, sited and designed in accordance with the following Guiding Principles'.

Principles	Comments	Complies
There should be a co-ordinated approach to the planning and development of telecommunications infrastructure, although changes in the location and demand for services require a flexible approach.	Telstra undertakes a carefully co-ordinated and planned approach to the development of their network.	✓
Telecommunications infrastructure should be strategically planned and co-ordinated, similar to planning for other essential infrastructure such as networks and energy supply.	The proposed facility is strategically planned and co-ordinated to ensure that the facility will provide high level coverage to the Cundinup locality as well as long along important Thoroughfare of Vasse Highway.	✓
Telecommunications facilities should be located and designed to meet the communication needs of the community.	The proposed facility is strategically planned and co-ordinated to ensure that the facility will provide high level coverage to the Cundinup locality as well as long along important Thoroughfare of Vasse Highway.	✓

<p>Telecommunications facilities should be designed and sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts on prominent landscape features, general views in the locality and individual significant views.</p>	<p>The proposed 60.0m lattice tower has been sited to maintain the primary use of the land whilst considering the impact to the surrounding locality. The site carefully considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility. On balance, it is considered that the location and height of the facility ensure optimal service provision to the area whilst minimizing any perceived impacts.</p>	<p>✓</p>
<p>Telecommunications facilities should be designed and sited to minimise impacts on areas of natural conservation value and places of heritage significance or where declared rare flora are located.</p>	<p>A desktop study of the proposed site indicated that it is not affected by any heritage listings nor is it in close proximity to any heritage listings. As the land is already cleared there will be no impact on the natural environment or its surrounds.</p>	<p>✓</p>
<p>Telecommunications facilities should be designed and sited with specific consideration of water catchment protection requirements and the need to minimise land degradation.</p>	<p>Prior to the commencement of work Telstra will undertake such measures as deemed necessary by Council to effectively protect water catchments within the immediate area.</p>	<p>✓</p>
<p>Telecommunications facilities should be designed and sited to minimise adverse impacts on the visual character and amenity of residential area.</p>	<p>Telstra has selected a site and location that seeks to minimise any perceived negative impacts on the visual amenity of the area, particularly when viewed from residential areas. The lattice tower will remain unpainted (dull grey in colour) which blends in with the sky. Furthermore, the proposed subject site maintains suitable separation distance from surrounding residential areas.</p>	<p>✓</p>
<p>Telecommunications cables should be placed underground, unless it is impractical to do so and there would be no significant effect on visual amenity or, in the case of regional areas, it can be demonstrated that there are long-term benefits to the community that outweigh the visual impact.</p>	<p>Overhead cabling is not proposed for this site.</p>	<p>✓</p>
<p>Telecommunications cables that are installed overhead with other infrastructure such as electricity cables should be removed and placed underground when it can be demonstrated and agreed by the carrier that it is technically feasible and practical to do so.</p>	<p>This principle does not apply to the subject of this application.</p>	<p>N/A</p>
<p>Unless it is impractical to do so telecommunications towers should be located within commercial, business, industrial</p>	<p>The proposed site is zoned 'Agriculture' as identified by the Shire of Nannup's <i>Local Planning Scheme No. 3</i>. Given the rural nature of the land the proposed facility will be located in the desired</p>	<p>✓</p>

<p>and rural areas and areas outside identified conservation areas.</p>	<p>zoning.</p>	
<p>The design and siting of telecommunications towers and ancillary facilities should be integrated with existing buildings and structures, unless it is impractical to do so, in which case they should be sited and designed so as to minimise any adverse impact on the amenity of the surrounding area.</p>	<p>As per Section 7 of this report, no opportunities for co-location were identified in the area and it has been identified that the proposed Telstra site location is seen as the preferred site location. Colocation was investigated; however, the locations were existing Telstra sites which are too far from the subject area to meet the radio frequency objectives of the proposal.</p>	<p>✓</p>
<p>Co-location of telecommunications facilities should generally be sought, unless such an arrangement would detract from local amenities or where operation of the facilities would be significantly compromised as a result.</p>	<p>As per Section 7 of this report, no opportunities for co-location were identified in the area and it has been identified that the proposed Telstra site location is seen as the preferred site location. Colocation was investigated; however, the locations were existing Telstra sites which are too far from the subject area to meet the radio frequency objectives of the proposal.</p>	<p>✓</p>
<p>Measures such as surface mounting, concealment, colour co-ordination, camouflage and landscaping to screen at least the base of towers and ancillary structures, and to draw attention away from the tower, should be used, where appropriate, to minimise the visual impact of telecommunications facilities.</p>	<p>Telstra has selected a site and location that seeks to minimise any perceived negative impacts on the visual amenity of the area, particularly when viewed from residential areas. The lattice tower will remain unpainted (dull grey in colour) which blends in with the sky. Furthermore, the proposed subject site maintains suitable separation distance from surrounding residential areas.</p>	<p>✓</p>
<p>Design and operation of a telecommunications facility should accord with the licensing requirements of the Australian Communications Authority, with physical isolation and control of public access to emission hazard zones and use of minimum power levels consistent with quality services.</p>	<p>Telecommunications facilities include radio transmitters that radiate electromagnetic energy (EME) into the surrounding area. The levels of these electromagnetic fields must comply with safety limits imposed by the Australian Communications and Media Authority (ACMA, previously ACA). All Telstra installations are designed to operate within these limits.</p>	<p>✓</p>
<p>Construction of a telecommunications facility (including access to a facility) should be undertaken so as to minimise adverse effects on the natural environment and the amenity of users or occupiers of adjacent property, and ensure compliance with relevant health and safety standards.</p>	<p>During construction Telstra contractors will endeavour to minimise the impact of their works on the amenity of nearby residents and on the surrounding environment. As the proposed site is located in a rural area, adverse effects on nearby properties will be minimal. Following construction, maintenance (excluding emergency repair work) activities should not interfere with the amenity of users. All Health and Safety standards will be adhered to.</p>	<p>✓</p>

Under section 5.1.1 of the *State Planning Policy 5.2: Telecommunications Infrastructure Policy* the West Australian Planning Commission provides a set of measures in assessing the visual impact of a proposed telecommunications facility.

An assessment of these guidelines below has found that the proposed Telstra Mobile Phone Base Station is compliant with the intent and requirements of the *State Planning Policy 5.2: Telecommunication Infrastructure Policy*.

Measures	Comments	Complies
Be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;	The proposed 60.0m lattice tower has been sited to maintain the primary use of the land whilst considering the impact to the surrounding locality. The site carefully considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility. On balance, it is considered that the location and height of the facility ensure optimal service provision to the area whilst minimizing any perceived impacts.	✓
Be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;	Telstra has selected a site and location that seeks to minimise any perceived negative impacts on the visual amenity of the area, particularly when viewed from residential areas. The lattice tower will remain unpainted (dull grey in colour) which blends in with the sky. Furthermore, the proposed subject site maintains suitable separation distance from surrounding residential areas.	✓
Not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised;	There are no known items of environmental, cultural or social significance located on the proposed site. Any visual impact has been mitigated through a variety of design elements.	✓
Display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;	The proposed 60.0m lattice tower has been sited to maintain the primary use of the land whilst considering the impact to the surrounding locality. The site carefully considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility. On balance, it is considered that the location and height of the facility ensure optimal service provision to the area whilst minimizing any perceived impacts	✓
Be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community;	<p>Telstra has identified mobile phone coverage blackspots in the growing Cundinup locality. Furthermore, there is a lack of coverage along major transport routes such as along the Vasse Highway which poses further public safety concerns.</p> <p>The proposed location 151 Perks Road in Cundinup will provide improved and continuous coverage to the locality and will also provide other carriers with the opportunity to co-locate their infrastructure in the future.</p>	✓

<p>Telecommunications infrastructure should be co-located and whenever possible: Cables and lines should be located within an existing underground conduit or duct; and Overhead lines and towers should be co-located with existing infrastructure and/or within an existing infrastructure corridor and/or mounted on existing or proposed buildings.</p>	<p>As per Section 7 of this report, no opportunities for co-location were identified in the area and it has been identified that the proposed Telstra site location is seen as the preferred site location. Colocation was investigated; however, the locations were existing Telstra sites which are too far from the subject area to meet the radio frequency objectives of the proposal.</p> <p>Therefore, it has been identified that the proposed Telstra site location is seen as the preferred site location. As mentioned previously, the proposed Telstra lattice tower will also provide other carriers with the opportunity to co-locate their infrastructure in the future.</p> <p>As this is a greenfield site there is no option to utilise existing underground conduit or ducts. Overhead lines are not applicable to this application.</p>	<p style="text-align: center;">✓</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------

## 10.0 Local Regulatory Framework

The following information provides a summary of the local provisions relevant to telecommunications development proposals.

### 10.1 The Shire of Nannup Local Planning Scheme No. 3

The *Shire of Nannup Local Planning Scheme No. 3* provides the legal basis for planning in the Shire of Nannup's local government area.

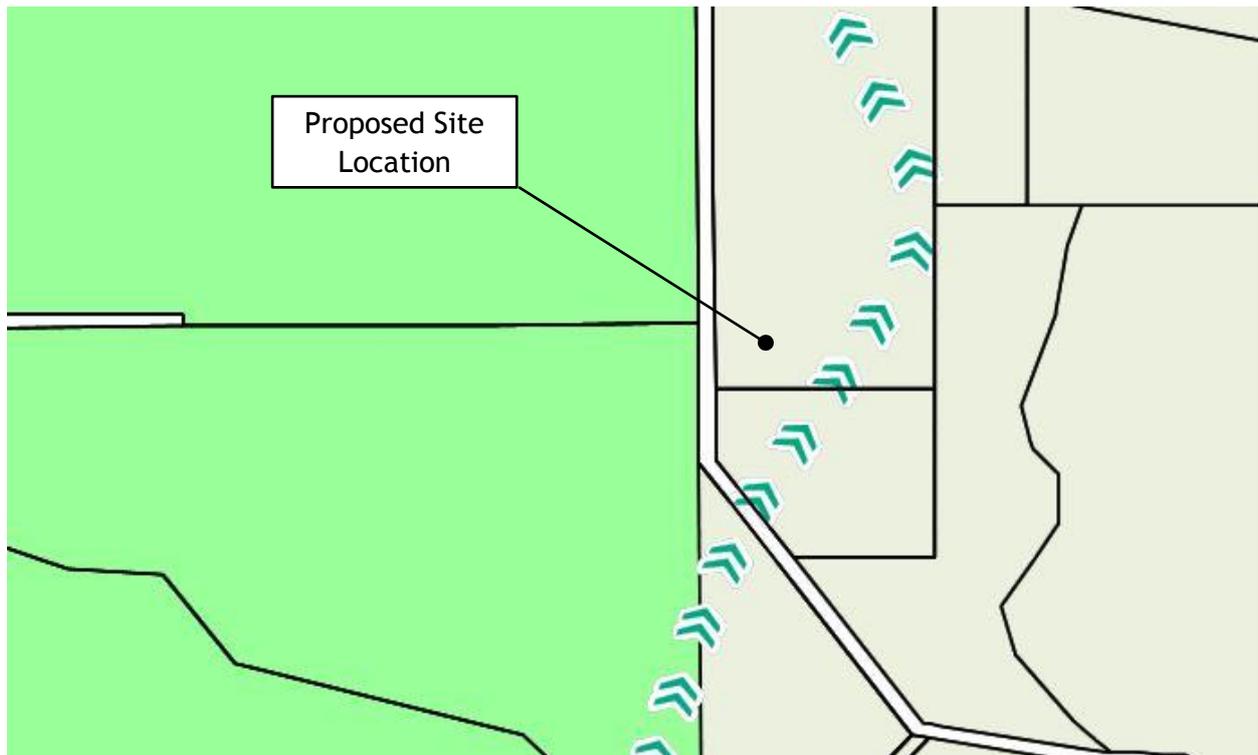
The proposed site and the surrounding area have a large portion which is zoned 'Agriculture' as well as a large amount of state forest as shown in **Figure 4** below.

For the purposes of this proposal the Principal Designated Use of the property is 'rural'.

Telecommunications infrastructure is listed as an activity in the Shire of Nannup's *Local Planning Scheme* text; however, the use will not be permitted unless Council has exercised its discretion by granting development approval. Nonetheless, the proposed telecommunications facility at 151 Perks Road in Cundinup generally complies with the objectives of the Scheme. Moreover, the proposed facility will be sited in an ideal zone (Agriculture) which limits negative impacts on the amenity of the area.

Furthermore, the proposed telecommunications facility will assist with the Shire's Scheme Objectives which aim to "assist employment and economic growth" as well as "providing opportunities for home based employment" as the proposed telecommunications facility would provide mobile phone and mobile broadband service to residents, businesses, tourists and emergency services in Cundinup.

This is further backed by the Shire's Community Strategic Plan 2017 – 2027 which highlights the community's desire for "increased coverage of communications systems" and to "improve all forms of communication within the Shire"



**Figure 4: Zoning Map 1 (Shire of Nannup Local Planning Scheme No. 3)** (Source: Dept. of Planning)



**Figure 5: Aerial Photo of Proposed Site Showing 200m Radius** (Source: Google Earth)

The proposal has been sited to retain the land for its current use and minimizes visual impacts upon the amenity of the area by being placed outside of the “Landscape Values Area”. The detailed siting has been undertaken to ensure the primary use of the land and any potential future use of surrounding land is not negatively impacted upon.

Overall the proposed development application is consistent with the intent and requirements of the *Western Australian Planning Commission SSP 5.2* and the *Shire of Nannup Local Planning Scheme No. 3*.

## 11.0 General Provisions

This proposal is for the establishment of a Telstra Mobile Base Station Facility in the Cundinup area.

Telstra considers that the proposal is appropriate for the locality given the 'Agriculture' zoning of the proposed site and the nature of existing and anticipated uses of surrounding land.

Environmental considerations such as visual impact, heritage, flora and fauna, traffic, flooding, bushfire, social and economic aspects, health and safety have been discussed within the below sub sections.

### 11.1 Visual Impacts

The site has been identified as being located within the 'Agriculture' zone. In this regard, the detailed siting and design of the proposed facility has been taken into consideration in conjunction with the aims of the Shire's *Local Planning Scheme No. 3*.

Telstra has selected a site and location that seeks to minimise any perceived negative impacts on the visual amenity of the area. The proposed subject site maintains suitable separation distance to surrounding residential areas and takes advantage of the shielding provided by nearby vegetation which limits the structure's visibility from the residential dwellings and thoroughfares.

The site selection carefully considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility.

On balance, it is considered that the location and height of the facility ensure optimal service provision to the area whilst minimizing any perceived visual impact. Moreover, as previously mentioned the site will also provide other carriers with the opportunity to co-locate their infrastructure in the future.

### 11.2 Heritage

In order to determine any possible natural or cultural values of state or national significance associated with the site a search was conducted through the relevant Heritage Registers.

No sites of Aboriginal Heritage significance were identified within the subject land holding or surrounding area.

### 11.3 Flora and Fauna

In order to determine any possible natural Flora and Fauna significance associated with the site, a search was conducted through the relevant environmental searches.

Searches identified the potential of 16 threatened species and 8 migratory species of Flora and Fauna significance located in the vicinity of the proposed site. See **Appendix G** – Environment Analysis Report for further information.

As per the drawings, no trees will be removed as part of this proposal.

The site is not located in an area of environmental significance as defined by The *Telecommunications (Low-Impact Facilities) Determination 2018*.

## 11.4 Traffic

Mobile phone base stations are not a significant generator of pedestrian or vehicular traffic.

The site will be visited on a quarterly basis throughout the year for maintenance purposes.

During the construction phase various vehicles will be used to deliver equipment and construct the Telstra Mobile Base Station Facility. Any traffic impacts associated with construction and establishment will be of a short-term duration (i.e. approximately five weeks over non-consecutive periods) and are not anticipated to adversely impact on the surrounding road network.

Adequate parking will be available on site for these vehicles and these movements would not impact the local traffic.

Traffic from this construction would only occur from the hours of 7am to 6pm. If a road closure is required for the erection and installation of equipment, the appropriate approvals will be obtained from the Department of Transport (DOT).

The mobile base station facility is unmanned would require maintenance checks approximately 3-4 times per year as required. Routine maintenance would involve one vehicle per visit and parking would be available close to the proposed site for this purpose.

## 11.5 Access

Access to the proposed site will be through the rear of the property off Perks Road. In this regard, there is no requirement for special access to the site. (Refer to **Appendix B** – Proposal Plans (S1) for more information)

The proposed site access is considered to be appropriate given the Telstra facility will not be a significant generator of traffic. Once operational, the facility will require maintenance visits approximately 3-4 times per year as required, but will remain unattended at all other times. As the facility generates minimal visits per year it is considered that traffic interference will be negligible.

During the construction phase various vehicles will be used to deliver equipment and construct the Telstra Mobile Base Station Facility. Any traffic impacts associated with construction and establishment will be of a short-term duration (i.e. approximately five weeks over non-consecutive periods) and are not anticipated to adversely impact on the surrounding road network. Adequate parking would be available in the vicinity for vehicles used during construction and these movements would not impact local traffic. In the unlikely event that road closure is required Telstra will apply to the relevant authorities for permission.

## 11.6 Utilities

An application has been made to the local utility company confirming route and availability of power supply for this site. The proposed site does not require any additional permits for the connection of a sewer/roadway.

## 11.7 Construction

The construction of the mobile base station will take approximately five weeks over non-consecutive periods, subject to weather.

Noise and vibration emissions associated with the Telstra Mobile Base Station Facility will be limited to the construction phase. Noise generated during the construction phase will be of short duration and will be in accordance with the standards outlined in the Environmental Protection (Noise) Regulations 1997. Construction works will only occur between the hours of 7am and 6pm.

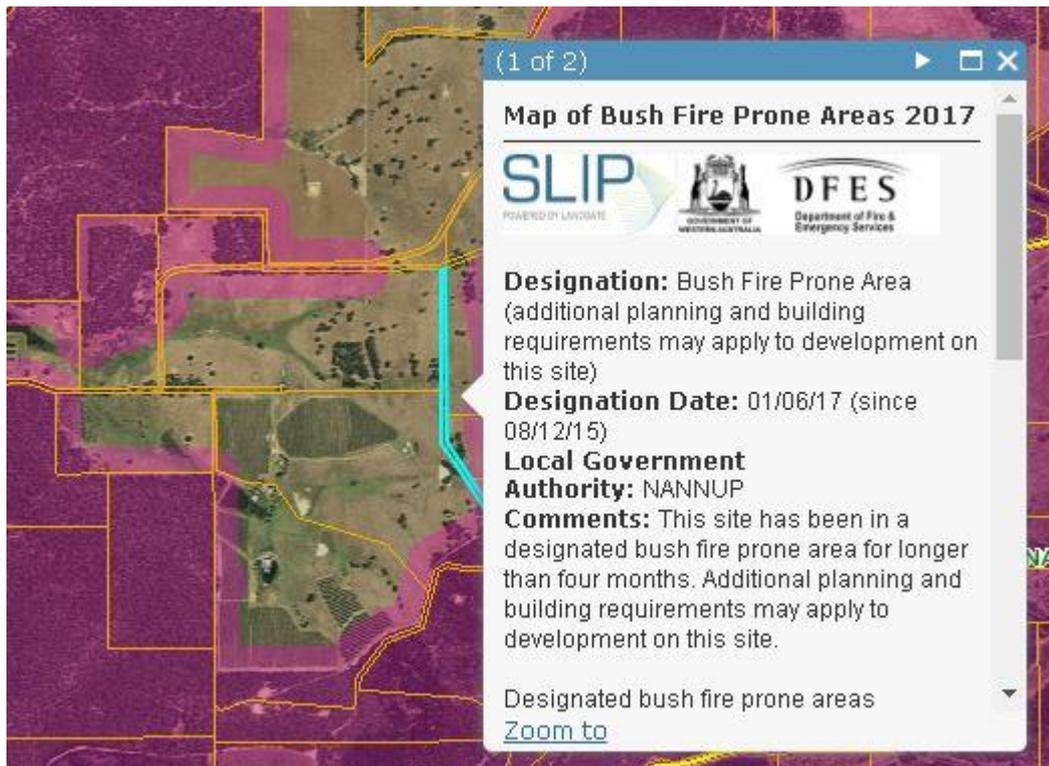
There will be some low level noise from the ongoing operation of air conditioning equipment associated with the equipment shelter once it is installed. Noise emanating from the air conditioning equipment is at

a comparable level to a domestic air conditioning installation, and will generally accord with the background noise levels prescribed by Australian Standard AS1055.

The proposed site is appropriately setback from residential properties so that the noise related impacts will be negligible.

## 11.8 Bushfire

The specific site location is identified as being in a Bush Fire Prone Area by the Fire and Emergency Services Commissioner (See **Figure 6**).



**Figure 6 – Bushfire Prone Areas Mapping** (Source DFES Slip Mapping)

Natural disasters, including the continuing threat of bushfires, have served to highlight the critical importance of effective telecommunications. Previous bushfire incident reviews have demonstrated effective telecommunications networks are essential for disaster response management, allowing emergency services providers to be alerted to medical or fire emergencies.

In its *Communications Report 2014-2015* the Australian Communications and Media Authority reported that in 2014 -15, 66.9% of calls to the 000 emergency number were made from mobile phones. Therefore, in addition to day-to-day personal and business applications, effective telecommunications networks can be the difference between life and death in disaster situations.

The entirety of the facility will be earthed in accordance with the Australian Standard. Earthing draws any lightning strike underground away from combustible material. It is submitted that contrary to being a risk factor for fires, the site in this case could reduce the risk of lightning strike causing fires, by attracting the strike and earthing it underground.

The *State Planning Policy 3.7* provides the foundation for land use planning to address bushfire risk management in Western Australia. Notwithstanding the Department of Planning updated [Planning Bulletin 111/2016](#) to clarify that for telecommunications infrastructure, *SPP 3.7* should be applied pragmatically.

The Planning Bulletin states:

*“Exemptions from the requirements of SPP 3.7 and the deemed provisions should be applied pragmatically by the decision maker. If the proposal does not result in the intensification of development (or land use), does not result in an increase of residents or employees; or does not involve the occupation of employees on site for any considerable amount of time, then there may not be any practicable reason to require a BAL Assessment. Exemptions may apply to infrastructure including roads, telecommunications and dams; and to rural activities, including piggeries and chicken farms which do not involve employees on site for a considerable amount of time.”*

With respect to the above, Visionstream on behalf of Telstra believes that all necessary design measures have been undertaken to ensure the facility does not increase or affect the bushfire risk to the area.

## 11.9 Health and Safety

Telstra acknowledges some people are genuinely concerned about the possible health effects of electromagnetic energy (EME) from mobile phone base stations and is committed to addressing these concerns responsibly.

Telstra, along with the other mobile phone carriers, must strictly adhere to Commonwealth Legislation and regulations regarding mobile phone facilities and equipment administered by the Australian Communications and Media Authority (ACMA).

In 2003 the ACMA adopted a technical standard for continuous exposure of the general public to RF EME from mobile base stations. The standard, known as the *Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003*, was prepared by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and is the same as that recommended by ICNIRP (International Commission for Non- Ionising Radiation Protection), an agency associated with the World Health Organisation (WHO). Mobile carriers must comply with the Australian Standard on exposure to EME set by the ACMA.

The Standard operates by placing a limit on the strength of the signal (or RF EME) that Telstra can transmit to and from any network base station. The general public health standard is not based on distance limitations or the creation of “buffer zones”. The environmental standard restricts the signal strength to a level low enough to protect everyone at all times. It has a significant safety margin, or precautionary approach, built into it.

In order to demonstrate compliance with the standard, the ARPANSA created a prediction report using a standard methodology to analyse the maximum potential impact of any new telecommunications facility. Carriers are obliged to undertake this analysis for each new facility and make it publicly available.

Importantly, the ARPANSA-created compliance report demonstrates the maximum signal strength of a proposed facility, assuming that it is handling the maximum number of users 24-hours a day.

In this way, the ARPANSA requires network carriers to demonstrate the greatest possible impact that a new telecommunications facility could have on the environment to give the community greater peace of mind. In reality, base stations are designed to operate at the lowest possible power level to accommodate only the number of customers using the facility at any one time. This design function is called “adaptive power control” and ensures that the base station operates at minimum, not maximum, power levels at all times.

Using the ARPANSA standard methodology, Telstra is required to complete and make available an EME report which predicts the maximum environmental EME level the facility will emit. Telstra has undertaken a compliance report that predicts the maximum levels of radiofrequency EME from the proposed installation at 151 Perks Road in Cundinup to be 0.22% of the public exposure limit. The maximum environmental EME level predicted from this proposed facility is substantially within the allowable limit under the ARPANSA standard.

**Refer to the EME Report attached at Appendix C.**

Telstra relies on the expert advice of national and international health authorities such as the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and the World Health Organisation (WHO) for overall assessments of health and safety impacts.

The WHO advises that all expert reviews on the health effects of exposure to radiofrequency fields have concluded that no adverse health effects have been established from exposure to radiofrequency fields at levels below the international safety guidelines that have been adopted in Australia.

Telstra has strict procedures in place to ensure its mobile phones and base stations comply with these guidelines. Compliance with all applicable EME standards is part of Telstra's responsible approach to EME and mobile phone technology.

## 12.0 Conclusion

This application is a direct result of the community's requests for reliable telecommunications to be provided to the Cundinup area.

There is strong State policy support for telecommunications facilities if, when balancing improved telecommunications services with environmental impacts; including for example, visual impact and flood or fire hazard, a particular proposal provides a net community benefit.

The proposed works provide the community with reliable 4G access which in turn supports the various rural, residential and tourist industries in the region and form part of a wider plan to ensure reliable and accessible coverage during emergency situations such as bush fires.

The proposed telecommunications facility will form an integral component in Telstra's national 4GX network. This 4G service brings higher speeds and extra 4G coverage to a range of communities across the nation. 4GX will include services provided over Telstra's new 700MHz spectrum and deliver higher typical mobile speeds on compatible devices, allowing more Australians to experience more reliable connections and ultra-fast mobile internet.

Telstra has undertaken an assessment of the relevant matters as required by the *Telecommunications Act 1997*, State Legislation and the Shire of Nannup's *Local Planning Scheme No. 3*. The proposal is considered appropriate in light of the relevant legislative, environmental, technical, radio coverage and public safety requirements.

The assessment of the proposal demonstrates that the proposal represents sound and proper town planning and it is respectfully requested that consent is granted for this development application.

Should Council have any further queries regarding the subject application, please do not hesitate to contact the nominated representative outlined within this document.

**Appendix A – Certificate of Title**



REGISTER NUMBER <b>906/DP69041</b>	
DUPLICATE EDITION <b>2</b>	DATE DUPLICATE ISSUED <b>25/3/2013</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2797** FOLIO **85**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 906 ON DEPOSITED PLAN 69041

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

SHAYNE ROHAN BROWN  
BOBBIE TERRASE BROWN  
BOTH OF RSM 314 SOUTH CUNDINUP ROAD, NANNUP  
AS JOINT TENANTS

(AF M015224 ) REGISTERED 9/8/2012

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

- \*L060419 NOTIFICATION CONTAINS FACTORS AFFECTING THE WITHIN LAND. LODGED 1/9/2009.
- \*N649320 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 16/6/2017.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

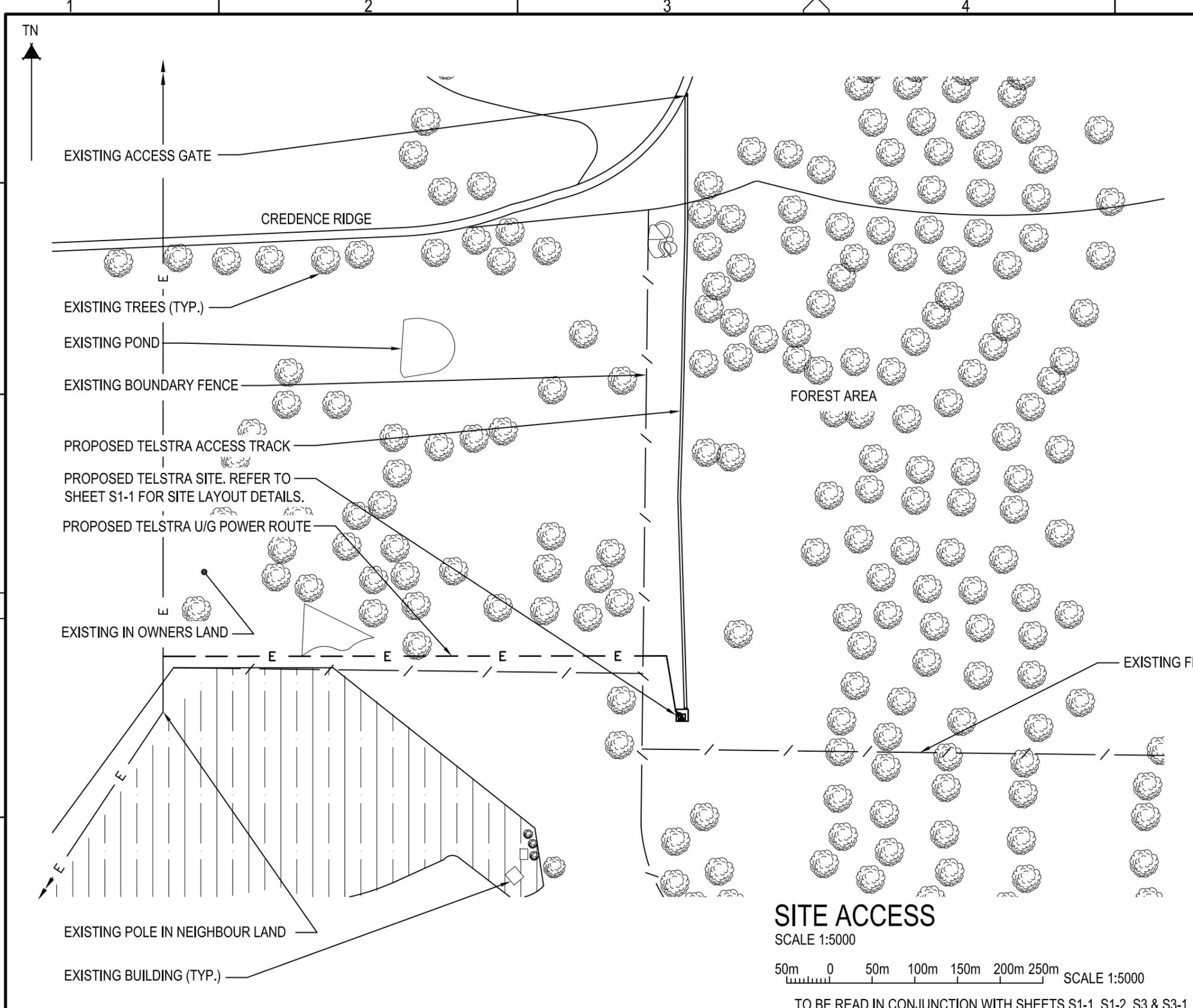
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP69041  
PREVIOUS TITLE: 2726-579  
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.  
LOCAL GOVERNMENT AUTHORITY: SHIRE OF NANNUP

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING N649320

**Appendix B – Plans of the Proposal**

Plot date: 16 May 2018 - 3:13 PM  
Telstra Networks Wireless Program Delivery Template - 017866P02 Issue 12 11/04/2016

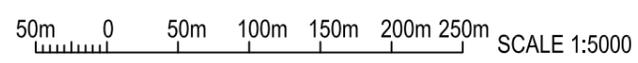


Copyright © Whereis® Registered Trademark of Sensis Pty Ltd.

**LOCALITY PLAN**  
NOT TO SCALE

**SITE ACCESS**

SCALE 1:5000



TO BE READ IN CONJUNCTION WITH SHEETS S1-1, S1-2, S3 & S3-1.

**UNAPPROVED DRAWING**

**PRELIMINARY**

**PROPERTY DESCRIPTION**

LOT 906 ON PLAN 69041  
SHIRE OF NANNUP

**SITE STRUCTURE CO-ORDINATES (GDA94)**

GPS READING ACCURACY: ±10m  
CENTRE OF TOWER

LATITUDE -33.91085° (GDA94)

LONGITUDE 115.79215° (GDA94)

COMPLIANCE BOX

COMPLETED AS PER DESIGN

ALTERATIONS IN RED

NAME (PRINT) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
WA08723.01	RA	TR	PRELIMINARY - 30053775W0049 VPL - LTE700 / WCDMA850	AS	RO	07.05.18	1

© Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.



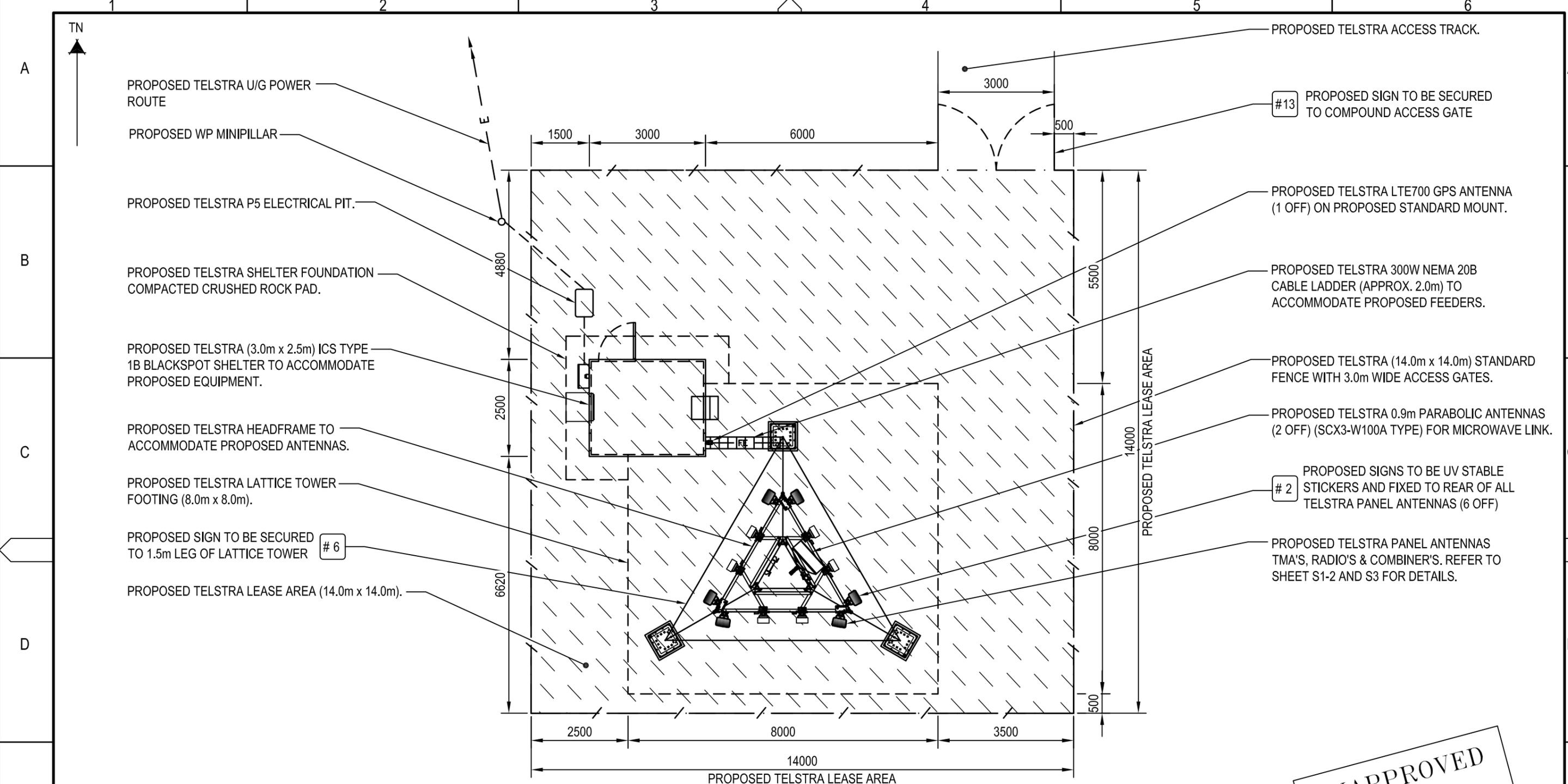
**MOBILE NETWORK SITE 311203  
CUNDINUP (JARRAHWOOD)**

SITE ACCESS AND LOCALITY PLAN  
151 PERKS RD, CUNDINUP, WA 6275

DWG NO. **W108822** SHT NO. S1

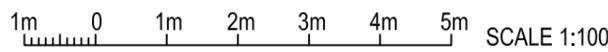
Cad file: W108822\_PD.DWG 6 A3

Plot date: 16 May 2018 - 4:55 PM  
Telstra Networks Wireless Program Delivery Template - 017866P02 Issue 12 11/04/2016



**SITE LAYOUT**

SCALE 1:100



UNAPPROVED  
DRAWING

PRELIMINARY

**COMPLIANCE BOX**

COMPLETED AS PER DESIGN

ALTERATIONS IN RED

NAME (PRINT) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**NOTES :**

1. ALL EXTERNAL FEEDERS AND TAILS MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR EME SIGNS NOTED AS #X REFER TO 005486 DOCUMENTS FOR DETAILS.
3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
4.  PROPOSED TELSTRA LEASE AREA.

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-2, S3 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
WA08723.01	RA	TR	PRELIMINARY - 30053775W0049 VPL - LTE700 / WCDMA850	AS	RO	07.05.18	1



© Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.



**MOBILE NETWORK SITE 311203  
CUNDINUP (JARRAHWOOD)**

SITE LAYOUT  
151 PERKS RD, CUNDINUP, WA 6275

DWG NO.	<b>W108822</b>	SHT NO.	S1-1
---------	----------------	---------	------

Cad file: W108822\_PD.DWG 6

Plot Date: 16 May 2016 - 4:55 PM  
Telstra Networks Wireless Program Delivery Template - 017866P02 Issue 12 11/04/2016

PROPOSED SIGNS TO BE UV STABLE STICKERS AND FIXED TO REAR OF ALL TELSTRA PANEL ANTENNAS (6 OFF) #2

PROPOSED TELSTRA LTE700 / WCDMA850 PANEL ANTENNAS (3 OFF, A1, A3 & A5) TO BE INSTALLED ON PROPOSED MOUNTS ON PROPOSED HEADFRAME.

PROPOSED TELSTRA LTE700 PANEL ANTENNAS (3 OFF, A2, A4 & A6) TO BE INSTALLED ON PROPOSED MOUNTS ON PROPOSED HEADFRAME.

PROPOSED TELSTRA KAEUS FILTER DDF0035 F1V2 (3 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.

PROPOSED TELSTRA RADIO 2217 (B28) (6 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.

PROPOSED TELSTRA LTE700 / WCDMA850 TMA'S (3 OFF) ATTACHED TO PROPOSED MOUNTS BEHIND PANEL ANTENNAS (A1, A3 & A5).

PROPOSED TELSTRA HEADFRAME TO ACCOMMODATE PROPOSED ANTENNAS.

FUTURE EMERGENCY SERVICE OPERATOR (ESO) RESERVED APERTURE.

PROPOSED TELSTRA 0.9m PARABOLIC ANTENNAS (2 OFF) (SCX3-W100A TYPE) FOR MICROWAVE LINK.

PROPOSED TELSTRA 60.0m HIGH LATTICE TOWER

PROPOSED TELSTRA SCF12-50J FEEDERS (12 OFF) AND 7/8" HYBRID CABLE (9 OFF) TO RUN INSIDE PROPOSED FEEDER BRACKETS ON THE LEG.

**NOTES :**

1. ALL EXTERNAL FEEDERS AND TAILS MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR EME SIGNS NOTED AS #X REFER TO 005486 DOCUMENTS FOR DETAILS.

UNAPPROVED  
DRAWING

PROPOSED TELSTRA (14.0m x 14.0m) STANDARD FENCE WITH 3.0m WIDE ACCESS GATES.

PROPOSED SIGN TO BE SECURED TO COMPOUND ACCESS GATE #13

PROPOSED LIGHTNING ROD

- ▽ E.L. 62.5m (±100mm) RL 302.5m A.H.D. OVERALL HEIGHT
- ▽ E.L. 60.3m (±100mm) RL 300.3m A.H.D. C/L PROPOSED TELSTRA RADIO 2217 (B28) (3 OFF)
- ▽ E.L. 60.0m (±100mm) RL 300.0m A.H.D. TOP OF TOWER
- ▽ E.L. 59.1m (±100mm) RL 299.1m A.H.D. PROPOSED TELSTRA LTE700 / WCDMA850 PANEL ANTENNAS (3 OFF, A1, A3 & A5) C/L PROPOSED TELSTRA RADIO 2217 (B28) (3 OFF) C/L PROPOSED TELSTRA LTE700 & WCDMA850 COMBINERS (6 OFF) C/L PROPOSED TELSTRA KAEUS FILTER DDF0035 F1V2 (3 OFF) C/L PROPOSED TELSTRA LTE700 / WCDMA850 TMA'S (3 OFF)
- ▽ E.L. 58.8m (±100mm) RL 298.8m A.H.D. C/L PROPOSED TELSTRA RADIO 2212 (B5) (3 OFF) PROPOSED TELSTRA RADIO 2212 (B5) (3 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.
- PROPOSED TELSTRA LTE700 & WCDMA850 COMBINERS (6 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.
- ▽ E.L. 45.0m (±100mm) RL 285.0m A.H.D. C/L PROPOSED TELSTRA MICROWAVE DISH SCX3-W100A (1 OFF, A21)
- ▽ E.L. 43.0m (±100mm) RL 283.0m A.H.D. C/L PROPOSED TELSTRA MICROWAVE DISH SCX3-W100A (1 OFF, A22)

COMPLIANCE BOX

COMPLETED AS PER DESIGN

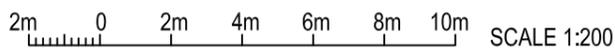
ALTERATIONS IN RED

NAME (PRINT) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**NORTH ELEVATION**

SCALE 1:200



- PROPOSED TELSTRA 300W NEMA 20B CABLE LADDER (APPROX. 2.0m) TO ACCOMMODATE PROPOSED FEEDERS.
- PROPOSED TELSTRA LTE700 GPS ANTENNA (1 OFF) ON PROPOSED STANDARD MOUNT.
- PROPOSED TELSTRA (3.0m x 2.5m) ICS TYPE 1B BLACKSPOT SHELTER TO ACCOMMODATE PROPOSED EQUIPMENT.
- #6 PROPOSED SIGN TO BE SECURED TO 1.5m LEG OF LATTICE TOWER
- PROPOSED TELSTRA LATTICE TOWER FOOTING (8.0m x 8.0m).
- PROPOSED WP MINIPILLAR
- ▽ E.L. 0.00m (±100mm) RL 240.0m A.H.D. GROUND LEVEL
- PROPOSED TELSTRA P5 ELECTRICAL PIT

PRELIMINARY

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S1-2 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
WA08723.01	RA	TR	PRELIMINARY - 30053775W0049 VPL - LTE700 / WCDMA850	AS	RO	07.05.18	1



**MOBILE NETWORK SITE 311203  
CUNDINUP (JARRAHWOOD)**  
NORTH ELEVATION  
151 PERKS RD, CUNDINUP, WA 6275

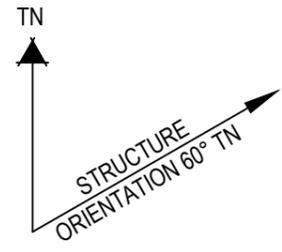
DWG NO. **W108822** SHT NO. S3



©Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.

Cad file: W108822.PD.DWG

Plot date: 18 May 2018 - 3:22 PM  
Telstra Networks Wireless Program Delivery Template - 017866P02 issue 12 11 04/2016



PROPOSED TELSTRA HEADFRAME TO ACCOMMODATE PROPOSED ANTENNAS.

PROPOSED TELSTRA 60.0m HIGH LATTICE TOWER.

PROPOSED CLIMBING LADDER.

PROPOSED TELSTRA LTE700 / WCDMA850 PANEL ANTENNAS (3 OFF, A1, A3 & A5) TO BE INSTALLED ON PROPOSED MOUNTS ON PROPOSED HEADFRAME.

PROPOSED TELSTRA LTE700 / WCDMA850 TMA'S (3 OFF) ATTACHED TO PROPOSED MOUNTS BEHIND PANEL ANTENNAS (A1, A3 & A5).

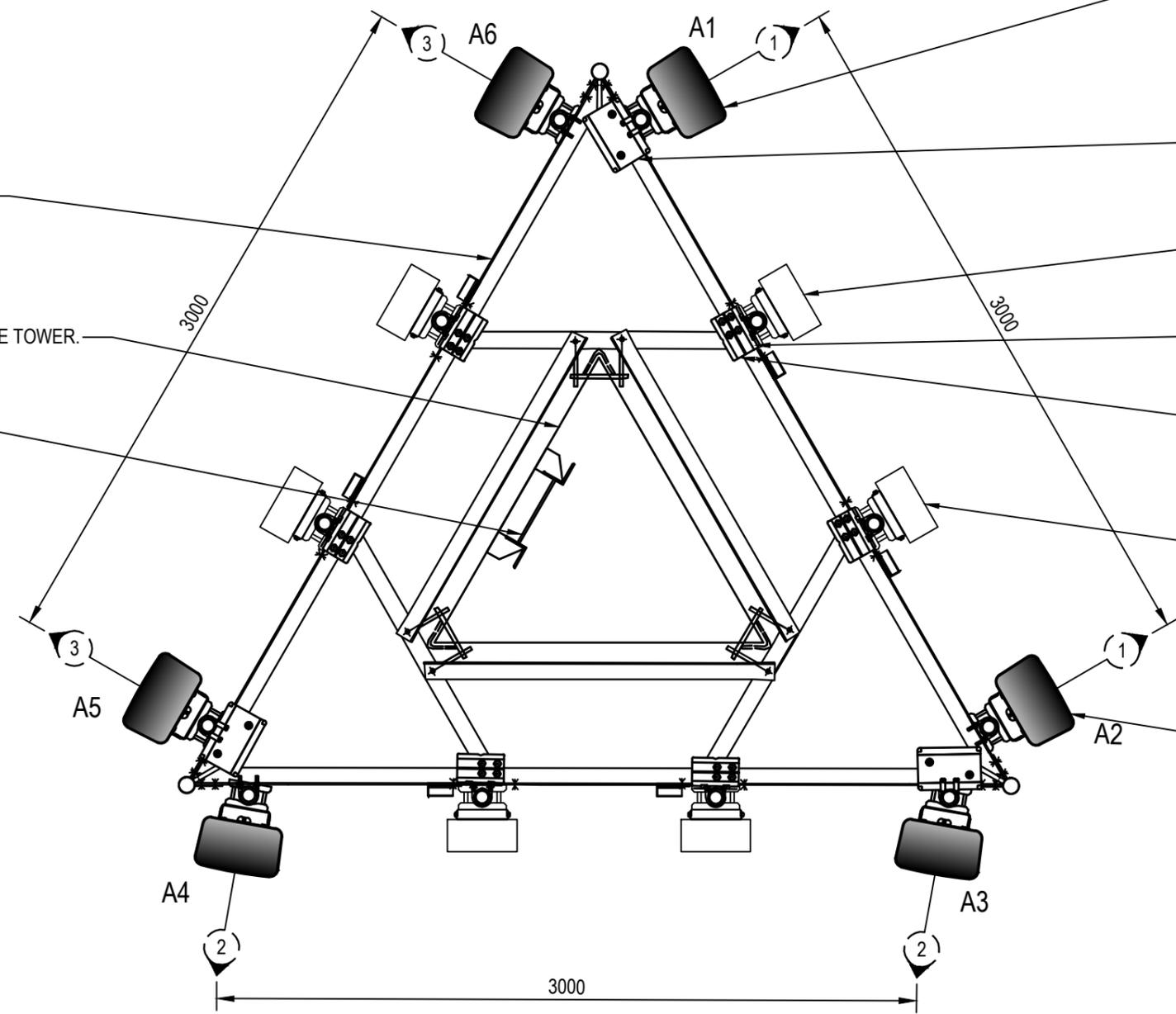
PROPOSED TELSTRA RADIO 2212 (B5) (3 OFF) AND RADIO 2217 (B28) (3 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.

PROPOSED TELSTRA KAEUS FILTER DDF0035 F1V2 (3 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.

PROPOSED TELSTRA LTE700 & WCDMA850 KAEUS DBC0086F1V2-1 COMBINERS (6 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.

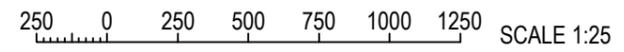
PROPOSED TELSTRA RADIO 2217 (B28) (3 OFF) TO BE INSTALLED ON PROPOSED MOUNTS.

PROPOSED TELSTRA LTE700 PANEL ANTENNAS (3 OFF, A2, A4 & A6) TO BE INSTALLED ON PROPOSED MOUNTS ON PROPOSED HEADFRAME.



### ANTENNA LAYOUT AT EL 58.8m TO 60.3m

SCALE 1:25



UNAPPROVED  
DRAWING

PRELIMINARY

COMPLIANCE BOX

COMPLETED AS PER DESIGN

ALTERATIONS IN RED

NAME (PRINT) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S3 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
WA08723.01	RA	TR	PRELIMINARY - 30053775W0049 VPL - LTE700 / WCDMA850	AS	RO	07.05.18	1

MOBILE NETWORK SITE 311203  
CUNDINUP (JARRAHWOOD)

ANTENNA LAYOUT  
151 PERKS RD, CUNDINUP, WA 6275



© Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.

DWG NO. **W108822** SHT NO. S1-2

Cad file: W108822\_PD (2).DWG6

Plot Date: 15 May 2016 - 4:28 PM  
Telstra Networks Wireless Program Delivery Template - 077866P02 Issue 12 11/04/2016

## TELSTRA ANTENNA CONFIGURATION TABLE

ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	ANTENNA BEARING (x°T)	SECTOR NO. & TECHNOLOGY
A1	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	59.1m	60°	S1: LTE700 / S1: WCDMA850
					S1: LTE700 / S1: WCDMA850
					SPARE
					SPARE
A2	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	59.1m	60°	S1: LTE700
					S1: LTE700
					SPARE
					SPARE
A3	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	59.1m	190°	S2: LTE700 / S2: WCDMA850
					S2: LTE700 / S2: WCDMA850
					SPARE
					SPARE
A4	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	59.1m	190°	S2: LTE700
					S2: LTE700
					SPARE
					SPARE
A5	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	59.1m	300°	S3: LTE700 / S3: WCDMA850
					S3: LTE700 / S3: WCDMA850
					SPARE
					SPARE
A6	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	59.1m	300°	S3: LTE700
					S3: LTE700
					SPARE
					SPARE
A21	SCX3-W100A	INSTALL	45.0m	48°	-
A22	SCX3-W100A	INSTALL	43.0m	48°	-
A18	GPS ANTENNA KRE 101 2082/1 Ø68 x 96	INSTALL	BASE OF GPS 3.0m	0°	-

**COMPLIANCE BOX**

COMPLETED AS PER DESIGN

ALTERATIONS IN RED

NAME (PRINT) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

UNAPPROVED  
DRAWING

PRELIMINARY

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S1-2 & S3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
WA08723.01	RA	TR	PRELIMINARY - 30053775W0049 VPL - LTE700 / WCDMA850	AS	RO	07.05.18	1



MOBILE NETWORK SITE 311203  
CUNDINUP (JARRAHWOOD)

ANTENNA CONFIGURATION TABLE  
151 PERKS RD, CUNDINUP, WA 6275

DWG NO. <b>W108822</b>	SHT NO. S3-1
------------------------	--------------



©Telstra Corporation Limited ABN 33 051 775 556 All rights reserved.

Cad file: W108822.PD.DWG

A3V

**Appendix C – Environmental EME Report**



## Environmental EME Report 151 Perks Road, CUNDINUP WA 6275

This report provides a summary of Calculated RF EME Levels around the wireless base station

Date 18/5/2018

RFNSA Site No. 6275009

### Introduction

The purpose of this report is to provide calculations of EME levels from the existing facilities at the site and any proposed additional facilities.

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 151 Perks Road CUNDINUP WA 6275. These levels have been calculated by Telstra using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The maximum EME level calculated for the proposed systems at this site is 0.22% of the public exposure limit.

### The ARPANSA Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio, has established a Radiation Protection Standard specifying limits for general public exposure to RF transmissions at frequencies used by wireless base stations. The Australian Communications and Media Authority (ACMA) mandates the exposure limits of the ARPANSA Standard.

### How the EME is calculated in this report

The procedure used for these calculations is documented in the ARPANSA Technical Report "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>.

RF EME values are calculated at 1.5m above ground at various distances from the base station, assuming level ground.

The estimate is based on worst-case scenario, including:

- wireless base station transmitters for mobile and broadband data operating at maximum power
- simultaneous telephone calls and data transmission
- an unobstructed line of sight view to the antennas.

In practice, exposures are usually lower because:

- the presence of buildings, trees and other features of the environment reduces signal strength
- the base station automatically adjusts transmit power to the minimum required.

Maximum EME levels are estimated in 360° circular bands out to 500m from the base station.

These levels are cumulative and take into account emissions from all wireless base station antennas at this site.

The EME levels are presented in three different units:

- volts per metre (V/m) – the electric field component of the RF wave
- milliwatts per square metre (mW/m<sup>2</sup>) – the power density (or rate of flow of RF energy per unit area)
- percentage (%) of the ARPANSA Standard public exposure limit (the public exposure limit = 100%).

### Results

The maximum EME level calculated for the proposed systems at this site is 1.8 V/m; equivalent to 8.6 mW/m<sup>2</sup> or 0.22% of the public exposure limit.

## Radio Systems at the Site

There are currently no existing radio systems for this site.

It is proposed that this base station will have equipment for transmitting the following services:

Carrier	Radio Systems
Telstra	LTE700 (proposed), WCDMA850 (proposed)

## Calculated EME Levels

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined.

Distance from the antennas at 151 Perks Road in 360° circular bands	Maximum Cumulative EME Level at 1.5m above ground – all carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m <sup>2</sup>	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m <sup>2</sup>	% ARPANSA exposure limits
0m to 50m				0.44	0.51	0.014%
50m to 100m				0.68	1.24	0.033%
100m to 200m				0.8	1.69	0.044%
200m to 300m				1.75	8.13	0.21%
300m to 400m				1.8	8.6	0.22%
400m to 500m				1.71	7.73	0.2%
<b>Maximum EME level</b>				1.8	8.6	0.22
				326.7 m from the antennas at 151 Perks Road		

## Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest that have been identified through the consultation requirements of the Communications Alliance Ltd Deployment Code C564:2011 or via any other means. The calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Additional Locations	Height / Scan relative to location ground level	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment		
		Electric Field V/m	Power Density mW/m <sup>2</sup>	% of ARPANSA exposure limits
1   No locations identified				

## RF EME Exposure Standard

The calculated EME levels in this report have been expressed as percentages of the ARPANSA RF Standard and this table shows the actual RF EME limits used for the frequency bands available. At frequencies below 2000 MHz the limits vary across the band and the limit has been determined at the Assessment Frequency indicated. The four exposure limit figures quoted are equivalent values expressed in different units – volts per metre (V/m), watts per square metre (W/m<sup>2</sup>), microwatts per square centimetre (μW/cm<sup>2</sup>) and milliwatts per square metre (mW/m<sup>2</sup>). Note: 1 W/m<sup>2</sup> = 100 μW/cm<sup>2</sup> = 1000 mW/m<sup>2</sup>.

Radio Systems	Frequency Band	Assessment Frequency	ARPANSA Exposure Limit (100% of Standard)
LTE 700	758 – 803 MHz	750 MHz	37.6 V/m = 3.75 W/m <sup>2</sup> = 375 μW/cm <sup>2</sup> = 3750 mW/m <sup>2</sup>
WCDMA850	870 – 890 MHz	900 MHz	41.1 V/m = 4.50 W/m <sup>2</sup> = 450 μW/cm <sup>2</sup> = 4500 mW/m <sup>2</sup>
GSM900, LTE900, WCDMA900	935 – 960 MHz	900 MHz	41.1 V/m = 4.50 W/m <sup>2</sup> = 450 μW/cm <sup>2</sup> = 4500 mW/m <sup>2</sup>
GSM1800, LTE1800	1805 – 1880 MHz	1800 MHz	58.1 V/m = 9.00 W/m <sup>2</sup> = 900 μW/cm <sup>2</sup> = 9000 mW/m <sup>2</sup>
LTE2100, WCDMA2100	2110 – 2170 MHz	2100 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 μW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>
LTE2300	2302 – 2400 MHz	2300 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 μW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>
LTE2600	2620 – 2690 MHz	2600 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 μW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>
LTE3500	3425 – 3575 MHz	3500 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 μW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>

## Further Information

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).

Information about RF EME can be accessed at the ARPANSA website, <http://www.arpansa.gov.au>, including:

- Further explanation of this report in the document “Understanding the ARPANSA Environmental EME Report”
- The procedure used for the calculations in this report is documented in the ARPANSA Technical Report; “Radio Frequency EME Exposure Levels - Prediction Methodologies”
- the current RF EME exposure standard  
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, ‘Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz’, Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia.  
[Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au>

The Communications Alliance Ltd Industry Code C564:2011 ‘Mobile Phone Base Station Deployment’ is available from the Communications Alliance Ltd website, <http://commsalliance.com.au> .

Contact details for the Carriers (mobile phone companies) present at this site and the most recent version of this document are available online at the Radio Frequency National Site Archive, <http://www.rfnsa.com.au>.

**Appendix D – Site Photographs**

View facing North towards the proposed site



View facing South towards the proposed site



View facing East towards the proposed site



View facing West towards proposed site



**Appendix E – Fact Sheets**

## Mobile Base Stations and Health

For many of us, mobile phones are an essential part of everyday life. It's the most convenient way to stay connected to people and online information.

In order to work, our phones and wireless broadband devices connect to a network of mobile base stations. You can see antennas and base station equipment in many different places, including building rooftops, roadside poles, and at community facilities.

The mobile phone carriers (Telstra, Optus and Vodafone Hutchison Australia) are responsible for installing and upgrading their base station networks.

These are some of the answers to questions that are frequently asked about mobile networks and safety.

### ***I have heard there's a new base station proposed in my suburb. Are they safe?***

Like many other things, base stations are subject to a safety standard regulated by the Australian Federal Government. The regulations cover lots of radio services including AM and FM radio, police, fire and ambulance communications as well as mobile phones, wireless devices and mobile base stations. Mobile base stations must comply with these regulations and information on the compliance and emission levels can be found on the national site database at [www.rfnsa.com.au](http://www.rfnsa.com.au) for each site.

### ***Who sets the safety standard?***

A government organisation called ARPANSA (Australian Radiation Protection and Nuclear Safety Agency) set the safety standard after careful analysis of national and international scientific studies. The standard is based on guidelines recommended by the World Health Organization (WHO).

### ***What about the increase in wireless laptops and other devices? Does that change the safety of a base station?***

As technology evolves and equipment is updated, the fundamental safety regulations must still be met. So, as we saw analogue technology make way for 2G, 3G and now 4<sup>th</sup> Generation mobile technologies such as LTE (Long Term Evolution), and other high speed data technologies emerging, the safety requirements stay the same – the

Standard is relevant for the radio frequency range that phones and other devices use, regardless of the technology.

### ***What about the effect on children?***

The safety standard is set at a level that protects everyone, including children and the elderly.

### ***What do the experts say?***

The WHO has a number of fact sheets about mobile phones and health available on their website. In the "[Base Stations and Wireless Networks](#)" fact sheet, the WHO states "*Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak radio frequency (RF) signals from base stations and wireless networks cause adverse health effects*".

<http://www.who.int/mediacentre/factsheets/fs304/en/index.html>

Similarly ARPANSA's latest factsheet updated in 2012 "Mobile Telephone Communications Antennas and Health Effects" concludes that "*No adverse health effects are expected from continuous exposure to the RF radiation emitted by the antennas on mobile telephone base station towers*".

[http://www.arpansa.gov.au/radiationprotection/factsheets/is\\_antenna.cfm](http://www.arpansa.gov.au/radiationprotection/factsheets/is_antenna.cfm)

### ***Where can I get more information?***

Independent information can be obtained from:

- Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)  
Ph: 03 9433 2211  
[www.arpansa.gov.au](http://www.arpansa.gov.au)
- World Health Organization:  
<http://www.who.int/peh-emf/en/>

Additional information can be obtained from:

- Mobile Carriers Forum  
Ph: (02) 6295 8191  
[www.mcf.amta.org.au](http://www.mcf.amta.org.au)
- EMF Explained web site  
[www.emfexplained.info](http://www.emfexplained.info)

## Reading the Australian radiation protection and nuclear safety agency EME report

The ARPANSA EME Report has been developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) to ensure that information about wireless base stations and levels of electromagnetic energy (EME) are clearly provided to interested stakeholders.

An ARPANSA EME Report must be prepared for all new wireless base station installations and for upgrades of existing sites where the Mobile Phone Base Station Deployment Code 2011 requires an ARPANSA EME report. The ARPANSA EME Reports are prepared by the carrier or a consultant on the carrier's behalf. This report is publically accessible via the mobile carrier's national database of all mobile phone sites, the Radio Frequency National site Archive (RFNSA - see [www.rfnsa.com.au](http://www.rfnsa.com.au)).

Mobile phone networks operate by sending radio signals from wireless base station antennas placed in strategic locations to and from mobile phones. These antennas are radio transceivers that transmit and receive electromagnetic energy in a specific surrounding area, much like other two-way radio signals.

*For more information on electromagnetic energy, please refer to the ARPANSA fact sheet "Electromagnetic energy and its effects" found at <http://www.arpansa.gov.au/eme/index.cfm>*

EME is estimated using the mandated ARPANSA EME Report methodology. This methodology produces a predictive report based on site specific information and then adopting uniform assessment criteria. The report provides estimates based on the maximum predicted levels of EME.

The first two headings of the report provide introductory information about how the report is prepared and the EME regulations in relation to wireless base stations.

*For more information about the EME exposure limits, please refer to the Australian Communications and Media Authority (ACMA) fact sheet "Mobile base stations and EME" found at [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_1750](http://www.acma.gov.au/WEB/STANDARD/pc=PC_1750)*

### Existing Site Radio Systems

This section of the ARPANSA EME Report provides information about any existing mobile telephone or other known wireless systems already operating at the specific location. This would include other carriers' operating systems.

The ARPANSA EME Report predictions take in to account the EME levels of operating systems able to be identified by the carrier at that specific location, so that the EME information provided in the Table of Predicted EME Levels is cumulative information.

### Table of Predicted EME Levels – Existing

This table shows the predicted levels of electromagnetic energy from the existing site. Information about the levels of EME are predicted from beneath the proposed antennas to distances of 500m from the site.

The left side of the table shows the levels calculated in circular "bands" from the site, i.e. from the base to 5m distance, 5m to 50 m distance and so on. For example, if you were interested in the maximum predicted level of EME at a distance of 90m from the site, you would refer to the level in the 50m – 100m band. The level reported in each band is the maximum level that will occur in that band.

The right side of the table provides information about the predicted levels of EME. The information is expressed as a percentage of the Australian Government's mandated ARPANSA Standard (RPS3). This Standard provides protection for all people (including children, the infirm and the elderly) for assumed exposure 24 hours a day, 7 days a week.

The levels are predicted at interval distances from the mobile phone base station at a height of 1.5m above the ground. This table assumes that the ground level is flat. Appendix A of the EME Report may provide further information if there is a significant variation in the ground level from the site.

# MCF Fact Sheets



## Existing and proposed radio systems

This section details the existing radio systems and provides further detail about the proposed radio systems. It should be noted that this section is used when there are existing systems, rather than new facilities where there are no existing base station equipment.

## Proposed radio systems

This section provides details about the operating systems that the carrier intends to install at the site. It should be noted that this section is used when there is no existing base station equipment at the site.

This information is usually expressed in terms of the identified frequency band at which the systems will operate. (E.g.) Wideband CDMA 2100 – WCDMA2100

*For more information on radio frequencies and systems, please refer to the ARPANSA fact sheet “About mobile phone networks” found at <http://www.arpansa.gov.au/eme/index.cfm>*

## Table of predicted EME levels – proposed

This table provides calculations of the predicted levels of electromagnetic energy from the proposed site. This includes both the existing and the proposed installations.

The left side of the table shows levels calculated in circular “bands” from the site, i.e. from the base to 5m distance, 5m to 50 m distance and so on. For example, if you were interested in the maximum predicted level of EME at a distance of 90m from the site, you would refer to the level in the 50m – 100m band. The level reported in each band is the maximum level that will occur in that band, at a height of 1.5m above ground level

The right side of the table provides information about the predicted levels of EME from any existing radio transceiver equipment and the proposed equipment. The information is expressed as a percentage of the Australian Government mandated ARPANSA Standard (RPS3). This Standard provides protection for all people (including children, the infirm and the elderly) for assumed exposure 24 hours a day, 7 days a week.

The levels are calculated uniformly out to a distance of 500m from the base station at a height of 1.5m above the ground. This table assumes that the ground level is flat. Appendix A of the EME Report may provide further information if there is a significant variation in the ground level from the site.

The bottom of the table highlights the maximum predicted **cumulative** EME level from the site. It provides information about the maximum predicted level and the actual distance from the site at which it occurs.

The predicted cumulative levels of EME do not include any predictions from other equipment on the site other than wireless base station antennas.

## Summary – Proposed Radio Systems

This section provides a statement about the maximum level of EME for the proposed site expressed as a percentage of the mandatory public exposure limits.

## Appendix A: Other areas of interest

This section of the report provides information on specific locations which may be considered as an “area of interest” in relation to the proposed facility. This would include areas identified as community sensitive locations as defined in the Deployment Code consultation plan, and any other specific locations of interest to stakeholders and could be areas which may be affected by differing topography i.e. when the land is not flat.

Mobile phone carriers are required to consider areas of interest as part of their planning and consultation process. The ARPANSA EME Report can provide information about predicted levels of EME at certain identified locations such as schools, child care centres and residential addresses. Appendix A allows for up to 5 locations to be included in the report.

This section of the report can also provide predictions for situations such as land sloping upward away from the base station or for differing building heights.

For example, a primary school may be located 205m away from the base station. The report can be prepared so that the location of the school is expressed by its distance from the base station, and the predicted level of EME at that specific location is calculated and shown in Appendix A.

Similarly, if a 3 storey building is located 50m from the base station, the maximum EME levels can be predicted at an estimated height on the façade of the building, such as the balcony on the second floor. If the building was on ground level higher than the mobile phone base station, the calculations can be adjusted accordingly.

## Summary

The ARPANSA EME Report is an important tool for providing the community with information about estimated levels of EME from wireless base stations. It is prepared by mobile phone carriers as part of the process for deploying mobile phone base stations.

Each report is prepared on a site specific basis following a methodology developed by ARPANSA. For more information about the methodology, please refer to the ARPANSA Fact sheet “Understanding the ARPANSA EME Report” found at <http://www.arpansa.gov.au/emereports/explanation.cfm>

If you have any questions about site specific reports, please refer them directly to the relevant carrier.

For more information about EME, the Australian Communications and Media Authority have a web site specifically focussing on this issue “Mobile phone towers and EME: information for Communities and Councils” which can be found at <http://emr.acma.gov.au/>

**Appendix F – Environment Analysis Report (EPBC)**



# EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 11/05/18 07:09:09

[Summary](#)

[Details](#)

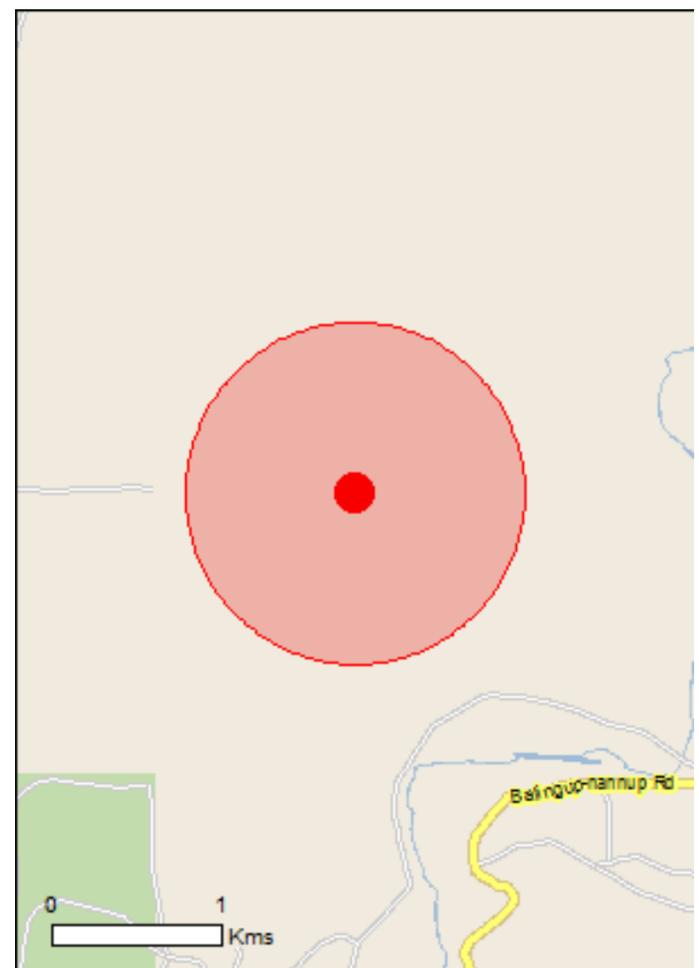
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

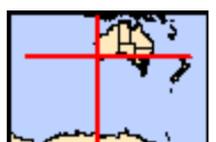
[Acknowledgements](#)



This map may contain data which are ©Commonwealth of Australia (Geoscience Australia), ©PSMA 2010

[Coordinates](#)

Buffer: 1.0Km



# Summary

## Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

<a href="#">World Heritage Properties:</a>	None
<a href="#">National Heritage Places:</a>	None
<a href="#">Wetlands of International Importance:</a>	None
<a href="#">Great Barrier Reef Marine Park:</a>	None
<a href="#">Commonwealth Marine Area:</a>	None
<a href="#">Listed Threatened Ecological Communities:</a>	None
<a href="#">Listed Threatened Species:</a>	16
<a href="#">Listed Migratory Species:</a>	8

## Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

<a href="#">Commonwealth Land:</a>	None
<a href="#">Commonwealth Heritage Places:</a>	None
<a href="#">Listed Marine Species:</a>	12
<a href="#">Whales and Other Cetaceans:</a>	None
<a href="#">Critical Habitats:</a>	None
<a href="#">Commonwealth Reserves Terrestrial:</a>	None
<a href="#">Commonwealth Reserves Marine:</a>	None

## Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

<a href="#">State and Territory Reserves:</a>	None
<a href="#">Regional Forest Agreements:</a>	1
<a href="#">Invasive Species:</a>	17
<a href="#">Nationally Important Wetlands:</a>	None
<a href="#">Key Ecological Features (Marine)</a>	None

# Details

## Matters of National Environmental Significance

Listed Threatened Species		[ Resource Information ]
Name	Status	Type of Presence
<b>Birds</b>		
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Calyptorhynchus banksii naso</a> Forest Red-tailed Black-Cockatoo, Karrak [67034]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Calyptorhynchus baudinii</a> Baudin's Cockatoo, Long-billed Black-Cockatoo [769]	Endangered	Breeding known to occur within area
<a href="#">Calyptorhynchus latirostris</a> Carnaby's Cockatoo, Short-billed Black-Cockatoo [59523]	Endangered	Breeding likely to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
<b>Mammals</b>		
<a href="#">Dasyurus geoffroii</a> Chuditch, Western Quoll [330]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Pseudocheirus occidentalis</a> Western Ringtail Possum, Ngwayir, Womp, Woder, Ngoor, Ngoolangit [25911]	Vulnerable	Species or species habitat may occur within area
<a href="#">Setonix brachyurus</a> Quokka [229]	Vulnerable	Species or species habitat likely to occur within area
<b>Plants</b>		
<a href="#">Banksia nivea subsp. uliginosa</a> Swamp Honeypot [82766]	Endangered	Species or species habitat may occur within area
<a href="#">Banksia squarrosa subsp. argillacea</a> Whicher Range Dryandra [82769]	Vulnerable	Species or species habitat may occur within area
<a href="#">Caladenia hoffmanii</a> Hoffman's Spider-orchid [56719]	Endangered	Species or species habitat may occur within area
<a href="#">Diuris micrantha</a> Dwarf Bee-orchid [55082]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Drakaea micrantha</a> Dwarf Hammer-orchid [56755]	Vulnerable	Species or species

Name	Status	Type of Presence
<a href="#">Gastrolobium papilio</a> Butterfly-leaved Gastrolobium [78415]	Endangered	habitat may occur within area Species or species habitat may occur within area
<a href="#">Lambertia echinata subsp. occidentalis</a> Western Prickly Honeysuckle [64528]	Endangered	Species or species habitat may occur within area
<a href="#">Sphenotoma drummondii</a> Mountain Paper-heath [21160]	Endangered	Species or species habitat may occur within area

### Listed Migratory Species [\[ Resource Information \]](#)

\* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
<b>Migratory Marine Birds</b>		
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area

### Migratory Terrestrial Species

<a href="#">Motacilla cinerea</a> Grey Wagtail [642]		Species or species habitat may occur within area
---------------------------------------------------------	--	--------------------------------------------------

### Migratory Wetlands Species

<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat may occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat may occur within area

## Other Matters Protected by the EPBC Act

### Listed Marine Species [\[ Resource Information \]](#)

\* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
<b>Birds</b>		
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat may occur within area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area

Name	Threatened	Type of Presence
<a href="#">Ardea alba</a> Great Egret, White Egret [59541]		Species or species habitat likely to occur within area
<a href="#">Ardea ibis</a> Cattle Egret [59542]		Species or species habitat may occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [943]		Species or species habitat may occur within area
<a href="#">Merops ornatus</a> Rainbow Bee-eater [670]		Species or species habitat may occur within area
<a href="#">Motacilla cinerea</a> Grey Wagtail [642]		Species or species habitat may occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat may occur within area

## Extra Information

### Regional Forest Agreements [\[ Resource Information \]](#)

Note that all areas with completed RFAs have been included.

Name	State
<a href="#">South West WA RFA</a>	Western Australia

### Invasive Species [\[ Resource Information \]](#)

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.

Name	Status	Type of Presence
<b>Birds</b>		
Anas platyrhynchos Mallard [974]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Streptopelia senegalensis Laughing Turtle-dove, Laughing Dove [781]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
<b>Mammals</b>		
Bos taurus Domestic Cattle [16]		Species or species habitat likely to occur within area
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
Sus scrofa Pig [6]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area
<b>Plants</b>		
Asparagus asparagoides Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473]		Species or species habitat likely to occur within area
Genista sp. X Genista monspessulana Broom [67538]		Species or species habitat may occur within area
Pinus radiata Radiata Pine Monterey Pine, Insignis Pine, Wilding Pine [20780]		Species or species habitat may occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area

# Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

# Coordinates

-33.91046 115.79261

# Acknowledgements

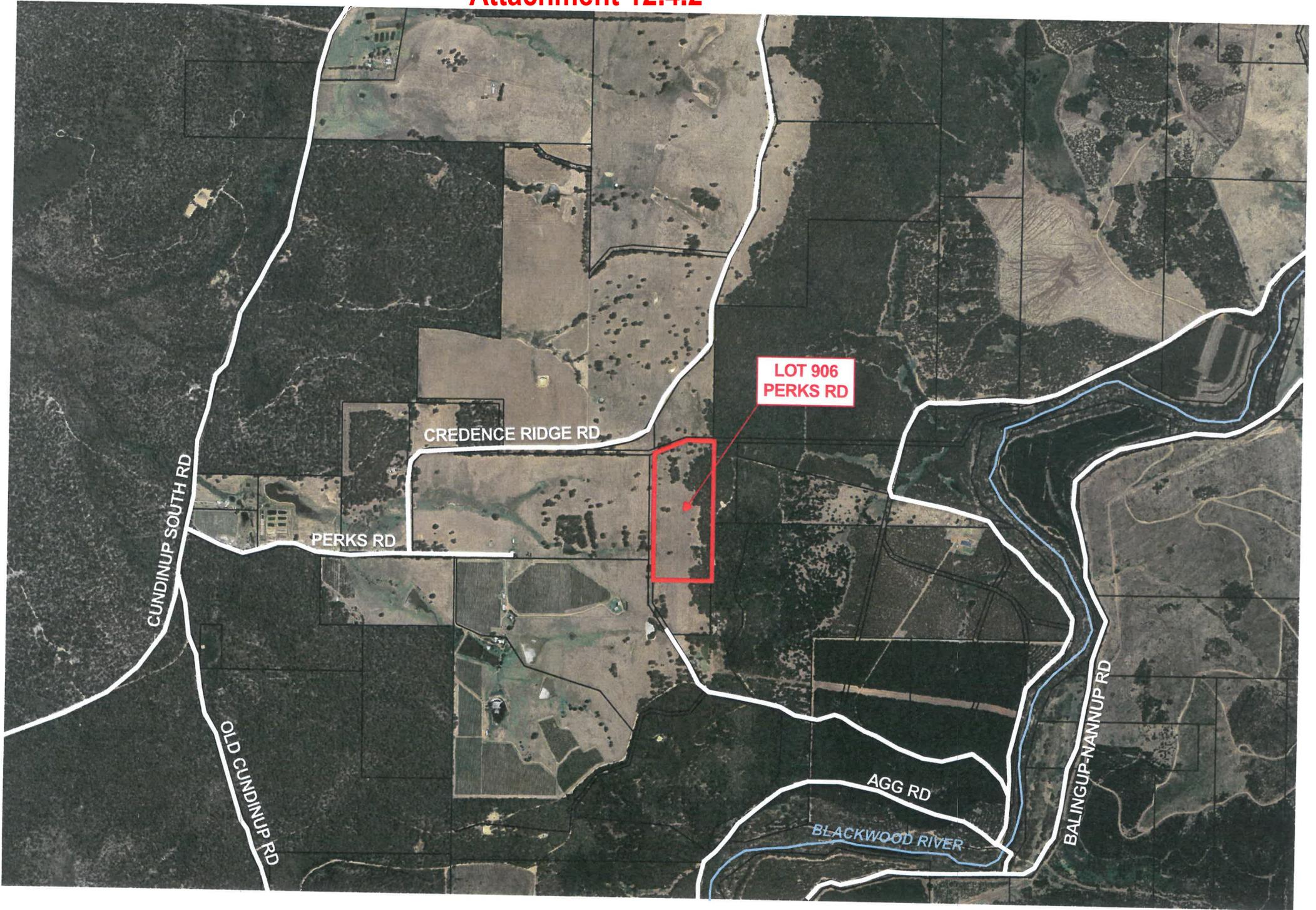
This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [-Office of Environment and Heritage, New South Wales](#)
- [-Department of Environment and Primary Industries, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Department of Environment, Water and Natural Resources, South Australia](#)
- [-Department of Land and Resource Management, Northern Territory](#)
- [-Department of Environmental and Heritage Protection, Queensland](#)
- [-Department of Parks and Wildlife, Western Australia](#)
- [-Environment and Planning Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Australian Bird and Bat Banding Scheme](#)
- [-Australian National Wildlife Collection](#)
- [-Natural history museums of Australia](#)
- [-Museum Victoria](#)
- [-Australian Museum](#)
- [-South Australian Museum](#)
- [-Queensland Museum](#)
- [-Online Zoological Collections of Australian Museums](#)
- [-Queensland Herbarium](#)
- [-National Herbarium of NSW](#)
- [-Royal Botanic Gardens and National Herbarium of Victoria](#)
- [-Tasmanian Herbarium](#)
- [-State Herbarium of South Australia](#)
- [-Northern Territory Herbarium](#)
- [-Western Australian Herbarium](#)
- [-Australian National Herbarium, Canberra](#)
- [-University of New England](#)
- [-Ocean Biogeographic Information System](#)
- [-Australian Government, Department of Defence Forestry Corporation, NSW](#)
- [-Geoscience Australia](#)
- [-CSIRO](#)
- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- [-Other groups and individuals](#)

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

Attachment 12.4.2





Department of  
Planning



# STATE PLANNING POLICY

## 5.2

### Telecommunications Infrastructure

August 2015

*Prepared under Part Three of the Planning  
and Development Act 2005 by the Western  
Australian Planning Commission*

#### Disclaimer

This document has been published by the Department of Planning on behalf of the Western Australian Planning Commission. Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith and on the basis that the Government, its employees and agents are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

© Western Australian Planning Commission

Published by the  
Western Australian Planning Commission  
Gordon Stephenson House  
140 William Street  
Perth WA 6000

Locked Bag 2506  
Perth WA 6001

Published August 2015

website: [www.planning.wa.gov.au](http://www.planning.wa.gov.au)  
email: [corporate@planning.wa.gov.au](mailto:corporate@planning.wa.gov.au)

tel: 08 6551 9000  
fax: 08 6551 9001  
National Relay Service: 13 36 77  
infoline: 1800 626 477

This document is available in alternative formats on application to Communication Services.

# CONTENTS

click to follow

1	CITATION	1
2	POLICY INTENT	1
3	BACKGROUND	1
3.1.	Electromagnetic Emissions (EME)	1
3.2.	Where this policy applies	1
3.3.	Above ground telecommunications infrastructure	2
3.4.	Below ground telecommunications infrastructure	2
3.5.	Policy exemptions	3
3.6.	When this policy should be applied	3
3.7.	Relationship of this policy to Commonwealth legislation	3
4	POLICY OBJECTIVES	4
5	POLICY MEASURES	4
5.1.	Visual Impacts	4
6	IMPLEMENTATION	5
6.1.	Local planning schemes and local planning policies	5
6.2.	Local structure planning	5
6.3.	Development	5
7.	DEFINITIONS	6

## 1. CITATION

This is a State Planning Policy prepared under Part 3 of the *Planning and Development Act 2005*. This policy may be cited as *State Planning Policy 5.2: Telecommunications Infrastructure Policy*.

After this policy has been gazetted, Statement of Planning Policy 5.2 Telecommunications Infrastructure (2004) will be repealed.

## 2. POLICY INTENT

Installation of telecommunications network infrastructure usually involves the development of land and/or alteration to the appearance of buildings or structures, which may have visual impacts. This planning policy aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas. Using a set of land use planning policy measures, the policy intends to provide clear guidance pertaining to the siting, location and design of telecommunications infrastructure.

## 3. BACKGROUND

Adequate and reliable telecommunications are essential for all aspects of contemporary community life, from supporting the State's economy to creating and maintaining connected and cohesive social networks. Contact between emergency services and the community increasingly relies on the telecommunications networks.

The importance of telecommunications services in Western Australia is recognised in the Western Australian Planning Commission's (WAPC's) *State Planning Strategy 2050* (2014), which advocates for the provision of an effective state-wide telecommunications network. This network includes both above and below ground infrastructure to support both fixed line and wireless telecommunications.

### 3.1 Electromagnetic Emissions (EME)

The use of mobile telephones has raised public concern about possible health issues associated with exposure to electromagnetic emissions. However, telecommunications carriers must comply with the Australian Communications and Media Authority (ACMA) *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2003*. These licence conditions make mandatory the limits in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) *Radiofrequency (RF) Standard* which sets limits for human exposure to RF electromagnetic fields from all sources, including telecommunications infrastructure. ARPANSA is the primary Commonwealth agency responsible for protecting the health and safety of people and the environment from the harmful effects of radiation.

Measurement surveys undertaken by ARPANSA demonstrate that environmental radiofrequency levels near base stations for the mobile telephone network are extremely low. The ARPANSA surveys reported that typical exposures to radiofrequency fields were well below one per cent of the Standard's public exposure limits. It concluded that *"given the very low levels recorded and the relatively low power of these types of transmitters, it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research"*.

Standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters; therefore it is not within the scope of this Policy to address health and safety matters. Based on ARPANSA's findings, setback distances for telecommunications infrastructure are not to be set out in local planning schemes or local planning policies to address health or safety standards for human exposure to electromagnetic emissions.

### 3.2 Where this policy applies

This policy applies throughout Western Australia in respect to above and below ground telecommunications infrastructure other than those facilities exempted under the *Commonwealth Telecommunications Act 1997* (Telecommunications Act). (See Section 3.5 Policy Exemptions for further information)

All other facilities constitute 'development' under the *Planning and Development Act 2005* and development approval may be required from the relevant planning authority. Separate approval may also be required from other government agencies under other legislation.

### 3.3 Above ground telecommunications infrastructure

For the purposes of this policy, above ground telecommunications infrastructure refers to any line, equipment, apparatus, tower, antenna or any other structure that is visible above ground level.

#### 3.3.1 Mobile telephone networks

Mobile telephone networks operate through base stations, which incorporate a radio transmitter, a receiver and an antenna. Base stations provide coverage to a geographic area known as a 'cell', which may vary in size but generally has a radius of up to 10 kilometres. Each cell has its own transceiver which sends and receives radio signals throughout its specified zone.

The location of new mobile telephone base stations needs to be carefully considered in relation to existing base stations, to ensure that the network functions effectively. Mobile telephone antennas generally need to be mounted clear of surrounding obstructions like trees and buildings to avoid loss of reception and to allow each mobile telephone base station to cover its intended cell with minimum transmitter power. They must also be sited where they will not interfere with neighbouring cells. The more base stations of a particular carrier there are in an area, the smaller the cells, which means the power and energy levels of each station are generally lower. In areas of high mobile use there are many small cells to meet traffic demands, maintaining service quality and capacity. Antennas do not need to be very high and can be installed on building roofs or small poles. If additional base stations are needed in areas where mobile network coverage already exists, demand may be met by adding

more panels to existing towers, or by constructing new towers. In areas of low mobile use, the cells are larger and the antennae are mounted on taller masts and towers.

As telecommunications networks expand due to increasing demand for mobile telephone and data services, the location, siting and design of proposed facilities becomes critical.

#### 3.3.2 National Broadband Network fixed wireless broadband towers

National Broadband Network (NBN) fixed wireless broadband towers are usually bigger than mobile phone towers, and are more likely to be required in metropolitan fringe and regional areas.

Fixed wireless technology can transmit data at broadband speeds using radio signals instead of cables. This technology uses fixed transmission towers or base stations to communicate 'over the air' with the NBN installed equipment within the home or business. Line of sight from the tower to the equipment at the home or business is essential. Western Australia is a vast state with complex geography and fixed wireless technology enables access to NBN services in locations that are difficult or not cost effective to reach with fixed line technology.

#### 3.3.3 Amateur radio equipment

The amateur service is designed primarily to facilitate hobby radio communications and for technical experimentation and operates on specified frequency bands. Amateur radio operators communicate using transmission modes including, but not limited to, Morse code, telephony and data.

Anyone can listen to the amateur bands using a receiver, but to transmit, operator qualifications and a licence issued by the Australian Communications and Media Association (ACMA) are required.

An amateur apparatus licence is issued to authorise a station that:

- a) is operated for the purposes of self-training in radio communications; intercommunication using radio communications; and technical investigation into radio communications by persons who do so solely with a personal aim, and who have no pecuniary interest in the outcome of the operations of the station;
- b) is operated on amateur frequencies or amateur frequency bands; and
- c) may participate in the amateur-satellite service.

### 3.4 Below ground telecommunications infrastructure

For the purposes of this policy, below ground infrastructure refers to pit and pipe infrastructure used to house fixed line (fibre, Hybrid Fibre Coaxial, copper) to carry voice and data services.

In accordance with the Fibre Deployment Amendment 2011 to the Telecommunications Act, developers that are corporations are required to provide fibre-ready pit and pipe infrastructure to new developments that are within the National Broadband Network Corporations' (NBN Co) fibre footprint.

Developers of all new developments are encouraged to engage with a telecommunications carrier to ensure that pit and pipe infrastructure complies with industry specifications or any standards set by the ACMA.

### 3.5 Policy exemptions

Some telecommunications facilities are exempted from development approval under the Telecommunications Act.

Schedule 3 of the Telecommunications Act and related subordinate legislation provides telecommunications carriers with powers to enter land to inspect land, maintain facilities and install certain types of facilities (known as low-impact facilities), and immunity from some state and territory laws, including planning laws, when carrying out these activities.

Schedule 3 of the Telecommunications Act includes:

- low-impact facilities described in the Telecommunications (*Low-Impact Facilities Determination 1997*) and all existing and future amendments, when installed by a carrier;
- a temporary defence facility; and
- a facility authorised by a Facilities Installation Permit issued under the Telecommunication Act.

Carriers seeking to install low-impact facilities are required to comply with Schedule 3 of the Telecommunications Act and the Telecommunications Code of Practice 1997.

### 3.6 When this policy should be applied

Due regard should be given to this policy by State and local government planning decision-makers for:

- a) The preparation and assessment of local planning schemes and local planning policies;
- b) The preparation of local structure plans; and
- c) Development proposals for telecommunications infrastructure.

### 3.7 Relationship of this policy to Commonwealth legislation

The Telecommunications Act provides the regulatory framework for the Australian telecommunications industry. All telecommunications carriers and service providers must comply with the Act and its subordinate legislation. The ACMA is empowered through the Telecommunications Act to regulate and monitor the performance of the industry, and reports to the Minister for Communications annually.

Relevant amendments to the Telecommunications Act include:

- *Telecommunications Legislation Amendment (Fibre Deployment) Act 2011* - This amendment to the Telecommunications Act provides a framework for the roll-out of the National Broadband Network, specifically the deployment of optical fibre lines and fibre-ready infrastructure.

Other relevant Commonwealth legislation and subordinate codes include:

- *National Broadband Network Companies Act 2011* – This Act provides a regulatory framework for NBN Corporations that promotes the long term interests of end-users of carriage services or of services provided by means of carriage services; and
- *Mobile Phone Base Station Deployment Industry Code (C564:2011)* – This code applies a precautionary approach to the deployment of mobile telephone infrastructure to ensure that the exposure of the community to EME is minimised. It also sets out a consultation procedure for infrastructure development that does not require development approval (low impact facilities).

This policy complements the Telecommunications Act and other relevant and subordinate legislation.

## 4. POLICY OBJECTIVES

The objectives of this policy are to:

- a) facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;
- b) manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
- c) ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,
- d) promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

## 5. POLICY MEASURES

### 5.1 Visual impacts

For telecommunications infrastructure to be effective, structures are generally located prominently, at high points in the landscape or on top of buildings, where they are more likely to be visible to the public.

The planning authority may exercise discretion in addressing the visual impacts of telecommunications infrastructure. Visual impacts of an infrastructure development proposal should be assessed by applying the following set of policy measures to guide the location, siting and design of the structure.

#### 5.1.1 The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.

- i) Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis;
- ii) Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:
  - a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;
  - b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;
  - c) not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised and

- d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;

- iii) In addition to the existing exemptions under the Telecommunication Act, local governments should consider exempting telecommunications infrastructure from the requirement for development approval where:

- a) The infrastructure has a maximum height of 30 metres from finished ground level;
- b) The proposal complies with the policy measures outlined in this policy; and
- c) The proponent has undertaken notification of the proposal in a similar manner to 'low impact facilities' as defined and set out in the Mobile Phone Base Station Deployment Industry Code (C564:2011);

- iv) Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community; and

- v) Telecommunications infrastructure should be co-located and whenever possible:
  - a) Cables and lines should be located within an existing underground conduit or duct; and
  - B) Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings.

Section 6.3.1 provides guidance on what applicants should submit in support of a development application to assist planning assessment.

## 6. IMPLEMENTATION

This policy is given effect by the *Planning and Development Act 2005*. Telecommunications infrastructure should be included as a relevant planning consideration in the preparation and assessment of local planning schemes and local planning policies, structure plans (at the local level) and development applications.

### 6.1 Local planning schemes and local planning policies

When preparing or reviewing local planning schemes or local planning policies, local governments should ensure that:

- a) Telecommunications infrastructure is included in the zoning table as a land use;
- b) Telecommunications infrastructure is not designated as a 'use not permitted' (X) by the scheme in any zone in the zoning table;
- c) In zones where the location of telecommunications infrastructure is supported, telecommunications infrastructure is designated as a permitted use (P) in the zoning table;
- d) In zones where telecommunications infrastructure is permitted, the Scheme provides guidance on development approval exemptions;
- e) Buffer zones and/or setback distances are not included in local planning schemes or local planning policies; and
- a) Schemes and policies adhere to the policy measures outlined in Section 5 of this policy.

### 6.2 Structure planning at the local level

- a) In the preparation and assessment of structure plans at the local level, consideration should be given to the need for telecommunications services in supporting documentation. Early consideration of wireless and mobile phone telecommunication system requirements allows for them to be incorporated into the design process and mitigate any potential visual impacts to the community.

### 6.3 Development

In considering a development application, the local government should give consideration to:

- a) The extent to which the proposal adheres to the policy measures outlined in Section 5 of this policy
- b) The need for services to be located to optimise coverage; and
- c) Documentation to be submitted under Section 6.3.1 of this Policy.

The advertising period for a development proposal should be no more than 21 days.

#### 6.3.1 Information to be submitted when lodging a development application

In addition to the requirements for development applications under the relevant local planning scheme, development applications for telecommunications infrastructure are to include the following information:

- a) a report demonstrating compliance with the Mobile Phone Base Station Deployment Industry Code

(C564:2011), excluding Sections 6 and 7 (which only apply to developments that do not require development approval);

- b) a statement and/or a map indicating the extent to which the proposed facility addresses the network capacity for future demand and/or current gaps in service;
- c) a statement about the extent to which the proposed facility complies with any relevant local planning scheme or planning policy adopted under a scheme and (if applicable) justification for any variation from the relevant scheme or policy provisions;
- d) plans and coloured graphic illustrations, including photo simulations, showing the type of facility and its relationship with adjacent development, including the proposal's elevations showing the extent, height and appearance, proposed materials and colour, any screening or fencing, and any external lighting;
- e) details of any significant environmental constraints, including those associated with the species, condition and significance of any vegetation to be removed;
- f) map and a statement about where the proposed facility is to be located. If the facility is proposed within an infrastructure easement or corridor, consultation with other users is to be demonstrated; and
- g) a statement explaining how the proposed facility addresses the policy measures for the location, siting and design of telecommunications infrastructure set out in Section 5.2 of this Policy.

## 7. DEFINITIONS

*Telecommunications Carrier* has the same meaning given to the term in the *Telecommunications Act 1997*.

*Fibre-ready Facility* has the same meaning given to the term in the *Telecommunications Act 1997*.

*Relevant health and safety standard* means health and safety standards specified for the installation and operation of telecommunications facilities under the:

- *(Commonwealth) Telecommunications Code of Practice 1997;*
- *(Commonwealth) Radiocommunications Act 1992;*
- *Mobile Phone Base Station Deployment Industry Code (C564:2011) (this is a document prepared by the Communications Alliance and registered with the ACMA as an Industry Code)*

*Telecommunications infrastructure* means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit, or other structure used, or for use, in or in connection with a telecommunications network.

*Service provider* has the same meaning given to the term in the *Telecommunications Act 1997*

*National Broadband Network* has the same meaning given to the term in the *National Broadband Companies Act 2011*

*National Broadband Network Corporation* has the same meaning given to the term in the *National Broadband Companies Act 2011*

*Radiocommunications* has the same meaning given to the term in the *Radiocommunications Act 1992*

*Pit and pipe infrastructure* refers to pits and conduits installed in subdivisions to house fixed line telecommunications cable.

*Fibre-ready facility* has the same meaning given to the term in the *Telecommunications Act 1997*

*Carriage services* include services for carrying communications, for example telephone services, Internet access services and Voice over Internet Protocol (VoIP) services.

**Attachment 12.4.4**



**SUBMISSION TO THE SHIRE OF NANNUP  
OPPOSING THE APPLICATION BY TELSTRA  
FOR THE CONSTRUCTION OF A  
TELECOMMUNICATIONS FACILITY  
ON LOT 906 PERKS ROAD, CUNDINUP**

**15 JUNE 2018**

Shire of Nannup  
15 Adam Street  
Nannup WA 6275

We the undersigned tender this submission in opposition to the proposed Telstra Telecommunications Facility at Lot 906 Perks Road, Cundinup. This submission is to be read in conjunction with the report from Rowe Group Town Planners acting on behalf of the land owners of 128 and 150 Perks Road, Cundinup.

All of us want and value good communication and we accept that mobile phone towers are a necessary part of the modern world. However, we believe the proposed site is not appropriate for this type of construction and indeed upon reading the list of criteria Telstra claim to have considered in selecting Lot 906 it is difficult to understand how they could conclude that this location is appropriate at all. Furthermore Telstra does not demonstrate in their application that this proposed location is their only viable option.

The region surrounding the proposed Telstra Telecommunications Facility at Lot 906 Perks Road is one of unique beauty within the Nannup Shire. Already it is recognized as a favourite tourist drive offering unsurpassed scenic views overlooking wineries and forest which reach as far as the eye can see, together with equally impressive views of the Blackwood River valley. The local Perks Road community are all long term residents who treasure the lifestyle this environment offers. With the emergence of many ventures in the precinct producing the likes of marron, truffles, olive oil and wine, together with rural retreat style accommodation, the region has the potential in years to come to offer high quality tourism experiences to Nannup visitors. It is also home to the historic Milward Firetower.

Already both Nannup Estate Wines and Nannup Ridge Wines together with Nannup Hideaway Cottages are, through their marketing strategies, delivering this story to customers from all over Australia and indeed the world. We are regularly receiving visitors from as far away as China and Europe and overwhelmingly they are impressed by the open space and the pristine natural beauty of the surrounds with forest and clean air all playing their part. We see this process gaining momentum as our businesses grow and gain traction in domestic, national and international markets.

The introduction of a large scale industrial structure into this scene will completely destroy the integrity of this concept.

The proposed communication tower will significantly impact upon the lifestyle of those whose homes are in the vicinity, and it will negatively affect the story behind the brands of those businesses operating in this precinct who have invested so much to promote this region. The Perks Road precinct is a rare concentration of intense rural activities in a distinct and beautiful setting.

We urge the Shire to protect this unique precinct from such disruption.

**LIST OF SIGNATORIES TO PHONE TOWER OBJECTION**

Mark & Alison Blizard  
150 Perks Road, Cundinup

*Mark & Alison Blizard*  
.....  
*A Blizard*

Penhall Investments (Ray Fitzgerald)  
128 Perks Road, Cundinup

SEE ATTACHED  
.....

Barry & Margaret Fitzgerald  
66 Perks Road, Cundinup

SEE ATTACHED  
.....

Leisa Harding  
23 Boundary Road, Cundinup

*Leisa Harding*  
.....

Robert Towie & Rosemary Medrala  
Lot 3 Perks Road, Cundinup

SEE ATTACHED  
.....

Paul & Marie Jeffrey  
35 Credence Ridge, Cundinup

*Paul & Marie Jeffrey*  
.....

David & Jody Dixon  
35 Perks Road, Cundinup

*For and behalf  
of David and Jody* *D. J. D.*  
.....

Brendan & Vanessa Ashdown  
13 Perks Road, Cundinup

SEE ATTACHED  
.....

David & Josephin Longbottom  
256 Cundinup South Road, Cundinup

*David & Josephin Longbottom*  
.....

*FOR AND ON BEHALF OF*

*SHANNON PARKER  
AS ABOVE AND*

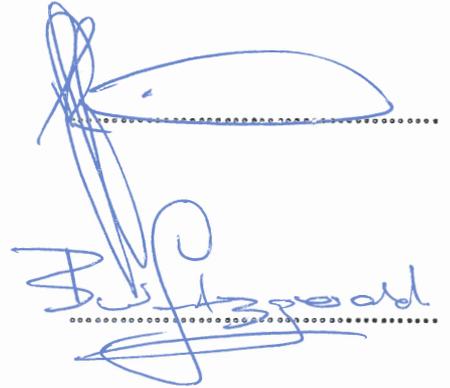
*S Parker*  
*S Parker*

**LIST OF SIGNATORIES TO PHONE TOWER OBJECTION**

Mark & Alison Blizzard  
150 Perks Road, Cundinup

.....

Penhall Investments (Ray Fitzgerald)  
128 Perks Road, Cundinup

A handwritten signature in blue ink, appearing to read 'Ray Fitzgerald', is written over a dotted line. The signature is stylized and includes a large, sweeping flourish that extends upwards and to the left.

Barry & Margaret Fitzgerald  
66 Perks Road, Cundinup

Leisa Harding  
23 Boundary Road, Cundinup

.....

Robert Towie & Rosemary Medrala  
Lot 3 Perks Road, Cundinup

.....

Paul & Marie Jeffrey  
35 Credence Ridge, Cundinup

.....

David & Jody Dixon  
35 Perks Road, Cundinup

.....

Brendan & Vanessa Ashdown  
13 Perks Road, Cundinup

.....

David & Josephin Longbottom  
256 Cundinup South Road, Cundinup

.....

## M & A Blizard

---

**From:** Rosemary <medrala@iinet.net.au>  
**Sent:** Tuesday, 12 June 2018 8:37 AM  
**To:** M & A Blizard  
**Subject:** Re: Proposed Telstra Phone Tower Adjacent to your land in Cundinup

Hi Alison

Thank you for your email. We did not receive a copy of Telstra's application.

We however also Oppose the construction of this mobile tower.

Regards  
Rosemary & Robert

**From:** [M & A Blizard](#)  
**Sent:** Monday, June 11, 2018 5:17 PM  
**To:** [medrala@iinet.net.au](mailto:medrala@iinet.net.au)  
**Subject:** Proposed Telstra Phone Tower Adjacent to your land in Cundinup

Good afternoon Rosemary

Your email address has been given to me by Leisa Harding at Nannup Hideaway Cottages and I'm writing to you in relation to Telstra's application to the Nannup Shire for approval to construct a 60 metre mobile phone tower. I presume you have received a copy of Telstra's application which was forwarded to your address at North Road Bassendean.

My husband Mark and I own Nannup Estate Wines located next to your property at 150 Perks Road. We are strongly opposed to Telstra's application. The tower is the equivalent in height to a 20 storey building and will be just 75 metres from our boundary and 250 or so metres from our back door. It will be very much closer to your land. I've attached a photo which shows an estimate of the size of the tower in relation to its surroundings. Like everyone else we are keen to see improved mobile phone reception. However we find it hard to believe Telstra have no other options than to build their tower right in the heart of the most populated location in the Cundinup region.

We have spoken to all of the property owners in the Perks Road precinct and with the exception of Bobby and Shane Brown who own the land on which the tower is proposed, all are opposed to this construction. To this end we are preparing a joint submission to the Shire to raise our objections. If you would like to join us in this submission we would welcome your support. Unfortunately we have little time. The Shire has granted us an extension until this Friday, 15<sup>th</sup> June so your early response would be most appreciated. If you would like to discuss this with us further then please feel free to call me on 9756 2005.

Kind regards

Alison Blizard

**LIST OF SIGNATORIES TO PHONE TOWER OBJECTION**

**Mark & Alison Blizard**  
**150 Perks Road, Cundinup**

.....

**Penhall Investments (Ray Fitzgerald)**  
**128 Perks Road, Cundinup**

.....

**Barry & Margaret Fitzgerald**  
**66 Perks Road, Cundinup**

.....

**Leisa Harding**  
**23 Boundary Road, Cundinup**

.....

**Robert Towie & Rosemary Medzala**  
**Lot 3 Perks Road, Cundinup**

.....

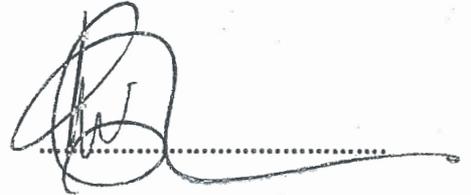
**Paul & Marie Jeffrey**  
**35 Credence Ridge, Cundinup**

.....

**David & Jody Dixon**  
**35 Perks Road, Cundinup**

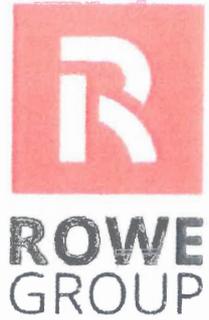
.....

**Brendan & Vanessa Ashdown**  
**13 Perks Road, Cundinup**



**David & Josephin Longbottom**  
**256 Cundinup South Road, Cundinup**

.....



Job Ref: 8871  
12 June 2018

Shire of Nannup  
15 Adam Street  
NANNUP WA 6275

**Attention: Jane Buckland**

Dear Madam

**Submission (Objection) on Development Application – Proposed  
Telecommunications Facility  
Lot 906 Perks Road, Cundinup**

Rowe Group acts on behalf of the land owners of Lot 25 (No. 150) and Lot 26 (No. 128) Perks Road, Cundinup (Clients' Property). We have been requested to prepare this submission (objection) with respect to the proposed telecommunications facility at Lot 906 Perks Road, Cundinup (subject site) which is currently being assessed by the Shire of Nannup.

We provide below a number of issues we have identified in assessing the proposed development in the context of town planning and amenity considerations.

In our assessment of the proposed 'Telecommunications Infrastructure', and in the formulation of this submission (objection), we have reviewed the following documents:

- *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations);
- State Planning Policy 2.5: Rural Planning (SPP2.5);
- State Planning Policy 5.2: Telecommunications Infrastructure (SPP5.2);
- Shire of Nannup Local Planning Scheme No.3 (LPS3);
- Shire of Nannup Local Planning Strategy; and
- Shire of Nannup Local Planning Policies.

Level 3  
369 Newcastle Street  
Northbridge 6003  
Western Australia

p: 08 9221 1991  
f: 08 9221 1919  
info@rowegroup.com.au  
rowegroup.com.au



We outline below a number of issues we have identified with the proposed development under the provisions of these various documents.

## Subject Site and Proposed Development

The subject site is legally described as;

- Lot 906 on Plan 69041 Certificate of Title Volume 2797 Folio 85.

The subject site is zoned 'Agriculture' under the provisions of LPS3 and is included within a 'Landscape Value Area'. It is our understanding that the subject site is currently used for farming and agricultural purposes.

Our Clients' land, and the land to the west and north of the subject site is zoned 'Agriculture Priority 2' under the provisions of LPS3.

It is proposed that a 60m high telecommunications tower be located in the south-western corner of the subject site. It is to be setback approximately 50m from the subject site's western lot boundary.

This locality is generally undulating varying from approximately 175m AHD to 255m AHD. The proposed tower is to be located on a high point at approximately 245m AHD.

The surrounding land is generally characterised by agricultural land, predominantly used for vineyards and fruit growing. We understand the locality contains no built form development in excess of low-scale rural/agricultural buildings and single dwellings.

Please find enclosed at Attachment 1 a 'View Corridor Assessment' which shows the proposed telecommunications tower within the existing landscape.

## Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

The Regulations, at Schedule 2 Clause 67 (Matters to Be Considered by Local Government), list the matters which the Shire of Nannup is to consider in assessing a development the subject of an application for approval. With respect to the proposed development at the subject site, the following matters are relevant for consideration (underlining for emphasis):

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;



(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;

(c) any approved State planning policy;

(m) the compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.

(n) the amenity of the locality including the following -

(i) environmental impacts of the development;

(ii) the character of the locality;

(iii) social impacts of the development.

(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environmental or the water resource.

(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.

The following sections of this submission outline how the proposed development does not accord with the above matters to which the Shire of Nannup must consider as part of its assessment of the application.

### Shire of Nannup Local Planning Scheme No.3

Under the provisions of LPS3, the subject site is zoned 'Agriculture'. The broad objective of the 'Agriculture' Zone is as follows (underlining for emphasis);

To provide for the sustainable use of land for a range of rural pursuits which are compatible with the capability of the land, whilst retaining the rural character and amenity of land within the zone.'

Further, the specific objectives for the 'Agriculture' Zone are set out as follows;

(a) To preserve the rural character and setting of the zone, particularly along transport corridors;



*(b) To promote a range of rural pursuits which are compatible with the capability of the land to sustain those pursuits;*

*(c) To conserve the productive potential of agricultural land and support the continued development of extensive farming; and*

*(d) To encourage environmental sustainable development that takes into account the land's natural attributes, including topography, geomorphology, remnant vegetation, watercourses and groundwater.*

The proposed 'Telecommunications Infrastructure' is a 'D' use within the 'Agriculture' zone, meaning that the use is not permitted unless the local government has exercised its discretion.

The subject site is also included within a 'Landscape Value Area' (LVA) as identified on LPS3 mapping.

The following provisions of LPS3 apply to the LVA (underlining for emphasis);

*5.2.2.1 The places identified on the Scheme Map as being within a Landscape Values Area are those areas considered by the local government to be of particular scientific, scenic or other value and should be retained in their present state or restored to their original state or to a state acceptable to the local government.*

*5.2.2.2 The local government's specific objectives in making provision for Landscape Values Areas are:*

*(a) to identify areas of significant landscape value in the Town Planning Scheme and adopt provisions to protect these values from insensitive development;*

*(b) to encourage development to fit into the special natural, visual and physical characteristics of the land, particularly topography;*

*(c) to encourage the retention of vegetation and preservation of the natural topography of the land;*

*(d) to support small scale, low key development whereby the site layout, location of buildings and provision of services is appropriate to the site's natural, visual and physical features;*

*(e) to discourage development considered likely to intrude upon, or not be compatible with, the landscape character and landscape qualities of the area;*



*(f) to encourage rural landscape improvements including rehabilitation or revegetation within areas considered to be of significant landscape or scenic value, or degraded areas considered to be visually prominent.*

The appropriateness of the proposal needs to be considered in the context of its locality and the objectives of the 'Agriculture' zone and the LVA. The telecommunications tower will be placed on land that could otherwise be used for agricultural purposes and as such is not 'compatible with the capability of the land'. The tower will project significantly above all other features of the landscape and therefore, does not 'fit into the special natural, visual and physical characteristics of the land'.

We note that our Clients' properties are zoned 'Agriculture Priority 2' which has the following specific objectives;

*'(a) To conserve the productive potential of the land and support the continued development of large scale agricultural establishments;*

*(b) to preserve the rural character and setting of the zone; and*

*(c) to ensure that any non-agricultural development is complementary to the predominant agricultural use and capability of the land.'*

It is our view that consideration ought to be given to the objectives of the 'Agricultural Priority 2' zone due to the proposals proximity to the land in this zone. The proposal is inconsistent with the intent of the zone in that;

- the height and scale of the proposal is not consistent with and therefore does not preserve the rural character of the locality. At 60m in height, the tower is representative of a 20-storey building and would create significant visual blight within the locality; and
- the proposed land use is not complimentary to the agricultural use and capability of the land.

Furthermore, the 'Telecommunications Infrastructure' land use is an 'X' use within the 'Agriculture Priority 2' zone which means that 'the use is not permitted by the Scheme' within that zone.

Therefore, the proposal contradicts and undermines the objectives of the adjacent 'Agriculture Priority 2' zone.

Given the above, the proposal is inconsistent the intent of the 'Agriculture' zone, 'Agriculture Priority 2' zone and the LVA. The proposal would be more appropriately located on land that does not have significant visual, physical and productive attributes.



We also note that Clause 4.8.10 'Standard of Development' of LPS3 reads as follows;

*'Notwithstanding that a proposed development conforms in all other respects with any provision of the Scheme or any local law in force, the local government may at its discretion, refuse to grant approval if it considers that such development would by its siting, design, construction or materials result in a significant deterioration in the landscape and amenity of the general locality.'*

Therefore, the Shire has the ability to refuse the application on the above grounds.

## State Planning Policy 2.5 Rural Planning

SPP2.5 sets out requirements for planning in rural areas. The objectives of SPP2.5 includes the following;

*(a) support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;*

Furthermore, Policy Measure 5.1(b) reads as follows;

*The WAPC will seek to protect rural land as a State resource by:*

*(b) retaining land identified as priority agricultural land in a planning strategy or scheme for that purpose;*

Both the subject site and our Clients' properties are identified in the WAPC's Warren-Blackwood Rural Strategy (refer to section below) as 'priority agricultural land'. The proposed tower is to be located on existing priority agricultural land and would mean that the present and future production potential of this land is lost.

In addition, under SPP2.5, residential dwellings on rural land are considered a 'sensitive use'. Sensitive uses are those defined as;

*'Land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and childcare centres. Generally excludes commercial or industrial premises.'*

Clause 5.12.2 of SPP2.5 reads as follows;



*(b) single dwellings and other sensitive land uses on rural land should be afforded a reasonable standard of rural amenity;*

The dwelling on Lot 25 (No. 150) Perks Road is located approximately 250m from the proposed location of the tower. Given this and its height, the tower will impose significantly on the amenity of this dwelling.

In consideration of the above, the proposal is in contravention of the objectives and policy measures of SPP2.5 and would be more appropriate in a location with less productive agricultural and tourism values and with greater separation from residential dwellings.

## State Planning Policy 5.2 Telecommunications Infrastructure

SPP5.2 sets out policy measures for balancing the benefit of improved telecommunications services with the impact on visual amenity of an area, including the following;

*Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:*

- a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*
- b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;*
- c) not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised; and*
- d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.'*

SPP5.2 also sets out the aspects to be considered by a Local Government when assessing an application for telecommunication infrastructure, as follows;

- a) The extent to which the proposal adheres to the policy measures outlined in Section 5 of this policy;*
- b) The need for services to be located to optimise coverage; and*



*c) Documentation to be submitted under Section 6.3.1 of this Policy.*

The proposed location of the telecommunication tower does not adhere to the policy measures above.

At 60m in height, the tower is equivalent to a 20-storey building which might commonly be found within the Perth CBD. Given that the proposed location of the tower is within low-lying, agricultural land, it is our view that the tower is not compatible with the existing scale of the surrounding landscape. Furthermore, it will be prominent in the landscape and will be easily visible from significant distances, disrupting the prevailing view corridors.

It is noted that the locality is a popular tourist route that is valued for its vista across the undulating landscape. As such, the tower will compromise the social and visual landscape values of the locality.

Furthermore, it is our view that insufficient information has been provided within the application, in accordance with Section 6.3.1 of SPP5.2. We are not aware of the following being provided with the application;

- a report demonstrating compliance with the Mobile Phone Base Station Deployment Industry Code;
- a map indicating the extent to which the proposed facility addresses the network capacity for future demand and/or current gaps in service;
- a statement about the extent to which the proposed facility complies with any relevant local planning scheme or planning policy adopted under a scheme and (if applicable) justification for any variation from the relevant scheme or policy provisions;
- plans and coloured graphic illustrations, including photo simulations, showing the type of facility and its relationship with adjacent development, including the proposal's elevations showing the extent, height and appearance, proposed materials and colour, any screening or fencing, and any external lighting;
- a statement explaining how the proposed facility addresses the policy measures for the location, siting and design of telecommunications infrastructure set out in Section 5.1.1 of this Policy.

Furthermore, additional (alternative candidate) sites should be explored by the Applicant due to the rural nature of the locality and its significance as a unique visual landscape. It is the view of our Clients that, amongst other new alternatives, Candidate A proposed by the applicant should be revisited. Candidate A is located within State Forrest and as a result can fulfil the requirements for providing telecommunications services, without impacting on the visual amenity of the surrounding landscape due to the vegetated nature of that locality.



## Impact on the Community

Clause 67 (x) of the Regulations requires Local Governments to consider the impact of development on the community as a whole notwithstanding the impact of development on particular individuals.

We note that the locality surrounding Perks Road has a significant concentration of productive horticultural activities and vineyards. These businesses represent a significant contribution of the Shire in terms of economic activity and attracting tourists to the area.

Our Clients note that large numbers of tourists from China in particular, visit the area to admire the uninterrupted, pristine landscape. This brings considerable economic benefit to the community and Shire, as these visitors often buy local produce in large quantities.

The proposed tower will disrupt the vista which is currently viewed from our Clients' properties, as well as the surrounding land and will detract from its appearance which is valued by locals and tourists alike.

As such, it is our view that the proposed tower will not only have detrimental impacts for our Clients and the individuals who live on/own the surrounding land but would result in the local community and the Shire of Nannup being impacted both socially and economically.

## Shire of Nannup Local Planning Strategy

Under the Local Planning Strategy (LPS) the subject site is located within the 'Rural Planning Precinct NR1' (NR1). The objectives of NR1 read as follows;

- *'Facilitate opportunities for the eastwards expansion of Nannup townsite and associated range of residential, rural-residential and tourism opportunities in recognition of flooding constraints to the west and the need to avoid encroachment on good quality agricultural land to the south.*
- *Protect and enhance landscape values of Nannup-Balingup corridor along Blackwood River valley.*
- *Provide for the sustainable use of land within the agricultural zones, and outside the Townsite Strategy Area, for a range of rural pursuits.'*

The LPS also requires that the land is managed such that significant vegetation, prominent landforms and view corridors within the 'Landscape Values' special control area are preserved.

As discussed above, the proposed tower will impact on the value of the locality as a tourist route/destination which exhibits some of the region's uninterrupted, visually attractive landscapes.



Therefore, the proposal is inconsistent with the objective of 'facilitating tourism opportunities'. Given the significant height of the tower, it will be seen from distances across the Blackwood River Valley and the Nannup-Balingup Corridor, including areas within the LVA. Therefore, the proposal is not consistent with the objective of protecting landscape values.

## Local Planning Policy Framework – Rural Areas

The 'Agriculture Priority 2' zoning which applies to our Clients' properties originates from the WAPC's Warren-Blackwood Rural Strategy (Rural Strategy) which built upon State Planning Policy 2.5 'Agriculture and Rural Land Use Planning'. The Rural Strategy addressed the management and protection of rural land within the Warren-Blackwood Region. The Rural Strategy identified those areas which had the greatest potential for diversified and intensified agricultural production and classified the land into three conceptual zonings – Agriculture, Priority Agriculture and Rural Landscape. The Rural Strategy identified the subject site and our Clients' properties within an area of 'State or Regional Agricultural significance'.

Under SPP2.5 areas State or Regional Agricultural significance are defined as those 'that contains productive agricultural land that is suitable for sustainable development of key or specialised agricultural uses that are of significant economic or social value to the State or a particular region'.

The Shire's LPS further expands on these providing for the Agriculture, Agricultural Priority 1 – Scott Coastal Plain, Agricultural Priority 2 and Coastal Landscape zones which are addressed in the Local Planning Policy for Rural Areas (LPP).

The objective for Rural Areas as outlined in the (LPP) is as follows;

*The primary objective of the Council for the rural areas is to facilitate the on-going use of rural areas for activities associated with farming and agricultural production compatible with land capability, whilst protecting and enhancing the landscape and environmental values characteristic of the Shire'*

The proposal is not associated with farming or agricultural production and is not aligned with the identified capability of the land. Nor does it protect and enhance the environmental value of the locality.

The LPP sets out performance criteria for proposed non-agricultural land uses within rural areas which read as follows;

*It is policy that any proposed non-agricultural use must:*



- *Not result in the significant loss of land which could otherwise be used for agricultural purposes;*
- *Not encourage the fragmentation of farming land, or introduce activities which may conflict with the present or future operations of surrounding farms and other agricultural activities;*
- *Be compatible with surrounding land uses and be of a scale and design that respects the environmental, visual and built elements of the area;*
- *Not lead the transformation of a rural area into a quasi-commercial area;*
- *Be provided with setbacks from common boundaries with adjoining residential uses that ensure the protection of residential amenity, and where appropriate, provide for the establishment of effective landscaping and screening buffers; and*
- *Not form ribbon commercial development along main or tourist roads. It is policy that any proposed rural industry may only be considered in rural areas where;*
  - *It is located within or adjoining an area of intensive agricultural use and provided for the service or repair of equipment used in agricultural production; and*
  - *It produces or processes primary produce from the immediate area.*

The proposal is not consistent with the above LPP performance criteria for the following reasons;

- The land could otherwise be used for agricultural purposes;
- The proposal conflicts with the intent of the area to be protected for its landscape value and also with the promotion of the area as a tourist route;
- The proposal is at odds with the undulating landscape and is not at a scale which respects the environmental, visual or built elements;
- The proposal is located in proximity to the dwelling on Lot 25 and will have significant impact on its residential amenity; and
- No landscaping or buffers are proposed as part of the application.

Given that the requirements of the LPP originate from SPP2.5 and the Rural Strategy, it is our view that the proposal also contradicts the intended purpose of the locality provided in these documents.

## Local Planning Policy Framework – Landscape Protection

The Landscape Protection LPP framework (Landscape LPP) addresses the land within the LVA identified under LPS. The LVA encapsulates the ridges either side of the Blackwood River, known as the Nannup-Balingup Road Corridor and includes the subject site.

The objectives of the Landscape LPP include the following;



- *To identify areas of significant landscape value in the Local Planning Scheme and adopt provisions to protect these values from insensitive development;*
- *To encourage development to fit into the special, natural, visual and physical characteristics of the land, particularly topography;*
- *To support small scale, low key development whereby the site layout, location of buildings and provision of services is appropriate to the site's natural, visual and physical features; and*
- *To discourage development considered likely to intrude upon, or not be compatible with, the established landscape character and qualities of the surrounding area.*

The Landscape LPP also notes that the Nannup-Balingup Road is promoted as a tourist drive which provides views of vegetated and pastured land. The significance of the locality as a tourist route is based on the visual amenity of the area afforded by the undulating, pastured land. The introduction of the proposed tower will disrupt this amenity; is inconsistent with the intent of the LVA and the Landscape LPP and would be better suited to an alternative location.

In addition, the Landscape LPP requires all applications for development within a Landscape Values Area to be accompanied by a Landscape Protection Plan which shows;

- *Existing and proposed contours, including any cut and fill work intended to be undertaken;*
- *Existing vegetation;*
- *Vegetation proposed to be removed;*
- *Location of effluent disposal system; and*
- *Location of access drive from road to dwelling and any parking areas.*

Although the proposed tower is not within the landscape value area itself, portions of the subject site are included within the LVA. On this basis and given the significance of the proposal in terms of bulk, scale and height, the proposal should comply with the above. Notwithstanding, given the scale of the proposal it will be possible to view the tower from within the LVA area and will therefore impact on the value it holds. We are not aware of a Landscape Protection Plan being submitted and as such, the proposal is not consistent with the above requirement.

## Conclusion

As outlined above, it is our view and the view of our clients that the proposed tower is inconsistent with the objectives and intent of the planning framework for the area for the following reasons;

- It is not compatible with the existing rural landscape character as is required by the objectives of the 'Agriculture' zone and 'Agricultural Priority 2' zone under LPS3;



- It does not support the productive capability of the land to facilitate agricultural pursuits in accordance with the 'Agricultural' zone under LPS3;
- It does not fit into the special natural, visual and physical characteristics of the area in accordance with the LVA under LPS3.
- It is not development of a small scale which is appropriate to the sites natural, visual and physical features in accordance with the LVA;
- It inhibits the current and future production potential of the 'priority agricultural land' as identified within SPP2.5 and the WAPC's Rural Strategy;
- It detrimentally impacts on the residential amenity of nearby dwellings in contravention of SPP2.5;
- The visual landscape values of the locality are compromised such that the proposal is inconsistent with the policy measures of SPP5.2;
- Insufficient information has been provided with the application to accord with section 6.3.1 within SPP5.2;
- It is inconsistent with the objectives of the Rural Strategy to promote and facilitate tourism opportunities within the region;
- It is not of a scale which respects the environmental, visual and built elements of the locality, does not protect the residential amenity of existing dwellings or provide buffers such that it is inconsistent with the requirements of the Rural Areas LPP;
- It represents 'insensitive development' within the LVA which is inconsistent with the Landscape Protection LPP; and
- It would be better suited to a location with greater visual protection (i.e. where trees or other such natural features can provide a buffer) and where there is less visual significance placed on the landscape.

Therefore, we **object** to the proposed 'Telecommunications Infrastructure' land use and believe that the application should be **refused**.

Should you require any further information or clarification in relation to this matter, please contact Vikky Brown on 9221 1991.

Yours faithfully,

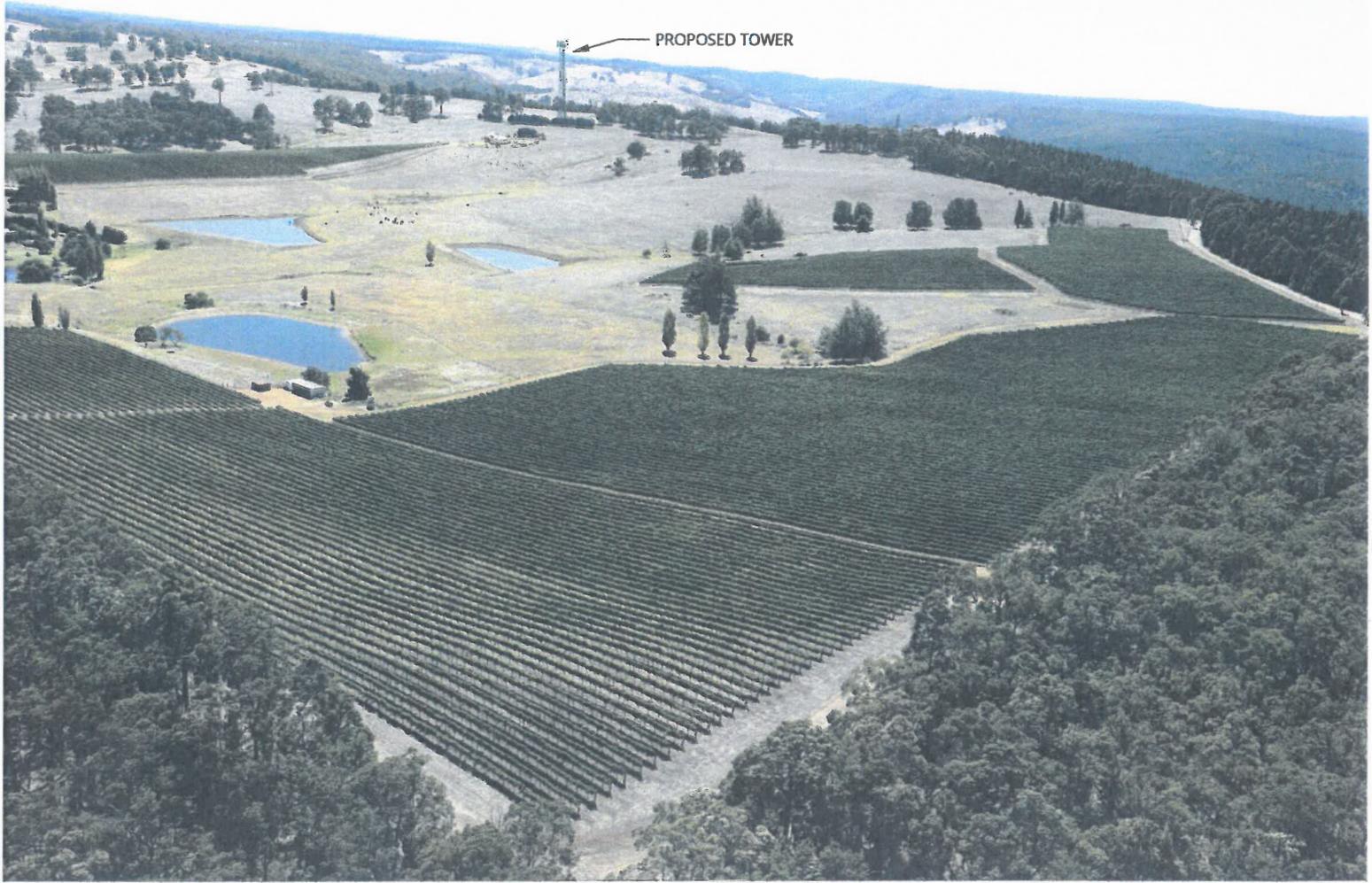
**Vikky Brown**

Rowe Group



## **Attachment One**

View Corridor Assessment



PROPOSED TOWER



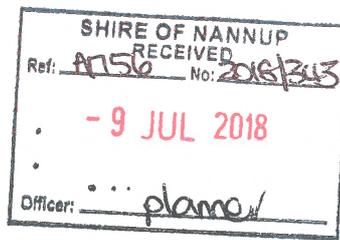
PROPOSED TOWER

PROPOSED TOWER





4 July 2018



Attachment 12.4.5

Attachment 5



Telstra Ref: WA08723.01 Cundinup

Attn: Jane Buckland – Development Services Officer  
Shire of Nannup  
PO Box 11  
Nannup  
WA 6275

Via Email: [nannup@nannup.wa.gov.au](mailto:nannup@nannup.wa.gov.au)

**Attention: Ms. Jane Buckland**

**Planning Application for proposed Telstra Telecommunications Facility located on lot 906 (plan 69041) Perks Road, Cundinup, WA 6275**

Visionstream wishes to thank Council for the opportunity to address the submissions received in response to the aforementioned planning application on behalf of Telstra Corporation Ltd. We trust that the response below will assist Council in addressing the concerns of the community and allow for a balanced assessment of the application.

As put forward by Council via email on the 15<sup>th</sup> of June 2018, the issues raised can be summarised into the following categories:

1. Need for the Facility - Mobile Black Spot Program
2. Site Selection process + alternative candidate identification
3. Planning Legislation
4. Visual impact
  - a. Construction Materials
5. EME & Health
6. Property values

Visionstream, on behalf of Telstra, trusts the above information will be useful and should the council require any further information or has any questions; please do not hesitate to contact Matthew Fletcher on (08) 6555 8518 or at [matthew.fletcher@visionstream.com.au](mailto:matthew.fletcher@visionstream.com.au)

Kind regards,

Matthew Fletcher  
Planning Officer – Visionstream Pty Ltd



### **Need for the facility - Mobile Black Spot Program**

The proposal at 151 Perks Road in Cundinup is part of the Mobile Black Spot Program and is viewed as the last link needed in a chain of sites connecting towns in the South-West region of Western Australia and will also provide vital communications access to emergency services in the regions.

The Australian Government is improving mobile phone coverage and competition in regional and remote Australia through the Mobile Black Spot Program. The Government has committed \$220 million to the Mobile Black Spot Program to invest in telecommunications infrastructure to improve mobile coverage along major regional transport routes, in small communities and in a number of identified priority locations. The Government's commitment is supported by co-contributions from state and local governments, mobile network operators such as Telstra, businesses and local communities.

The Federal Government's Mobile Black Spot Program is one of the largest ever expansions of mobile coverage in regional and remote Australia. This program will deliver mobile coverage to a large number of regional and remote communities who, for the first time, will be able to access fast mobile voice and data services. The improved coverage is increasing access to new technologies for key regional sectors like agriculture, transport, mining and tourism – technologies which rely on a fast, reliable and affordable mobile network.

Under the Federal Government's Mobile Black Spot Program, Telstra is contracted to deploy and manage the rollout of part of the programme, which has been established to deliver terrestrial mobile, voice and high speed wireless data broadband to improve highway and town-town coverage in regional and remote communities across Australia.

The Mobile Black Spot Program proposal at 151 Perks Road in Cundinup is viewed as the last link needed in a chain of sites connecting towns in the South-West region of Western Australia and will also provide vital communications access to emergency services in the regions.

### **Site Selection Process & alternative candidate identification**

Telstra commences the site selection process with a search of potential sites that meet the network's technical requirements, with a view to also having the least possible impact on the surrounding area. Telstra applies and evaluates a range of criteria as part of this site selection process.

There are also a number of other important criteria that Telstra uses to assess options and select sites that may be suitable for a proposed new telecommunications facility. These take into account factors other than the technical performance of the site and include:

- The potential to co-locate on an existing telecommunications facility.
- The potential to locate on an existing building or structure.
- Visual impact and the potential to obtain relevant town planning approvals.



- Proximity to community sensitive locations and areas of environmental heritage.
- The potential to obtain tenure at the site.
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

Telstra recognises the sensitivity associated with the installation of mobile phone base station proposals and tries hard to strike a balance between providing services and minimising the impact on the community and the local environment. Distances at which infrastructure must be sited from particular locations on the basis of an arbitrary distance do not necessarily reflect a precautionary approach. For example, infrastructure sited further from a sensitive area may need to operate at greater power to provide mobile phone coverage and may result in higher exposures in the area. Once a call is connected both mobile phones and their base stations are designed to operate at the lowest levels to make a quality call and avoid network interference. Base stations are constantly adapting their output levels depending on the number of calls they are handling and how far away the handsets are from them.

Through careful analysis and rigorous site selection processes, which have been in train since 2016, Telstra investigated 14 other candidates in the area and it was determined that the proposed facility located at 151 Perks Road in Cundinup was best able to meet the aforementioned criteria.

Of the 14 alternative candidate sites which were investigated, two failed because of the land's Agriculture Priority 2 zoning where telecommunications infrastructure is not a permitted use class in the Scheme's zoning table. Tenure was unable to be obtained at another two sites and one site failed because it did not meet the radio frequency objectives of the project. The remaining 9 alternative candidates were in special use areas (Jarrahwood State Forest) and the cost to provide electricity to the proposed sites was prohibitive and outside the scope of the project.

As mentioned in the development application which was submitted to Council, co-location was investigated, however, there were no opportunities in the area to co-locate. Therefore, only a new greenfield structure could be considered as part of the site selection process and the candidate at 151 Perks Road in Cundinup was nominated as the prime candidate.



	Location	Proposal	Zoning	Description
Candidate 1	Lat:-33.862400 Long: 115.715500	Greenfield 60.0m lattice tower	State Forest	This candidate is in special use area (Jarrahwood State Forest) and the land is undisturbed. The cost to provide electricity and land access is prohibitive and outside the parameters of the project.
Candidate 2	Lat:-33.885433 Long: 115.745333	Greenfield 60.0m lattice tower	Agriculture	Tenure is not able to be obtained at this property and the landowner's demands are outside of the project's parameters.
Candidate 3	Lat:-33.820917 Long: 115.691783	Greenfield 60.0m lattice tower	Agricultural Priority 2	Candidate is located within the Agriculture Priority 2 Zone. Telecommunications Infrastructure is a prohibited use in this zone.
Candidate 4	Lat:-33.862367 Long: 115.713767	Greenfield 60.0m guyed mast	State Forest	This candidate is in special use area (Jarrahwood State Forest) and the land is undisturbed. The cost to provide electricity and land access is prohibitive and outside the parameters of the project.
Candidate 5	Lat:-33.855467 Long: 115.718933	Greenfield 60.0m lattice tower	State Forest	This candidate is in special use area (Jarrahwood State Forest) and the land is undisturbed. The cost to provide electricity and land access is prohibitive and outside the parameters of the project.
Candidate 6	Lot 5 Cundinup South Road, Cundinup, WA 6275	Greenfield 60.0m lattice tower	State Forest	This candidate does not meet radiofrequency objectives due to the distance from the target area.
Candidate 7	Lat:-33.859242 Long: 115.713366	Greenfield 60.0m lattice tower	State Forest	This candidate is in a special use area (Jarrahwood State Forest) and an area identified as possibly containing sacred Aboriginal trees. The cost to provide power to the site is also prohibitively expensive and outside the parameters of the project.



Candidate 8	Lat:-33.862367 Long: 115.713767	Greenfield 60.0m guyed mast	State Forest	This candidate is in a special use area (Jarrahwood State Forest) and the cost to provide power to the site is also prohibitively expensive and outside the parameters of the project.
Candidate 9	Lat:-33.813383 Long: 115.685742	Greenfield 60.0m lattice tower	State Forest	This candidate is in a special use area (Jarrahwood State Forest) and the cost to provide power to the site is also prohibitively expensive and outside the parameters of the project.
Candidate 10	Lat:-33.891788 Long: 115.797155	Greenfield 60.0m lattice tower	Agriculture Priority 2	Land is zoned Agricultural Priority Zone 2 meaning that the use is not permitted by the Scheme.
Candidate 11	Lot 177 Vasse Highway, Barrabup, WA 6275	Greenfield 60.0m lattice tower	Agriculture	Landowner unresponsive. Unable to obtain tenure.
Candidate 12	Lat:-33.884471 Long: 115.747940	Greenfield 60.0m lattice tower	State Forest	This candidate is in a special use area (Jarrahwood State Forest). The cost to provide electricity and land access is prohibitive and outside the parameters of the project.
Candidate 13	Lat:-33.807632 Long: 115.686335	Greenfield 60.0m lattice tower	State Forest	This candidate is in a special use area (Jarrahwood State Forest). The cost to provide electricity and land access is prohibitive and outside the parameters of the project.
Candidate 14	Lat:-33.803204 Long: 115.675677	Greenfield 60.0m lattice tower	State Forest	This candidate is in a special use area (Jarrahwood State Forest). The cost to provide electricity and land access is prohibitive and outside the parameters of the project.



Candidate O (the prime candidate in the submitted DA) was chosen over candidate A (and the aforementioned candidate sites above) for numerous reasons. These include:

- Land tenure was unable to be obtained;
- The land is zoned Agriculture and is not a Special Use Area or a zone where telecommunications infrastructure is prohibited;
- The site chosen is mostly clear of vegetation and is not State Forest;
- No sites of Aboriginal Heritage significance have been identified within the subject land holding;
- There is existing access to the site off Perks Road and plenty of available parking;
- There is access to a nearby power source; and
- The costs to connect the proposed site to the power source are within the parameters of the project.

### **Planning Legislation**

The subject site is located within the Agriculture Zone, outside of the Landscape Value Area. It is agreed that the subject allotment is partially located within the Landscape Value Area and near Agriculture Priority 2 zoning; however, care was taken as part of the site selection process to locate outside of these areas. Therefore, the objectives and provisions of the Shire's Local Planning Scheme 3 regarding development in the Landscape Value area and Agriculture Priority 2 zone do not wholly apply.

The proposal accords with the Agriculture zone as telecommunications infrastructure is listed as a D use in the Scheme's zoning table which means that Council can use its discretion to grant planning approval. Moreover, given that the proposed lease area is only 14m by 14m, the impact of the proposed facility on the lot is negligible and still allows the objectives of the zone, such as the sustainable use of land for a range of rural pursuits, to be met.

In addition, the siting of the proposed telecommunications infrastructure, which is located outside of the aforementioned overlay and zone, is guided by *State Planning Policy 5.2: Telecommunications Infrastructure Policy (SPP5.2)* which notes that:

*"Adequate and reliable telecommunications are essential for all aspects of contemporary community life, from supporting the State's economy to creating and maintaining connected and cohesive social networks. Contact between emergency services and the community increasingly relies on telecommunications networks"*

Furthermore, Clause 4(C) Policy Objectives of SPP5.2 states that:

*"The objectives of this policy are to ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons"*

The aforementioned safety points are further highlighted by the fact that the Cundinup locality is located in a Bush Fire Prone Area by the Fire and Emergency Services Commissioner.



Moreover, the importance of telecommunications services in Western Australia is also recognised in the Western Australian Planning Commission's (WAPC's) *State Planning Strategy 2050* (2014), which advocates for the provision of an effective state-wide telecommunications network. This network includes both above and below ground infrastructure to support both fixed line and wireless telecommunications.

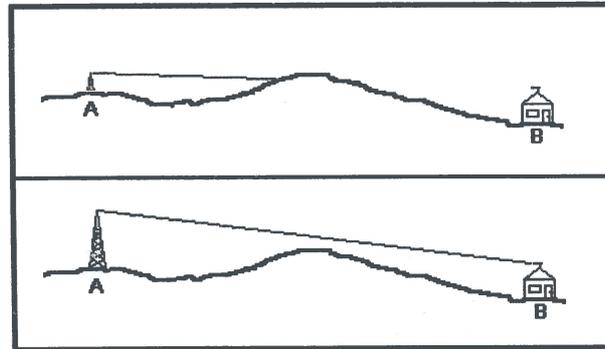
Furthermore, the proposed telecommunications facility will assist with the Shire's Scheme Objectives which aim to "assist employment and economic growth" as well as "providing opportunities for home base employment" as the proposed telecommunications facility would provide mobile phone and mobile broadband services to residents, businesses, tourists and emergency services in Cundinup.

These sentiments are further backed by the Shire's Community Strategic Plan 2017 – 2027 which highlights the community's desire for "increased coverage of communications systems" and to "improve all forms of communication within the Shire"

### Visual Impact

Mobile network coverage objectives determine where a mobile telephone base station is required. Moreover, in the *State Planning Policy 5.2 – Telecommunications Infrastructure*, it is noted that for the operation of such facilities antennas generally need to be mounted clear of surrounding obstructions like trees and buildings (as well as geographical features) to avoid the loss of reception and to allow each mobile telephone base station to cover its intended cell with minimum transmitter power. They must also be sited where they will not interfere with neighbouring cells". A notion which has been supported by the State Administrative Tribunal, which notes that "*the planning framework does not require the tower to be invisible.*" *Telstra Corporation vs. Shire of Waroona* [2012] WASAT 179. As a result, this often means that such facilities are visible from surrounding areas.

Although it would be ideal to have smaller tower or monopole to lessen the potential visual impact upon the locality, in the case of the proposal at 151 Perks Road in Cundinup this is not a viable option as the undulating nature of the area poses line of sight restrictions which impact the signal between mobile phone users and mobile base stations. This is demonstrated in the picture below and highlights why the proposed lattice tower needs to be 60m so that the radio frequency objectives of the project can be met.



**Figure 1 – Line of sight propagation**

Nevertheless, Telstra makes every effort to design base station infrastructure that is visually unobtrusive. In this instance Telstra is proposing to install a lattice tower which has been sited to maintain the primary use of the land whilst considering the visual impact on the surrounding area. The specific site location was selected as it is located in a rural area where tenure was able to be obtained and where the coverage objectives of the proposal could be met. Furthermore, the proposed site is located far from any sensitive land uses, such as schools and child care centres and is located in the appropriate Agriculture zone.

A photo montage was also produced (see appendix A) at the request of the Shire showing a scaled tower from relevant locations and viewpoints.

- Picture 1: shows a view of/towards the proposed lattice tower in the distance (approximately 2200m away) from Cundinup South Road.
- Picture 2: shows a view of/towards the proposed lattice tower in the distance (approximately 3000m away) from Balingup-Nannup Road.
- Picture 3: (appendix B) from Google Street View also shows the view looking west towards the proposed site from Balingup-Nannup Road (approximately 2000m away).

As is demonstrated by the photo montage and the Google Street View photo, the proposed lattice tower is either not very visible from these locations and transport corridors or is shielded by mature vegetation.

In addition to the aforementioned points, the proposal will provide the height, space and structural integrity for other telecommunications carriers to co-locate their infrastructure on the lattice tower in the future which helps to reduce the need for more telecommunications towers to be erected in the locality.

A detailed analysis of all candidates investigated has been provided above and, in summary, the preferred location is best in terms of minimising visual impact in comparison to all viable alternatives identified.

The site carefully considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility. On balance, it is



considered that the location and height of the facility ensure optimal service provision to the area whilst minimizing any perceived visual impact.

### **Construction Materials**

As previously noted, Telstra makes every effort to design base station infrastructure that is visually unobtrusive. With respect to the proposed site in Cundinup, a 60m lattice tower is proposed which will have an unpainted, non-reflective standard grey finish. In addition, the proposed Telstra equipment shelter is to be finished in a Colourbond 'Paperbark' colour which will allow the shelter to blend in with the surrounding environment.

In this regard, the design measures which have been considered seek to enable the proposed facility to blend in with the surrounding landscape as much as possible.

Finally, Telstra notes that while visibility cannot be eliminated, there is a balance between providing a valuable service to the community and minimising the visibility of the infrastructure. The proposed facility in Cundinup will provide mobile phone services to ensure greater connectivity for regional communities, improved safety for emergency services, improved way finding for residents and tourists, and connectivity for local businesses, education services and health services. Therefore, it is considered that the above mitigation measures to reduce visual impact have been appropriately balanced with the significant benefits of the service to the community.

### **EME & Health**

Telstra's mobile network, and many various communications networks, transmits radio signals or radiofrequency electromagnetic energy (EME) – the same kind of signal as radio and television broadcasts, which are subject to the same public health and safety standard, and have been present in the environment for generations. Wherever you can watch television or listen to the radio, a radiofrequency signal is present in your environment.

Today communities depend on radio communications for many day-to-day communications. Radio communications facilities commonly found in urban areas include television, AM and FM radio broadcast towers, paging network antennas, mobile network facilities, and many 2-way radio systems supporting emergency services, council services, hospitals, roadside assistance, taxi-services, sports clubs, transit authorities, utility providers, and large commercial operations such as shopping centres and property development sites.

Telstra understands that some people have genuine concerns about the levels of EME that facilities will emit and is committed to addressing those concerns responsibly. We rely on the expert advice of international and national health authorities including the World Health Organization (WHO) and the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) for overall assessments of health and safety impacts. We do want to highlight some aspects of the public health and safety standards that we hope gives you greater peace of mind.



Firstly, licensed radio frequency transmitters, including Telstra's mobile communications facilities and commercial radio and TV broadcast towers, are regulated to protect all people in all environments at all times including vulnerable members of the community (people who are ill, children and the elderly), 24- hours a day, 7- days a week. Australia has adopted the safety regulations recommended by the WHO. These regulations also have a significant safety margin, or precautionary approach built into them. We also highlight that by operating the mobile network at signal strengths significantly below that safety standard Telstra has additionally applied a precautionary approach to the operation of its network.

Secondly, we highlight that the national safety regulations protect the public by placing a limit on the strength of the signal that any licensed radio facility may transmit. They do not impose any general public distance-based restrictions. Consequently, radio facilities are found in all environments.

Thirdly, and importantly, the public health and safety standards recommended by the WHO are based on a very large body of peer-reviewed science. The WHO, the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and other international safety bodies advise that the weight of evidence shows that there are no substantiated or established health effects from radio frequencies (including 4G LTE) employed within safety limits.

With regards to the proposed mobile base station in Cundinup, the EME Report shows that the maximum EME level calculated for the proposed systems at this site is 0.22% of the public exposure limit. (see attached).

### **Property Values**

Some submissions have raised potential impact on property values as grounds for objection. While this concern is not a ground for town planning compliance/assessment it is clearly a consideration for some members of the community.

The issue of property value is an extremely complex one, with fluctuations in price being subject to a vast number of factors – many of which are subjective such as amenity, access to transport, condition of land improvements, views and increasingly the quality /availability telecommunications services. However, often more significant are broader market forces affecting supply and demand for housing.

Unlike a transmission line or power easement, utility installations such as telecommunications facilities do not materially affect the ability of adjoining landowners to develop or enjoy the use of their properties.

It is further noted that since the mid-1990s, there have been thousands of telecommunications facilities developed throughout Australian metropolitan and regional areas. During this period, property values across the board have continued to increase, showing no sign of deterioration as a result of specific factors such as the location of telecommunications base stations. The improvements to mobile network connectivity resulting from improved service coverage is likely to be very significant, which will in turn support business, health, education and a range of other sectors.



Notwithstanding, Telstra is not aware of any credible evidence that directly links the siting of a telecommunications facility to either an increase or a decrease in property prices.

Telstra and Visionstream recognise the importance of consulting with the community. We appreciate the time you have taken to provide your feedback about the Proposed Facility.

**Appendix A – Photo Montage**

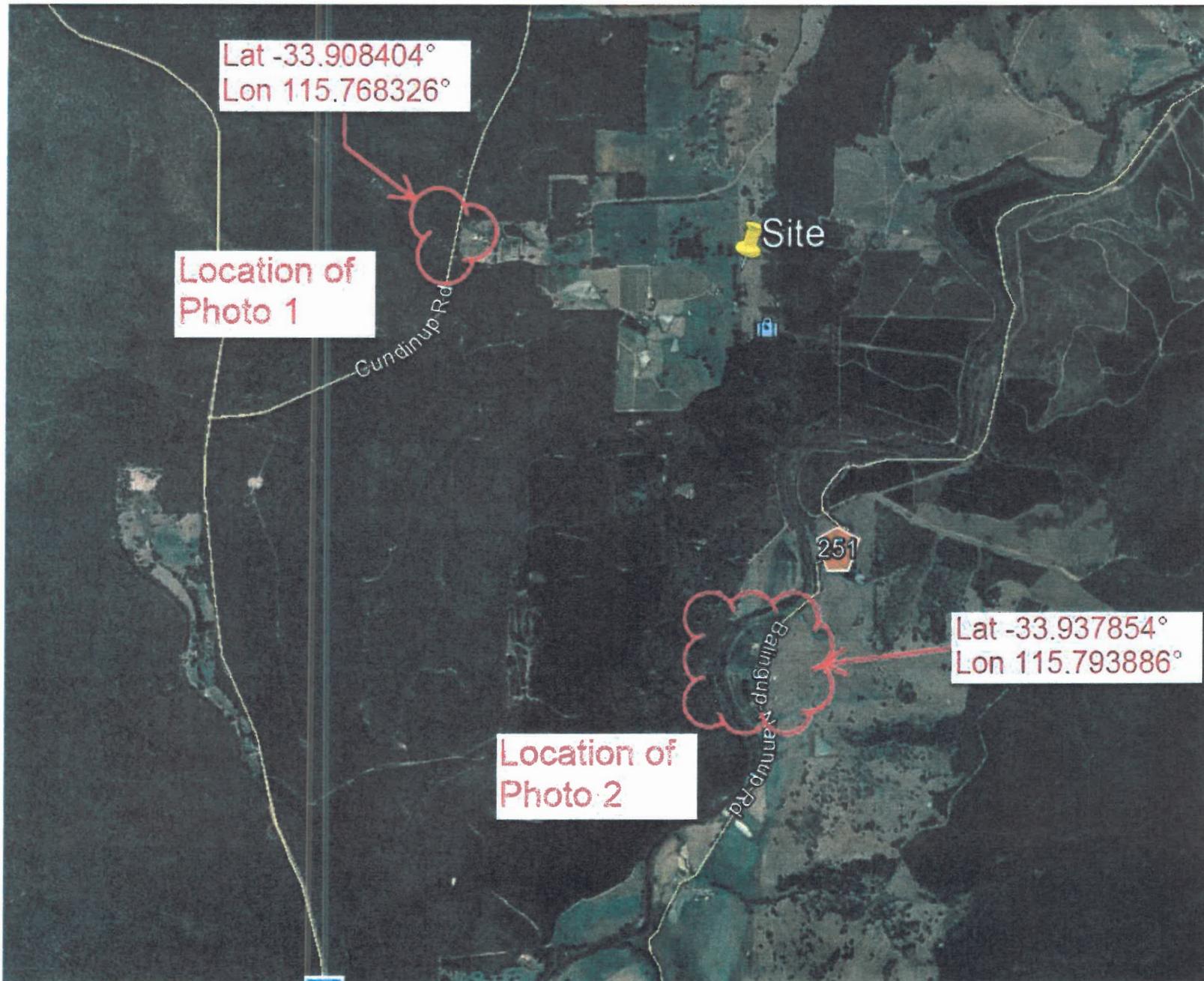
**Photo Montage Picture 1 - View from Cundinup South Road showing proposed lattice tower in the distance (approximately 2200m away)**



Photo Montage Picture 2 - View from Balingup-Nannup Road showing proposed lattice tower in the distance (approximately 3000m away)



Photo Montage Picture 3 – Bird's eye view of photo montage locations



Appendix B – Google Street View Photo

View looking west towards the proposed site from Balingup-Nannup Road (approximately 2000m away)





## Environmental EME Report 151 Perks Road, CUNDINUP WA 6275

This report provides a summary of Calculated RF EME Levels around the wireless base station

Date 18/5/2018

RFNSA Site No. 6275009

### Introduction

The purpose of this report is to provide calculations of EME levels from the existing facilities at the site and any proposed additional facilities.

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 151 Perks Road CUNDINUP WA 6275. These levels have been calculated by Telstra using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The maximum EME level calculated for the proposed systems at this site is 0.22% of the public exposure limit.

### The ARPANSA Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio, has established a Radiation Protection Standard specifying limits for general public exposure to RF transmissions at frequencies used by wireless base stations. The Australian Communications and Media Authority (ACMA) mandates the exposure limits of the ARPANSA Standard.

### How the EME is calculated in this report

The procedure used for these calculations is documented in the ARPANSA Technical Report "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>.

RF EME values are calculated at 1.5m above ground at various distances from the base station, assuming level ground.

The estimate is based on worst-case scenario, including:

- wireless base station transmitters for mobile and broadband data operating at maximum power
- simultaneous telephone calls and data transmission
- an unobstructed line of sight view to the antennas.

In practice, exposures are usually lower because:

- the presence of buildings, trees and other features of the environment reduces signal strength
- the base station automatically adjusts transmit power to the minimum required.

Maximum EME levels are estimated in 360° circular bands out to 500m from the base station.

These levels are cumulative and take into account emissions from all wireless base station antennas at this site.

The EME levels are presented in three different units:

- volts per metre (V/m) – the electric field component of the RF wave
- milliwatts per square metre (mW/m<sup>2</sup>) – the power density (or rate of flow of RF energy per unit area)
- percentage (%) of the ARPANSA Standard public exposure limit (the public exposure limit = 100%).

### Results

The maximum EME level calculated for the proposed systems at this site is 1.8 V/m; equivalent to 8.6 mW/m<sup>2</sup> or 0.22% of the public exposure limit.

## Radio Systems at the Site

There are currently no existing radio systems for this site.

It is proposed that this base station will have equipment for transmitting the following services:

Carrier	Radio Systems
Telstra	LTE700 (proposed), WCDMA850 (proposed)

## Calculated EME Levels

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined.

Distance from the antennas at 151 Perks Road in 360° circular bands	Maximum Cumulative EME Level at 1.5m above ground – all carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m <sup>2</sup>	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m <sup>2</sup>	% ARPANSA exposure limits
0m to 50m				0.44	0.51	0.014%
50m to 100m				0.68	1.24	0.033%
100m to 200m				0.8	1.69	0.044%
200m to 300m				1.75	8.13	0.21%
300m to 400m				1.8	8.6	0.22%
400m to 500m				1.71	7.73	0.2%
<b>Maximum EME level</b>				1.8	8.6	0.22
	326.7 m from the antennas at 151 Perks Road					

## Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest that have been identified through the consultation requirements of the Communications Alliance Ltd Deployment Code C564:2011 or via any other means. The calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Additional Locations	Height / Scan relative to location ground level	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment		
		Electric Field V/m	Power Density mW/m <sup>2</sup>	% of ARPANSA exposure limits
1 No locations identified				

## RF EME Exposure Standard

The calculated EME levels in this report have been expressed as percentages of the ARPANSA RF Standard and this table shows the actual RF EME limits used for the frequency bands available. At frequencies below 2000 MHz the limits vary across the band and the limit has been determined at the Assessment Frequency indicated. The four exposure limit figures quoted are equivalent values expressed in different units – volts per metre (V/m), watts per square metre (W/m<sup>2</sup>), microwatts per square centimetre (µW/cm<sup>2</sup>) and milliwatts per square metre (mW/m<sup>2</sup>). Note: 1 W/m<sup>2</sup> = 100 µW/cm<sup>2</sup> = 1000 mW/m<sup>2</sup>.

Radio Systems	Frequency Band	Assessment Frequency	ARPANSA Exposure Limit (100% of Standard)
LTE 700	758 – 803 MHz	750 MHz	37.6 V/m = 3.75 W/m <sup>2</sup> = 375 µW/cm <sup>2</sup> = 3750 mW/m <sup>2</sup>
WCDMA850	870 – 890 MHz	900 MHz	41.1 V/m = 4.50 W/m <sup>2</sup> = 450 µW/cm <sup>2</sup> = 4500 mW/m <sup>2</sup>
GSM900, LTE900, WCDMA900	935 – 960 MHz	900 MHz	41.1 V/m = 4.50 W/m <sup>2</sup> = 450 µW/cm <sup>2</sup> = 4500 mW/m <sup>2</sup>
GSM1800, LTE1800	1805 – 1880 MHz	1800 MHz	58.1 V/m = 9.00 W/m <sup>2</sup> = 900 µW/cm <sup>2</sup> = 9000 mW/m <sup>2</sup>
LTE2100, WCDMA2100	2110 – 2170 MHz	2100 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 µW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>
LTE2300	2302 – 2400 MHz	2300 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 µW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>
LTE2600	2620 – 2690 MHz	2600 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 µW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>
LTE3500	3425 – 3575 MHz	3500 MHz	61.4 V/m = 10.00 W/m <sup>2</sup> = 1000 µW/cm <sup>2</sup> = 10000 mW/m <sup>2</sup>

## Further Information

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).

Information about RF EME can be accessed at the ARPANSA website, <http://www.arpansa.gov.au>, including:

- Further explanation of this report in the document "Understanding the ARPANSA Environmental EME Report"
- The procedure used for the calculations in this report is documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies"
- the current RF EME exposure standard

Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, 'Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz', Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia.

[Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au>

The Communications Alliance Ltd Industry Code C564:2011 'Mobile Phone Base Station Deployment' is available from the Communications Alliance Ltd website, <http://commsalliance.com.au>.

Contact details for the Carriers (mobile phone companies) present at this site and the most recent version of this document are available online at the Radio Frequency National Site Archive, <http://www.rfnsa.com.au>.

## Mobile Base Stations and Health

For many of us, mobile phones are an essential part of everyday life. It's the most convenient way to stay connected to people and online information.

In order to work, our phones and wireless broadband devices connect to a network of mobile base stations. You can see antennas and base station equipment in many different places, including building rooftops, roadside poles, and at community facilities.

The mobile phone carriers (Telstra, Optus and Vodafone Hutchison Australia) are responsible for installing and upgrading their base station networks.

These are some of the answers to questions that are frequently asked about mobile networks and safety.

### ***I have heard there's a new base station proposed in my suburb. Are they safe?***

Like many other things, base stations are subject to a safety standard regulated by the Australian Federal Government. The regulations cover lots of radio services including AM and FM radio, police, fire and ambulance communications as well as mobile phones, wireless devices and mobile base stations. Mobile base stations must comply with these regulations and information on the compliance and emission levels can be found on the national site database at [www.rfnsa.com.au](http://www.rfnsa.com.au) for each site.

### ***Who sets the safety standard?***

A government organisation called ARPANSA (Australian Radiation Protection and Nuclear Safety Agency) set the safety standard after careful analysis of national and international scientific studies. The standard is based on guidelines recommended by the World Health Organization (WHO).

### ***What about the increase in wireless laptops and other devices? Does that change the safety of a base station?***

As technology evolves and equipment is updated, the fundamental safety regulations must still be met. So, as we saw analogue technology make way for 2G, 3G and now 4<sup>th</sup> Generation mobile technologies such as LTE (Long Term Evolution), and other high speed data technologies emerging, the safety requirements stay the same – the

Standard is relevant for the radio frequency range that phones and other devices use, regardless of the technology.

### ***What about the effect on children?***

The safety standard is set at a level that protects everyone, including children and the elderly.

### ***What do the experts say?***

The WHO has a number of fact sheets about mobile phones and health available on their website. In the "[Base Stations and Wireless Networks](#)" fact sheet, the WHO states "*Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak radio frequency (RF) signals from base stations and wireless networks cause adverse health effects*".  
<http://www.who.int/mediacentre/factsheets/fs304/en/index.html>

Similarly ARPANSA's latest factsheet updated in 2012 "Mobile Telephone Communications Antennas and Health Effects" concludes that "*No adverse health effects are expected from continuous exposure to the RF radiation emitted by the antennas on mobile telephone base station towers*".  
[http://www.arpansa.gov.au/radiationprotection/factsheets/is\\_antenna.cfm](http://www.arpansa.gov.au/radiationprotection/factsheets/is_antenna.cfm)

### ***Where can I get more information?***

Independent information can be obtained from:

- Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)  
Ph: 03 9433 2211  
[www.arpansa.gov.au](http://www.arpansa.gov.au)
- World Health Organization:  
<http://www.who.int/peh-emf/en/>

Additional information can be obtained from:

- Mobile Carriers Forum  
Ph: (02) 6295 8191  
[www.mcf.amta.org.au](http://www.mcf.amta.org.au)
- EMF Explained web site  
[www.emfexplained.info](http://www.emfexplained.info)

## Reading the Australian radiation protection and nuclear safety agency EME report

The ARPANSA EME Report has been developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) to ensure that information about wireless base stations and levels of electromagnetic energy (EME) are clearly provided to interested stakeholders.

An ARPANSA EME Report must be prepared for all new wireless base station installations and for upgrades of existing sites where the Mobile Phone Base Station Deployment Code 2011 requires an ARPANSA EME report. The ARPANSA EME Reports are prepared by the carrier or a consultant on the carrier's behalf. This report is publically accessible via the mobile carrier's national database of all mobile phone sites, the Radio Frequency National site Archive (RFNSA- see [www.rfnsa.com.au](http://www.rfnsa.com.au)).

Mobile phone networks operate by sending radio signals from wireless base station antennas placed in strategic locations to and from mobile phones. These antennas are radio transceivers that transmit and receive electromagnetic energy in a specific surrounding area, much like other two-way radio signals.

*For more information on electromagnetic energy, please refer to the ARPANSA fact sheet "Electromagnetic energy and its effects" found at <http://www.arpansa.gov.au/eme/index.cfm>*

EME is estimated using the mandated ARPANSA EME Report methodology. This methodology produces a predictive report based on site specific information and then adopting uniform assessment criteria. The report provides estimates based on the maximum predicted levels of EME.

The first two headings of the report provide introductory information about how the report is prepared and the EME regulations in relation to wireless base stations.

*For more information about the EME exposure limits, please refer to the Australian Communications and Media Authority (ACMA) fact sheet "Mobile base stations and EME" found at [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_1750](http://www.acma.gov.au/WEB/STANDARD/pc=PC_1750)*

### Existing Site Radio Systems

This section of the ARPANSA EME Report provides information about any existing mobile telephone or other known wireless systems already operating at the specific location. This would include other carriers' operating systems.

The ARPANSA EME Report predictions take in to account the EME levels of operating systems able to be identified by the carrier at that specific location, so that the EME information provided in the Table of Predicted EME Levels is cumulative information.

### Table of Predicted EME Levels – Existing

This table shows the predicted levels of electromagnetic energy from the existing site. Information about the levels of EME are predicted from beneath the proposed antennas to distances of 500m from the site.

The left side of the table shows the levels calculated in circular "bands" from the site, i.e. from the base to 5m distance, 5m to 50 m distance and so on. For example, if you were interested in the maximum predicted level of EME at a distance of 90m from the site, you would refer to the level in the 50m – 100m band. The level reported in each band is the maximum level that will occur in that band.

The right side of the table provides information about the predicted levels of EME. The information is expressed as a percentage of the Australian Government's mandated ARPANSA Standard (RPS3). This Standard provides protection for all people (including children, the infirm and the elderly) for assumed exposure 24 hours a day, 7 days a week.

The levels are predicted at interval distances from the mobile phone base station at a height of 1.5m above the ground. This table assumes that the ground level is flat. Appendix A of the EME Report may provide further information if there is a significant variation in the ground level from the site.

# MCF Fact Sheets



## Existing and proposed radio systems

This section details the existing radio systems and provides further detail about the proposed radio systems. It should be noted that this section is used when there are existing systems, rather than new facilities where there are no existing base station equipment.

## Proposed radio systems

This section provides details about the operating systems that the carrier intends to install at the site. It should be noted that this section is used when there is no existing base station equipment at the site.

This information is usually expressed in terms of the identified frequency band at which the systems will operate. (E.g.) Wideband CDMA 2100 – WCDMA2100

*For more information on radio frequencies and systems, please refer to the ARPANSA fact sheet "About mobile phone networks" found at <http://www.arpansa.gov.au/eme/index.cfm>*

## Table of predicted EME levels – proposed

This table provides calculations of the predicted levels of electromagnetic energy from the proposed site. This includes both the existing and the proposed installations.

The left side of the table shows levels calculated in circular "bands" from the site, i.e. from the base to 5m distance, 5m to 50 m distance and so on. For example, if you were interested in the maximum predicted level of EME at a distance of 90m from the site, you would refer to the level in the 50m – 100m band. The level reported in each band is the maximum level that will occur in that band, at a height of 1.5m above ground level

The right side of the table provides information about the predicted levels of EME from any existing radio transceiver equipment and the proposed equipment. The information is expressed as a percentage of the Australian Government mandated ARPANSA Standard (RPS3). This Standard provides protection for all people (including children, the infirm and the elderly) for assumed exposure 24 hours a day, 7 days a week.

The levels are calculated uniformly out to a distance of 500m from the base station at a height of 1.5m above the ground. This table assumes that the ground level is flat. Appendix A of the EME Report may provide further information if there is a significant variation in the ground level from the site.

The bottom of the table highlights the maximum predicted **cumulative** EME level from the site. It provides information about the maximum predicted level and the actual distance from the site at which it occurs.

The predicted cumulative levels of EME do not include any predictions from other equipment on the site other than wireless base station antennas.

## Summary – Proposed Radio Systems

This section provides a statement about the maximum level of EME for the proposed site expressed as a percentage of the mandatory public exposure limits.

## Appendix A: Other areas of interest

This section of the report provides information on specific locations which may be considered as an "area of interest" in relation to the proposed facility. This would include areas identified as community sensitive locations as defined in the Deployment Code consultation plan, and any other specific locations of interest to stakeholders and could be areas which may be affected by differing topography i.e. when the land is not flat.

Mobile phone carriers are required to consider areas of interest as part of their planning and consultation process. The ARPANSA EME Report can provide information about predicted levels of EME at certain identified locations such as schools, child care centres and residential addresses. Appendix A allows for up to 5 locations to be included in the report.

This section of the report can also provide predictions for situations such as land sloping upward away from the base station or for differing building heights.

For example, a primary school may be located 205m away from the base station. The report can be prepared so that the location of the school is expressed by its distance from the base station, and the predicted level of EME at that specific location is calculated and shown in Appendix A.

Similarly, if a 3 storey building is located 50m from the base station, the maximum EME levels can be predicted at an estimated height on the façade of the building, such as the balcony on the second floor. If the building was on ground level higher than the mobile phone base station, the calculations can be adjusted accordingly.

## Summary

The ARPANSA EME Report is an important tool for providing the community with information about estimated levels of EME from wireless base stations. It is prepared by mobile phone carriers as part of the process for deploying mobile phone base stations.

Each report is prepared on a site specific basis following a methodology developed by ARPANSA. For more information about the methodology, please refer to the ARPANSA Fact sheet "Understanding the ARPANSA EME Report" found at <http://www.arpansa.gov.au/emereports/explanation.cfm>

If you have any questions about site specific reports, please refer them directly to the relevant carrier.

For more information about EME, the Australian Communications and Media Authority have a web site specifically focussing on this issue "Mobile phone towers and EME: information for Communities and Councils" which can be found at <http://emr.acma.gov.au/>

## Attachment 12.4.6

### 67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
  - (i) environmental impacts of the development;
  - (ii) the character of the locality;
  - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;

- (s) the adequacy of —
  - (i) the proposed means of access to and egress from the site; and
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
  - (i) public transport services;
  - (ii) public utility services;
  - (iii) storage, management and collection of waste;
  - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
  - (v) access by older people and people with disability;
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

## Attachment 12.4.7

### Making Good Planning Decisions

In the decision of *Clive Elliott Jennings & Co Pty Ltd v Western Australian Planning Commission* [2002] 122 LGERA 433 at [24], Justice Barker held:

“The existence of a policy cannot replace the discretion of the decision-maker in the sense that it is to be inflexibly applied regardless of the merits of the particular case. However, the relevant consideration in many applications will be why the ‘policy’ should not be applied; why the planning principles that find expression in the ‘policy’ are not relevant to the particular application.”

How a policy is to be applied will also depend upon how the local planning scheme incorporates it into its decision-making regime.

### 3.2 Draft policies and scheme amendments (Deemed Provisions clause 67(b))

Draft scheme amendments and policies can still be given weight even though they are not operative. This is the basis of the much-cited case *Coty (England) Pty Ltd v Sydney City Council* (1957) 2 LGRA 117. This case provides that weight can be given to a draft-planning instrument once it becomes ‘seriously entertained’. In Western Australia, this usually occurs after advertising is completed – the further towards approval the document is, the more ‘seriously entertained’ it is considered to be.

The leading case in the State Administrative Tribunal is *Nicholls and Western Australian Planning Commission* [2005] WASAT 40, which provides at paragraph [45] a useful analysis of how a draft policy is to be treated by setting out a four-stage enquiry:

“(1) *In jurisdictions where there is no requirement to take into consideration a draft planning instrument or policy or a draft amendment to a planning instrument or policy once it has reached a certain specified stage, the authority*

*or tribunal must consider whether the draft constitutes a seriously-entertained planning proposal. If it determines that it is a seriously entertained planning proposal, it is a relevant matter for consideration in relation to the planning assessment.*

- (2) *If the draft is a relevant matter for consideration, the authority or tribunal must consider the extent to which the application before it is consistent with the planning objective or planning approach embodied or reflected in the draft. In particular, the authority or tribunal must consider whether the approval of the application is likely to impair the effective achievement of the planning objective or planning approach embodied or reflected in the draft or is likely to render more difficult the ultimate decision as to whether the draft should be made or its ultimate form.*
- (3) *The authority or tribunal must consider the weight to be accorded to the consistency or otherwise between the application and the draft.*
- (4) *The authority or tribunal must weigh its conclusions in relation to the foregoing matters in the balance along with all other relevant considerations relating to the application, and determine whether, in light of all relevant considerations, it is appropriate in the exercise of planning discretion to grant approval to the application and, if so, subject to what conditions.” (emphasis added)*

### 3.3 Orderly and proper planning (Deemed Provision clause 67(b))

You will note that the term ‘orderly and proper planning’ is one that is used often by town planners as a test to determine whether approval of an application should be given.

The term takes on different meanings depending upon the factual scenario at hand. In broad terms, it requires the consideration of whether an application



is consistent with the objectives that are set out in the local planning scheme, and any relevant policy, for the area in question.

### 3.4 Amenity and compatibility (Deemed Provisions 67(m), (n))

'Amenity' is defined in the Model Scheme Text, as:

"... all those factors which combine to form the character of an area and include the present and likely future amenity;"

One of the considerations that must be made is whether the amenity of a locality will be adversely affected by a development proposal.

In the decision of *St Patrick's Community Support Centre and City of Fremantle* [2007] WASAT 318, the Tribunal considered how amenity was to be measured. The first step, according to the Tribunal, is to undertake an objective inquiry as to the existing character of the area. Once that character is ascertained, the next step is to consider how the proposal might affect that amenity, having regard to its impacts – for example, car parking and traffic, noise, etc.

### 3.5 Compliance with development standards

It should be noted that compliance with development standards and requirements (for example, the Residential Design Codes) does not create the presumption that issues such as amenity and compatibility are satisfied.

This was made clear in the decision of *Tangelo Design Consultants and Town of Vincent* [2005] WASAT 67 at [42] where the Tribunal stated:

"In most planning assessments, the fact that a development conforms to a relevant provision of the R-Codes is likely to be significant in relation to a related required matter for consideration under a town planning scheme, although it

cannot be in itself determinative of such a consideration." (See also *Robert Baccala and City of Fremantle* [2005] WASAT 55 at [24])."

### 3.6 A better proposal...

It is not a relevant planning consideration that another proposal might provide a better planning outcome. The job of the decision-maker is to determine the application before it – not to second guess what could be achieved.

This position was confirmed in the decision of the *Town Planning Appeal Tribunal in SPB (Australia) Pty Ltd and Ors v Town of Claremont* [2003] WATPAT 138, at [90], where the Tribunal noted:

"...The function for the Tribunal is not, of course, to determine whether a proposed development is the best possible development, having regard to all issues that might conceivably be placed on the subject site. What the Tribunal must do is to assess whether, in the interests of all orderly and proper planning, and the amenity of the area, and having regard to all applicable planning instruments, a development should be approved. Thus, unless it can be said that a proposed development is contrary to any of those considerations, it should be approved notwithstanding that some may think that a better development of the site might be possible."

### 3.7 Economic Competition

The threat of competition to existing businesses is not a relevant planning consideration. It only becomes a relevant planning consideration if there is a prospect that there will be a reduction in the facilities available to the community.

This was made clear in the High Court decision of *Kentucky Fried Chicken Pty Ltd v Gantidis* (1979) 140 CLR 675. In that case, Barwick CJ at [681] said that:



that, in reality, proposes an illegal activity will generally be refused development approval.”

The decision-maker needs to obtain as much information that it can in order to be satisfied that the application is actually a sham for an illegal use.

### 3.10 Objective and testable expert evidence

Objective and testable expert evidence is generally preferred to generalised anecdotal evidence. As stated in *Vinson v Randwick Council* (2005) 141 LGERA 27 at [30]:

“Evidence of anti-social behaviour at or linked to the premises taken from records such as the police COPS system and/or other police records and/or diaries kept by local residents is preferable to generalised anecdotal evidence that cannot be tested by the applicant against any records kept by the operator of the premises.”

Where an application hinges on a particular planning consideration, it is preferable to make that decision on the basis of objective evidence. It is not enough, for example, to refuse an application because “it will cause traffic congestion”, without supporting this submission with evidence.

#### Example:

*In the case of Birmingham Properties Pty Ltd and City of Melville [2010] WASAT 155, the Tribunal was required to consider an application to change a use from a shop to a liquor store. The City of Melville raised concerns that undesirable behaviour in the area might get worse if the development was allowed. However, the Tribunal allowed the application, noting:*

[35] “While there have been a number of studies that have attempted to objectively understand the relationship between liquor outlets and harm in their neighbourhood,

*this is an inherently difficult research question and few studies have addressed it in a convincing manner.*

[36] *In essence, this issue is largely driven by what people perceive the impacts of a use might be, but the Tribunal must be satisfied that there is a factual or realistic basis for those fears.*

[37] *In the present case the Tribunal is not so satisfied, particularly in light of the evidence of the proposed management of the store, as outlined by Mr Martin Smith, the General Manager for Dan Murphy’s stores in Australia.”*

### 3.11 Petitions

#### 3.11.1 Community concerns

It is common to receive a number of submissions from the community when particular uses are proposed. As noted in *Arnold and Town of Claremont* [2009] 231, the views of residents can be considered relevant, especially when supplementing the objective evidence of experts:

[73] “The view of residents, as well as the opinions of experts are considered to be relevant in assessing amenity as outlined in *Sunbay Developments Pty Ltd and Shire of Kalamunda* [2006] WASAT 74, where Barker J at [21] considered that:

“... Indeed, residents of a locality are often wellplaced to identify the particular qualities and characteristics which contribute to their residential amenity.”

These submissions should not be accepted blindly on the basis that there is a perceived but not substantiated concern that the proposed use will affect adversely on the amenity of the locality.



### 3.11.2 Petitions

In particular, decision-makers should consider community concerns with proper discernment, especially when presented by way of petition. As observed in *Tempora Pty Ltd v Shire of Kalamunda* (1994) 10 SR(WA) 296 at [303]:

“It is of concern that the views of those coming forward could not be typical and a proper survey might reveal a different cumulative view. It is possible that opinions have been distorted by an emotional issue ... or the most vocal residents are more sensitive to their environment and the process of choosing the neighbourhood champions is self-selecting. There are other factors that give the Tribunal cause for concern, such as the unarticulated social pressure of neighbours, ignorance of the full implications of the use, and unwarranted fears arising from a repugnance to the particular use because it might promote socially unacceptable behaviour.”

As also stated in *Knott v City of St Kilda* (1986) 20 APA 222 at [223]:

“There is no indication as to what information was given to the signatory which induced the signing of the petition. One may assume that the person soliciting the signature presented the case with strong bias and possibly inaccurately described what was involved.”

That said, *Tempora* confirms the views of residents can be especially valuable where they refine other objective evidence, and where not already covered by experts:

“The views of residents that refine and explain the objective analysis of amenity or which raise new matters of amenity, not canvassed by the experts, must be given great weight.”

#### Example

*The case of Woolworths Ltd and City of Joondalup [2009] WASAT 41 involved an application for a large format liquor store. In this case, local residents gave evidence that the use would cause serious problems with respect to teenage drinking, and would encourage large groups to loiter in the area.*

*At paragraphs [76] and [77] the Tribunal stated:*

*“In Self Help Addiction Resource Centre Inc v Glen Eira City Council (2005) 145 LGERA 124, the Victorian Civil and Administrative Tribunal in dealing with a proposed alcohol and drug resource centre and neighbourhood residents’ objections stated at [56]:*

*‘While we can appreciate the concern expressed by the resident objectors on these matters, in any assessment of the amenity impacts of this proposal, a distinction must be drawn between what people perceive the impacts of this use will be, and the reality of those impacts. It is perfectly reasonable for the residents to hold the fears that they do, but from the Tribunal’s perspective we must be satisfied that there is a factual or realistic basis to those fears in order for us to conclude that this use will result in the amenity impacts alleged by the residents.’*

*In the present case, the Tribunal is not on the evidence before it able to conclude that there is a factual or realistic basis to the fears of the residents.”*

### 3.12 Competing consideration

Finally, it is important to recognise that there will usually be competing relevant considerations, which will pose significant challenges for decision-makers to weigh. As noted above, a decision-maker should consider all considerations, especially those set out in policy, with a degree of flexibility.



In some circumstances, a decision-maker will be left with the difficult task of giving primacy to one relevant consideration over another, or against a multitude of considerations. A decision-maker should never simply engage in a simplistic and rigid determination, such as weighing the number of ratepayers or stakeholders for a project, against the number of ratepayers or stakeholders in opposition. Planning decisions should never be a 'numbers game'.

In some circumstances, one overriding relevant consideration may even outweigh a number of other relevant considerations.

Importantly, decision-makers must always turn their minds in a logical and considered manner to all the relevant facts and evidence, making sure to determine each application on the merits.

---

**Example:**

*In Sharpe v Town of Vincent [2010] WASC 391, the Supreme Court observed that the conservation of places of cultural heritage significance had a prominent, but perhaps not an overriding or insurmountable relevance, and was a question of fact for the SAT as original decision-maker to make:*

[94] *"The planning framework clearly puts the emphasis on the conservation of places of cultural heritage significance. Whether this was such a place was primarily a question of fact for SAT to decide. However, assuming that the cost and inconvenience of conservation to a property owner were relevant matters to be taken into account in making a decision of this nature, there was no evidence before SAT of 'grave hardship' to Mr and Mrs Sharpe or of any particular hardship to Mr and Mrs Sharpe in respect of these issues that would have been a significant factor in the decision-making process in this case."*

---

## 4 Condition setting

### 4.1 Purpose

The imposition of conditions on the approval of development applications gives a decision-maker an opportunity to:

- modify the form of the physical development applied for; and
- maintain control of the operations of the activity over time.

Planning conditions run with the land, not with any individual applicant: *Phillips and Shire of Mundaring* [2009] WASAT 193. Thus, it is important that all conditions be clear and concise as to be comprehensible to any future owner.

### 4.2 Test of validity

The test of validity of a condition of planning approval is well known: *Newbury District Council v Secretary of State for the Environment* [1981] AC 578. This test was recently endorsed by the High Court of Australia in *Western Australian Planning Commission v Temwood Holdings Pty Ltd* (2004) 221 CLR 30 at [57].

A condition is valid if:

1. it has a planning purpose;
2. it fairly and reasonably relates to the development; and
3. it is not so unreasonable that no reasonable planning authority could have imposed it.

To this, we add a fourth limb, which is:

4. the condition is certain and final.

In this section, we look at each of these four limbs to consider the types that are valid.



---

## 5. Refusing a development application

There are times when development applications cannot be approved as proposed, and cannot be conditioned to make them acceptable.

The question then is how best to refuse a development application. The short answer is that reasons for a refusal must be given, and those reasons must relate to a failure to comply with relevant planning considerations.

Decision-makers have an obligation to exercise their statutory responsibilities properly. Making a decision based upon irrelevant considerations undermines confidence in the planning system, and exposes a decision-maker to an order for costs, if the applicant is successful upon a review of that decision at the SAT. Therefore, it is important that reasons be seen as based on sound planning principles, and not be seen as catering to the views of an individual or select group of individuals.

A decision to refuse an application should provide the specific reasons for refusal, with reference to the particular scheme provision or policy that the application offends. One should keep in mind that if the applicant seeks a review of the refusal, the reasons may be subject to a high level of external scrutiny. Thus, broad generalised statements should be avoided.

It is also important that all reasons be stated, as there may otherwise be an assumption that decision-makers are satisfied with other specified grounds. This is especially important when decision-makers choose to depart from any prior recommendation prepared by assisting staff.

---

### *Example:*

*In the decision of Pelliccione and Town of East Fremantle [2009] WASAT 143, the Town refused to give planning approval for a proposed loft, which was a variation of a previous approval negotiated in 2006 by way of mediation. The refusal was made against the recommendation of its own town planner. However, the only reason the Town gave for its decision was the "concessions already granted in the mediated outcome", and no reasons were given as to why it departed from its town planner's recommendation. The Tribunal described these reasons for refusal as "inapposite" or unsuitable.*

---

**Attachment 12.5.1**

SHIRE OF NANNUP RECEIVED	
Ref: <u>ROADS</u>	No: <u>2018/227</u>
- 7 MAY 2018	
Officer: <u>Harold</u>	

**Poison Swamp**

5 May 2018

C/o 44 Caladenia Pde  
Mt Claremont  
WA 6010  
alan.boynton@gmail.com

Atten Jane Buckland

**Poison Swamp - Lot 11864,  
Dedication of Poison Swamp Road – Shire Letter Ref ROA083**

Thank you for your letter of last Sept, I apologise for not responding sooner but there are some issues that I would like to raise and request council reconsider their approach.

The reason for wanting to dedicate the road were two-fold:

- This is a rationalization of an historical anomaly
- WAPC want to make this a condition of approving strata titles which is a rationalization of the joint ownership of the title if lot 11864.

We are currently challenging WAPC's refusal to approve the strata titles through the SAT and if successful, addresses one of the points above.

With respect to condition 5 of the above referenced letter, I believe it is unfair that the shire wants to make one group of residents to be solely responsible for costs just because we have requested the road be dedicated when there are many other stakeholders and users of the road. I was unaware last year that the shire had installed the road some 40 years ago (I was aware the shire maintained the road), and would argue that the shire has a responsibility to legitimize the road they constructed. The residents and others have used the road on a regular basis since and there can be no doubt that a common law right of way has now been established, and this has been put to the SAT. Further, the road is used not only by the owners of lot 11864, but also by the owner of lot 2883, and others for access including Department of Biodiversity and Conservation, Department of water to access monitoring bores on the land, Telstra to access the phone lines they installed, Western Power to access power lines and members of the public accessing the river. We thus consider it is not equitable to make the owners of lot 11864 solely responsible for the costs.

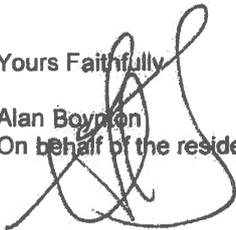
The condition 8 is that we put an easement over one of the lots we own in order for us to access the other lot we own. This is an unnecessary requirement that only obstructs the process. Also as with the access via Poison Swamp Road, a right of way now exists over lot 2042. This requirement is unnecessary and should only be a consideration if we decided to sell lot 10622, which is not on our agenda.

We have paid for a preliminary survey of the road and there appears to be an error in the earlier surveys undertaken by the government surveyors.

Finally, the Shire are best placed to drive the dedication process and resist unnecessary conditions being imposed by other government institutions. Thus, I believe the Shire should bear the costs for the dedication of Poison Swamp Road, and request this be referred back to council.

Yours Faithfully

Alan Boynton  
On behalf of the residents of lot 11864.



## Jane Buckland

---

**From:** Alan Boynton <alan.boynton@gmail.com>  
**Sent:** Friday, 11 May 2018 11:20 AM  
**To:** Shire President; Deputy President; Bob Longmore; Norm Steer; Cr Vicki Hansen; Cr Chris Buckland; Catherine Stevenson; Patricia Fraser  
**Cc:** Jane Buckland; Neville Hamilton; Rick BRUCE; John Goldney; John Goldney; Rick & Sandy Bruce; Lisa McCallum  
**Subject:** Poison Swamp Road  
**Attachments:** Road Dedication letter Signed.pdf

Dear Councillors,

I am looking to contact you personally for your support.

As one of the residents of Poison Swamp Road I would like to lobby for your support to have the road dedicated (gazetted). We have been in communication with the Shire on this and received qualified support but the offer was very conditional and we believe this was in many ways unfair as there are a number of users of the road other than the owners of lot 11864. Please refer to the attached letter.

We the residents of Poison Swamp Rd (many of whom are long term +40 years) request that the burden of dedication of the road be shouldered by the Shire. One of our drivers in getting the road dedicated is the approval of a strata title application which is currently before the State Administrative Tribunal but our position to the Court was that this should have no effect on the approval as 40 years of daily use has already established a right of way, thus the road dedication should have no effect.

Some points I request you to consider:

1. The road was installed by the shire 40 years ago and is fully formed. It has signage and appears on Google maps. It needs no further improvement.
2. The road is used by many people other than the owners of lot 11864 including the owner of Lot 2883, Water Department to access monitoring bores, Dept of Biodiversity, Telstra, Western Power and members of the public accessing the river.
3. Other than receiving rates notices we get very little in terms of services from the Shire, we are self sufficient in water and have no garbage collection (we do on occasions use the tip).
4. If we are responsible for costs of dedication we will get all and any entities taking advantage of our lack of bargaining power (Main Roads could come out with extravagant demands even though there are many similar junctions off Brockman Hwy).
5. The conditions the Shire Planner imposed are not justified. Initially he wanted to make us responsible for access to Lot 3946 which is owned by the Dept of Biodiversity and has access through a track on their land. One of the other conditions he sought to impose was for the owners of lots 11864, 2042 and 10622 to create an easement over our lot 2042 so we could access our lot 10622.
6. It does appear there is a lingering issue with WAPC and to some extent the Shire Planners that we should not even be there. I have been told on many occasions the houses we have would not now be permitted on our lot now. Similarly that the Darradup subdivision would not now be permitted due to BAL concerns, but here we are. Ratepayers who shouldn't be penalised because government policy has changed since our properties were developed.

7. The 2077 planning document failed to include all the houses on the lot (there are 5 not 4), and this was brought to the shires notice at the time but the plan was never amended. The houses were all constructed prior to the need for building permits.
8. The resident of lot 11864 are very community minded and include 3 volunteer fire fighters and one full fire fighter.

I hope you can support us in this regard and accept that the council has a responsibility to rectify the current situation that has its roots in from 40 years ago in a time when matters were simpler and far less structured.

Alan Boynton  
Project Management Consultant  
Delcharm Pty Ltd  
Mob 0409 780 800

## Attachment 12.5.2

**Jane Buckland**

---

**Subject:** FW: Ref: File No: 00175/2010; Job No: 180621 - Poison Road - Road Closure & Road Dedication - Poison Swamp Road, Darradup

**From:** Graham, Horace [mailto:Horace.Graham@dph.wa.gov.au]

**Sent:** Thursday, 28 June 2018 8:58 AM

**To:** Jane Buckland

**Subject:** RE: Ref: File No: 00175/2010; Job No: 180621 - Poison Road - Road Closure & Road Dedication - Poison Swamp Road, Darradup

Good Morning Jane

This refers to your email dated 22 June 2018 (below).

Please note and from what I understand is that if and when the Shire do formally request dedication of the current alignment (and closure of the redundant casement) there will be no cost to the Shire or proponents.

Kind Regards

**Horace Graham** | State Land Officer | Case Management - South West and Great Southern  
Level 2, 140 William Street, Perth WA 6000  
(08) 6552 4580  
[www.dph.wa.gov.au](http://www.dph.wa.gov.au)



**Department of Planning,  
Lands and Heritage**



*The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.*

*Disclaimer: this email and any attachments are confidential, and may be legally privileged. If you are not the intended recipient, any use, disclosure, distribution or copying of this material is strictly prohibited. If you have received this email in error please notify the sender immediately by replying to this email, then delete both emails from your system.*

---

**From:** Jane Buckland [mailto:jane@nannup.wa.gov.au]

**Sent:** Friday, 22 June 2018 11:51 AM

**To:** Graham, Horace

**Subject:** RE: Ref: File No: 00175/2010; Job No: 180621 - Poison Road - Road Closure & Road Dedication - Poison Swamp Road, Darradup

Thanks, Horace.

But the proponent will have to have the existing road surveyed, correct?

Kind regards,

Jane Buckland  
Development Services Officer



Adam Street, Nannup, WA  
PO Box 11, Nannup, WA 6275  
P: 9756 1018 . F: 9756 1275.  
[www.nannup.wa.gov.au](http://www.nannup.wa.gov.au)

---

**From:** Graham, Horace [<mailto:Horace.Graham@dplh.wa.gov.au>]  
**Sent:** Friday, 22 June 2018 11:12 AM  
**To:** Jane Buckland  
**Subject:** FW: Ref: File No: 00175/2010; Job No: 180621 - Poison Road - Road Closure & Road Dedication - Poison Swamp Road, Darradup

Good Morning Jane

This refers to your email dated 15 May 2018 regarding cost to complete the road closure and road dedication process. In regards to the road dedication and road closure, I understand that there will not be any cost to the Shire. The new road can be created from aerial photography and the road to be closed can be allocated a lot number and then closed.

The intersection of Poison Swamp Road and Brockman Highway (eastern end) requires excision from Class A Reserve 47670.

If the proponent is not benefitting from the proposed road closure or any other way, then there is no cost to them.

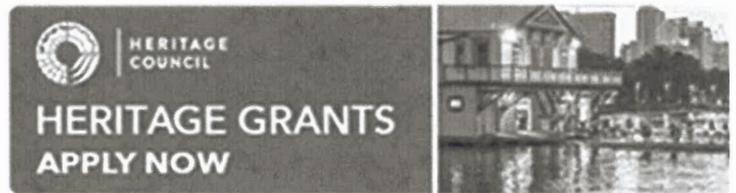
The cost that I have mentioned above, is only where DPLH is concerned.

Kind Regards

**Horace Graham** | State Land Officer | Case Management - South West and Great Southern  
Level 2, 140 William Street, Perth WA 6000  
(08) 6552 4580  
[www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)



**Department of Planning,  
Lands and Heritage**



*The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.*

*Disclaimer: this email and any attachments are confidential, and may be legally privileged. If you are not the intended recipient, any use, disclosure, distribution or copying of this material is strictly prohibited. If you have received this email in error please notify the sender immediately by replying to this email, then delete both emails from your system.*

---

**From:** Graham, Horace  
**Sent:** Monday, 11 June 2018 3:08 PM  
**To:** 'Jane Buckland'  
**Subject:** RE: Ref: File No: 00175/2010; Job No: 180621 - Poison Road - Road Closure & Road Dedication - Poison Swamp Road, Darradup

Hi Jane

I refer to your email below dated 15 May 2018 and apologize for the delay in replying.

Please note that the matter is being investigated and when completed I will contact you.

Kind Regards

**Horace Graham** | State Land Officer | Case Management - South West and Great Southern  
Level 2, 140 William Street, Perth WA 6000  
(08) 6552 4580  
[www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)



*The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.*

*Disclaimer: this email and any attachments are confidential, and may be legally privileged. If you are not the intended recipient, any use, disclosure, distribution or copying of this material is strictly prohibited. If you have received this email in error please notify the sender immediately by replying to this email, then delete both emails from your system.*

---

**From:** Jane Buckland [<mailto:jane@nannup.wa.gov.au>]  
**Sent:** Tuesday, 15 May 2018 2:22 PM  
**To:** Graham, Horace ([Horace.Graham@dplh.wa.gov.au](mailto:Horace.Graham@dplh.wa.gov.au))  
**Subject:** RE: Ref: File No: 00175/2010; Job No: 180621 - Poison Road - Road Closure & Road Dedication - Poison Swamp Road, Darradup

Hi Horace,

Could you possibly give me an idea as to what costs are involved in completing this process? The Shire understands that there are costs involved in the surveying of the road but are there any other fees payable by the proponent, for example, gazettal costs?

The proponents in this case are requesting further discussion with the Shire before we can formally hand the dedication and closure over to DPLH.

Kind regards,

Jane Buckland  
Development Services Officer



Adam Street, Nannup, WA  
PO Box 11, Nannup, WA 6275  
P: 9756 1018 . F: 9756 1275.  
[www.nannup.wa.gov.au](http://www.nannup.wa.gov.au)

## Attachment 12.6.1

# **STOP PUPPY FARMING**

---

Local Government Consultation

June 2018

# Table of Contents

Having your say _____	4
Stop Puppy Farming _____	5
Mandatory De-sexing for Non-Breeding Dogs _____	11
Centralised Registration System _____	19
Transitioning Pet Shops to Adoption Centres _____	45

June 2018

Department of Local Government, Sport and Cultural Industries  
Gordon Stephenson House, 140 William Street, Perth WA 6000  
GPO Box R1250, Perth WA 6844

Telephone: (08) 6551 8700 Fax: (08) 6552 1555

Freecall: 1800 620 511 (Country only)

Email: [puppyfarming@dlgsc.wa.gov.au](mailto:puppyfarming@dlgsc.wa.gov.au) Website:

[www.dlgsc.wa.gov.au/stoppuppyfarming](http://www.dlgsc.wa.gov.au/stoppuppyfarming)

Translating and Interpreting Service (TIS) – Telephone: 13 14 50

# Having your say

---

This paper is designed for local government to discuss the recommended actions and proposed implementation process of the stop puppy farming proposals.

The feedback provided will assist in informing the government on the role of local government in supporting the implementation of the stop puppy farming provisions and identify the resource requirements.

The Department is committed to working with local government to stop puppy farming.

We are working with WALGA and Local Government Professionals to ensure this discussion paper reflects the information you need to make a considered response and tell us what these initiatives mean for the business of local government.

The review of the Cat and Dog Act is likely to commence in the next financial year, which presents an opportunity for us to start thinking about our 'companion animals' and how they should be managed, and the process costed. Given the Stop Puppy Farming initiatives will require an amendment to the Dog Act it's timely to turn our minds to what this may look like.

As such, the Department is partnering with WALGA and Local Government Professionals to develop a cost modelling project. The purpose of this project will be to collect current information about the costs to your council to implement the Dog Act and what you believe may be the costs to implement the Stop Puppy Farming initiatives.

# Stop Puppy Farming

## 1.1 Introduction

The Western Australian Minister for Local Government has committed to introducing the necessary legislative provisions to stop puppy farming and improve the health and wellbeing of all dogs in Western Australia.

While there are already legislative powers to investigate and prosecute those who mistreat their animals, legislation relevant to puppy farming is needed to facilitate the investigation and prosecution of puppy farming in WA.

The RSPCA defines 'puppy farming' as intensively breeding dogs under inadequate conditions that fail to meet the dogs' behavioural, social and/or physiological needs.<sup>1</sup> The issue with puppy farming is that dogs bred in inadequate conditions, or used for breeding in inadequate conditions, can suffer from a range of health and behavioural issues. The other issue is that puppy farming is resulting in too many dogs being bred that do not have homes.

Currently, the management of puppy farms is through a two-pronged approach.

The *Dog Act 1976* provides for the responsible management of all dogs in Western Australia. The Act is administered and enforced by local governments and provides for the control and registration of dogs, the ownership and keeping of dogs and the obligation and rights of dog owners. The Dog Act requires that all dogs are registered and places certain limits on the number of dogs a person can have at any property. This Act therefore impacts on puppy farming by limiting dog numbers.

The other legislation used to manage puppy farms is the *Animal Welfare Act 2002* (Animal Welfare Act) which provides for the protection of animals from cruelty. This piece of legislation covers the treatment of the animals on a puppy farm.

There is currently no legislation which deals specifically with the overbreeding of dogs in Western Australia or encourages responsible breeding.

In May 2016, the WA Labor Government released its Stop Puppy Farming Policy. The Policy outlines a number of measures to stop the overbreeding of dogs, covering changes to both the Animal Welfare Act (mandatory standards) and to the Dog Act (other initiatives).

These measures include:

---

<sup>1</sup> RSPCA, What is a puppy farm? [http://kb.rspca.org.au/What-is-a-puppy-farm\\_322.html](http://kb.rspca.org.au/What-is-a-puppy-farm_322.html)

- the transition of pet shops into adoption centres that will only sell puppies and dogs from approved rescue organisations and animal shelters;
- mandatory de-sexing of dogs unless an exemption is requested for breeding purposes or for reasons stated by a registered veterinarian;
- a centralised registration system to ensure every dog and puppy can be identified at the point of sale or adoption, including in advertisements for sale; and
- mandatory standards for dog breeding, housing, husbandry, transport and sale.

Consultation with the community on the impact and implementation of these measures is currently being undertaken. Community members can provide their feedback through a variety of means including undertaking an online survey, submitting a written response, or attending a community workshop.

Consultation with the local government sector is being undertaken in a separate process. The Department is working with WALGA to consult with the sector on how these measures can be implemented and what the impact will be on local governments.

## **1.2 Local Government's Role**

Recent publicly available research indicates that between 34%-42% of households in Western Australia own a dog which compares to the national average of 38%<sup>23</sup>. With the number of households in Western Australia estimated to be 938,000, this suggests there are in the range of 320-390,000 dogs in the State. A survey of local governments conducted by the Department of Local Government, Sport and Cultural Industries has indicated that approximately 345,000 dogs are registered with local governments in Western Australia. Averaging these estimates provides a dog population of around 350,000.

The Government has commissioned research and consulted on ways to prevent puppy farming, and reduce the number of unwanted dogs that are either euthanised, surrendered or abandoned. The most pragmatic approach to achieve the key objectives is to amend to the Dog Act.

Currently, Local Governments are responsible for administering and enforcing the provisions of the Dog Act in their district.

---

<sup>2</sup> Animal Medicines Australia, Pet Ownership in Australia 2016. Note that the sample size for this report is small and, therefore, the results may not be accurate.

<sup>3</sup> Doggone it: pet ownership in Australia, Roy Morgan Research 2014.

Amendments to the Dog Act are being considered that would impose additional responsibilities on local government authorities, including:

- enforcing the mandatory dog de-sexing requirement (by taking action against owners when this comes to the local government's attention);
- processing dog breeder applications;
- enforcing the dog breeder registration requirement;
- inputting information into a centralised registration system, as opposed to the local government's own dog register.

It is proposed that the State will develop a centralised registration system that is used by all local governments. For local government this means instead of maintaining individual dog registration databases, local government will continue to be responsible for processing of dog registrations and uploading the registrations to a centralised system. We are working with the local government sector to undertake economic modelling to anticipate what these costs may look like.

The costs that will be evaluated include:

- costs associated with enforcing the provisions (as itemised above);
- costs associated with transitioning local governments to a centralised registration system;
- costs involved with assisting communities to comply with the new provisions, for example, assisting remote communities to access veterinary services to de-sex dogs by the mandatory age;
- costs of prosecution and defending appeals to prosecution; and
- scoping the capacity and costs of local governments being the agency responsible for enforcing the requirement that pet shops only source dogs from accredited rescues and shelters.

### **1.3 Other Enforcement Agencies**

Consideration is being given to which authority or agency should be responsible for enforcing other aspects of these proposals, such as:

- the requirement that pet shops only source and sell dogs from accredited rescue organisations or shelters;
- the requirement to provide particular information when advertising and/or transferring a dog.

The Government's commitment to introduce mandatory standards for dog breeding, housing, husbandry, transport and sale (the standards) is being progressed by the

Department of Primary Industries and Regional Development (DPIRD) the agency responsible for administering the *Animal Welfare Act 2002*.

Amendments to the Animal Welfare Act are currently before Parliament. If these amendments are adopted, animal standards will be able to be adopted under the Animal Welfare Act, including the mandatory standards for dog breeding, housing, husbandry, transport and sale.

DPIRD will undertake consultation on the standards once they have been drafted. Their enforcement will be a matter to be determined at that stage.

Currently the Animal Welfare Act is enforced by inspectors appointed under the Animal Welfare Act. Local governments therefore do not have the power to enforce the standards unless they have employees who are inspectors appointed under the Animal Welfare Act.

The local government will be able to refuse or cancel dog breeder registrations where a breach of the Animal Welfare Act or the standards is found. At this stage, local governments will not be responsible for determining if a breeder is compliant with the standards when approving dog breeder registrations, but will need to ensure the owner has made a declaration that they are compliant with the standards.

## **1.4 Cost Recovery**

The proposed initiatives are also about working towards improving services to the community. While efficiencies will be realised, local governments may incur costs in undertaking these additional responsibilities. The Department is working with WALGA and LG Professionals to develop a cost recovery methodology to ensure appropriate fees can be set for local governments to recover these costs.

Currently, local government collect dog registration fees that contribute to local government costs. The State Government is responsible for setting dog registration fees which apply to all local government jurisdictions – these have been set after surveying local governments as to their costs.

It is proposed that local governments could recover costs through the following fees:

- dog registration fees;
- dog breeder registration fees;
- kennel establishment fees.

The amount of these fees would be based on recovering costs for local governments.

## Questions

1. What mechanisms should local governments use to collect funds to cover the costs associated with enforcing the new provisions under the Dog Act? (multiple options can be selected):
  - By charging cost-recoverable dog registration and dog breeder registration fees to cover all costs
  - By charging dog registration and dog breeder registration fees at a level to recover these costs and increasing fines to recover enforcement costs
  - Other – please specify: \_\_\_\_\_
2. Should fees used to cover the costs incurred by local governments to enforce the Dog Act be consistent across the State, or should local governments be able to set their own fees?
  - Fees should be consistent across the State
  - Fees should be set by the individual local government and apply to their district only
  - Unsure
  - Other – please specify: \_\_\_\_\_
3. Is charging cost recovery likely to have any adverse impacts for your community?
  - No
  - Yes
  - Unsure
  - If yes, please provide details: Fees and Fines are likely to increase significantly, which may be a deterrent to owning a dog in the first place.
4. Are there benefits in your local government subsidising registration costs?
  - No
  - Yes
  - Unsure
  - If yes, please provide details: It would be an incentive to ensure compliance

## Questions

with any newly introduced legislation.

# **Mandatory De-sexing for Non-Breeding Dogs**

## **3.1 Introduction**

Currently, dogs are not required to be de-sexed in Western Australia. Owners are encouraged to de-sex their dogs, and owners of de-sexed dogs pay a lower dog registration fee than owners of other dogs.

A recent survey of Western Australian local governments, with 43 out of 137 local governments responding, found that 82% of registered dogs were de-sexed.

The additional consultation in this document focuses on the following elements of implementation:

- Age of mandatory de-sexing
- Age for registration and microchipping
- Additional exemptions
- De-sexing vouchers
- Enforcement

## **3.2 Objective**

The objective of mandatory dog de-sexing is two-fold:

- to prevent unwanted litters being bred
- to prevent puppy farmers from breeding dogs unless they are registered breeders.

The primary objective of mandatory dog de-sexing is to reduce the number of unwanted dogs being born that are then either euthanised, abandoned, or surrendered to dog rescues or shelters.

Uncontrolled and unrestricted breeding of dogs can lead to dogs being overbred and contribute to the unwanted dog population. Mandatory de-sexing will help to ensure there is no unintended breeding of dogs.

Dog owners will be required to de-sex their dog unless they register as a dog breeder.

The objective is to stop indiscriminate breeding, and only allow people that are registered breeders to breed dogs, so they can be identified and traced.

### 3.3 Age of mandatory de-sexing

The Dog Act will be amended to require all dogs to be de-sexed by the time they reach a particular age. This age is yet to be determined.

#### Option 1: Mandatory dog de-sexing by three months of age

One option is to require all dogs to be de-sexed by three months of age. This would be consistent with the current requirement for registration and microchipping and with the age for de-sexing dangerous (restricted breed) dogs. Dogs are generally unable to breed before the age of three months so this age eliminates the risk of unwanted puppies being born.

Exemptions issued by veterinarians are proposed for dogs that are too young to be de-sexed. Dogs to be used for breeding would also be exempt.

#### Option 2: Mandatory dog de-sexing by six months of age

Another option is to require all dogs to be de-sexed by six months of age.

Opinions differ on the best age for de-sexing with many veterinarians preferring not to de-sex a dog until it is close to six months old.

Both male and female dogs are generally able to breed by six months, with the females of smaller breeds becoming sexually mature by four months. Larger breeds may not be sexually mature for a year or more.

South Australia and the Australian Capital Territory have introduced mandatory dog de-sexing by six months old.

### Questions

1. Should mandatory dog de-sexing apply to all dogs, including existing dogs, or just dogs born after a particular date?

- All existing dogs, with a phase in period for when existing dogs must be de-sexed
- Only dogs born after a particular date
- Unsure

### **3.4 Age for registration, microchipping and de-sexing**

Currently dogs are required to be registered and microchipped by the time they are three months old.

The following addresses possible ways to deal with registration and microchipping if the requirement for de-sexing is set at six months or an age that is greater than three months.

#### **Option 1 – Registration, microchipping and de-sexing by six months**

Under this option, the Dog Act would be amended so that registration, microchipping and de-sexing must be completed by the time a dog reaches six months of age.

The benefits include:

- enabling local governments to sight evidence of microchipping and de-sexing at the time of registration
- administrative efficiency for local governments
- less confusion for owners, which would increase compliance
- convenience for dog owners in being able to have their dog microchipped and de-sexed in the same veterinarian visit.

The key disadvantage is the inability to identify dogs (either by registration records or microchips) before six months. This may result in dogs not being returned to owners and being sent to the pound and/or a dog rescue or shelter. This would also result in a three month delay in revenue collection for local governments.

#### **Option 2 – Limited registration at three months; full registration on de-sexing**

This option proposes the following:

- the retention of the current provisions under the Dog Act requiring dogs to be registered and microchipped by three months of age, and
- a short-term registration (three months) for dog owners registering a dog that has not been de-sexed.

This allows dogs to be identified from three months of age but provides an additional administrative burden on both the owner and the local government in having to register a dog twice. Furthermore, local governments would need to follow up when people do not re-register their dogs at 6 months incurring further costs to local governments.

### Option 3 – Registration at three months; onus on owner to advise when dog de-sexed

Under this option, the owner would be responsible for notifying the relevant local government once their dog was de-sexed. The owner would need to provide a copy of the sterilisation certification to the local government – this could be done by email or attached to an electronic form.

The local government would then update the registration database. This would create an additional administrative burden on local governments.

Owners of dogs that had their dog de-sexed after registering their dog would be eligible for a refund of a portion of their dog's registration fee, to account for the fact that the dog is now de-sexed. This would create an additional administrative burden on local governments in having to conduct refunds.

## Questions

2. Please indicate your preference for the following:

- Option 1 – registration, microchipping and de-sexing by six months
- Option 2 – limited registration at three months; full registration on de-sexing
- Option 3 – registration at three months; onus on owner to advise when dog de-sexed

Please provide reasons for your preference:

Lower administration burden on Local Governments and the Act already identifies that all dogs are identified by name tag.

From 1 July 2018 South Australian veterinarian practices will be responsible for updating a centralised dog registration database when a dog is de-sexed. This would replace the need to issue a sterilisation certificate.

3. Would you support this approach?

- Yes
- No
- Unsure

Please provide reasons for your response:

Will make the administrative process more streamlined and centralised.  
Replicates the current process for microchipping.

### 3.5 Additional possible exemptions from de-sexing

Exemptions from mandatory de-sexing will apply for health and welfare reasons as assessed by a veterinarian, and if the dog owner is a registered dog breeder.

Dog breeders will be required to register with their local government. Dog breeder registration is discussed in more detail in the Centralised Registration System section of this paper.

#### Livestock working dogs

Livestock working dogs require particular traits, with dogs that demonstrate these traits being bred to ensure that future working dogs also have these particular traits. Livestock working dogs are generally only used for breeding once the dog has a proven ability as a working dog, usually by two to three years of age.

If a primary producer is required to de-sex their dog at an early age, they will not be able to assess whether a dog has the desirable traits and should be used for breeding. Mandatory de-sexing could reduce the working dog gene pool.

On the other hand, unintended breeding could result in unwanted dogs.

### Questions

4. Should livestock working dogs be exempt as a class from mandatory dog de-sexing?

- Yes
- No
- Unsure

Please provide reasons for your preference:

True livestock working dogs are generally only used for breeding once the dog has a proven ability as a working dog, usually by two or three years of age.

5. If working dogs are required to be de-sexed by a particular age, at what age should working dogs be required to be de-sexed?

3 years unless exemption sought and approved.

## Questions

### 6. How could this be enforced?

Unsterilised dogs can only be registered yearly. Once sterilised, longer registrations can apply.

### **Dogs held by persons registered with recognised breeding associations**

Consideration is being given to exempting members of recognised dog breeding associations from having to de-sex their dogs.

## **3.6 Transferring dogs**

Dog breeders and dog owners will be required to de-sex any dog transferred to another person unless:

- the new owner is a registered breeder
- the new owner is a member of a recognised association or organisation that is exempt from the mandatory de-sexing requirement
- the dog is exempt by a veterinarian from being de-sexed on health grounds (unless the exemption is because the dog is too young to be de-sexed)
- the dog is too young to be de-sexed and is accompanied by a prepaid de-sexing voucher.

Requiring dog owners and breeders to de-sex a dog before it is transferred will ensure there is compliance with the de-sexing requirements.

In cases where a dog is too young to be de-sexed, it is proposed that a breeder or owner transferring a dog provide the new owner with a pre-paid voucher that will at least partially cover the cost of de-sexing. This aligns with the requirements in the Cat Act.

The cost of having a dog de-sexed varies greatly, depending on such factors as the age and weight of the dog. The voucher could be set at a particular amount with the new owner paying any additional amount.

One of the matters to be considered is how these vouchers could be used at veterinarian practices other than the issuing one. This is important for owners who source their dogs from places far from their homes.

## 3.7 Enforcement

It is necessary to consider how mandatory dog de-sexing will operate alongside the current requirements under the Dog Act; and how local governments can efficiently monitor compliance.

Currently, local governments are responsible for monitoring and enforcing compliance with the following requirements under the Dog Act:

- dogs to be registered with the local government by the age of three months
- dogs to be microchipped by the age of three months.

Local governments check compliance with the microchipping requirement at the point of registration. A local government can refuse to register a dog that is not microchipped and it is an offence for a person to keep a dog over the age of three months if it is not registered. Effectively, an owner must have their dog microchipped before they can register a dog with their local government.

Owners of certain dangerous dogs are currently required to de-sex their dogs. A dog owner is required to provide a dog sterilisation certificate issued by a veterinarian as evidence that the dog is de-sexed. Alternatively, a dog's de-sexed status can be checked by the local government by viewing a sterilisation tattoo on the dog's ear, although this method of marking a dog is now rare.

Local governments would appear to be the relevant authority responsible for monitoring and enforcing the compliance of mandatory dog de-sexing, especially at the point of registration.

Local governments would be responsible for:

- checking a dog's de-sexed status when processing dog registrations;
- enforcing the mandatory dog de-sexing requirement against non-compliant owners.

Currently, owners who register de-sexed dogs with their local government pay a lower registration fee than owners of dogs that are not de-sexed, creating an incentive for owners to de-sex their dog. It is proposed to maintain a lower registration fee for de-sexed dogs to further incentivise de-sexing.

Economic modelling will be undertaken to assess the costs that local governments will incur as a result of enforcing these requirements.

## Questions

7. Who do you believe is best placed to monitor compliance with de-sexing?

- Local Governments
- Other – please specify: \_\_\_\_\_

Please provide reasons for your preference:

It would be logical to incorporate this compliance aspect into the current Local Government duties relating to the Dog Act. The introduction of a database maintained by the Veterinary bodies would assist in this compliance aspect.

# Centralised Registration System

---

## 4.1 Introduction

A key element of the McGowan Government's Stop Puppy Farming commitment is the introduction of an online centralised dog registration system in Western Australia.

The centralised registration system will be used to identify every dog or puppy by recording:

- dog registrations
- dog breeder registrations
- any change in ownership of dogs or puppies.

The Dog Act will be amended to make it a requirement to register on the system and update particular information on the system within seven days of the change occurring.

The additional consultation in this document focuses on the following elements of implementation:

- General
  - Access to the system
  - Additional information to be included in the system
- Dog Registrations
  - Dog registration information to be included in the system
  - Updating dog registration information in the system
  - Transitioning existing dog registers
- Dog Breeder Registrations
  - Application and approval of dog breeder registrations
  - Conditions of dog breeder registration
  - Exemptions
- Transferring a dog

## 4.2 Current situation

### Local Governments

Currently under the Dog Act, the local government is responsible for keeping a record of dogs registered in their district. The dog register is specific only to that local government district (unless two or more local governments work together to maintain a joint system). This can create difficulties in identifying lost dogs from different local government districts, particularly if a dog's microchip information has not been updated with the current owner's details.

The local government is responsible for processing dog registration applications and can refuse to register a dog on specific grounds, such as when a dog is not microchipped.

The local government issues each dog registered in their district with a registration number and a registration tag.

### **Dog breeders**

Dog breeders in Western Australia are not currently required to register as 'dog breeders'. They are, like all dog owners, required to register their dogs with their local government. They are also required to obtain an exemption or kennel establishment licence if they keep more dogs on any one premises than is permitted.

## **4.3 Objective**

Currently, the difficulty in identifying puppy farms hinders the enforcement and prosecution of relevant legislation against puppy farmers.

### **Centralised Registration System**

The centralised registration system is a tool which will allow authorities to identify and monitor all dog breeders and dog owners for compliance with legislative requirements.

Members of the public will be educated about sourcing their new dog or puppy from breeders who are registered and who supply the dog's microchip number and the seller's dog owner number. The centralised registration system is the tool that will allow members of the public to verify if a dog breeder is registered, to allow them to source dogs and puppies from registered dog owners and dog breeders.

### **Dog Breeder Registration**

Dog breeder registration will allow authorities to identify dog breeders so they can be monitored for compliance with legislative requirements. If a dog breeder is not breeding dogs in accordance with the Dog Act, any relevant Dog Local Law, the Animal Welfare Act or the mandatory standards for dog breeding, housing, husbandry, transport and sale, the local government will be able to cancel the dog breeder registration and require that their dogs be sterilised in accordance with the Dog Act to ensure they can no longer breed dogs.

Breaches of the standards would be pursued under the Animal Welfare Act, with breeders' subject to prosecution and fines under that Act. Only an animal welfare inspector can determine if a standard has been breached.

Recording the breeder's dog owner number on a dog's microchip database will allow authorities to trace a dog back to its breeder if issues with puppies or dogs are identified, such as genetic health concerns.

## 4.4 Access to the System

	View and update own information*	View and update all information	Limited dog breeder verification information**	Search for dogs on the system
Dog owners	X			
Dog breeders	X			
Local governments and State government authorities	X	X	X	X
Members of the public			X	
Dog management facilities and recognised dog shelters and rescues	X		X	X

\*Dog owners would be able to update certain information (not all information) of their registration such as a change of address or changes to other contact details. Dog owners could also update the status of their dog, including updating its status to 'missing' or 'deceased'.

\*\*As a minimum, the information on the dog owner that will be shown to a member of the public will include:

- their name;
- their postcode;
- their unique dog owner number; and
- their dog breeder registration status.

## Questions

1. Are any other authorities or groups that should have access to the system?

- Yes – please specify below.
- No
- Unsure

Please specify: RSPCA

2. What type of access should they have?

- View their own records
- Update their own records
- View all records
- Update all records
- Approve changes to records

3. What information on a dog owner should a member of the public be able to view to ascertain if the dog owner is a registered dog breeder? (more than one option can be selected)

- A dog owner's name
- A dog owner's postcode
- A dog owner's number
- Whether the dog owner is a registered dog breeder
- Other – please specify: Dog Breeder name and number or a registration code (not the dog owner's personal details as this could create privacy problems).

### 4.5 Additional information

The breadth of information recorded on the centralised registration system will affect how it can be used, and by whom it can be used. It is also likely to affect the cost.

There is the potential to record additional information on the centralised registration system, including the following:

- A register of approved kennel establishments in Western Australia (including the ability to apply for a kennel establishment licence on the system)
- A register of dog management facilities in Western Australia
- A register of pet shops transferring and selling dogs in Western Australia
- A register of dangerous dogs (declared and restricted breed)

- Information on particular dog owners, such as dog owners that are subject to a court order or have been convicted of offences under:
  - the Dog Act
  - a dog local law or by-law
  - the Animal Welfare Act
- Information on dogs:
  - that have been seized by the local government at any time
  - that have been involved in a dog attack
  - that have not been controlled by their owner in accordance with the Dog Act
  - that have caused a nuisance or are subject to a nuisance complaint
  - that are subject to a destruction order
- Information to inform compliance with the standards for dog breeding, housing, husbandry, transport and sale.

The benefit of keeping this information is that these facilities, businesses, dogs and dog owners could be more readily identified and monitored by relevant authorities.

The inclusion of this additional information could result in additional costs, including:

- costs associated with creating a system that included and stored this additional information
- costs to particular stakeholders who would be responsible for uploading this information
- costs to local governments in processing this information
- costs to relevant enforcement authorities in monitoring this information.

Dog registration fees, and dog breeder registration fees would need to accommodate these costs.

## **Cat Registration**

Currently under the *Cat Act 2011*, local governments are responsible for:

- processing cat registration applications;
- approving cat breeder applications; and
- maintaining a register of cats in their district.

As with dog registers, cat registers are specific only to that local government district (unless two or more local governments work together to maintain a joint system).

## Questions

4. Would it be beneficial for your local government if cat and cat breeder registrations were also transitioned to the centralised registration system?

- Yes
- No
- Unsure

5. How would transitioning cat and cat breeder registrations to a centralised registration system be beneficial to your local government?

- Administrative efficiency
- Consistency with centralised dog registrations
- No requirement to maintain own register
- Other – please specify: \_\_\_\_\_
- It would not be beneficial – please specify: \_\_\_\_\_

6. Would any of the following additional information be useful for your local government?

- Approved kennel establishments
- Dog management facilities
- Pet shops that sell or transfer dogs
- Dangerous dogs
- Dog owner's subject to Court orders or convicted of particular offences
- Dogs that have been seized by the local government
- Dogs involved in a dog attack
- Dogs that have not been controlled by the owner
- Dogs that have caused a nuisance or are subject to a nuisance complaint
- Dogs that are subject to a destruction order
- Other information – please specify: \_\_\_\_\_

Please indicate why you think it would be useful: \_\_\_\_\_

7. What additional costs would including this information in the system create for your local government?

- Processing the additional information
- Monitoring the additional information
- Other: \_\_\_\_\_

8. Would it be easier for your local government to process and record kennel establishment licences through the system?

- Yes
- No

Unsure

Please give your reasons: \_\_\_\_\_

## 4.6 Dog registration information

The breadth of information recorded on the centralised registration system will affect how it can be used, and by whom it can be used. It is also likely to affect the cost.

### General information

Dog registration information that will be kept on the centralised registration system will include:

- Current information requirements: the information a dog owner must currently provide to register a dog in Western Australia is set out under Form 4 of Schedule 1 of the *Dog Regulations 2013*. This includes information on the following:
  - dog owner details, including their address and contact details
  - **whether the dog can be effectively confined to the premises**
  - dog details, including age, breed, microchip details, whether the dog is a commercial security dog or a dangerous dog
  - the number of dogs on the premises
  - information on any previous convictions for offences against the Dog Act, Cat Act or Animal Welfare Act
  - a declaration that the information in the application is true and correct
- In addition, dog owners will be required to provide:
  - further information on their dog's sterilisation status
  - their unique dog owner number (if known, otherwise they will be issued with one)
  - the dog owner number of the dog's breeder (if known).

This is the minimum level of dog registration information that will be stored on the centralised registration system.

## Questions – All

9. Please indicate if you think any of the additional information should be included on a dog's registration:

## Questions – All

- information on whether the dog is used as a livestock working dog
- information on whether the dog is used as an assistance dog

Please indicate why you think this information will be beneficial:  
Provides additional information.

### 4.7 Updating dog registration information

The online centralised registration system will have the capacity to allow a range of users to register and update information recorded on the system in Western Australia.

Verification of some of the information recorded on the system will need to be undertaken to ensure the information is accurate, such as the sterilisation status of a dog.

The following users will be able to register a dog on the centralised registration system:

- dog owners
- local governments on behalf of dog owners (registrations made in person or hard copy form)
- dog shelters and rescue organisations
- dog management facilities.

The following stakeholders will be able to use the system to register as a dog breeder on the centralised registration system:

- dog owners (who wish to breed from their dog)
- local governments on behalf of dog breeders (registrations made in person or hard copy form)
- dog shelters and rescue organisations
- dog management facilities.

Local governments will be responsible for approving dog and breeder registrations in their district. The registration will not be complete until approved by the local government. In the process of approving dog registration applications, local governments can verify the microchip and de-sexing details through, for example, examining the dog's sterilisation certificate.

## Potential Role for Veterinarians

Another possible option is that veterinarians be required to update the system with a dog's de-sexed and microchip information. In South Australia and New South Wales, veterinarians are able to update their centralised system with a dog's microchip details. The advantages of this are:

- a veterinarian can verify the de-sexing and microchipping of the dog without a local government having to examine a sterilisation certificate
- this is likely to be a more accurate and reliable method
- local governments can quickly process dog registrations as they do not have to confirm the microchip and de-sexing details (unless not already entered)
- the information is verified and entered in the system at the point of microchipping and de-sexing, meaning there is no delay in updating this information.

This will create a cost to veterinarian practices who will need to expend time and resources on undertaking this function.

Veterinarians will not be responsible for ensuring dog owners comply with the microchipping and de-sexing requirements. They will also not be obliged to notify a local government of a dog owner's non-compliance with the requirements.

Under this proposal, a veterinarian will be able to update a registered dog's details. If the dog is not registered prior to the veterinarian undertaking the microchipping and/or de-sexing, the veterinarian will still be able to enter the dog's microchip details and sterilisation status into the centralised registration system.

Owners will then be responsible for searching the system for the microchip details of their dog, and completing their registration.

Reports could be generated to show dogs that have been entered in the system by veterinarians, but have not been registered by their owner. Local governments would then be able to identify dog owners that have not registered their dog in accordance with the Dog Act.

## Questions

10. Do you think veterinarians should be able to update and input dog's microchip and sterilisation details into the system?

Yes

- No
- Unsure

Please indicate why it would be useful: Streamlines administration functions making less paperwork.

11. Should it be a mandatory requirement for veterinarians to input this information into the system, or optional for veterinarians to input this information?

- Mandatory
- Optional
- Not applicable

Please provide reasons for your preference:

Making it mandatory will ensure correct participation into the system and would ensure its accuracy and data integrity.

12. Do you perceive any benefits in veterinarians undertaking this role?

Yes, will share the administrative burden rather than all being on Local Government.

13. Please indicate what other information you think veterinarians should be able to update or access on the system?

- Enter a dog registration on an owner's behalf
- Search for the identity of a dog and its owner
- Enter vet specific information on any registered animal
- Report and enter details of animal incidents such as dog attacks
- Report dog deaths
- Other – please specify: \_\_\_\_\_

## 4.8 Transition existing dog registers

Introducing a centralised registration system will mean the information in the existing local government dog registers will need to be transferred to the central register. This could be phased in over a number of years.

Local governments currently use at least five different registration systems, ranging from a sophisticated purpose-built database to a spreadsheet. A survey of local governments, with 53 local government respondents, found that 68% used Synergy,

13% used Civica, 8% used TechnologyOne, 8% used Pathway and 2% used an Excel spreadsheet.

### **Annual dog registrations**

It is proposed that annual dog registrations will be transferred to the centralised system from the local government systems on renewal. Under the Dog Act, annual dog registrations expire on 1 November of every year.

Once the centralised registration system is developed and launched, annual dog registrations will be incorporated into the centralised registration system by requiring dog owners to renew their annual dog registration through the centralised system.

Essentially, dog owners that have registered their dogs annually will be captured when they renew their dog registration.

### **Three year dog registrations**

Similar to annual dog registrations, owners that have registered their dog for a period of three years will be transferred to the centralised system when they renew their dog's registration. As for annual registrations it will be the owner's responsibility to enter their data into the new system at the time of re-registration.

This means that it will take the centralised system three years to incorporate the three-year period dog registrations.

### **Lifetime dog registrations**

Lifetime dog registration means the owner never has to renew their dog's registration. As such, their dog's registration cannot be recorded on the centralised dog registration system through the renewal of the registration.

There are three options to capture lifetime dog registrations on the centralised system:

#### **Option 1: Software**

Data migration software could be created to transfer the information in each local government's register to the centralised system.

Software created to transfer dog registration information from local government systems to the centralised system would need to be specific to each type of software system the local governments currently use. It is not known if local governments using the same registration system have it configured in the same way. The expense

of creating data migration software for each system would be significant, and adequate time would be needed to develop the data migration software for each type of registered software used by local governments.

Dog registration fees would potentially have to increase to cover the costs of funding the data migration software or a one-off registration charge apply for registrations on the new system. The disadvantage with this option is that the cost is also borne by new dog owners, as opposed to just the existing dog owners whose data is being migrated. Owners with life-time registration would bear none of the costs.

### **Option 2: Manual entry**

Another option is to manually transfer the lifetime dog registrations to the centralised system. This would require local government staff to enter the information.

It would also mean that local government resources would be used on transferring information as opposed to undertaking other local government duties. It would, however, mean that local governments would no longer have to manage a dual system of registrations so there would be time and cost savings in the medium and longer term.

Sufficient time would also need to be provided to allow local governments to transfer the information – this could be three years in line with the transition of the three-year registrations.

### **Option 3: Owner's responsibility**

Another option is to make it the responsibility of existing owners to re-register under the new centralised system.

Local governments could identify lifetime registrations on their system and send letters and information to owners with lifetime dog registrations instructing them to re-register their dog on the centralised system. There would be no charge for this process.

Upon re-registering online, owners would complete a specific registration form identifying them as a dog owner with an existing lifetime dog registration. Local governments could confirm this against their existing register and waive the registration fee.

If a person does not have online access, the local government could process the re-registration on the owner's behalf.

Currently, owners with a lifetime dog registration are not required to update a local government when their dog dies. Local governments are likely to therefore have active registrations for dogs that have passed away. One advantage of owners re-registering their lifetime dog registrations is that the register will not be updated with deceased dogs.

There is a risk that owners will not undertake the re-registration and may not re-register their dog.

## Questions

14. Please indicate your preference for the following:

- Option 1 – Develop and provide data migration software to transfer lifetime dog registrations to the centralised registration system.
- Option 2 – Local governments manually enter lifetime dog registrations into the centralised registration system.
- Option 3 – Owners re-register their lifetime dog registration on the centralised registration system.

Please indicate reasons for your preference:

More efficient process for dog owners and Local Government and potentially veterinarians.

15. Are there other options for transferring existing dogs onto the centralised system?

Unlikely

16. Which of the following would you support to cover the costs of migrating existing data?

- an increase in the registration fee
- a one-off payment by dog owners
- other
- none

One option is that existing lifetime dog registrations are not transferred to the new system and local government registers would need to be retained for at least a 15-year period following the launch of the centralised system and authorities would have to refer to both the centralised system and individual local government dog registers.

17. Should lifetime dog registrations be transferred to the new system?

- Yes
- No

Unsure

18. Please indicate your local government district and the software you currently use for your dog register:

a) Local government district: Nannup

b) Dog register software: Manual Excel Spreadsheet

19. Please indicate if the software used for your local government dog register is the same as the software used for your local government's cat register:

Yes

No

Unsure

20. Have you modified the software you currently use?

Yes

No

Unsure

21. Is your local government easily able to identify lifetime dog registrations in your dog register?

Yes

No

Unsure

22. How many lifetime dog registrations does your local government currently have?

120

23. Does your local government have the capacity to extract data from your dog register software and provide the extracted data in an Excel spreadsheet?

Yes

No

Unsure

## 4.9 Application and approval – dog breeder registration

A dog breeder will be broadly defined under the Dog Act, and will include any owner who has a dog that is not de-sexed, except if the dog is not de-sexed on health grounds.

The requirement to register as a dog breeder will come into effect once the centralised registration system is operational.

While it is envisaged that a majority of breeders will be registered prior to their dog having puppies, dog owners that are not registered will need to register as a breeder within seven days of the birth of puppies and/ or before the puppies are transferred to another person. This will ensure the local government has adequate time to process and approve the dog breeder registration application before the puppies are potentially transferred to another owner.

The information supplied by dog breeders at registration will impact the ability of the local governments to make an informed decision on approval of dog breeder registration.

The information cat breeders must provide when applying for approval to breed cats includes:

- the breeder's details, including address and contact details
- the cat's details, including microchip details
- questions in relation to the breeding of the cat, including the number of cats being kept on the premises, a description of the facilities, and whether they are a member of one of the listed organisations
- the requirement to provide details of any previous convictions against the Cat Act, Dog Act or Animal Welfare Act
- a declaration that the information provided is true and correct.

It is proposed that similar information is provided when dog breeders apply for dog breeder registration. Instead of providing information on the premises and facilities, it is proposed that dog breeders would need to indicate and certify that they were compliant with any minimum standards for dog breeding, housing and husbandry (once they came into effect).

Breeders will be required to renew their dog breeder registrations annually. Registered breeders will also be required to update any change to their information within seven days.

## Questions

1. What information do you think a dog breeder should provide when applying for breeder registration or renewal?  
 The number of dogs being kept on the premises

## Questions

- A description of the premises where the dogs are being kept
- A description of the facilities
- The breed of dogs
- Whether a person has been convicted of an offence under the Dog Act, Cat Act, Animal Welfare Act or a dog or cat local law.
- Certification that they comply and will continue to comply with animal breeding, housing and husbandry standards
- Other – please specify: \_\_\_\_\_

2. What do you think local governments should take into account when considering a dog breeder application or renewal?

- The number of dogs being kept on the premises
- The breed of dogs
- Convictions under the Dog Act, Cat Act, Animal Welfare Act, or a dog or cat local law
- Other – please specify: Location of where breeding kennels are located.

The Dog Act allows a dog registration officer from the local government, with the consent of the owner or occupier, to enter and inspect premises to ascertain whether a dog will be effectively confined on the premises. It is a condition of dog registration that a dog must be effectively confined to the premises in which it is kept.

3. Should local governments have the power to enter and inspect premises of a dog breeder, or premises that are subject to a dog breeder application or renewal?

- Yes
- No
- Unsure

4. In what situations should a local government be able to enter and inspect premises of a dog breeder of that are subject to a dog breeder application or renewal?

- Where the dog breeder owns more than a certain number of dogs, or owns a kennel establishment If yes, how many?  
More than the local law.
- No
- Unsure

## **4.10 Conditions – dog breeder registration**

Dog breeders registered with the government will be required to comply with particular conditions. This will include legislative requirements relating to information that must be provided when transferring a dog and the requirement to update a dog's microchip database details with the breeder's dog owner number.

Dog breeders will also be required to comply with the requirements under the Dog Act, Cat Act and Animal Welfare Act and the mandatory dog breeding standards and guidelines when they are introduced under the Animal Welfare Act.

Registered dog breeders will also be required to notify the local government if any details of their dog registration changes.

### **Dog numbers**

The number of dogs a dog breeder can keep on their premises will remain consistent with the current requirements under the Dog Act.

Currently local governments, through the adoption of local laws, can limit the number of dogs ordinarily kept on premises that are aged over three months to any number between two and six. If a person would like to keep more than the permitted number of dogs, they must apply for a kennel licence from their local government.

Under the Cat (Uniform Local Provisions) Regulations, members of certain cat associations are allowed to have three times the number of cats allowed on premises. This provision was introduced for cats as there were no existing limits on cat numbers before the introduction of the Cat Act. Dog breeders who are members of certain dog associations will not be able to keep more dogs than the limits set by their local government.

It is possible that the standards for dog breeding, housing, husbandry, transport and sale will consider setting limits on the number of breeding dogs a person can own. This will be considered during consultation on the standards.

## Questions

5. Please specify any additional conditions with which dog breeders should comply:  
Animal Welfare – Living conditions, breeding, husbandry, transport and sale and any relevant local laws.
6. On what grounds do you believe a local government could cancel a dog breeder registration?
- The dog breeder is convicted of an offence under the Dog Act, Cat Act, Animal Welfare Act, or a dog or cat local law
  - The dog breeder is convicted of an offence under Australian Consumer Law in relation to dogs they have sold or transferred
  - Failing to provide their dog owner number on the microchips of the puppies that they breed
  - Failing to provide their dog owner number when advertising or transferring a dog
  - Keeping more than the approved number of dogs on the premises
  - Other – please specify: \_\_\_\_\_

### 4.11 Exemptions – dog breeder registration

#### Livestock working dogs

In Queensland, primary producers that own and breed livestock working dogs are exempt from registering as dog breeders where they sell or transfer puppies they have bred to other primary producers.

If a primary producer sells or transfers a puppy they have bred to someone who is not a primary producer, then they are required to register as a dog breeder, and supply their dog breeder registration number.

Queensland legislation defines a **primary producer** as meaning a person who is primarily engaged in the occupation of a –

- (i) dairy farmer; or
- (ii) wheat, maize, or cereal grower; or
- (iii) cane grower; or

- (iv) fruit grower; or
- (v) grazier; or
- (vi) farmer, whether engaged in general or mixed farming, cotton, potato, or vegetable growing, or poultry or pig raising; and

includes a person engaged in primary production.

A **working dog** is defined as meaning a dog that is usually kept or proposed to be kept on rural land by an owner who is a primary producer, or a person engaged or employed by a primary producer; and is used primarily for the purpose of—

- (i) droving, protecting, tending, or working, stock; or
- (ii) being trained in droving, protecting, tending, or working, stock.

## Questions

7. Should primary producers in WA be exempt from registering as dog breeders where they breed and transfer livestock working dogs to other primary producers?

- Yes
- No
- Unsure

Please provide reasons for your response:

It is always better to treat all equally and all adhere to the same rules and regulations. Remembering earlier comments about working dogs up to three years before being desexed and keeping alignment.

8. Should primary producers in WA be exempt from registering as dog breeders where they breed and transfer livestock working dogs to any person?

- Yes
- No
- Unsure

Please provide reasons for your response:

Same as above

**Dog breeders registered with recognised breeding associations**

There are dog breeders in WA that are members of non-Government dog breeding organisations and associations.

Dogs West, as an example, is a pedigree breeding association in Western Australia whose members are required to abide by a Code of Ethics.

Following the introduction of the centralised registration system, members of Dogs West will be required to register as a dog breeder with the Government.

## Questions

9. Should particular dog breeders that are members of particular dog breeding associations be exempt from registering with the Government as dog breeders?
- Yes
  - No
  - Unsure

Please provide reasons for your response: Possibility to an exemption could be given as long as the Association they are registered to is approved and authorised by the Government.

In South Australia, dog breeder registration has recently been introduced.

Members of Dogs SA (the Dogs West equivalent) are not exempt from registering as dog breeders, but Dogs SA are responsible for inputting and maintaining their member's details into the dog breeder register.

The membership number issued by Dogs SA is also used as the Government dog breeder registration number.

10. Should recognised dog breeder associations in WA be responsible for inputting the details of their members into the Government's dog breeder register on the centralised registration system?
- Yes
  - No
  - Unsure

Please provide reasons for your response:  
More efficient system.

11. What do you perceive to be the benefits of recognised dog breeder associations inputting their members details into the Government's dog

## Questions

breeder register? (You may select more than one option)

- Creates consistency between registers
- Avoids duplication for dog breeders who would otherwise need to register with both associations
- Potentially lessens the administrative burden on local governments
- Ensures that dog breeders registered with dog breeder associations are also registered with the Government and can be traced on the Government system
- Other – please specify: \_\_\_\_\_

12. What obligations should there be on recognised dog breeder associations that input their members details into the Government's dog breeder register? (you may select more than one option)

- Recognised dog breeder associations must update any change of their member's details within seven days of being notified of the change
- Recognised dog breeder associations must notify the relevant local government when a dog breeder is no longer a member of their association
- Recognised dog breeder associations must notify the relevant local government if a member's membership of their association is cancelled by the association
- Recognised dog breeder associations must notify relevant enforcement agencies where they find evidence that one of their members is not complying with the requirements under the Dog Act, Animal Welfare Act or a relevant dog local law
- Other – please specify: \_\_\_\_\_

## 4.12 Transferring a dog

### Dog breeders and dog microchip information

Under the new centralised registration system, every owner that registers a dog will be issued with a 'dog owner number' that is unique to the owner. Effectively, every dog owner will have an identification number.

A dog breeder will be required to record their details and their unique 'dog owner number' alongside the microchip details of every puppy bred from their dog/s. This will ensure that the breeder's details are permanently recorded for each dog.

Microchip implanters will be required to provide the following information to the microchip company:

- Information on the dog breeder that owns and bred the dog's mother:
  - Their 'dog owner number'
  - Their name, address and contact details
- If known, information on the dog breeder that owns the dog's fathers:
  - Their 'dog owner number'
  - Their name, address and contact details

Microchip database companies will be required to record and retain this information alongside the microchip information of a dog.

### **Providing information when transferring a dog**

Any person who sells, gives away, transfers or advertises a dog will be required to provide their 'dog owner number' and the dog's microchip number. Both numbers must be provided in any advertisement that advertises dogs or puppies for sale.

This will assist in tracking a dog, and identifying where a dog has come from.

Furthermore, if the person selling, giving away, transferring or advertising a dog claims to have bred the dog, a consumer can verify if they are a registered breeder on the centralised registration system by searching the 'dog owner number' provided by the breeder.

Consumers will be educated about only sourcing dogs from dog owners that provide their dog owner number and the dog's microchip number. This will help members of the public source dogs and puppies from registered dog breeders that can be identified and held accountable.

If a person has not bred a dog and transfers a dog, they must still provide their dog owner number and the dog's microchip number, to ensure authorities can identify and trace where a dog has been sourced from.

To monitor compliance with this requirement, members of the public will be encouraged to report non-compliant advertisements to an enforcement agency.

## **Questions**

## Questions

13. Are there other ways to monitor or ensure dog advertisements comply with the requirement to provide both the dog owner number and dog's microchip number? Please specify:

Unsure

14. What agency could be responsible for prosecuting dog owners and breeders that do not comply with the transfer and advertisement requirements?

- Department of Local Government, Sport and Cultural Industries
- Department of Primary Industries and Regional Development
- Consumer Protection WA
- RSPCA
- Unsure
- Other – please specify: States Canine Association

15. What is your agency's capacity (considering benefits, issues and costs) to enforce these requirements?

- Full capacity
- Some capacity
- Limited capacity
- No capacity

### Jurisdictional issues

Dog breeders and dog owners outside of WA are not subject to the requirement to have a dog owner number. If they sell, advertise or transfer a dog to a person in WA, they will not be able to comply with the requirement to provide a dog owner number.

If the transaction occurs outside of WA, then the transaction is not subject to WA law and the requirement to provide such details.

If the transaction occurs within WA, then this will be an issue.

For dog breeders and dog owners that reside outside the State and need a dog owner number to advertise and transfer dogs in WA, they will still need to apply for an 'interstate dog owner number'. Such applications will need to be made to a central agency, most likely the Government Department responsible for administering the Dog Act.

Online advertisements posted online outside of WA, but that are shown and advertised within WA also present a unique issue with enforcing the requirements. These issues are under consideration by the Department.

## 4.13 Enforcement

Local governments will be required to enforce the requirement that dog breeders, and owners of dogs that are not de-sexed unless they are exempt, are registered.

Enforcement will involve:

- Processing dog breeder applications;
- Cancelling dog breeder registrations where non-compliance with the dog breeder conditions is discovered;
- Investigating dog breeding by unregistered dog breeders;
- Prosecuting or fining an unregistered dog breeder.

The expectation is that local governments will investigate non-compliance with the dog breeder requirements upon complaint. This could include inspecting premises to determine compliance with the Dog Act, including whether a dog owner is breeding dogs without being registered, or keeping more than the number of dogs allowed on their premises. It is not proposed that this will include investigating compliance with the mandatory standards for dog breeding, housing, husbandry, transport and sale as the standards are not being introduced under the Dog Act.

Economic modelling will be undertaken to assess the costs that local governments will incur as a result of enforcing these requirements.

### Questions

8. To ensure dog breeders are complying with the requirements under the Dog Act, would your local government prefer to:
- investigate non-compliance upon complaint
  - undertake a regular inspection regime
  - unsure

(This will **not** include investigating compliance with the Mandatory Standards for Dog Breeding, Housing, Husbandry, Transport and Sale).

9. Are the current fines under the Dog Act sufficient to cover the cost of investigating and enforcing non-compliance?
- Yes

## Questions

- No
- Unsure

### Enabling enforcement

The centralised registration system is intended to make it easier for local government authorities to identify dog owners and dog breeders across the State.

The centralised registration system could also assist in monitoring and enforcing the current and proposed requirements under the Dog Act.

The system could potentially be designed to generate reports to identify specific information for each local government such as:

- dog owners that have not renewed their dog registration, or annual dog breeder registration;
- dogs that are not de-sexed or that are exempt from de-sexing;
- the number of dogs kept on a single premises that exceeds the limit, or dog owner's that own more dogs than the limit on a single premises so they can be monitored for compliance.

## Questions

1. Please indicate what reports would assist local governments in enforcing the requirements under the Dog Act:

- Dog owners that have not renewed their dog registration
- Dog owners that have not renewed their annual dog breeder registration
- Dogs that are not de-sexed
- Premises where the number of dog exceeds the limit
- Number of dogs owned by a dog owner that exceeds the limit that can be kept on a single premises

2. What other reports would assist local governments to monitor and enforce the existing and proposed provisions under the Dog Act?



# Transitioning Pet Shops to Adoption Centres

---

## 5.1 Introduction

As detailed in the Stop Puppy Farming Consultation Paper, it is intended to amend the *Dog Act 1976* (the Dog Act) so that pet shops will only be able to source puppies and dogs for sale from 'properly accredited' rescue organisations or shelters.

The areas of implementation on which further input is sought are:

- the accreditation of rescue organisations or shelters;
- the assessment of the health and behaviour of dogs;
- the period to transition pet shops to adoption centres;
- the arrangements that will need to be developed between pet shops and rescue organisations and shelters; and
- enforcement, including who will be responsible and how enforcement will be undertaken.

## 5.2 Objective

The objective of transitioning pet shops to adoption centres is to help break the supply chain with puppy farms and to address the homeless dog problem.

Puppy farming....is a covert industry that relies on hiding the true circumstances of how puppies are raised from buyers. Because of this, puppy farmers rely on pet shops, online sales, newspapers, and markets to sell puppies.<sup>4</sup>

Purchasing a dog from a pet shop means that the consumer is unable to trace, or know with any certainty, from where a dog was sourced. Restricting pet shops to only sourcing dogs from dog rescues and shelters will mean that a potential outlet for puppy farms is closed.

People looking to purchase or acquire a puppy will either need to purchase a puppy directly from the source (directly from a dog breeder) or purchase or adopt an abandoned or surrendered dog from a pet shop, dog rescue or shelter.

---

<sup>4</sup> Page 3, Steering Committee Report - *Puppy Farming in Western Australia: why this trade needs to end and recommendations to achieve this*, November 2015, Appendix 1.

Consumers will be educated about sourcing puppies only from dog breeders registered on the centralised database and will be encouraged to visit the dog breeder and view the conditions in which the puppy was bred and reared. This will ensure that consumers are not purchasing dogs from 'puppy farms', or at the very least will assist in tracing dogs to irresponsible breeders if issues with the puppy arise.

Consumers that purchase an abandoned or surrendered dog from a pet shop will assist in reducing the number of unwanted dogs that are either euthanised or kept at rescue or shelter facilities.

### 5.3 Accreditation of rescue organisations and shelters

Under the new proposals, pet shops will only be able to source puppies and dogs for sale from 'properly accredited' rescue organisations or shelters. Dog rescue organisations and shelters will be accredited by the State Government.

#### Questions

1. Should accredited rescue organisations and shelters be monitored?
  - Yes
  - No
  - Unsure
  - Depends on the following factors (please specify): \_\_\_\_\_
  
2. How should they be monitored?
  - Audits
  - Inspections
  - Annual reporting
  - Unsure
  - Not applicable – they should not be monitored
  - Other: \_\_\_\_\_
  
3. Do you believe your agency should have a role in accrediting rescue organisations and shelters?
  - Yes
  - No
  - Unsure
  - Depends on the following factors (please specify): \_\_\_\_\_

Please specify reasons for your response: RSPCA issue

## Questions

4. If you answered yes, what would this role be?

### 5.4 Assessment of the health and behaviour of dogs

The origins of dogs in rescue organisations and shelters is generally unknown. To provide confidence to potential new owners, it is intended that every dog supplied to a pet shop must pass a health and behavioural assessment. Pet shops will need to ensure that each dog has a health and behavioural certificate.

### 5.5 Transition period

Pet shops will be gradually transitioned into adoption centres to allow time for pet shops to make arrangements with dog rescue organisations and shelters.

#### Option 1 – Two year transition

Under this option, pet shops will be transitioned within two years of the legislation coming into effect.

In the interim, pet shops will be able to source puppies and dogs as they currently do.

#### Option 2 – Five-year transition

Under this option, pet shops will be transitioned within five years.

From date of amendment to the Dog Act	Where pet shops can source dogs:
0 to 2 years	Pet shops can source dogs from a dog breeder registered as such on the centralised database.
2 to 5 years	Pet shops selling dogs will be required to source dogs from accredited dog rescues and shelters, but can still also source dogs from registered breeders.
5 years onwards	Pet shops can only source dogs from accredited dog rescues and shelters.

## **5.6 Arrangements between pet shops and rescue organisations and shelters**

It is likely that pet shops will need to form arrangements with accredited dog rescue organisation and shelters to ensure the responsible supply of dogs.

Pet shops and rescue organisations have been asked to provide feedback on what those arrangements should cover, for example, where the dog will be housed.

## **5.7 Enforcement**

It is estimated that there are approximately 15 pet shops in Western Australia that sell puppies and dogs. After the transition period, pet shops will need to be monitored to ensure they are only sourcing dogs from accredited dog rescue organisations and shelters.

Furthermore, during the transition period pet shops would need to be monitored to ensure they are only sourcing dogs from registered dog breeders (following the introduction of dog breeder registration).

Pet shops could be monitored in a number of ways:

### **Option 1 – Public monitoring**

Pet shops would be required to display a certificate confirming the source of the dog is from an accredited rescue organisation or shelter. The public could report pet shops to an enforcement agency that are not providing a certificate verifying the dog's source.

### **Option 2 – Inspections**

An enforcement agency would be responsible for inspecting pet shops that sell dogs, whether randomly or periodically, and require the pet shop to provide information upon request.

### **Option 3 – Audits**

Pet shops would be required to be audited by a particular enforcement agency, whether periodically or randomly.

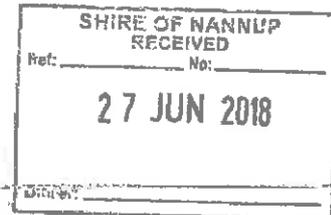
### **Option 4 – Audited and inspected upon complaint**

The enforcement agency would inspect and audit a pet shop only where concerns were raised about the pet shops compliance with the laws.

The type of enforcement undertaken will assist in informing what agency is best placed to undertake enforcement. The capacity and resources of the agency would also need to be considered.

## Questions

5. Should pet shops have to register with a relevant authority if they sell dogs?
  - Yes
  - No
  - Unsure
  
6. Should it be an offence to fail to register?
  - Yes
  - No
  - Unsure
  
7. What information and records should a pet shop maintain to ensure compliance with the pet shop provisions can be monitored?
  - Records of where dogs have been sourced from
  - Details of new owners
  - Details of health and behaviour checks
  - Other – please specify: \_\_\_\_\_
  
8. What information and records should a rescue organisation and rescue maintain to ensure pet shops can be monitored and information verified?  
Accreditation by Government body
  
9. How should a pet shop be monitored for compliance?
  - Option 1 – Public monitoring
  - Option 2 – Inspections
  - Option 3 – Audits
  - Option 4 – Audited and inspected upon complaint
  - Other – please specify: \_\_\_\_\_



**Minister for Seniors and Ageing; Volunteering;  
Sport and Recreation**

Our ref: 68-03419

Mr David Taylor  
Chief Executive Officer  
Shire of Nannup  
PO Box 11  
NANNUP WA 6275

Dear Mr Taylor

**COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF)  
OUTCOMES OF APPLICATIONS FOR FUNDING – FEBRUARY SMALL GRANTS ROUND  
2018/19**

I wish to inform you of the outcomes of applications for funding through CSRFF from organisations located within your municipality. Details relating to all applications are outlined below:

Organisation Name	Project Description	Project Cost	Grant Approved	Fund Year Actual
Shire of Nannup	Upgrade of existing change rooms and ablutions at Nannup Recreation Centre	\$56,586	\$15,000	2018/19
Total Grant Approvals				\$15,000

The Department of Local Government, Sport and Cultural Industries (DLGSC) will forward details relating to the conditions of funding and procedures for grant acceptance to all successful applicants. Unsuccessful applicants are encouraged to contact their nearest DLGSC State-wide Manager to discuss the assessment of their project.

The State Government is committed to enhancing the lifestyle of all Western Australians through their participation and achievement in sport and recreation. CSRFF makes a significant contribution to the achievement of this objective.

Thank you for your involvement in the CSRFF process and your Council's commitment to the provision of quality infrastructure for sport and recreation. I look forward to continuing our partnership.

Yours sincerely

HON MICK MURRAY MLA  
MINISTER FOR SPORT AND RECREATION

# Attachment 12.9.1



10 May 2018

Mr David Taylor  
Chief Executive Officer  
Shire of Nannup  
PO Box 11  
Nannup WA 6275

Cleanaway - Solid Waste  
Cleanaway Pty Ltd  
ABN: 79 000 164 938

171 Camboon Rd  
MALAGA WA 6090  
Australia  
P +61 08 9449 3333  
F +61 08 9249 1033

Dear David

## Processing of Recyclable Materials

Cleanaway has been processing recyclables on behalf of our municipal customers for almost 30 years. We were the first to introduce recycling collections and the first to build and operate a mechanised Materials Recovery Facility (MRF) for sortation and baling of commingled recyclables. Today we process over half of the Perth metropolitan volume along with the vast majority of regional centres where kerbside recycling is offered. Our commitment to recycling is long standing and only possible due to significant investment and the support of our valued customers.

Last year we reaffirmed our commitment to recycling by constructing one of the largest and most advanced recycling facilities in Australia. This \$25M infrastructure investment was made to ensure the long-term capacity to process recyclables for our Western Australian customers.

Historically, our ability to sell the recovered commodities on the international market allowed us to heavily subsidise the cost of processing recyclables at our MRFs, however in February 2017 The People's Republic of China (China) announced their "National Sword" Campaign which was designed to reduce the importation of foreign waste and encourage the use of domestic materials. This decision, along with the announcement of further importation restrictions in July 2017, has decimated the commodity rates of the products we produce.

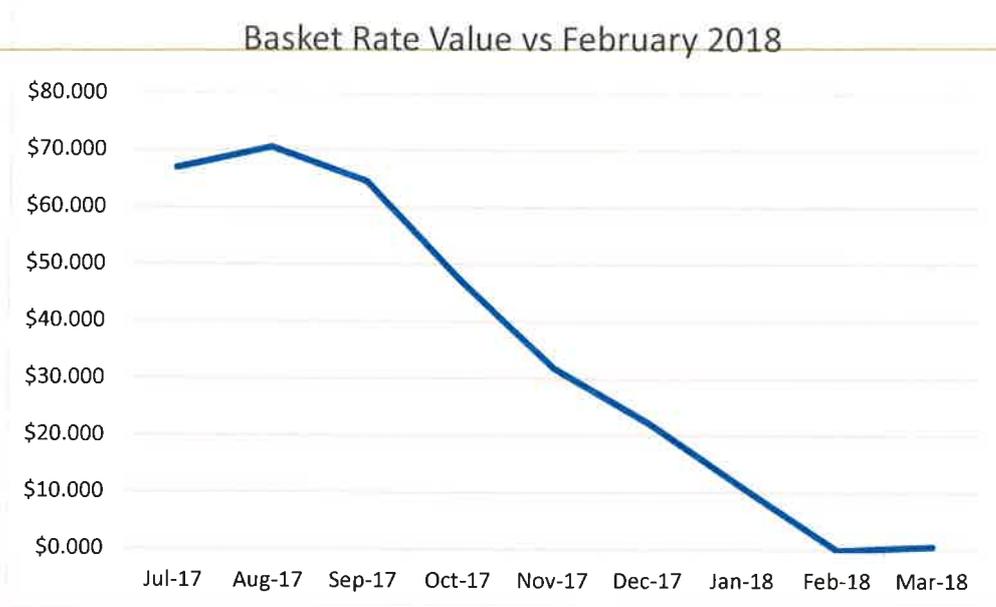
Despite protests from the international community, China remains staunch in their commitment to this policy change effectively removing half of the global market and leaving the global recycling industry in crisis. Since the ban was first announced, most commodity streams have greatly devalued or can no longer be sold at all. In some cases Cleanaway is having to pay recyclers to take the product.

For many months now, Cleanaway has continued to accept commingled material and attempted to absorb the heavy costs associated in the hope that the volatility would be temporary. It is now clear that we have entered a new 'norm' and thus reached a point where we can no longer maintain the current subsidised processing rates.

Cleanaway is therefore forced to reach out to our customers to request financial assistance in the form of increased processing rates which will ensure the sustainability of this vital public service.

As stated above, due to the significant effect of China's ban creating a much-reduced demand in the international market, commodity values have decreased drastically. Cleanaway determines the basket rate for our incoming material monthly. The 'basket rate' is the average value of one tonne of commingled material and is determined by the commodity values and the composition of the incoming

material each month. The below chart shows the difference in the basket rate vs the February 2018 basket rate, which is where the market has become settled. As you can see, the average basket rate just prior to the announcement of the Chinese import ban (August 2017), was over \$70/T higher than it is today. We have also set out information on the decrease in commodity values in this time.



Commodity Rates	Increase/Decrease in Value from Aug 17 to February 18
ONP/Soft Mix	- 61.8%
OCC less Coles	- 39.6%
Mixed Paper	- 67.8%
HDPE	9.1%
PET	- 43.9%
Aluminium	8.3%
LDPE	- 29.9%
Loose Steel	18.5%
Mixed Plastics	- 74.2%
Bulk Steel	29.2%
<b>Basket Rate</b>	<b>- 52.4%</b>

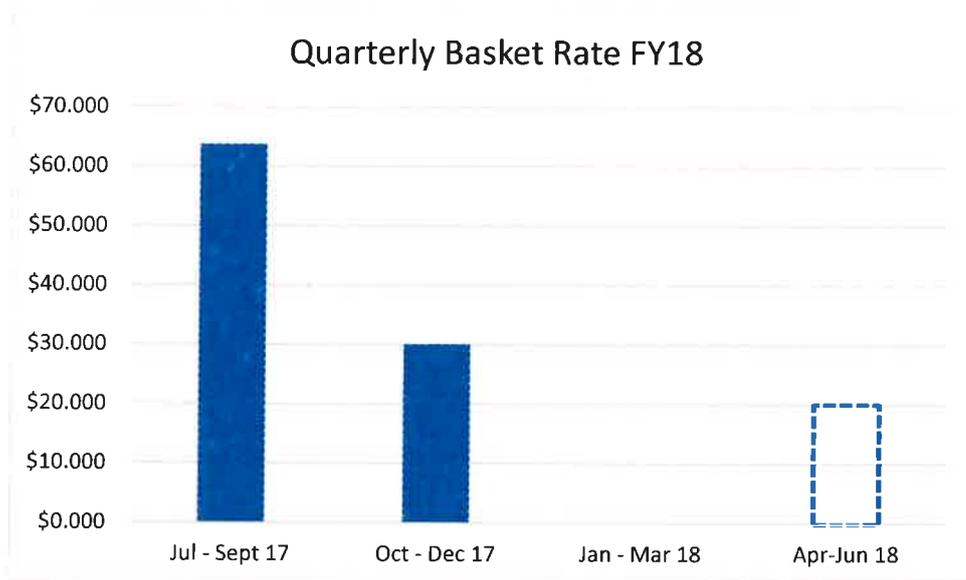
Effective 1 July 2018, Cleanaway seeks to introduce a processing fee increase of \$30/tonne (excl. GST) for recycling we process for the Shire. This will result in an increase to recycling services as follows;

	Rate at 1 July	Revised Rate
240 Litre Bins Domestic Recycle	\$3.901	\$4.261

The above revised rate has been calculated to include the forthcoming CPI adjustment due to be implemented 1 July 2018 of which you will be notified separately.

Cleanaway recognises that an increased cost will place a financial burden on our customers and therefore we will also be implementing a Commodity Rebate. With the adjustment of gate fees to better reflect the true cost of processing it is important that we share in any future improvement of commodity values, which the Commodity Rebate mechanism is designed to do.

This is measured via our average quarterly 'basket rate' which is the average value of one tonne of commingled recyclables based on the value of the saleable commodities. The quarterly calculation will consider all commodity price movements on a weighted average basis. The foundation for comparison will be the first quarter of 2018 (Jan-March) basket rate valuation which we have set as zero. All upside will be shared on an equal 50:50 basis commencing in the second quarter of 2018 (April-June) with any payment made via a rebate on your June invoice.



To demonstrate the calculation, if the April - June Basket Rate is \$20/T higher than the Jan - March Basket Rate, we will pass on half this value to our customers for each tonne of material provided. If 500T has been provided each month, a \$15,000 rebate will be generated ( $\$20 \times 1500T \times 0.5$ ). If the April - June Basket Rate is \$20/T lower than the Jan - March Basket Rate, then no rebate will be paid.

In regards to disclosure, Cleanaway will provide exact movements in the basket rate however due to commercial sensitivity all actual commodity contracts of sale will remain confidential. To provide you with confidence in the integrity of the declared basket rate we will allow you to engage third party auditors to assess and confirm that our calculations are true and correct.

We thank you for your continued support in what is a tremendously critical time for Cleanaway. We would be happy to meet with you to discuss these new arrangements at a time that is convenient.

Yours sincerely

**Damien Moss**  
Regional Manager, Southern WA

# Attachment 12.10.1

List of Accounts Due & Submitted to Committee				
ACCOUNTS FOR PAYMENT - JUNE 2018				
EFT/ Cheque	Date	Name	Invoice Description	Amount
<b>Shire of Nannup Municipal Fund</b>				
EFT10606	01/06/2018	GLOBE SIGN COMPANY	SIGNAGE	\$ 133.10
EFT10607	01/06/2018	CARLOTTA AG SERVICES	FIRE MITIGATION WORKS	\$ 154.00
EFT10608	01/06/2018	B & B STREET SWEEPING PTY LTD	STREET SWEEPING AND STORM WATER DRAINAGE SERVICING	\$ 2,145.00
EFT10609	01/06/2018	CIVIC LEGAL	LEGAL ADVICE	\$ 1,633.50
EFT10610	01/06/2018	CAMERON BARKER	WELLNESS EXPO 2018 MUSIC WORKSHOP	\$ 300.00
EFT10611	01/06/2018	AUSTRALIA DAY COUNCIL	GOLD MEMBERSHIP 2018/2019	\$ 577.50
EFT10612	01/06/2018	COVS PARTS	MISCELLANEOUS PLANT PARTS	\$ 2,078.55
EFT10613	01/06/2018	PICKLE & O	CATERING	\$ 216.50
EFT10614	01/06/2018	BLUESTEEL ENTERPRISES PTY LTD	SUPPLY 3 X FLOAT SWITCHES AND STAINLESS STEEL TANK OUTLETS	\$ 279.96
EFT10615	01/06/2018	LEWIS HORNE	WELLNESS EXPO 2018 LEGO WORKSHOP	\$ 300.00
EFT10616	01/06/2018	CITY & REGIONAL FUELS	FUEL EXPENSES	\$ 3,241.92
EFT10617	01/06/2018	NANNUP DELI	FUEL EXPENSES	\$ 97.50
EFT10618	01/06/2018	DUNSBOROUGH ASPHALT	SUPPLY AND LAY BLACK ASPHALT TO REINSTATE VARIOUS AREAS - 16 TONNES	\$ 7,648.00
EFT10619	01/06/2018	LEANNE WHITE	RHYME TIME SESSIONS - IN-LIBRARY	\$ 520.00
EFT10620	01/06/2018	CHUBB FIRE & SECURITY	6 MONTHLY EQUIPMENT SERVICE	\$ 1,080.56
EFT10621	01/06/2018	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT	\$ 3,273.60
EFT10622	01/06/2018	SHOREWATER MARINE PTY LTD	CARRY OUT DEBRIS EXTRACTION AND PILE INSPECTION AT REVELLY BRIDGE	\$ 10,307.00
EFT10623	01/06/2018	WESTSIDE WINDSCREENS	REPLACE DOOR WINDOW GLASS	\$ 418.00
EFT10624	01/06/2018	MARK WYNOLL BUSINESS SERVICES	LDAG PROJECT OFFICER	\$ 1,400.00
EFT10625	01/06/2018	HENNA BY FLEUR	WELLNESS EXPO EXPENDITURE	\$ 500.00
EFT10626	01/06/2018	BUNBURY TOWING & BUSSELTON TOWING SERVICE	COLLECT NPO FROM SHIRE DEPOT AND DELIVER TO REPAIR SHOP	\$ 264.00
EFT10627	01/06/2018	DAVID TAYLOR	REIMBURSEMENT OF EXPENSES	\$ 259.19
EFT10628	01/06/2018	TINY TEA SHOP	WELLNESS EXPO YOGA WORKSHOP	\$ 200.00
EFT10629	01/06/2018	MICHAEL MOREY	BUILDING WORK AT EAST NANNUP FIRE SHED - RECOVERABLE THROUGH ESL	\$ 4,765.68
EFT10630	01/06/2018	TANGLE TREE COTTAGE	ACCOMMODATION FOR TWO GUESTS AT TANGLE TREE COTTAGE 23 MAY 2018 WELLNESS EXPO	\$ 150.00
EFT10631	01/06/2018	SOUTH WEST WINDSCREENS & GLASS	INSURANCE EXCESS	\$ 500.00
EFT10632	01/06/2018	ESPLANADE HOTEL	ACCOMMODATION, DINNERS AND BREAKFASTS	\$ 339.50
EFT10633	01/06/2018	BRIDGETOWN BOARDING KENNELS & CATTERY	RANGER EXPENSES - STRAY CAT BOARDING	\$ 70.00
EFT10634	01/06/2018	BULLWANTS	INSPECT LIFTING GEAR FOR 11 X LIFTING CLUTCHES	\$ 1,476.65
EFT10635	01/06/2018	TOLL IPEC ROAD EXPRESS PTY LTD	FREIGHT EXPENDITURE	\$ 80.43
EFT10636	01/06/2018	INSIGHT CCS PTY LTD	OVERCALL FEES FOR APRIL 2018	\$ 77.22
EFT10637	01/06/2018	JASON SIGNMAKERS	VARIOUS SIGNS	\$ 2,457.29
EFT10638	01/06/2018	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS AND CLEANING	\$ 224.99
EFT10639	01/06/2018	FULTON HOGAN INDUSTRIES PTY LTD	ROAD CONSTRUCTION SUPPLIES	\$ 1,795.20
EFT10640	01/06/2018	SUGAR MOUNTAIN ELECTRICAL SERVICES	INSTALLATION OF VGA AND HDMI CABLING	\$ 818.95
EFT10641	01/06/2018	SOUTHWEST TYRE SERVICE	TYRE EXPENSES	\$ 1,202.00
EFT10642	01/06/2018	LOUISE STOKES	REIMBURSEMENT FOR PURCHASES MADE	\$ 175.32
EFT10643	01/06/2018	TOTAL EDEN	RETICULATION SUPPLIES	\$ 1,240.66
EFT10644	01/06/2018	WORTHY CONTRACTING	NANNUP WASTE MANAGEMENT FACILITY CONTRACT FEE 2 MONTHS	\$ 21,888.46
EFT10645	07/06/2018	CIVIC LEGAL	LEGAL ADVICE	\$ 194.00
EFT10646	07/06/2018	ARBOR GUY	ARBORIST WORK ON BROCKMAN HIGHWAY	\$ 2,915.00
EFT10647	07/06/2018	EDGE PLANNING & PROPERTY	PREPARATION OF THE SHIRE OF NANNUP LPS NO. 4 IN ACCORDANCE WITH AGREED FEE PROPOSAL - INTERIM	\$ 7,088.40
EFT10648	07/06/2018	DEAN GUJA	HEALTH OFFICER FEES	\$ 1,694.00
EFT10649	07/06/2018	BUSSELTON BEARING SERVICES	MISCELLANEOUS PLANT PARTS	\$ 26.40
EFT10650	07/06/2018	COVS PARTS	SUNDRY SUPPLIES	\$ 182.02
EFT10651	07/06/2018	CITY & REGIONAL FUELS	FUEL EXPENSES	\$ 2,401.91
EFT10652	07/06/2018	OFFICEWORKS	STATIONERY & OFFICE RELATED EXPENSES	\$ 361.51
EFT10653	07/06/2018	WASSA'S FORMWORK & CONCRETE	CONCRETE PAD FOR GARDEN SHED IN DEPOT	\$ 1,909.60
EFT10654	07/06/2018	REBECCA MCVICAR	CRECHE SUPERVISION WELLNESS EXPO	\$ 333.95
EFT10655	07/06/2018	CLEANAWAY	RUBBISH PICK-UP CONTRACT	\$ 10,025.47
EFT10656	07/06/2018	STIHL SHOP REDCLIFFE	MISCELLANEOUS GARDENING TOOL EXPENSES	\$ 196.60
EFT10657	07/06/2018	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT	\$ 1,636.80
EFT10658	07/06/2018	NANNUP LIQUOR STORE	REFRESHMENTS	\$ 155.93
EFT10659	07/06/2018	MARK WYNOLL BUSINESS SERVICES	REIMBURSEMENT FOR EXPENSES INCURRED	\$ 100.00
EFT10660	07/06/2018	NANNUP AUSKICK CENTRE	KIDSPORT AUSKICK 2017	\$ 425.00
EFT10661	07/06/2018	AMD CHARTERED ACCOUNTANTS	INTERIM AUDIT FOR YEAR ENDED 30 JUNE 2018	\$ 4,400.00
EFT10662	07/06/2018	BUNNINGS- BUSSELTON	GARDENING EXPENSES	\$ 69.16
EFT10663	07/06/2018	BOYANUP BOTANICAL	PLANTS	\$ 246.17
EFT10664	07/06/2018	DARRADUP VOLUNTEER BUSH FIRE BRIGADE	REIMBURSEMENT OF EQUIPMENT PURCHASE	\$ 945.00
EFT10665	07/06/2018	JASON SIGNMAKERS	VARIOUS ROAD SIGNS AND SPEED LIMIT SIGNS FOR BALINGUP ROAD	\$ 3,734.72
EFT10666	07/06/2018	NANNUP HARDWARE & AGENCIES	VOLUNTEER EXPENSES - NORTH NANNUP VBFB	\$ 577.95
EFT10667	07/06/2018	NANNUP EZIWAY SELF SERVICE STORE	WELLNESS EXPO - GROCERIES	\$ 130.66
EFT10668	07/06/2018	THE PAPER COMPANY OF AUSTRALIA PTY LTD	PAPER EXPENSES - OFFICE	\$ 115.50
EFT10669	07/06/2018	SOUTHWEST TYRE SERVICE	TYRE REPAIRS	\$ 291.25
EFT10670	07/06/2018	LOUISE STOKES	REIMBURSEMENT FOR EXPENSES INCURRED - WELLNESS EXPO	\$ 129.20
EFT10671	07/06/2018	TRACIE BISHOP	REIMBURSEMENT FOR KITCHEN SUPPLIES BOUGHT FOR COUNCIL CHAMBERS	\$ 108.00
EFT10672	07/06/2018	WORTHY CONTRACTING	FIRE MITIGATION WORKS	\$ 13,118.60
EFT10673	12/06/2018	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT - PAYMENT TO CORRECT ACCOUNT - NOT SHOWN HERE IS THE CANCEL PAYMENT OFFSET TRANSACTION.	\$ 18,040.10
EFT10674	12/06/2018	AW ROADWORKS PTY LTD	VARIABLE MESSAGE BOARDS AND TRAFFIC MANAGEMENT - MAIN STREET	\$ 5,042.30
EFT10675	13/06/2018	CARLOTTA AG SERVICES	FIRE MITIGATION WORKS	\$ 1,232.00
EFT10676	13/06/2018	ZANSHIN PERSONAL TRAINING	WELLNESS EXPO EXPENDITURE	\$ 400.00
EFT10677	13/06/2018	GOVQUIP	1 X PULL DOWN SCREEN AND 1 X MOBILE WHITEBOARD	\$ 1,699.50
EFT10678	13/06/2018	SCOPE BUSINESS IMAGING	PREVENTATIVE SERVICE PLAN SINCE APRIL 30 2018	\$ 792.07
EFT10679	13/06/2018	NANNUP DELI	REFRESHMENTS	\$ 1,176.35
EFT10680	13/06/2018	BRIKMAKERS	MAIN STREET EXPENSES - PAVING	\$ 1,407.65
EFT10681	13/06/2018	REBECCA COTTON	LDAG MARKETING	\$ 350.12
EFT10682	13/06/2018	NANNUP LIQUOR STORE	BEVERAGES FOR COUNCIL CHAMBERS	\$ 185.64
EFT10683	13/06/2018	ADDPRINT AUSTRALIA PTY LTD	OFFICE SUPPLIES - STAMPS	\$ 154.95
EFT10684	13/06/2018	NARA TRAINING & ASSESSING	WORKING AT HEIGHTS COURSE FOR 2 OUTDOOR STAFF	\$ 480.00
EFT10685	13/06/2018	CSP GROUP PTY LTD	100M DOUBLE BRAID 5/8 ORANGE	\$ 1,150.00
EFT10686	13/06/2018	ZOE MARTYN	HEALTH & WELLNESS EXPO	\$ 19.44
EFT10687	13/06/2018	BELL FIRE EQUIPMENT	5 X BLACKOUT DIFFUSER NOZZLE - FIRE EXTINGUISHER EXPENSES	\$ 715.00
EFT10688	13/06/2018	BOREHAM VALLEY NURSERY	TREE PURCHASES	\$ 214.50
EFT10689	13/06/2018	LANDGATE	LAND VALUATION - CHARGABLES	\$ 447.01
EFT10690	13/06/2018	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS	\$ 210.20
EFT10691	13/06/2018	NORM FLYNN SMASH REPAIRS	INSURANCE EXCESS	\$ 500.00
EFT10692	13/06/2018	NANNUP COMMUNITY RESOURCE CENTRE	DISCOUNTED BUSINESS MEMBERSHIP JULY 2018 AND BUSINESS MEMBERSHIP 2018/19	\$ 65.00
EFT10693	13/06/2018	SYNERGY	SYNERGY USAGE AND SERVICE CHARGES	\$ 56.90
EFT10694	13/06/2018	ST. JOHN AMBULANCE	ST JOHN'S SUBSCRIPTIONS MAY 2018	\$ 232.00
EFT10695	13/06/2018	LOUISE STOKES	TRAVEL REIMBURSEMENT	\$ 108.00
EFT10696	13/06/2018	WORTHY CONTRACTING	FIRE MITIGATION WORKS	\$ 20,476.50

**List of Accounts Due & Submitted to Committee**  
**ACCOUNTS FOR PAYMENT - JUNE 2018**

EFT/ Cheque	Date	Name	Invoice Description	Amount
EFT10699	19/06/2018	CARLOTTA AG SERVICES	CHAINSAW WORK AT RES 37523	\$ 539.00
EFT10700	19/06/2018	B & B STREET SWEEPING PTY LTD	SWEEP BRIDGE DECK	\$ 2,431.00
EFT10701	19/06/2018	ARBOR GUY	REMOVE 2 BLUE GUMS AND STUMPS GROUND.	\$ 5,280.00
EFT10702	19/06/2018	GL & RK DICKSON	EXCAVATOR HIRE AT MAIDMENT BRIDGE FIRE	\$ 990.00
EFT10703	19/06/2018	COVS PARTS	SMALL PARTS PURCHASE	\$ 429.00
EFT10704	19/06/2018	CATHERINE SCOTT	REIMBURSEMENT OF PART OF DOG REGISTRATION FEE - DOG NOW STERILISED	\$ 30.00
EFT10705	19/06/2018	ROB BOOTSMA	REIMBURSEMENT OF EXPENSES	\$ 99.60
EFT10706	19/06/2018	CITY & REGIONAL FUELS	FUEL EXPENSES	\$ 3,386.21
EFT10707	19/06/2018	NANNUP LIQUOR STORE	REFRESHMENTS	\$ 53.99
EFT10708	19/06/2018	NARA TRAINING & ASSESSING	5 DAY DOGGING COURSE FOR OUTDOOR STAFF	\$ 990.00
EFT10709	19/06/2018	ZOE MARTYN	WORKING WITH CHILDRENS CHECK	\$ 84.00
EFT10710	19/06/2018	AUSTRALIAN TAXATION OFFICE	MAY 2018 BUSINESS ACTIVITY STATEMENT	\$ 17,145.00
EFT10711	19/06/2018	BUSSELTON HYDRAULIC SERVICES	MISCELLANEOUS PLANT PARTS	\$ 144.45
EFT10712	19/06/2018	EVERYDAY POTTED PLANTS	PLANTS	\$ 553.85
EFT10713	19/06/2018	TOLL IPEC ROAD EXPRESS PTY LTD	FREIGHT EXPENDITURE	\$ 491.51
EFT10714	19/06/2018	NANNUP HARDWARE & AGENCIES	GARDENING EXPENSES	\$ 5,477.24
EFT10715	19/06/2018	NORM FLYNN SMASH REPAIRS	INSURANCE EXCESS	\$ 500.00
EFT10716	19/06/2018	SUGAR MOUNTAIN ELECTRICAL SERVICES	ELECTRICAL SERVICES	\$ 99.00
EFT10717	19/06/2018	LOUISE STOKES	LDAG EQUIPMENT	\$ 622.90
EFT10718	27/06/2018	DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS	7 X WALL MAPS	\$ 4,758.65
EFT10719	27/06/2018	B & B STREET SWEEPING PTY LTD	STREET SWEEPING	\$ 1,430.00
EFT10720	27/06/2018	METRO COUNT	4 X FIGURE 8 ROAD CLEAT 10 PACK	\$ 550.00
EFT10721	27/06/2018	NANNUP BRIDGE CAFE	MEAL FOR ORDINARY COUNCIL MEETING AND AUSTRALIA DAY WINNERS	\$ 1,805.00
EFT10722	27/06/2018	AMITY SIGNS	12 X ALUMINIUM SIGNS - TERMITE INSPECTION PLATES AS PER SPECIFICATION	\$ 389.40
EFT10723	27/06/2018	ARBOR GUY	LONGBOTTOM BRIDGE TREE REMOVAL & CUT AND REMOVAL OF VARIOUS LOGS WASHED UP AGAINST POLES	\$ 6,765.00
EFT10724	27/06/2018	EDGE PLANNING & PROPERTY	PLANNING SERVICES	\$ 4,672.80
EFT10725	27/06/2018	WALJIN CONSULTANCY	WELCOME TO COUNTRY	\$ 500.00
EFT10726	27/06/2018	DEAN GUJA	HEALTH OFFICER FEES	\$ 2,541.00
EFT10727	27/06/2018	PICKLE & O	CATERING FOR OPENING OF RIVERSIDE TRAIL	\$ 400.00
EFT10728	27/06/2018	BJ & FH TOMAS	SUPPLY FABRICATED AND INSTALL GATE AT RIVER FORESHORE	\$ 1,650.00
EFT10729	27/06/2018	BLUESTEEL ENTERPRISES PTY LTD	14 X GEAR BAGS, 12 X HELMETS AND ACCESSORIES	\$ 3,933.60
EFT10730	27/06/2018	COUNTRY WOMEN'S ASSOCIATION OF WESTERN AUSTRALIA (INC) NANNUP	SUPPLY AFTERNOON TEA WELLNESS EXPO	\$ 300.00
EFT10731	27/06/2018	ROB BOOTSMA	EAST NANNUP SHED SUPPLIES - REIMBURSEMENT	\$ 22.50
EFT10732	27/06/2018	FIRE & SAFETY WA	20 X FIREFIGHTER GEAR BAGS, 6 X FIRE HOSE, 6 X HOSE TESTING, 1 STANDPIPE AND 1 MALE ADAPTOR	\$ 5,899.52
EFT10733	27/06/2018	CITY & REGIONAL FUELS	OIL	\$ 3,556.35
EFT10734	27/06/2018	SIGNS & LINES	MANUFACTURE AND SUPPLY INTERPRETATION SIGNS RIVERSIDE PROJECT	\$ 4,255.30
EFT10735	27/06/2018	OFFICEWORKS	STATIONERY SUPPLIES	\$ 149.17
EFT10736	27/06/2018	BUSSELTON CIVIL & PLANT	EMPTY EFFLUENT TANK AT NANNUP CARAVAN PARK AND TIP FEES	\$ 364.00
EFT10737	27/06/2018	WASSA'S FORMWORK & CONCRETE	EXTENSION OF MAIN ROADS CONCRETE PATH CORNER OF WARREN ROAD AND BROCKMAN HIGHWAY	\$ 2,874.08
EFT10738	27/06/2018	NANNUP MOUNTAIN BIKE CLUB	FINAL PAYMENT AS PER MOU	\$ 6,526.00
EFT10739	27/06/2018	DUNSBOROUGH ASPHALT	SUPPLY AND LAY 8 TONNE OF ASPHALT	\$ 3,824.00
EFT10740	27/06/2018	LEARNMOND CARPENTRY	SHIRE OFFICE - COMPUTER STORAGE BUILDING WORKS	\$ 147.50
EFT10741	27/06/2018	LEANNE WHITE	RHYME TIME TERM 2	\$ 550.00
EFT10742	27/06/2018	MARK WYNOLL BUSINESS SERVICES	LDAG PROJECT OFFICER	\$ 532.00
EFT10743	27/06/2018	BLUE TONGUE SCREEN PRINTING	SCHOOL HOLIDAY PROGRAM EXPENSES	\$ 80.00
EFT10744	27/06/2018	GEORGINA DOBSON	SCHOOL HOLIDAY PROGRAM EXPENSES	\$ 200.00
EFT10745	27/06/2018	BUNNINGS- BUSSELTON	MISCELLANEOUS REPAIRS AND MAINTENANCE	\$ 2,616.00
EFT10746	27/06/2018	BUSSELTON HYDRAULIC SERVICES	SMALL PARTS PURCHASE	\$ 412.02
EFT10747	27/06/2018	DO YOUR BLOCK CONTRACTING	32 HOURS MACHINE WORK	\$ 3,872.00
EFT10748	27/06/2018	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2017/18 ESL QUARTER 4 CONTRIBUTION	\$ 8,786.54
EFT10749	27/06/2018	NANNUP GARDEN VILLAGE COMMITTEE	HIRE OF MARQUEES AND TRETTLE TABLES	\$ 260.00
EFT10750	27/06/2018	TOLL IPEC ROAD EXPRESS PTY LTD	FREIGHT EXPENDITURE	\$ 161.27
EFT10751	27/06/2018	INSIGHT CCS PTY LTD	OVERCALL FEES FOR MAY 2018	\$ 127.27
EFT10752	27/06/2018	JASON SIGNMAKERS	6 X SHIRE OF NANNUP SIGNS	\$ 2,026.47
EFT10753	27/06/2018	K & C HARPER	PLUMBER WORK - FORESHORE PARK - GAS RELATED	\$ 140.25
EFT10754	27/06/2018	NANNUP HARDWARE & AGENCIES	FIREFIGHTER BOOTS VOLUNTEER	\$ 269.00
EFT10755	27/06/2018	NANNUP HOTEL MOTEL	MEAL AND DRINKS FOR WBAC MEETING	\$ 409.50
EFT10756	27/06/2018	NORM FLYNN SMASH REPAIRS	INSURANCE EXCESS	\$ 500.00
EFT10757	27/06/2018	NANNUP COMMUNITY RESOURCE CENTRE	ADVERTISING -TELEGRAPH	\$ 217.80
EFT10758	27/06/2018	THE PAPER COMPANY OF AUSTRALIA PTY LTD	PAPER EXPENSES - OFFICE	\$ 158.24
EFT10759	29/06/2018	ROBERT LONGMORE	COUNCILLOR ALLOWANCE	\$ 260.00
EFT10760	29/06/2018	NORMAN STEER	COUNCILLOR ALLOWANCE	\$ 975.00
EFT10761	29/06/2018	CATHERINE STEVENSON	COUNCILLOR ALLOWANCE	\$ 1,657.50
EFT10762	29/06/2018	TONY DEAN	SHIRE PRESIDENT ALLOWANCE	\$ 1,355.00
EFT10763	29/06/2018	AVANTGARDE TECHNOLOGIES PTY LTD	IT SUPPORT	\$ 2,530.00
EFT10764	29/06/2018	OFFICEWORKS	FILING CABINET AND DESK CHAIR	\$ 397.00
EFT10765	29/06/2018	CHRIS BUCKLAND	COUNCILLOR ALLOWANCE	\$ 1,170.00
EFT10766	29/06/2018	VICKI HANSEN	COUNCILLOR ALLOWANCE	\$ 1,625.00
EFT10767	29/06/2018	AUSTRALIAN TAXATION OFFICE	FRINGE BENEFITS TAX PAYMENT 2017/18	\$ 91.63
EFT10768	29/06/2018	BELL FIRE EQUIPMENT	SMALL PARTS PURCHASE	\$ 2,299.00
EFT10769	29/06/2018	ELIZABETH DENNISS	RATES REFUND	\$ 71.39
EFT10770	29/06/2018	STEWART & HEATON CLOTHING CO. PTY LTD	PROTECTIVE CLOTHING	\$ 2,308.77
<b>Total EFT Payments for period:</b>				<b>\$ 315,677.53</b>
20287	01/06/2018	M & B PEARS	CROSS OVER SUBSIDY	\$ 293.48
20288	01/06/2018	AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY	LICENSE FOR BROADCASTING TOWER AT SHIRE DEPOT	\$ 88.00
20289	01/06/2018	PAGODA HOTEL	ACCOMMODATION AND MEALS FOR MOORE STEPHENS CONFERENCE 2018	\$ 987.00
20290	01/06/2018	NANNUP NEWSAGENCY	POSTAGE	\$ 311.62
20291	01/06/2018	TELSTRA	TELSTRA	\$ 20.41
20292	13/06/2018	DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES	GST COMPONENT OF INVOICE ALREADY PAID	\$ 338.83
20294	13/06/2018	NANNUP NEWSAGENCY	POSTAGE	\$ 424.38
20295	27/06/2018	THE GOOD GUYS DISCOUNT WAREHOUSES (AUSTRALIA) PTY LTD	EAST NANNUP VBFB EQUIPMENT	\$ 977.00
20297	27/06/2018	TELSTRA	DARRADUP VBFB TELSTRA USAGE AND SERVICE CHARGES	\$ 138.29
20298	27/06/2018	BUSSELTON SHEDS PLUS	REFUND OF BCITF LEVY PAYMENT AS IT WAS ALSO PAID IN ERROR BY APPLICANT DIRECTLY TO BCITF ONLINE.	\$ 130.00
<b>Total Cheque Payments for period:</b>				<b>\$ 3,709.01</b>
DD10179.1	06/06/2018	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	\$ 8,035.48
DD10179.2	06/06/2018	LIFETRACK SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 657.48
DD10179.3	06/06/2018	HOSPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 586.08
DD10179.4	06/06/2018	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$ 932.15
DD10179.5	06/06/2018	SUNSUPER SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 335.08
DD10179.6	06/06/2018	ASGARD ELEMENTS - SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 432.40
DD10179.7	06/06/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 208.83
DD10180.1	20/06/2018	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	\$ 8,035.47
DD10180.2	20/06/2018	LIFETRACK SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 626.46
DD10180.3	20/06/2018	HOSPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 684.44
DD10180.4	20/06/2018	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$ 932.15
DD10180.5	20/06/2018	SUNSUPER SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 335.08
DD10180.6	20/06/2018	ASGARD ELEMENTS - SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 432.40
DD10180.7	20/06/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 208.83
DD10191.1	30/06/2018	SYNERGY	SYNERGY JUNE 2018	\$ 6,913.45
DD10191.2	30/06/2018	SGFLEET	SG FLEET JUNE 2018	\$ 2,434.61
DD10191.3	30/06/2018	BOC LIMITED	BOC JUNE 2018	\$ 70.08
DD10191.4	30/06/2018	BP AUSTRALIA	BP AUSTRALIA JUNE 2018	\$ 669.63
DD10191.5	30/06/2018	WATER CORPORATION	WATER CORPORATION JUNE 2018	\$ 3,562.47
DD10191.6	30/06/2018	CORPORATE CREDIT CARD - SHIRE OF NANNUP	CORPORATE CREDIT CARD JUNE 2018	\$ 2,002.66
DD10191.7	30/06/2018	WESTNET	WESTNET JUNE 2018	\$ 184.84
DD10191.8	30/06/2018	CALTEX AUSTRALIA	CALTEX JUNE 2018	\$ 936.16
DD10191.9	30/06/2018	TELSTRA	TELSTRA JUNE 2018	\$ 1,736.97
DD10191.10	30/06/2018	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 37 JUNE 2018	\$ 1,666.06
<b>Total Direct Debit Payments for period:</b>				<b>\$ 42,619.26</b>
<b>Shire of Nannup Trust Fund</b>				
EFT10697	13/06/2018	BUILDING CONSTRUCTION INDUSTRY TRAINING FUND	BCITF LEVY MAY 2018	\$ 611.75
EFT10698	13/06/2018	BUILDING COMMISSION	MAY 2018 BUILDING SERVICES LEVY	\$ 1,130.51
<b>Total Trust Payments for period:</b>				<b>\$ 1,742.26</b>
<b>TOTAL MUNICIPAL PAYMENTS FOR PERIOD</b>				<b>\$ 362,005.80</b>
<b>TOTAL TRUST PAYMENTS FOR PERIOD</b>				<b>\$ 1,742.26</b>
<b>TOTAL PAYMENTS FOR PERIOD:</b>				<b>\$ 363,748.06</b>

SHIRE OF NANNUP			
ACCOUNTS FOR PAYMENT - JUNE 2018			
Date	Supplier	Description	Amount
31/05/2018	Spotlight Busselton	30 Dunnet Road - Curtains	\$ 1,351.28
1/06/2018	Commonwealth Bank	Annual Fee for Credit Card - P Clarke	\$ 40.00
1/06/2018	Commonwealth Bank	Annual Fee for Credit Card - D Taylor	\$ 40.00
5/06/2018	Nannup Bridge Café	Shire President Meeting	\$ 17.00
7/06/2018	My Pet Warehouse	Ranger Supplies	\$ 352.92
14/07/2018	My Pet Warehouse	Ranger Supplies	-\$ 4.99
14/07/2018	Puma Busselton	Fuel NPO	\$ 46.80
17/06/2018	Dun Direct Manjimup	Fuel - Work ute * CEO Used Ute while NPO being repaired by Kangaroo Strike	\$ 16.15
19/06/2018	Nannup Bridge Café	Shire President Meeting	\$ 26.00
22/06/2018	Woolworths Caltex	Fuel - Work ute * CEO Used Ute while NPO being repaired by Kangaroo Strike	\$ 62.22
24/06/2018	Caltex Albany	Fuel - Work ute * CEO Used Ute while NPO being repaired by Kangaroo Strike	\$ 55.28
			<b>\$ 2,002.66</b>

## Attachment 15.2

<b>Policy Number:</b>	LPP 004
<b>Policy Type:</b>	Local Planning Policy
<b>Policy Name:</b>	<b>Bed &amp; Breakfast</b>
<b>Policy Owner:</b>	Chief Executive Officer

**Authority:** Shire of Nannup Local Planning Scheme No.3

---

### **OBJECTIVE**

This policy aims to facilitate the provision of high standards of Short Stay/Home Style accommodation in various locations to encourage tourism whilst maintaining the amenity of those locations for permanent residents.

### **DEFINITION**

The *Shire of Nannup Local Planning Scheme No. 3* (LPS No. 3) defines Bed and Breakfast accommodation as follows:

“Bed and Breakfast accommodation means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term basis and includes the provision of meals.”

#### Note:

*Where a premise accommodates more than six (6) persons exclusive of the family of the keeper, it shall be defined as a “lodging house” and is required to comply with the provisions of LPS No. 3, Health (Miscellaneous Provisions) Act 1911 and the Shire of Nannup Health Local Laws 2003.*

### **POLICY**

The establishment of Bed and Breakfast accommodation within the Shire of Nannup is to note the following:

#### **Locations/Zones**

A Bed & Breakfast may only be established in areas designated within the Zoning Table that forms part of LPS No.3, which requires approval by the local government as a “D” use. A Bed & Breakfast use is not permitted in the Industry Zone or where specifically excluded in a structure plan.

#### **Appearance of Dwelling**

The use of Bed & Breakfast accommodation shall be incidental to the predominant use and nature of the dwelling. The appearance of the dwelling shall remain residential and shall not impact adversely on surrounding properties.

## **Minimum Standards /conditions for Bed & Breakfast Accommodation:**

### **Maximum rooms**

Maximum 3 guest bedrooms for guest purposes (maximum 6 adults), with a separate bedroom for the owner/manager.

### **Water**

Adequate water supply is to be provided for ablutions, cooking and drinking that meets the Australia Drinking Water Guidelines. Additionally, adequate water for fire-fighting purposes is to be provided.

### **General Issues and Requirements**

In determining the suitability of a Bed and Breakfast proposal, the local government shall take into consideration the following issues and requirements:

1. Potential impact on the adjoining properties and surrounding residential area.
2. Appropriateness of accessibility by vehicle or as required by walking and cycling.
3. Car parking to be provided on site is one (1) car bay for every two guest rooms and two (2) spaces for the dwelling itself. Where an uneven number of guest rooms exist, the number of car bays provided for guest rooms is to be rounded up to the nearest whole number.
4. The provision of adequate emergency management response.

### **Approval Conditions**

The following conditions (not limited) will apply to all Bed and Breakfast Accommodation applications on approval:

1. An approval shall not be transferred or assigned to any other property.
2. Bed and Breakfast Accommodation shall not be used as a lodging house or for permanent accommodation.
3. A sign, subject to the provisions of the local government's Sign Policy, may be erected on-site subject to the approval being granted by the local government.
4. Smoke alarms to be installed in accordance with the Building Code of Australia.
5. Car parking is to be provided on-site.
6. No facility for cooking or laundry facilities will be permitted within the rooms.

### **Change of Ownership**

Local government planning approval will not be forfeited in the event of change of ownership of the premises. However notification to the local

government of the intentions of any new owners of these establishments is required to enable the local government's records to be updated.

Related Policies	LPP 020 Developer and Subdivider Contributions LPP 021 Bush Fire Management
Related Procedures/ Documents	
Delegation Level	CEO, Building Surveyor, Development Services Officer
Adopted:	OM 22 April 2010.
Reviewed:	<a href="#">OM 25 January 2018</a>

<b>Policy Number:</b>	HLT 4
<b>Policy Type:</b>	Health
<b>Policy Name:</b>	<b>Bed &amp; Breakfast</b>
<b>Policy Owner:</b>	Chief Executive Officer

**Authority:** Local Government Act 1995  
Health (Miscellaneous Provisions) Act 1911  
Shire of Nannup  
Australia New Zealand Food Standards

---

## **OBJECTIVES**

This policy aims to facilitate the provision of high standards of Short Stay/Home Style accommodation in various locations to encourage tourism whilst maintaining the amenity of those locations for permanent residents.

## **DEFINITIONS**

### **Bed and Breakfast accommodation:**

Means a dwelling, used by a resident of the dwelling, to provide accommodation for a maximum of six (6) persons away from their normal place of residence on a short-term basis and includes the provision of breakfast.

### Note:

*Where a premise accommodates more than six (6) persons exclusive of the family of the keeper, it shall be defined as a "lodging house" and is required to comply with the provisions of LPS No3, Health (Miscellaneous Provisions) Act 1911 and the Shire of Nannup Health Local Laws 2003.*

## **POLICY**

### **Minimum Standards /conditions for Bed & Breakfast Accommodation:**

#### **Bedrooms**

1. Maximum 3 guest bedrooms for guest purposes (maximum 6 adults).
2. No guest bedroom shall have openings to any other bedroom or facilities not for use of guests.
3. Rooms to be suitably furnished for number of guests approved by Council.
4. Rooms to be kept clean at all times and supplied with clean linen.
5. Rooms to be provided with lockable door.

## **Bathrooms / WC**

1. Bathrooms to be either shared facility for guest's only or private ensuite facility off bedrooms, or a combination of both.
2. Bathroom / WC to have impervious surfaces and shall be kept clean at all times.
3. Hot water shall be capable of being provided at all times.
4. Minimum facilities to include bath and /or shower, hand basin and WC.
5. Any shared bathroom and WC to be provided with lockable doors.

### Note:

Upgrading of plumbing, including septic disposal system, may be required if existing domestic system is inadequate as determined by the local government's Environmental Health Officer.

## **Kitchen**

1. Kitchen to be kept clean and tidy at all times.
2. Floor areas to be smooth and impervious.
3. Suitable facilities for the hygienic preparation, storage and cooking of food shall be provided.
4. Preparation of breakfast to be the responsibility of domestic residents and self-service cooking by guests is not permitted. The preparation of tea and coffee and like by guests is permitted.

## **General Issues and Requirements:**

Bed and Breakfast accommodation shall not consist of self-contained rooms, however ensuite and bathroom facilities may be provided within each room. Access to communal laundry, bathrooms and breakfast eating areas should also be catered for within the building.

## **Annual Inspection:**

The local government's Environmental Health Officer shall conduct inspections of Bed & Breakfast premises at least on an Annual Basis.

Related Policies:	LPP 4 Bed & Breakfast
Related Procedures/ Documents	
Delegation Level:	CEO, Development Services Officer
Adopted:	OM 25 June 2015 #9218
Reviewed:	<a href="#">OM 25 January 2018</a>