

**Scott Donaldson**

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**From:** glen norris on behalf of BTNSHIRE  
**Sent:** Monday, 18 July 2016 9:43 AM  
**To:** Tim Clynch  
**Cc:** Scott Donaldson  
**Subject:** I-CO201644227 - FW: Forward to Tim Clynch - Proposed Revised Cut & Fill Policy  
**Attachments:** CCF16072016.pdf  
  
**SynergySoft:** I-CO201644227

**(Mrs) Glen Norris**

Senior Administration Officer  
Shire of Bridgetown-Greenbushes  
PO Box 271  
BRIDGETOWN WA 6255  
PH: (08) 9761 1555  
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Website: [www.bridgetown.wa.gov.au](http://www.bridgetown.wa.gov.au)

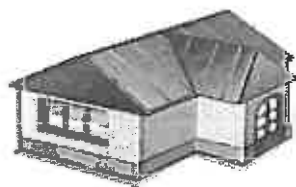
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**From:** greg tomkinson [<mailto:ggtomkinson@hotmail.com>]  
**Sent:** Saturday, 16 July 2016 8:30 PM  
**To:** BTNSHIRE  
**Subject:** Fw: Forward to Tim Clynch - Proposed Revised Cut & Fill Policy

**GG Tomkinson**



Building Contractor

BR No. 8804  
ABN 92 935 167 670

46 Spencer Street  
Bridgetown WA 6255

Ph/Fax 08 97611267

Mobile 0427611267

Email [ggtomkinson@hotmail.com](mailto:ggtomkinson@hotmail.com)

15 July, 2016

Dear Councillors, Shire President and CEO - Tim Clynnch,

Re: Landscaping Provision in the Cut and Fill Policy Pursuant to clause 6.7.3 of the Bridgetown-Greenbushes  
Town Planning Scheme No.3

I thank CR Hodson for bringing this matter to my attention.

Landscaping is done after a house has been completed and the owners have taken possession of the building.

It seems rather pointless and premature to me to have people submit a plan with a building application. I understand that a bond of 1200 dollars has to be submitted with the building application showing what Landscaping is to be done and has a set of conditions attached.

This seems unnecessary given that it may be many months before these plans are put into action. I also believe that not all of the bond is given back. This needs to be clarified as to why, if this is the case.

The Shire is intending to take a large sum of money off people at the start of the building process when they

know it will not be used for some months. This needs to be clarified as to the intent of this policy and the with

holding of people's money at the start of the building process.

The list of conditions that have to be met are far too early in the building process.

People do plan differently once a house has been built and they are physically in it.

The conditions such as list of species could easily change.

Location of planting could easily change.

Species of seed mix, fertiliser used and areas to be mulched and seeded all could change.

These conditions are impractical and most unfair on people who intend to build. I suggest that if the Shire does

want landscaping plans that they be submitted once a house has been built and drop the very expensive \$1200 bond to a reasonable application fee.

Yours sincerely

Greg Tomkinson

## Scott Donaldson

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**From:** Eileen Kneale on behalf of BTNSHIRE  
**Sent:** Friday, 22 July 2016 7:44 AM  
**To:** Scott Donaldson; Tim Clynch  
**Subject:** FW: I-EML201644265 - Proposed Landscaping Provisions of Cut and Fill Policy  
**Attachments:** 21072016163831-0001.pdf  
  
**SynergySoft:** I-EML201644265

### Eileen Kneale

**Records Officer**  
**Shire of Bridgetown-Greenbushes**  
**PO Box 271**  
**BRIDGETOWN WA 6255**  
**PH: (08) 9761 1555**  
**FAX: (08) 9761 2023**  
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**From:** Rade Ristovic [<mailto:Rade.Ristovic@wacountrybuilders.com.au>]  
**Sent:** Thursday, 21 July 2016 4:41 PM  
**To:** BTNSHIRE  
**Subject:** I-EML201644265 - Proposed Landscaping Provisions of Cut and Fill Policy

Please find attached our opinion/comment/submission on the above policy for your consideration.

Kind regards,

**Rade Ristovic**  
**General Manager**

Unit 7, Homemaker Centre, Corner Blair and Strickland Street, BUNBURY WA 6231  
PO Box 451, BUNBURY WA 6231  
T 08 9792 0100 F 08 9792 0101 M 0407 701 840  
W [www.wacountrybuilders.com.au](http://www.wacountrybuilders.com.au) [www.ruralbuilding.com.au](http://www.ruralbuilding.com.au)

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BUILDERS**



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20<sup>th</sup> July 2016

Chief Executive Officer  
Shire of Bridgetown-Greenbushes  
PO Box 271 Bridgetown 6255

Dear Sir

RE: Proposed Landscaping Provisions of Cut and Fill Policy

We write in reference to the above pursuant to clause 6.7.3 of the Shires Town Planning Scheme # 3 and we are requesting specifically that clause 7.6.3 of the Shires Town Planning Scheme # 4 be removed and the reasons we submit are as follows:

- Submission of a landscaping plan and payment of \$1200 bond before the building permit will be issued is a further financial impost upon our clients especially when only part of the bond will be refunded after all conditions are met.
- The landscaping submission has many onerous requirements which will place a huge burden upon our clients and staff in completing the plan.
- The onerous requirements of the landscaping provisions will also place a significant additional burden on our staff and our business resources and will result in increased cost to our business.
- The costs to our business will be in additional wages, staff training, loss of time and productivity, cashflow implications associated with prolonging our leadtimes from contract to commencement of construction. Our drafting department will likely be tasked with actually preparing the landscaping plan on our clients behalf so we will have increased drafting overhead and loss of productivity. We have no option but to seek cost recovery for the increased drafting and other costs from our clients via our charging them a fee to comply with the provision of the proposed landscaping plan.
- Associated decrease in service levels to our clients
- Increased "red tape" for our industry which is unwelcome and contrary to the industry's goal of reducing red tape and striving for efficiencies to deliver more cost effective housing.
- Our clients making application to have part of the landscaping bond refunded is another burden on them.

As the major builder in your region our business will be adversely impacted on a scale greater than any other builder and the associated increase in our overhead costs is most unwelcome and in our view unjustified. The fee (cost recovery) we will charge our clients to prepare a landscaping plan on their behalf we estimate will be in the vicinity of \$1,000 as a minimum.

<b>metro</b>	<b>lower great southern albury</b>	<b>south west bridgetown</b>	<b>south west bunbury</b>	<b>south west busselton</b>	<b>mid west geraldton</b>
36 Hester Rd Osborne Park WA 6017 PO Box 55 Westfield Shopping Centre Innaloo WA 6918 Call (08) 6241 7000 Fax (08) 6241 7001	96-102 Stirling Tce Albany WA 6330 Call (08) 9842 8400 Fax (08) 9842 8411	1/84 Hampton St Bridgetown WA 6255 Call (08) 9761 2611 Fax (08) 9761 2672	Unit 7 Homemaker Centre, Cnr Blair & Strickland St Bunbury WA 6230 Call (08) 9792 0100 Fax (08) 9792 0101	Showroom 4, Busselton Home Depot, Strelly St Busselton WA 6280 Call (08) 9754 9000 Fax (08) 9754 9001	290 Foreshore Dve Geraldton WA 6530 Call (08) 9964 5001 Fax (08) 9964 5003

**COUNTRY  
BUILDERS**



Yours faithfully

Rade Ristovic  
General Manager  
WA Country Builders Pty Ltd – Bunbury/Bridgetown

<b>metro</b> 36 Hasler Rd Osborne Park WA 6017 PO Box 55 Westfield Shopping Centre Innaico WA 6918 Call (08) 6241 7000 Fax (08) 6241 7001	<b>lower great southern albany</b> 96-102 Stirling Tce Albany WA 6330 Call (08) 9842 8400 Fax (08) 9842 8411	<b>south west bridgetown</b> 1/84 Hampton St Bridgetown WA 6255 Call (08) 9761 2611 Fax (08) 9761 2672	<b>south west bunbury</b> Unit 7 Homemaker Centre, Cnr Blair & Strickland St Bunbury WA 6230 Call (08) 9792 0100 Fax (08) 9792 0101	<b>south west busseton</b> Showroom 4, Busseton Home Depot, Strelly St Busseton WA 6280 Call (08) 9754 9000 Fax (08) 9754 9001	<b>mid west Geraldton</b> 290 Foreshore Dye Geraldton WA 6530 Call (08) 9964 5001 Fax (08) 9964 5003
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## Proposed Revised Cut & Fill Policy

My name is Steve Hodson a councilor on the Shire of Bridgetown-Greenbushes and I have proposed that the current Landscaping provision in the Cut & Fill policy pursuant to clause 6.7.3 of the Shires Town Planning Scheme no 3 and clause 7.6.3 of the Shires Town Planning Scheme 4 be removed.

I am sending this email to make you aware that the current policy requires your clients to submit a landscaping plan and pay a bond of \$1200.00 before the building permit is issued and then only have part of it refunded after all the conditions are met.

The following is a list of requirements

- 1.List of species to be used
- 2.Location of planting
- 3.location of reticulation
- 4.Location of compensation basins
- 5.Areas to be seeded/mulched
- 6.Species of seed mix
- 7.Fertilizer used

As you can see that these conditions put a huge burden on you and your clients so I ask you to voice your opinion of this policy and put in writing and direct it to the Chief Executive Officer Shire of Bridgetown-Greenbushes PO Box 271 Bridgetown 6255 on or before Thursday 21<sup>st</sup> July 2016.

Any queries on this policy revision can be directed to me or Scott Donaldson at the Shire.

This could be the last chance to change this policy so on behalf of your clients please have your say.

A public notice of this proposed policy change is in June 29th Manjimup-Bridgetown Times and on Shire notice boards.

Regards Steve Hodson (Bridgetown-Greenbushes Shire Councilor)



<b>POLICY NO.</b>	TP.8
<b>POLICY SUBJECT</b>	Cut & Fill Policy
<b>ADOPTION DATE</b>	26 September 2002
<b>VARIATION DATE</b>	23 February 2006 (C.14/0206)
<b>VARIATION DATE</b>	30 November 2006 (C.27/1106)
<b>REVIEW DATE</b>	29 November 2007 (C.16/1107)
<b>REVIEW DATE</b>	27 November 2008 (C.22/1108)
<b>VARIATION DATE</b>	28 October 2010 (C.15/1010)
<b>VARIATION DATE</b>	23 February 2012 (C.15/0212)
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<b>REVIEW DATE</b>	27 November 2014 (C.13/1114)
<b>REVIEW DATE</b>	26 November 2015 (C.15/1115)

## 1.0 Introduction

The natural topography of the Shire of Bridgetown-Greenbushes provides a number of challenges to developers, in particular finding level building sites in some areas. To create these level sites cut and fill techniques are often used, however, it is becoming increasingly apparent that the management of these forms of development has not been sufficient.

Inappropriate cut and fill development can represent a scar on the landscape. There are numerous examples of inappropriate cut and fill development in the Shire, particularly within the Bridgetown Townsite and Council has received numerous complaints from local residents about the unsightliness of such form of development. Cut and fill can also cause erosion and land slip implications on steep slopes to the detriment of the landowner.

## 2.0 Aim

The aim of the Shire of Bridgetown-Greenbushes Cut & Fill Policy is:

*To preserve the natural topography of the Scheme Area by restricting the level of cut and fill development specifically on steep slopes.*

## 3.0 Policy Requirements

3.1 The specific policy requirements are set out below:

- 3.1.1 Where the Shire suspects that unstable soil and site conditions occur, or the slope is greater than 20%, the Shire will require a geotechnical report and a structural engineer's report to determine building construction requirements.
- 3.1.2 No land over 25% slope prior to grading shall be developed, using cut & fill construction techniques, except at the specific discretion of Council and where it can be shown that a minimum amount of development is in the spirit and not incompatible with the objectives of this policy.

- 3.1.3 A site plan showing the main topographical features of the site including slopes, contours, drainage lines, vegetation, dams, water courses, rock outcrops, soil type, fences, buildings and other items determined at the time of application.
- 3.2 The specific policy requirements that apply to all land within Town Planning Scheme No. 3 and all land zoned 'Residential', 'Special Residential', 'Special Rural', 'Special Use' or 'Rural-2' and 'Rural-3' where the lot is less than 4ha in area within Town Planning Scheme No. 4 are set out below:
  - 3.2.1 Fill is not to exceed 2.0m at any given point on the site and the top level of the fill is not to exceed 3.5m from the base of the fill.
  - 3.2.2 Access tracks are to be located in such a manner as to minimise the required earthworks.
  - 3.2.3 All exposed fill embankments are to be stabilised to prevent erosion using retaining walls or landscaped in accordance with an approved landscaping plan
  - 3.2.4 Topsoil is to be stripped separately and stockpiled on site, to be respread during landscaping.
  - 3.2.5 Water discharge from the site during development is to be controlled by the use of ripping, contour banks or grade banks and sumps to attenuate turbid and/or nutrient rich water leaving the site.
  - 3.2.6 Where a residence is to be constructed partially on cut and partially on fill, the excavated material is to be placed outside the building area to form batters and embankments and the platform is to be filled with sand. As an alternative, pile and beam foundations into natural uncut ground in the fill area are acceptable.

### 3.3 Retaining wall requirements

- 3.3.1 Unless otherwise provided for within this policy, retaining walls may be required where fill is equal to, or in excess, of 1.0 metre.
- 3.3.2 Where it is proposed to terrace a portion of a lot the policy provisions set out above apply in so far that where a step is in excess of 1.0 metre retaining will be required and the top level of the terrace is not to exceed 3.0 metres from the base of the terrace.
- 3.3.3 Where an unprotected embankment is proposed no retaining will be required where it is in accordance with BCA Volume 2 Part 3.1.1 – Earthworks. Such embankments are to be landscaped in accordance with an approved landscaping plan.
- 3.3.4 Where a retaining wall is required at the preliminary stage and integral to the type of development, the retaining wall shall be constructed prior to the commencement of the construction of the building.
- 3.3.5 Where a retaining wall is proposed for the purposes of retaining fill post construction of the building, a bond of \$3000 shall be required as a condition of planning approval. This bond shall be lodged prior to the issue of a Building Licence.

### 3.4 Landscaping plan requirements

3.4.1 Where a landscaping plan is required it is to include:

- List of species to be used
- Location of planting
- Location of reticulation areas (if any)
- Location of compensating basins/sumps
- Areas to be direct seeded/mulched
- Species used in a seed mix (if applicable)
- Timing of revegetation program
- Fertiliser use is to be specified. This includes the type of fertiliser, its application rates, method of application and timing of application.

3.4.2 Where landscaping is required a bond of \$1000 shall be required as a condition of planning approval. This bond shall be lodged prior to the issue of a Building Licence.

## 4.0 Application Details

Where cut and fill is proposed the following information should be submitted with the building plans:

- Contours of site
- Level of top of sand pad/fill
- Finish floor level
- Cut and fill section showing sub soil drainage and cut off drains
- Cut and fill section (of greatest cut and fill) showing method of retention
- Landscaping plan (if required)
- Design and construction details of any retaining walls (if required). These are to be prepared by a suitably qualified structural engineer.
- Other details required elsewhere within this policy

## 5.0 Definitions

**“Terrace”** – for the purpose of this policy a “terrace” is a series of flat platforms (or steps) on the side of a hill, rising one above the other. The base of the terrace is taken to be the bottom of the lowest step with the top being the highest point of the highest step.

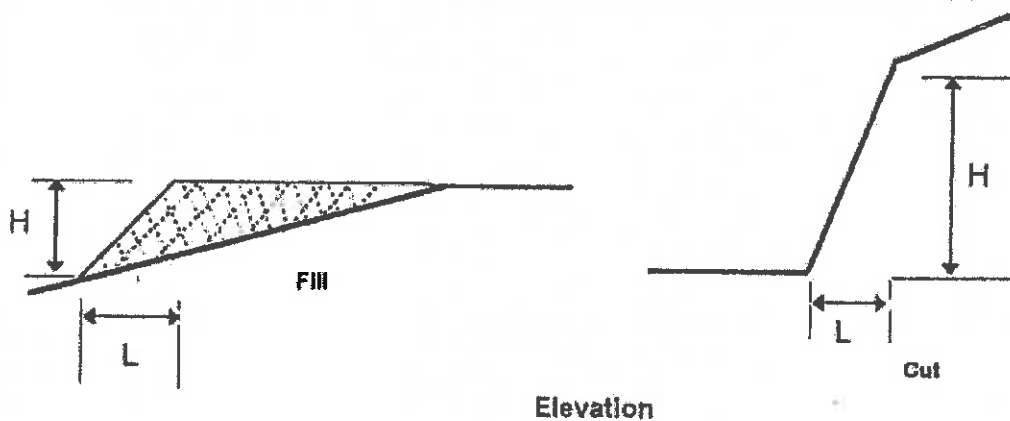
**“Topsoil”** - for the purpose of this policy “topsoil” is taken to be the soil zone containing decomposed organic matter and seed source, generally not to exceed 150mm in depth.

**“Unprotected Embankment”** – for the purpose of this policy an “unprotected embankment” is taken to be the face area of a section of fill that is not subject to retaining or other forms of stabilisation.

## UNPROTECTED EMBANKMENTS

**Notes:** For the purposes of this Table:

1. Retaining walls or other types of soil retaining methods must be installed where -
  - (a) the slope ratio is more than that described in Table 3.1.1.1; or
  - (b) the soil type is not described in this Table.
2. Embankments that are to be left exposed at the end of the construction works must be stabilised by vegetation or similar works to prevent soil erosion.



SOIL TYPE (*see Part 3.2.4 for material description)		EMBANKMENT SLOPES H:L	
		Compacted fill (see Part 3.2)	Cut
Stable rock (A*)		2:3	8:1
Sand (A*)		1:2	2:3
Silt (P*)		1:4	1:4
Clay	Firm clay	1:2	1:1
	Soft clay	Not suitable	2:3
Soft soils (P*)		Not suitable	Not suitable

\* Revised Draft As Advertised

<b>POLICY NO.</b>	TP.8
<b>POLICY SUBJECT</b>	Cut & Fill Policy (Revised Draft)
<b>ADOPTION DATE</b>	26 September 2002
<b>VARIATION DATE</b>	23 February 2006 (C.14/0206)
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<b>REVIEW DATE</b>	26 November 2015 (C.15/1115)
<b>VARIATION DATE</b>	TBA

## 1.0 Introduction

The natural topography of the Shire of Bridgetown-Greenbushes provides a number of challenges to developers, in particular finding level building sites in some areas. To create these level sites cut and fill techniques are often used, however, it is becoming increasingly apparent that the management of these forms of development has not been sufficient.

Inappropriate cut and fill development can represent a scar on the landscape. There are numerous examples of inappropriate cut and fill development in the Shire, particularly within the Bridgetown Townsite and Council has received numerous complaints from local residents about the unsightliness of such form of development. Cut and fill can also cause erosion and land slip implications on steep slopes to the detriment of the landowner.

## 2.0 Aim

The aim of the Shire of Bridgetown-Greenbushes Cut & Fill Policy is:

*To preserve the natural topography of the Scheme Area by restricting the level of cut and fill development specifically on steep slopes.*

## 3.0 Policy Requirements

3.1 The specific policy requirements are set out below:

- 3.1.1 Where the Shire suspects that unstable soil and site conditions occur, or the slope is greater than 20%, the Shire will require a geotechnical report and a structural engineer's report to determine building construction requirements.
- 3.1.2 No land over 25% slope prior to grading shall be developed, using cut & fill construction techniques, except at the specific discretion of Council and where it can be shown that a minimum amount of development is in the spirit and not incompatible with the objectives of this policy.

3.1.3 A site plan showing the main topographical features of the site including slopes, contours, drainage lines, vegetation, dams, water courses, rock outcrops, soil type, fences, buildings and other items determined at the time of application.

3.2 The specific policy requirements that apply to all land within Town Planning Scheme No. 3 and all land zoned 'Residential', 'Special Residential', 'Special Rural', 'Special Use' or 'Rural-2' and 'Rural-3' where the lot is less than 4ha in area within Town Planning Scheme No. 4 are set out below:

3.2.1 Fill is not to exceed 2.0m at any given point on the site and the top level of the fill is not to exceed 3.5m from the base of the fill.

3.2.2 Access tracks are to be located in such a manner as to minimise the required earthworks.

3.2.3 All exposed fill embankments are to be stabilised to prevent erosion using retaining walls or landscaping.

3.2.4 Topsoil is to be stripped separately and stockpiled on site, to be respread during landscaping.

3.2.5 Water discharge from the site during development is to be controlled by the use of ripping, contour banks or grade banks and sumps to attenuate turbid and/or nutrient rich water leaving the site.

3.2.6 Where a residence is to be constructed partially on cut and partially on fill, the excavated material is to be placed outside the building area to form batters and embankments and the platform is to be filled with sand. As an alternative, pile and beam foundations into natural uncut ground in the fill area are acceptable.

3.3 Retaining wall requirements

3.3.1 Unless otherwise provided for within this policy, retaining walls may be required where fill is equal to, or in excess, of 1.0 metre.

3.3.2 Where it is proposed to terrace a portion of a lot the policy provisions set out above apply in so far that where a step is in excess of 1.0 metre retaining will be required and the top level of the terrace is not to exceed 3.0 metres from the base of the terrace.

3.3.3 Where an unprotected embankment is proposed no retaining will be required where it is in accordance with BCA Volume 2 Part 3.1.1 – Earthworks, noting landscaping is not specifically required under this policy.

3.3.4 Where a retaining wall is required at the preliminary stage and integral to the type of development, the retaining wall shall be constructed prior to the commencement of the construction of the building.

3.3.5 Where a retaining wall is proposed for the purposes of retaining fill post construction of the building, a bond of \$3000 shall be required as a condition of development approval. This bond shall be lodged prior to the issue of a building permit application.

#### **4.0 Application Details**

Where cut and fill is proposed the following information should be submitted with the proposed plans:

- Contours of site
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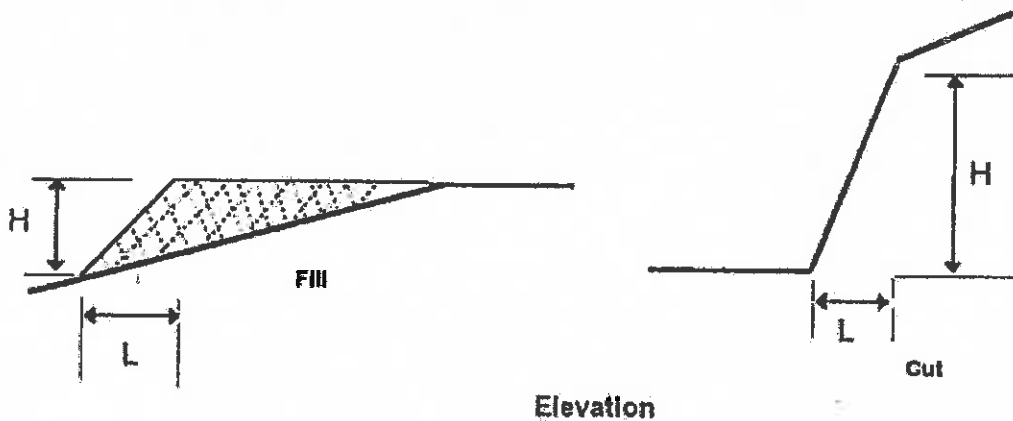
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\* Recommended Modified Revised Draft

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<b>VARIATION DATE</b>	23 February 2006 (C.14/0206)
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<b>VARIATION DATE</b>	TBA

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- 3.3 A site plan showing the main topographical features of the site including slopes, contours, drainage lines, vegetation, dams, water courses, rock outcrops, soil type, fences, buildings and other items determined at the time of application.
- 3.4 Fill is not to exceed 2.0m at any given point on the site and the top level of the fill is not to exceed 3.5m from the base of the fill.
- 3.5 Access tracks are to be located in such a manner as to minimise the required earthworks.
- 3.6 All exposed fill embankments are to be stabilised to prevent erosion using retaining walls or landscaping, with a post-landscaping plan detailing the type and location of planting, to be submitted to the Shire once completed.
- 3.7 Topsoil is to be stripped separately and stockpiled on site, to be respread during landscaping.
- 3.8 Water discharge from the site during development is to be controlled by the use of ripping, contour banks or grade banks and sumps to attenuate turbid and/or nutrient rich water leaving the site.
- 3.9 Where a residence is to be constructed partially on cut and partially on fill, the excavated material is to be placed outside the building area to form batters and embankments and the platform is to be filled with sand. As an alternative, pile and beam foundations into natural uncut ground in the fill area are acceptable.
- 3.10 Unless otherwise provided for within this policy, retaining walls may be required where fill is equal to, or in excess, of 1.0 metre. Where it is proposed to terrace a portion of a lot the policy provisions set out above apply in so far that where a step is in excess of 1.0 metre retaining will be required and the top level of the terrace is not to exceed 3.0 metres from the base of the terrace.
- 3.11 Where an unprotected embankment is proposed no retaining will be required where it is in accordance with BCA Volume 2 Part 3.1.1 – Earthworks.
- 3.12 Where a retaining wall is required at the preliminary stage and integral to the type of development, the retaining wall shall be constructed prior to the commencement of the construction of the building.
- 3.11 Where a retaining wall or landscaping is required for the purposes of managing fill post construction of the building, an 'earthworks bond' of \$500 shall be required as a condition of development approval. This bond shall be lodged prior to the issue of a building permit application.

#### **4.0 Application Details**

Where cut and fill is proposed the following information should be submitted with the proposed plans:

- Contours of site
- Level of top of sand pad/fill
- Finished floor level
- Cut and fill section showing sub soil drainage and cut off drains
- Cut and fill section (of greatest cut and fill) showing method of retention
- Design and construction details of any retaining walls (if required). These are to be prepared by a suitably qualified structural engineer.
- Other details required elsewhere within this policy

#### **5.0 Definitions**

**“Terrace”** – for the purpose of this policy a “terrace” is a series of flat platforms (or steps) on the side of a hill, rising one above the other. The base of the terrace is taken to be the bottom of the lowest step with the top being the highest point of the highest step.

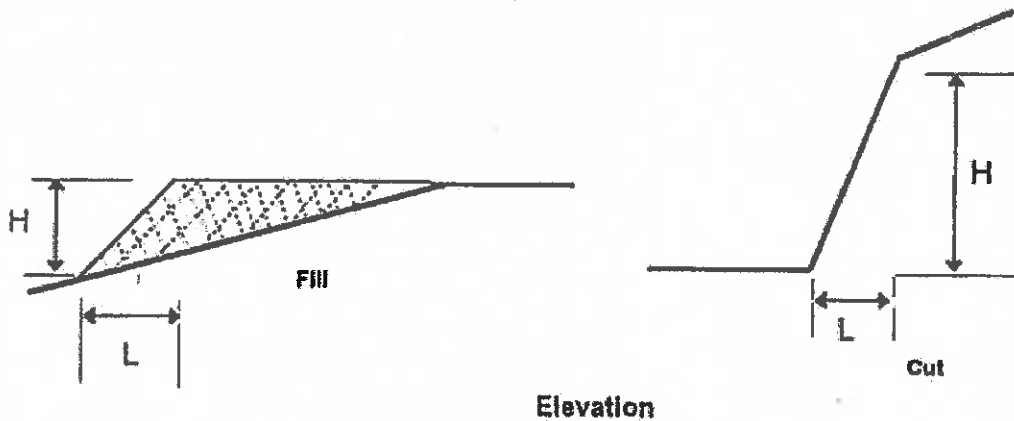
**“Topsoil”** - for the purpose of this policy “topsoil” is taken to be the soil zone containing decomposed organic matter and seed source, generally not to exceed 150mm in depth.

**“Unprotected Embankment”** – for the purpose of this policy an “unprotected embankment” is taken to be the face area of a section of fill that is not subject to retaining or other forms of stabilisation.

## UNPROTECTED EMBANKMENTS

**Notes:** For the purposes of this Table:

1. Retaining walls or other types of soil retaining methods must be installed where -
  - (a) the slope ratio is more than that described in Table 3.1.1.1; or
  - (b) the soil type is not described in this Table.
2. Embankments that are to be left exposed at the end of the construction works must be stabilised by vegetation or similar works to prevent soil erosion.



SOIL TYPE (*see Part 3.2.4 for material description)		EMBANKMENT SLOPES H:L	
		Compacted fill (see Part 3.2)	Cut
Stable rock (A*)		2:3	8:1
Sand (A*)		1:2	2:3
Silt (P*)		1:4	1:4
Clay	Firm clay	1:2	1:1
	Soft clay	Not suitable	2:3
Soft soils (P*)		Not suitable	Not suitable



Working on behalf of the Heritage Council to recognise, conserve, adapt and celebrate our State's unique cultural heritage

29 June 2016

YOUR REF  
OUR REF  
ENQUIRIES

C/215/40674  
Lauren Taylor  
(08) 6552 4152

Chief Executive Officer  
Shire of Bridgetown-Greenbushes  
PO Box 721  
BRIDGETOWN WA 6255  
Attention: Michelle Donaldson

Bridgetown-Greenbushes	
File No.	122.3
Document No.	1-062016-44107
- 5 JUL 2016	
Officer	PAQ
Copy	

Dear Michelle

### Draft Assessment of Cultural Heritage Significance Policy

Thank you for your correspondence received on 3 June 2016 regarding the Shire's proposed Local Planning Policy for the Assessment of Cultural Heritage Significance. The following comments are made on behalf of the State Heritage Office:

1. It is encouraging to see the Shire taking an active approach towards guiding the identification, conservation and protection of heritage places, through the introduction of a new planning policy.
2. The proposed policy is generally consistent with the guidelines set out in the Heritage Council's document, 'Criteria for the Assessment of Local Places and Areas', and contains information to assist in the identification of heritage places within the local government area.
3. The intent of heritage assessments undertaken by local government is to determine those places that are, or may become, of cultural heritage significance in the context of the local district. The process of identifying and assessing places of significance to the State is undertaken separately by the Heritage Council, with the assistance of the State Heritage Office.

Section 8.0 of the draft Policy states that the category of 'exceptional significance' (Management Category A) will be applied only to those places which are already listed on the State Register, or a considered worthy of assessment for inclusion in the Register. This does not provide any opportunity to identify places that are of exceptional significance to the local area but below the threshold for State significance.

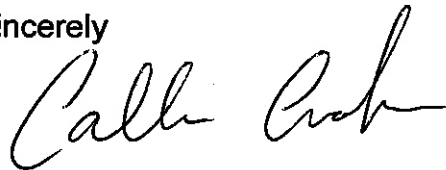
It is therefore recommended that the 'Management Category and Desired Outcome' column of Table 1 is amended to remove the direct association with the State Register. For example the description could read, 'Essential to the heritage of the locality. Rare or outstanding example'.

stateheritage.wa.gov.au  
info@stateheritage.wa.gov.au

It is still reasonable to expect that some places identified as having exceptional heritage significance in the local context should be considered further. The Shire may, therefore, wish to include a management action that any place assigned Management Category A is referred to the Shire Council to determine whether it wishes to nominate the place for the State Register.

The comments made in this letter are not statutory advice and are provided only to assist the determining authority in its decision. Should you have any queries regarding this matter please contact Lauren Taylor at [lauren.taylor@stateheritage.wa.gov.au](mailto:lauren.taylor@stateheritage.wa.gov.au) or on 6552 4152.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Callum Crofton', written in a cursive style.

**Callum Crofton**  
**Manager Local Government Services**

<b>POLICY NO.</b>	TBA
<b>POLICY SUBJECT</b>	Assessment of Cultural Heritage Significance Policy
<b>ADOPTION DATE</b>	TBA

## 1.0 Introduction

The Shire of Bridgetown-Greenbushes contains a significant collection of places with cultural heritage significance, with many places identified in the Shire of Bridgetown-Greenbushes Municipal Inventory prepared in 1995, and reviewed in 2001 (to be referred to as the Municipal Heritage Inventory).

Inclusion on the Shire's Municipal Heritage Inventory (MHI) provides important recognition, and a simple documentary record, of places of cultural heritage significance for the local community. No protection is afforded to places listed in this type of inventory unless they are also included in a statutory Local Heritage List or within a Heritage Area (or Precinct) under the operative local planning scheme.

This policy has been prepared to guide the Shire (and landowners) in assessing the cultural heritage significance of places within the Shire of Bridgetown-Greenbushes. This policy has been drafted [and adopted] in conjunction with the current review of the MHI, using the guidelines set out by the Heritage Council of WA publication 'Criteria for the assessment of Local Places and Areas'. This includes consideration of the level of significance that warrants inclusion on the Shire's Local Heritage List or formal adoption of a Heritage Area.

## 2.0 Objectives

The objectives of this Policy are:

- a) To provide a clear framework for the accountable, consistent and comparable assessment of cultural heritage significance for individual places and heritage areas within the Shire of Bridgetown-Greenbushes.
- b) To provide improved certainty to landowners and community members about the formal practice involved in heritage identification and management within the Shire of Bridgetown-Greenbushes.

## 3.0 Statutory Background

Section 45(1) of the Heritage of Western Australia Act 1990 requires that a local government compile and maintain an inventory of places within its district that, in its opinion, have or may have cultural heritage significance. Section 45(2) requires that the MHI is updated annually and reviewed every four years after completion.

This Policy is made pursuant to Clause 6.7.2 of Town Planning Scheme No.3 (TPS3) and Clause 7.6.2 of Town Planning Scheme No.4 (TPS4), to be read in conjunction specifically with Part VII and Schedule 4 of TPS3, which supports the identification, conservation and protection of selected heritage places through inclusion on the Local Heritage List.

Under TPS3 applicable to the Bridgetown townsite only, Schedule 4 – Places of Natural Beauty, Historic Buildings and Objects of Historic or Scientific Interest forms the statutory Local Heritage List. Progression of the Local Planning Strategy and Local Planning Scheme No. 5 will link back to the MHI with all places assessed as being of Exceptional or High Significance (see Section 7) to then form the Local Heritage List.

The development controls and management of places of cultural heritage significance, with respect to the assigned management categories (see Section 7, Table 1), are to be detailed in a new Heritage Management Policy and Development Guidelines (yet to be drafted). In the interim, assessment should have regard to State Planning Policy 3.5 Historic Heritage Conservation and any other relevant statutory or policy provisions.

The Planning and Development (Local Planning Scheme) Regulations 2015 also provide statutory power under local planning schemes to identify and designate Heritage Areas. The Bridgetown Special Design Heritage Precinct has already been recognised under TPS3, and is managed in accordance with the Bridgetown Special Design Heritage Precinct – Statement of Planning Policy and Development Guidelines.

#### 4.0 Policy Statement

All assessments of the cultural heritage significance of individual places or heritage areas within the Shire of Bridgetown-Greenbushes are to be carried out in accordance with this Policy so that assessments are accountable, comparable and consistent.

The Policy criteria in Section 5.0 have been drawn directly from the 'Criteria for the assessment of Local Places and Areas' published by the Heritage Council of Western Australia, and relate specifically to Heritage Values and Degree of Significance.

An individual place, group of places or area may be considered to be significant to the locality and worthy of inclusion into the Shire of Bridgetown-Greenbushes Municipal Heritage Inventory if it meets one or more of the criterion under the Aesthetic, Historic, Research or Social Values, as outlined in Section 5.1 below.

This Policy is to be read in conjunction with the Shire's Procedures for Adopting New Sites/Properties for Inclusion in the Municipal Inventory Policy O.5 (which also needs to be reviewed to reflect the contents of this policy).



## 5.0 Assessment Criteria

### 5.1 Heritage Values

To be included in the Municipal Heritage inventory a place must demonstrate one or more of the following Heritage Values.

#### 5.1.1 Aesthetic Value

Criterion 1: It is significant in exhibiting particular aesthetic characteristics.

A place or area included under this criterion will have characteristics of scale, composition, materials, texture and colour that are considered to have value for the local district and this may encompass:

- creative or design excellence;
- the contribution of a place to the quality of its setting;
- landmark quality; or
- a contribution to important vistas.

A place will not necessarily need to conform to prevailing 'good taste', or be designed by architects, to display aesthetic qualities. For example, simple farm buildings that sit well within their cultural landscape due to the use of local materials, form, scale or massing, may also have aesthetic value.

#### 5.1.2 Historic Value

Criterion 2: It is significant in the evolution or pattern of the history of the local district.

A place or area included under this criterion should:

- be closely associated with events, developments or cultural phases that have played an important part in the locality's history;
- have a special association with a person, group of people or organisation important in shaping the locality (either as the product or workplace of a person or group, or the site of a particular event connected with them); or
- be an example of technical or creative achievement from a particular period.

#### 5.1.3 Research Value

A place or area of research value should provide, or demonstrate a likelihood of providing important evidence about past activity or qualities of innovation/new achievement for its time. The place may include important information about construction technology, land use, a way of life or industrial process.

Criterion 3A: It has demonstrable potential to yield information that will contribute to an understanding of the natural or cultural history of the district.

A place or area included under this criterion should:

- be a standing structure or archaeological deposit;
- be an important benchmark or reference site; or
- demonstrate a likelihood of providing evidence about past activity.

This may include important information about construction technology, land use or industrial processes not available anywhere else, inherent in the fabric of the place.

**Criterion 3B:** It is significant in demonstrating a high degree of technical innovation or achievement.

A place or area included under this criterion should:

- show qualities of innovation or represent a new achievement for its time;
- demonstrate breakthroughs in design or places that extend the limits of technology; or
- show a high standard of design skill and originality, or innovative use of materials, in response to particular climatic or landform conditions, or a specific functional requirement, or to meet challenge of a particular site.

Places included under this criterion will likely be industrial sites, though examples of engineering (ie. bridge construction, road design, etc) may also meet this criterion.

#### 5.1.4 Social Value

**Criterion 4:** It is significant through association with a community or cultural group in the local district for social, cultural, educational or spiritual reasons.

A place or area included under this criterion should or tend:

- to be one in which the community, or a significant part of the community, has held in high regard for an extended period; or
- to be a public place, or a place distinctive in the local landscape and generally make a positive contribution to the local 'sense of place' and local identity.

They may be symbolic or landmark places such as places of worship, community halls, schools, cemeteries, public offices, or privately owned places such as hotels, cinemas, cafes or sporting venues. Significant places may only need to be valued by a certain group within the community, defined for example by ethnic background, religious belief or profession.

#### 5.2 Degree of Significance

In addition to the above values, a place or area may also be important because it is a rare or representative example of its type. The following criteria are to be applied when assessing the 'Degree of Significance' of a place or area.

##### 5.2.1 Rarity

**Criterion 5:** It demonstrates rare, uncommon or endangered aspects of the cultural heritage of the local district.

A place or area included under this criterion should:

- provide evidence of a defunct custom, way of life or process;
- demonstrate a custom, way of life or process that is in danger of being lost; or
- demonstrate a building function, design or technique of exceptional interest.

### 5.2.2 Representativeness

Criterion 6: It is significant in demonstrating the characteristics of a class of cultural places or environments in the local district.

A place or area included under this criterion should:

- provide a good example of its type;
- be representative of a common building or construction type, a particular period or way of life, the work of a particular builder or architect or an architect style; or
- have a high level of authenticity (also see below).

### 5.2.3 Condition, Integrity and Authenticity

Assessment of a place or area should also address the three following criteria:

Criterion 7A - Condition: The current state of the place or area in relation to the values for which that place has been assessed, generally graded on the scale of Good, Fair or Poor.

Criterion 7B - Integrity: The extent to which a place or area retains its original function, generally graded on a scale of High, Medium, or Low.

Criterion 7C - Authenticity: The extent to which the fabric is in its original state, generally graded on a scale of High, Medium or Low.

## 6.0 Thematic Framework

The 'Thematic Framework', as outlined in the MHI and prepared in accordance with the State Heritage Office Guidelines, provides an overview of the history of the Shire across time periods pertinent to the development of the municipality. Heritage assessments should specifically address the following themes where applicable:

- Demographic Settlement and Mobility
- Transport and Communications
- Occupations
- Social and Civic Activities
- Outside Influences
- People
- Other
- Any sub-themes as listed in the MHI addendum

## 7.0 Statement of Significance

An overarching Statement of Significance will be included within the Heritage Assessment for individual places or heritage areas. This is a statement about the place as a whole, with reference to the 'Heritage Values' and 'Degree of Significance' outlined above. This information is then used to inform the 'Level of Significance' applied to each place pursuant to Tables 1 or 2 below (as relevant).

## 8.0 Heritage Places

The overall 'Level of Significance' of a 'Place' (which can include an associated group of buildings or structures within a landscape setting) in the MHI, as determined by a heritage assessment of the place pursuant to Sections 5.0, 6.0 and 7.0 above, is to be categorised as Exceptional, High, Medium or Low. Table 1 below describes each particular level, assigns a related Management Category and provides the Desired Outcomes for a 'Place' within that category.

The category of 'Exceptional Significance' is applied only to those places which are already listed on the State Register of Heritage Places (RHP) or are considered worthy of assessment for the RHP. The 'High Significance' category is applied only to those places already in TPS3 Schedule 4 or considered worthy of protection under a Local Heritage List.

The MHI is a working document and can be reviewed with addition, deletion or changing of a place listing (based on application of the Assessment Criteria above), and updated with Council approval at any time. Such amendments may therefore change the Local Heritage List under TPS3 or TPS4 as applicable.

**Table 1: Levels of Heritage Significance for Individual Heritage Places**

Level of Significance	Description	Management Category and Desired Outcome
Exceptional Significance	<p>Very high contribution to the heritage of the locality.</p> <p>High level of aesthetic, historic, research and / or social value.</p> <p>A rare or outstanding example of its type, typically with a high degree of authenticity.</p>	<p><b>Management Category A</b> – Conservation of the place is essential.</p> <p>If not already, to be included on the Local Heritage List and recommended for assessment for entry onto the State Register of Heritage Places (RHP).</p> <p>Development proposals to be assessed pursuant to SPP 3.5 Historic Heritage Conservation; a Conservation Management Plan (if one exists); and to reinforce the significance of the place.</p> <p>Places entered on the RHP are protected under the <i>Heritage of Western Australia Act 1990</i>. Development applications will require referral to the State Heritage Office, unless exempt.</p>
High Significance	<p>Important contribution to the heritage of the locality.</p> <p>High level of aesthetic, historic, research and / or social value.</p> <p>A rare or key representative example of its type, typically with a moderate to high degree of authenticity.</p>	<p><b>Management Category B</b> – Conservation of the place is highly desirable.</p> <p>If not already, to be included on the Local Heritage List.</p> <p>Development proposals to be assessed pursuant to State Planning Policy 3.5 Historic Heritage Conservation; a Conservation Management Plan (if one exists); and to reinforce the significance of the place.</p> <p>Record prior to redevelopment, recognise and interpret if possible.</p>

Medium Significance	Moderate contribution to the heritage of the locality. The built fabric helps to illustrate an important aspect of the area's history, but it is not a rare or key representative example of its type.	<b>Management Category C</b> - Conservation of the place is desirable but not essential. Development proposals should reinforce the significance of the place, and original fabric should be retained wherever feasible. Record important elements prior to redevelopment or demolition, recognise and interpret if possible.
Low Significance	Makes some contribution to the heritage of the locality, however (for example): - Has undergone major alterations over time, which has diminished its authenticity/integrity. - Is an historic site with little or no apparent physical evidence of its former use.	<b>Management Category D</b> – Conservation of the place is not essential. Record any elements prior to redevelopment or demolition, recognise and interpret if possible. Archaeological investigation of historic sites may be prudent (if possible) if the place is believed to have important potential research value for the community.

## 9.0 Heritage Areas

A group of properties can be considered suitable to be a designated Heritage Area, Heritage Precinct or Character Area, particularly when the individual components of the area collectively form a notable streetscape, townscape or cultural environment with significant heritage characteristics.

These elements may include architectural style, urban design excellence, landscape qualities or strong historic associations and these special qualities will generally be quite rare within a locality.

A Heritage Area will be of significance to the locality when:

- a) it meets one or more of the Heritage Value criteria under Section 5.1 above being Aesthetic, Historic, Research or Social Values; and/or
- b) it demonstrates a unified or cohesive physical form with an identified aesthetic, historic or social theme associated with a particular period or periods of development.

A level of significance will not be assigned to heritage areas as a whole, however each place within the heritage area will be graded according to the level of contribution it makes to the significance of the area, as set out in the Table 2 below.

**Table 2: Levels of Contribution for Individual Places within a Heritage Area**

Level of Contribution	Description	Desired Outcome
Considerable contribution	Very important to the significance of the Heritage Area.	<p>Conservation of the place is highly desirable or even essential. Recommended for entry in the Local Heritage List.</p> <p>Any external alterations or extensions should be designed and sited in a manner that respects and complements the significance of both the place and the area. All such works should be in accordance with the Development Guidelines (if in place). Significant internal detailing should be conserved in areas accessible to the public.</p> <p>Places entered on the RHP are protected under the <i>Heritage of Western Australia Act 1990</i>. Development applications will require referral to the State Heritage Office, unless exempt.</p>
Some Contribution	Important to the significance of the Heritage Area.	<p>Conservation of the place is desirable. Recommended for inclusion in the Municipal Heritage Inventory.</p> <p>External alterations or extensions should be designed and sited in a manner that respects and complements the significance of both the place and the area. All such works should be in accordance with the Development Guidelines (if in place).</p> <p>Conservation of significant internal detailing is encouraged in areas accessible to the public.</p>
Little/No Contribution	Little or no importance to the significance of the Heritage Area.	<p>Existing fabric does not need to be retained. Any new (replacement) development on the site, or any external alterations or extensions to the existing building, should be designed and sited in a manner that respects and complements the significance of the area. All such works should be in accordance with the Development Guidelines (if in place).</p>

**From:** bebbington@westnet.com.au [mailto:bebbington@westnet.com.au]  
**Sent:** Friday, 8 July 2016 4:57 PM  
**To:** Tim Clynch  
**Cc:** ceo@bridgetown.wa.gov.au  
**Subject:** I-SUB201644180 - Fwd: Review of Local laws July 8 2016

----- Original Message -----

**From:**  
"Bruce Bebbington" <bruce313@live.com.au>  
**To:**  
"Bruce & Margaret Bebbington" <bebbington@westnet.com.au>  
**Cc:**  
"Bruce Bebbington" <bruce313@live.com.au>  
**Sent:**  
Fri, 8 Jul 2016 00:15:36 +0000  
**Subject:**  
Review of Local laws July 8 2016  
Dear Tim,

Please find attached my submissions to the local law reviews closing today.

Yours sincerely

Bruce Bebbington

Sent from Windows Mail

## REVIEW OF ACTIVITIES IN THOROUGHFARES AND TRADING IN THOROUGHFARES AND PUBLIC PLACES LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

Specifically in relation to this local law, all fees, charges and penalties should be updated.



## REVIEW OF BUSH FIRE BRIGADES LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

The support brigade should not be able to issue permits as it does not have a geographical area.

## REVIEW OF CEMETRIES LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

All fees and penalties should be reviewed, along with all of the points I raised in my previous submission to the cemeteries local law.

## REVIEW OF DOGS LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

All reference to penalties should be updated.

## REVIEW OF FENCING LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

## REVIEW OF HEALTH LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

## REVIEW OF KEEPING AND WELFARE OF CATS LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

All penalties should be reviewed.

## REVIEW OF LOCAL GOVERNMENT PROPERTY LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

## REVIEW OF PARKING AND PARKING FACILITIES LOCAL LAW

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.

All fees, time limits and penalties should be reviewed.



## REVIEW OF PEST PLANS LOCAL LAW

I can find no reference to a pest plans local law, as referred to in the public notice on the Shire of Bridgetown-Greenbushes website.

The Shire may have meant to advertise a review of the pest plants local law, but consistent with the sloppy nature of Shire documentation I have outlined for over a decade, this has not occurred.

If the shire is to comply with the council resolution and directing, and the Act, it will have to readvertise the intention to review the pest plants local law.

How much ratepayer money should be wasted for these ongoing mistakes of the CEO

in the event the CEO wishes to disregard the Council motion and the act, I add the following protective statements.

As there has been no review undertaken, no reports prepared or recommendations made to or by Council in relation to this review of the above Local law, it is impossible to comment on the review.

As the Shire and Council have refused to advertise intended changes to local laws subsequent to the initial advertising of an intention to review, the community will be intentionally and deliberately precluded from making any submission to any proposal.

As a submitter, if the Shire President and Council maintain consistency in the application of submitters, then I will be permitted to make a presentation on this local law.

As a consequence of the wording of the motion and the process, I have no option but to make a submission as a protective measure for myself and the entire community.

As the CEO has still not provided a response to the procedural motion passed in September 2015, specifically in regard to local laws versus policy, it is also not possible to make a submission.

I note the CEO's advice to Council in regard to the Extractive industry local law, that local laws are not needed as a policy will do the same job.

I expect there to be consistency in the conduct of the CEO, his staff and Council. Therefore unless the CEO wishes to advise the Council, community, Minister for Local government and jsld, that he incorrectly advised Council, then he has no option but to recommend the repeal of this local law.



# ROLLING ACTION SHEET

**ROLLING ACTION SHEET**  
**August 2016 (encompassing Council Resolutions up to Council Meeting held 30 June 2016)**

Comments in bold represent updated information from the last edition of the Rolling Action Sheet

Where a tick is indicated this Item will be deleted in the next update

<b>Council Decision No.</b>	<b>Wording of Decision</b>	<b>Responsible Officer</b>	<b>Comments</b>	
C.28/1108 Public Access to Rear of Shops on Western Side of Hampton Street	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Endorse in-principle the proposal to obtain an easement in gross over private land at the rear of shops west of Hampton Street between Henry Street and the existing public accessway opposite the public car park in Hampton Street.</li> <li>2. That the CEO obtain the necessary legal advice to enable correspondence to be sent to affected property owners seeking their in-principle consent for the creation of an easement in gross for public access to the rear of their premises.</li> <li>3. That upon receipt of responses from affected property owners the matter be brought back to Council for final determination, including consideration of how the proposed public accessway could be designed to take into account risk management of flooding.</li> </ol>	T Clynnch	<p>Work on developing a draft easement document has been delayed.</p> <p>A request was to be prepared to a local solicitor requesting preparation of a draft/template easement document. This will be funded from general legal expenses account. Since then the CEO has made the decision to defer the preparation of the document pending completion of the Geogelup Brook Flood Study in case there are implications regarding land acquisition/tenure/use arising from that Study. The Flood Study was endorsed by Council at its November 2014 meeting so the easement proposal will be re-actioned (February 2015).</p> <p>Discussions held with solicitor on best process to progress this matter. Property ownership details currently being compiled for forwarding to solicitor (September 2015)</p> <p>This matter was discussed at quarterly briefing session held on 4 February 2016 where it was agreed that the proposal should be extended to include the car parking areas within the proposed easement. This can happen under the current resolution C.28/1108. A plan of the proposed easement will be prepared and correspondence forwarded to affected property owners</p>	✓

C.14/0209 Termination of Lease – Former Rubbish Disposal Site, Spring Gully Road, Greenbushes	That Council commence proceedings for termination of its lease of State Forest formerly used as the Greenbushes Rubbish Tip and assist Talison Minerals Pty Ltd in any rehabilitation requirements imposed by the Department of Environment and Conservation.	T Clynch	(March 2016).  A meeting was held with DEC in February 2010 at which some minor rehabilitation requirements were identified – these are being undertaken by Talison. Email from DEC 15/3/2013 (I-EML201229622)- Further weed removal, rubbish removal and reinstatement of active planting required before lease can be terminated. Ongoing discussions being held with the Department of Parks and Wildlife regarding this (November 2013). A further meeting was held in January 2016 and some additional works identified (March 2016).
C.16/0809a Development of Car Parking and Proposed Town Square in Railway Reserve	That Council formally request the Public Transport Authority to initiate the process to gazette the land known as Railway Parade to a public road.	T Clynch S Gannaway	A written request has been forwarded to PTA and Heritage Council of WA, with favourable support received. Formal gazettal process by State Land Services commenced. Final plan agreed to by PTA and Brookfield Rail, pending finalisation of survey plans and land transfer. This process is still ongoing. Pending 'in-principle' support from Landgate as Railway Parade not formally named and initial response unfavourable. Response pending. At its February 2014 meeting Council resolved to rename the road as an extension of Stewart Street and correspondence seeking approval for this has been forwarded to the Geographic Names Committee. Renaming as Stewart Street approved by Landgate in March 2014. Deposited Plan lodged with Landgate (March 2016).
C.13/0909 Interim Report - Municipal Inventory Review	That Council:  1. Notes that advertising of the Municipal Inventory Review commenced on Wednesday 9 September 2009 for a six week period with submissions invited by Thursday 22 October 2009.  2. Notes the content of the 'Municipal Inventory Review – Information Sheet' as per Attachment 19.	S Donaldson	1. Noted. Advertising period closed on 22 October 2009. Additional nominations and comments still being received. Research ongoing.  2. Noted.

<p>C.14/0310 Preliminary Report – Plantation Exclusion Zones</p>	<p>3. Request the Chief Executive Officer provide a report back to Council by no later than February 2010 on the Municipal Inventory Review, including feedback following public consultation as per Point 1. above, along with the merits of developing a Heritage Conservation Incentives Scheme, reviewing the current Bridgetown Special Heritage Design Policy and preparing a broader Heritage Conservation Policy for the Shire.</p>		<p>3. Heritage Policy and Development Guidelines adopted by Council in December 2010. Numerous site inspections undertaken in October and November 2010 with Regional Heritage Advisor to consider new and additional nominations. Work continuing on inventory review and to be presented to Council by mid 2012 depending upon workload. Advisor unable to progress matter, with current RHA service to end on 30 June 2013. Internal or external appointment to be made to progress matter, pending budget considerations. Liaison with Office of Heritage continuing with a view to trialling a new online database. Investigation into Heritage Conservation Incentives Scheme not yet commenced. Council resolved in November 2011 not to adopt the Bridgetown Residential Character Area Policy in its current form. Review recommenced with preliminary report expected to be presented to Council late 2015. Update report and draft policy adopted by Council in April 2016. Draft policy being advertised with the submission period to end on 30 June 2016. <b>Final report to be presented to Council in August 2016.</b></p>
	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Agrees that any consideration of plantation exclusion zones should also address the Greenbushes, North Greenbushes and Hester townships, the Yornup township and existing or proposed local development areas throughout the Shire municipality.</li> <li>2. Directs the Chief Executive Officer to prepare preliminary documentation and present a report to a future meeting of Council to initiate a scheme amendment to Town Planning Scheme No. 3 seeking to modify Table 1 to prohibit 'Afforestation' within the Rural zone of the scheme area.</li> <li>3. Directs the Chief Executive Officer to present all planning</li> </ol>	<p>S Donaldson</p>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Presented to Council in August 2011 for initial adoption. Advertising period closed on 8 December 2011. Amendment adopted by Council on 25 January 2012 and forwarded to WAPC for final approval. Amendment gazetted 8 June 2012.</li> <li>3. Noted.</li> </ol>

	<p>applications for 'Afforestation' for land within Town Planning Scheme No. 3 to Council for determination, until such time as the scheme amendment required by Point 2 above has been finalised.</p> <p>4. Directs the Chief Executive Officer to engage a suitably qualified consultant to undertake a Bush Fire Hazard Assessment of the Shire municipality, in consultation with FESA, and in accordance with the Planning for Bush Fire Protection document.</p> <p>5. Directs the Chief Executive Officer to commence a comprehensive review of the Shire's Plantation Applications Policy to address the following issues:</p> <ol style="list-style-type: none"> <li>Definition of woodlots and shelter belts and list of acceptable locally native tree species.</li> <li>Location of surrounding development and adequate bush fire risk assessment and management, with reference to FESA Guidelines for Plantation Fire Protection.</li> <li>Other natural resource management issues identified in the Shire's Managing the Natural Environment Policy and Natural Environment Strategy.</li> </ol> <p>6. Following completion of Points 4 and 5 above, the Chief Executive Officer is to present a report to a future meeting of Council for further consideration.</p>		<p>4. Funding application was successful – Council accepted funds at March 2011 meeting. Bushfire Hazard Strategy Consultant Brief finalised and tenders called for by 14 September 2011. Final report received and adopted by Council in August 2012 for purpose of future public consultation.</p> <p>5. Commenced but little progress to date, pending adoption of Bushfire Hazard Strategy. No further action progressed.</p> <p>6. Noted. Draft Bush Fire Hazard Strategy adopted by Council in August 2012 for the purpose of future public consultation along with scheme amendments. See Item C.19/0812 below. No further action to be taken with strategy as per C.18/0216. No further action on policy review (May 2016).</p>	
<p>C.02/0611 Planning for Possible Road Link Between Forest Park Road and Maranup Ford Road</p>	<p>That a report be submitted to Council investigating the pros and cons of planning and creation of a link road between Forest Park Road and Maranup Ford Road, the creation of which would provide for an approximate 10km saving in travel distance for emergency services.</p>	T Clynch	<p>Correspondence sent to the Department of Environment and Conservation on 25 August 2011 as any road link will have to be through State Forest. Response received from DEC on 3 October 2011 suggesting alternative route. Further investigation has commenced and preliminary view is that the DEC</p>	

			proposal is more difficult to achieve.  This road proposal was raised at a fire brigades debrief and it was agreed by those in attendance that a road would greatly assist in fire response to the Maranup locality.  No action has occurred on this item for a considerable time so the matter will be reactivated with DPAW (February 2015).
C.16/0812 Pedestrian Crossing on Hampton Street	That the Shire seek the views of Main Roads for the creation of a 40km p/h speed limit on Hampton Street between Stewart Street and Lockley Avenue.	L Crooks	Letter sent to Main Roads Western Australia. MRWA contacted again 18/4/2013 and 23/4/2013 – they are still looking at options.  Verbal advice received recently from MRWA is that this is an issue being raised throughout the Region and they are considering the matter at a regional level and not at an individual town level (June 2014). No further progress as yet.  Reminder correspondence forwarded to MRWA (June 2016).
C.09/1112 Draft Shire of Bridgetown-Greenbushes Local Planning Strategy and Technical Appendix	That Council: 1. Adopts the draft Shire of Bridgetown-Greenbushes Local Planning Strategy and Technical Appendix, as per Attachments 5 and 7, pursuant to regulation 12A(1)(a) of the Town Planning Regulations 1967.  2. Directs the Chief Executive Officer to forward the draft Shire of Bridgetown-Greenbushes Local Planning Strategy and Technical Appendix to the Western Australian Planning Commission for consent to commence formal public advertising, pursuant to regulation 12A(1)(b) of the Town Planning Regulations 1967.  3. Directs the Chief Executive Officer to forward the draft Shire of Bridgetown-Greenbushes Local Planning Strategy and	S Donaldson	1. Noted.  2. Final Strategy and Technical Appendix forwarded to the Department of Planning, feedback pending.  3. Final Strategy and Technical Appendix forwarded to the Environmental Protection Authority for comment.

	<p>Technical Appendix to the Environmental Protection Authority for comment prior to commencement of formal public advertising.</p> <p>4. Notes that should the Western Australian Planning Commission and/or Environmental Protection Authority require modification(s) to the draft Shire of Bridgetown-Greenbushes Local Planning Strategy and Technical Appendix, such modification(s) be presented to Council for consideration prior to commencement of formal public advertising, unless considered minor in the opinion of the Chief Executive Officer.</p>	<p>Response received authorising consultation subject to further information to be provided during preparation of the Local Planning Scheme with regard to priority agriculture and rural living areas.</p> <p>Preliminary feedback received from Department of Planning on 29 February 2013 requiring significant and minor modifications to Strategy and Plans. Modified LPS to be presented to Council in April or May 2013 for consideration of required modifications. DoP staff prepared replacement strategy plans. Meeting held with Department staff on Friday 7 June 2013 to work through required modifications to strategy and plans. Modified Strategy Plans now finalised, work progressing on strategy text document for consideration by WAPC by March 2014. WAPC has provided feedback and requested some modifications be done. Review of Bridgetown Town Centre Strategy component of the LPS to be discussed at councillor workshop in light of potential rezoning of P &amp; Co Packing Shed site. Workshop held on 19 March 2015 with further work and liaison with Department of Planning continuing. Updated draft to be presented to Council for consideration by July or August (April 2015). Meeting with DoP staff held in Bridgetown on 30 April 2015 for further discussion. Further discussion with DoP staff on 24 June 2015, work progressing (July 2015).</p>	
<p>C.16/0513 Greenbushes Overnight Stay Facility</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Endorse the proposal to establish a short term caravan and camping transit park (6 sites) at the Greenbushes Sportsground, adjacent to the old cricket pavilion.</li> <li>2. Endorse the proposal to redevelop the old cricket pavilion to a "camper's bunkhouse" with 4 bunks being provided.</li> <li>3. Seek the approval of the Minister for Local Government for</li> </ol>	<p>R Weston</p> <p>An application has been submitted to the Department of Local Government (October 2013).</p> <p>Approval for the use of the land as a transient caravan park has been granted (subject to conditions) by the Department of Lands. The approval of the Minister for Local Government is now required and an application is being submitted (September 2014).</p>	



	approval of the transit park and bunkhouse		Concerns have been raised by Water Corporation due to proximity to Greenbushes water supply and it appears that until such time as the water supply dam is discontinued (as proposed under new integrated water supply project) the transit caravan park will be deferred (May 2015).	
C.10/0114 Proposed Land Purchase – Western Portion of Lot 1 (97) Hampton Street, Bridgetown	<p>4. Consider allocation of a sum of \$6,000 in the 2013/14 budget for development of the transit park and hikers bunkhouse.</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Resolves to purchase the western portion of Lot 1 (97) Hampton Street, Bridgetown (currently on Diagram 2897 Volume/Folio 1550/175 for the sum of \$9,600 plus subdivision and legal costs.</li> <li>2. That the unbudgeted expenditure of \$9,600 purchase price and estimated \$7000 subdivision and legal (transfer of land) costs be funded by withdrawal of an amount of up to \$16,600 from the Land &amp; Buildings Reserve.</li> <li>3. That the CEO be authorised to submit an application for subdivision/amalgamation with the Western Australian Planning Commission for the subdivision of the land to be purchased from the balance of Lot 1 (97) Hampton Street, Bridgetown for amalgamation with adjacent land when acquirable by the Shire of Bridgetown-Greenbushes.</li> </ol>	T Clynch S Donaldson	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Noted.</li> <li>3. Pending investigation/negotiation for purchase of adjoining land (March 2014). To be progressed given Council resolution C.21/0614a made on 26 June 2014. Subdivision application form pending landowner signatures. Subdivision approval granted by WAPC on 24 December 2014. Deposited Plan being finalised by consultant land surveyor, prior to clearance of conditions (February 2015). Deposited Plan sent to Department of Planning on 27 March 2015 for endorsement. Deposited Plan endorsed and solicitor engaged to progress purchase (August 2015). Pending negotiations for land purchase under C.21.0614 (May 2016).</li> </ol>	
C.21/0614 Proposed Land Purchase – Western Portion of Lot 30 (99) Hampton Street, Bridgetown	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Resolves to purchase the western portion of Lot 30 (99) Hampton Street, Bridgetown (on Diagram 69746 Volume/Folio 1859/336) for the sum of \$13,700 plus subdivision and legal costs.</li> </ol>	S Donaldson	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Plan being drafted by Shire's surveyor. Subdivision</li> </ol>	

	<p>2. That the CEO be authorised to submit an application for subdivision/amalgamation with the Western Australian Planning Commission for the subdivision of the land to be purchased from the balance of Lot 30 (99) Hampton Street, Bridgetown for amalgamation with adjacent land when acquirable by the Shire of Bridgetown-Greenbushes.</p> <p>3. That expenditure of \$13,700 purchase price and estimated \$7,100 subdivision and legal (transfer of land) costs be allocated in the 2014/15 Budget, funded by withdrawal of an amount of up to \$20,800 from the Land &amp; Buildings Reserve.</p>		<p>application form pending landowner signatures (September 2014). Subdivision application lodged with Department of Planning on 27 October 2014. Subdivision approval granted by WAPC on 24 December 2014. Deposited Plan being finalised by consultant land surveyor, prior to clearance of conditions. Deposited Plan sent to Department of Planning on 27 March 2015 for endorsement (April 2015). Deposited Plan endorsed and solicitor engaged to progress purchase (August 2015). Pending authorisation from mortgagor (May 2016).</p> <p>3. Expenditure and Reserve transfer has been included in the 2014/2015 Budget.</p>
<p>C.22/0614 Proposed Partial Road Closure of Henry Street and Land Exchange – Lot 1 ('141) Hampton Street, Bridgetown</p>	<p>That Council:</p> <p>1. Affirms its support for the partial road closure of Henry Street and gives additional support for the proposed land exchange with Lot 1 ('141) Hampton Street, Bridgetown (on Deposited Plan 2648, Vol/Folio 1670/636), as per Attachment 17, pursuant to s.41, s.58 and s.87 of the Land Administration Act 1997, subject to the following:</p> <ul style="list-style-type: none"> <li>• The Shire making a one-off payment of \$8,000 to the landowner;</li> <li>• The Shire waiving cash-in-lieu for car parking bays for future development up to 160m<sup>2</sup> gross floor area, with the Shire and landowner to enter into a written agreement;</li> <li>• The Shire meeting all legal costs for preparation and finalisation of the written agreement of approximately \$4,000; and</li> <li>• The Shire meeting all subdivision, surveying and transfer costs of approximately \$7,100.</li> </ul> <p>2. Directs the Chief Executive Officer to seek support from the Department of Lands and progress negotiation with the</p>	S Donaldson	<p>1. Noted. Correspondence sent to landowner on 2 July 2014.</p> <p>2. Correspondence sent to Department of Lands on 2 July 2014. Response pending. Response received indicating support and best process. Correspondence sent to proponent and licensed surveyor engaged to prepare subdivision/amalgamation plan (July 2015). Subdivision application lodged with Department of</p>

	landowner with respect to Point 2. above.		Planning and Shire's referral response provided (November 2015). Subdivision approval granted on 26 November 2015. Appointment of solicitor being investigated for preparation of legal agreement (February 2016). Negotiations continuing with landowner and Department of Lands (May 2016). Final Deposited Plan lodged with Department of Planning for endorsement (July 2016).
C.10/0315 Investigating the provision of an Organic Waste Collection Service	3. That expenditure of the \$8,000 payment, \$4,000 legal costs and \$7,100 subdivision and transfer costs be allocated in the 2014/15 Budget, funded by withdrawal of an amount of up to \$19,100 from the Land & Buildings Reserve.  That Council investigate the possibility of introducing "Organic Waste" kerb side collection for the Shire.	L Crooks	3. Expenditure and Reserve transfer has been included in the 2014/2015 Budget.  A meeting has been held with the relevant officer at the Shire of Donnybrook-Balingup to discuss various aspects of its organic waste collection service. This will assist in preparing a report to Council (February 2016).
C.15/0415a Proposed Land Purchase – Western Portions of Lot 20 (81) and Lot 21 (87) Hampton Street, Bridgetown	That Council: 1. Resolves to purchase the western portion of Lot 20 (81) Hampton Street, Bridgetown (currently on Diagram 14110 Volume/Folio 1130/54) for the sum of \$18,000 plus subdivision and legal costs. 2. Resolves to purchase the western portion of Lot 21 (87) Hampton Street, Bridgetown (currently on Diagram 14110 Volume/Folio 1550/177) for the sum of \$8,750 plus subdivision and legal costs. 3. That the unbudgeted expenditure of \$26,750 purchase price and estimated \$8000 subdivision and legal (transfer of land) costs be funded by withdrawal of an amount of up to \$34,750 from the Land & Buildings Reserve. 4. That the CEO be authorised to submit an application for to the Western Australian Planning Commission for the subdivision/amalgamation of the land, and amalgamation with adjacent land if required when acquirable by the Shire of Bridgetown-Greenbushes.	S Donaldson	1. Noted.  2. Noted.  3. Noted.  4. Noted. Subdivision plan prepared, pending finalisation of purchase of 97 and 99 Hampton Street, Bridgetown, before application is lodged with WAPC (August 2015).

<p>C.02/0515</p> <p>Amendment to Town Planning Scheme No 4 to Introduce a New Use of "Home Business"</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. The CEO present a report back to Council on the possible amendment to Town Planning Scheme No. 4, to introduce into a new use of "Home Business" with 'AA' use applicability in the Rural zones of the Scheme.</li> <li>2. The report to Council also address allowing uses already listed in the zoning table to be approved as a Home Business subject to such businesses meeting the restrictions (floor area, restriction on employees, etc.) of a home business.</li> <li>3. A review of the Home Occupation Cottage Industry Policy be undertaken in conjunction with the above report to Council.</li> </ol>	<p>T Clynnch S Donaldson</p>	<ol style="list-style-type: none"> <li>1. Noted. Action not progressed (June 2015). Preliminary investigations commenced (February 2016).</li> <li>2. Noted. Action not progressed (June 2015). Preliminary investigations commenced (February 2016).</li> <li>3. Noted. Action not progressed (June 2015). Preliminary investigations commenced (February 2016).</li> </ol>	
<p>C.02/0615</p> <p>Blackwood Environment Society Office Space Lease</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Approve the lease agreement with the Blackwood Environment Society (BES) for the lease by BES of the office space adjacent to the Bridgetown Visitor Centre currently occupied by Shire Community Services and Ranger staff.</li> <li>2. Authorise the CEO and Shire President to sign and seal the lease.</li> <li>3. Recognise that the Blackwood Environment Society is a body of a cultural, educational and/or recreational nature compliant to the contents of Regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996 and therefore the disposition of the property (office space of 20m2) is an exempt disposition and the requirements of Section 3.58 of the Local Government Act are not applicable.</li> <li>4. Write off the debt of \$1,091.05 owed by the Bridgetown Railway Station Committee (c/- Blackwood Environment Society) being the reimbursement of insurance costs of the Bridgetown Railway Station building.</li> </ol>	<p>T Clynnch</p>	<p>Lease signed. The Shire's Community Services and Ranger staff will be vacating the space once the works to the upstairs admin office are completed – expected to be mid to late August. Some minor works at the visitor centre will be undertaken prior to the BES relocating (August 2015).</p> <p>Due to delay in works for proposed Ranger office space at admin office the vacating of the space adjacent to the visitor centre has been delayed (September 2015).</p> <p>Asbestos removal work in ceiling and walls (approved by Council as unbudgeted expenditure in January) has to be completed before premises is available for occupation by BES (February 2016).</p>	

C.03/0714 Proposed Terrace Walls Memorial Park	That Council approve in principle the construction of three limestone block walls above the existing terraced seating in Memorial Park and authorise the CEO to grant final approval for the works upon submittal by Blues at Bridgetown of acceptable plans and specifications.	T Clynch	Meeting held with Chair of Blues at Bridgetown. Due to short timeframe to Blues Festival Blues at Bridgetown is unlikely to undertake the works until early 2016. Final plans have been submitted for the proposed walls and these are currently being assessed (September 2015). Works have commenced April 2016. <b>Weather has delayed completion of project by Blues volunteers (August 2016)</b>	
C.13/1015 Petition – Blackwood Youth Action	That Council: 1. Receives the petition from Blackwood Youth Action. 2. Requests the CEO to include the proposed establishment of a youth space in the community consultation for the review of the Youth Strategy which is an informing strategy in Council's integrated planning framework. 3. Advises Bridgetown Youth Advocacy Inc. that prior to being in a position to considering supporting the proposal Council will require a comprehensive business plan demonstrating the viability of the proponent's proposal. This plan is to include business premise, organisational overview, management structure, key personnel, service delivery, insurance, risk management, legal considerations as well as comprehensive financial projections (for both the start-up and ongoing operational costs). The financial projections are to be for a minimum of a 5 year period and include expenditure and income for start-up and operational costs.	M Richards	Item 1 is completed.  Consultation is currently underway. The officer will give a briefing at the July Standing Committee regarding how the engagement of youth in this process is being implemented (June 2016). <b>Officer was ill in July so this briefing will occur in August.</b>  Item 3 is completed (letter sent in November 2015)  It is noted that the Youth Advocacy Group is in communication with the Police Department about temporarily acquiring access to the former police residence on the corner of Steere Street and Spencer street for use as a youth space. This would allow YAG to prove the need for such a space. Although the Shire hasn't been part of those discussions to date there is a possibility that if agreement is reached with the Police Department the shire may have to be a party to the proposal. If so, a report would be presented to Council (February 2016).  An engineer's report into the integrity and condition of the former police residence has been prepared for WA Police and a copy has been provided to the Shire. This report is currently being assessed (March 2016).	
C.02/1215 Annual Report & Annual Financial	That Council: 1. Accepts the Annual Report including the Annual Financial Report and Audit Report for the 2014/2015 financial year	T Clynch	AGM held 4 February.  Report on ratios not commenced (February 2016).	

Report 2014/15	and gives local public notice of its availability.		
	<ol style="list-style-type: none"> <li>Schedules the Annual General meeting of Electors to be held on Thursday, 4 February 2016 in the Council Chambers, commencing at 5.30pm.</li> <li>Note Administration's comments in relation to the matters raised in Appendix 1 of the Auditor's Management Report.</li> <li>That a report be presented to Council on the effect of fair value and depreciation on the operating surplus ratio and asset sustainability ratio and meeting the current benchmark.</li> </ol>		
C.03/0116 Request for Installation of Street Lighting – Pioneer Road	<ol style="list-style-type: none"> <li>That Council requests Western Power to prepare a design plan and estimate for lighting Pioneer Street between Nelson Street and Peninsula Road and that the costs of this be funded by council as unbudgeted expenditure.</li> <li>Prior to any action being taken at dot point 1, financial support be sought from the Bridgetown Agricultural Society and the Blues at Bridgetown to meet one third each of the cost of installation.</li> <li>That the Shire's portion of this cost be funded in the 2016/17 budget.</li> <li>That the project be abandoned should the support funding from both Bridgetown Agricultural Society and Blues at Bridgetown be refused.</li> <li>That Council also investigate the option of installation of pedestrian solar lighting.</li> </ol>	T Clynch	<p>Application being prepared for Western Power.</p> <p>Design and cost estimate obtained – correspondence to be forwarded to Blues at Bridgetown and Bridgetown Agricultural society enquiring about contributions to the project once a cost estimate for alternative solar lighting is obtained (June 2016).</p>
C.06/0116 Proposed Closure of Rights-of-Way for Partial Dedication as Public Roads and	<p>That Council, in relation to the proposed closure of the two Rights-of-Way adjoining Barlee Street, Bridgetown, as per Attachment 6:</p> <ol style="list-style-type: none"> <li>Notes the public submissions received, as per Attachment 8,</li> </ol>	S Donaldson	1. Noted.

<p>Amalgamation – Adjoining Barlee Street, Bridgetown</p>	<p>and the Shire staff responses in the Schedule of Submissions, as per Attachment 9.</p> <p>2. Supports the proposed closure of ROW West (being Lot 66 on Diagram 4315) for ceding to the Crown for action as follows:</p> <p>a) Dedication of the 65 metre east-west portion of ROW West as a public road pursuant to s.52 and s.58 of the Land Administration Act 1997; and</p> <p>b) Amalgamation of the 82 metre north-south portion of ROW West with adjoining properties where practical.</p> <p>3. Supports the proposed closure of 150 metre length of ROW East (being Lot 67 on Diagram 5653) for ceding to the Crown for dedication as a public road pursuant to s.52 and s.58 of the Land Administration Act 1997.</p> <p>4. Directs the Chief Executive Officer to forward relevant information to the Department of Planning and Department of Lands requesting approval in relation to Points 3. and 4. above.</p>	<p>2. Noted.</p> <p>3. Noted.</p> <p>4. Correspondence sent to DoP and DoL on 4 February 2016. Responses pending (March 2016).</p>	
<p>C.07/0116 Town Planning Scheme No 4 – Amendment No. 69</p>	<p>That Council, in accordance with the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015:</p> <p>1. Noting the submissions as per Attachment 10, and the staff responses in the Schedule of Submissions as per Attachment 11, grants final support for Town Planning Scheme No. 4 – Amendment No. 69 and associated modified structure plan as per Attachment 12, in relation to Lot 150 (85) Sunridge Drive, Bridgetown, subject to the following modifications:</p> <p>(i) The structure plan being modified to show a stream protection area for the watercourse in proximity to the northern boundary.</p> <p>(ii) Existing Special Provision (k) of Schedule 3 being modified to read: No trees or substantial vegetation, including vegetation in proximity to the railway line on future Lot 7 which forms an important regional ecological</p>	<p>S Donaldson</p> <p>1. Noted.</p>	

	linkage, shall be removed outside an approved building envelope except where: <ul style="list-style-type: none"> <li>• required for approved development works</li> <li>• the establishment of a firebreak (as) required by regulation or by-law; or</li> <li>• trees are dead, diseased or dangerous.</li> </ul> 2 Authorises the Shire President and Chief Executive Officer to sign and seal the amendment documents and modified structure plan and forward the documents to the Western Australian Planning Commission for final approval.		2. Amendment documents signed and forwarded to the WAPC on 16 February 2016 for final approval. Response pending (March 2016).	
C.09/0316 Age Friendly Community Plan	That Council notes the draft Age Friendly Communities Plan 2016-2020 and determines to seek community comment on the document for a period of 4 weeks prior to presentation back to Council for consideration of formal endorsement. That a request be submitted to Main Roads Western Australia seeking: <ol style="list-style-type: none"> <li>1. A reduction in the speed limit and erection of appropriate speed signage on Tweed Road from its intersection with South Western Highway to its intersection with Little Basin Crescent.</li> <li>2. A review of the current open speed limit from Little Basin Crescent to Carburnup Brook Road.</li> </ol>	M Richards	<b>Council endorsed plan at its June 2016 meeting.</b>	✓
C.02/0416 Speed Limit Tweed Road		T Clynych	Correspondence forwarded to MRWA (June 2016).  <b>A preliminary response has been received from MRWA advising that if speed zoning was to be considered it should be for the entire 12.30 Km link. A 'Safe Curve Speed' run will be conducted by MRWA in the near future to finalise the review and they will be able to advise appropriate curve warning speeds for the sub-standard curves on the link. (August 2016)</b>	
C.06/0416 Bridgetown Railside Landscaping Project	That Council seek a review of the decision by Brookfield Rail regarding the proposed Bridgetown Railside Landscaping Project and seeks the assistance of the Minister for Transport and Minister for Regional Development in facilitating this review.	T Clynych	Discussions being held with Terry Redman's office on best way to progress this matter (June 2016)	
C.10/0416 Statutory Review of Local Laws	That Council: <ol style="list-style-type: none"> <li>1. Notes the legislative requirement within Section 3.16 of the Local Government Act 1995 and proceeds to undertake a review of its existing Local Laws, excepting the Extractive Industries Local Law and Standing Orders Local Law.</li> </ol>	G Norris	Advertising commenced. Submission period closes 8 July 2016.	



	<p>2. In accordance with section 3.16(2) of the Local Government Act 1995, gives State wide public notice of its intention to undertake a review of its Local Laws, excepting the Extractive Industries Local Law and Standing Orders Local Law.</p> <p>3. That the CEO be requested to submit a report back to Council on the review of its Local Laws at the conclusion of the statutory advertising period.</p>		
C.11/0416 Municipal Inventory Review and Draft Assessment of Cultural Heritage Significance Policy	<p>That Council:</p> <ol style="list-style-type: none"> <li>Notes the appointment of Ms Annette Green from Greenward Consulting, under the Heritage Council of Western Australia's Heritage Advisory Service Funding Agreement, to assist with the review of the Municipal Inventory and related heritage policies.</li> <li>Notes the three examples of the reviewed draft place records, as per Attachment 13, and supports renaming of the Municipal Inventory as the Shire of Bridgetown-Greenbushes Municipal Heritage Inventory.</li> <li>Supports the draft Assessment of Cultural Heritage Significance Policy, as per Attachment 14, and directs the Chief Executive Officer to proceed to public consultation in accordance with Clause 6.7.2 of Town Planning Scheme No.3 and Clause 7.6.2 of Town Planning Scheme No.4, with a report and feedback to be presented to a future meeting of Council.</li> </ol>	S Donaldson	<ol style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> <li>Draft policy being advertised with the submission period to end on 30 June 2016. Final report to be presented to Council in August 2016.</li> </ol>
C.04/0516 Proposed Investigation of Strategic Purchase for Somme Creek Improvements	That Council considers investigating the potential strategic purchase of Lot 84 (42) Forrest Street with the possibility of purchasing a part thereof, which encompasses the Somme Creek creek line and associated riparian edges, to be incorporated into the Somme Creek Parklands project.	T Clynch S Donaldson	Not commenced
C.08/0516 Levying Rates in	<p>That Council:</p> <ol style="list-style-type: none"> <li>After consideration of its strategic community plan and</li> </ol>	M Larkworthy	Application submitted to Minister for approval (July 2016)

2016/17 – Setting the rates in the Dollar and Minimum Rates	<p>annual review of the corporate business plan fund the estimated budget deficiency of \$4.13m by applying differential rates when drafting the 2016/17 Annual Budget.</p> <p>2. In accordance with section 6.36 of the Local Government Act 1995 endorses the advertising for public submissions on the proposed differential rates as set out in the table below, and makes available to the public Attachment 6 to this report setting out the objects and reasons for the differential rates:</p> <table><tr><th>Category</th><th>Rental Value (GRV)</th><th>Rate in \$</th><th>Minimum Rate</th></tr><tr><td>Gross Properties</td><td></td><td>8.3307 cents</td><td>\$827.00</td></tr><tr><td>Rural Unimproved Properties</td><td>Value (UV)</td><td>0.6079 cents</td><td>\$1,024.00</td></tr><tr><td>Urban Farmland (UV)</td><td>Unimproved Value</td><td>0.5169 cents</td><td>\$1,024.00</td></tr><tr><td>Mining Unimproved Value (UV)</td><td></td><td>7.9172 cents</td><td>\$1,024.00</td></tr></table> <p>3. Direct the CEO to:</p> <ul style="list-style-type: none"><li>• report back to Council any public submissions in relation to the proposed differential rates;</li><li>• seek the approval of the Minister to impose in 2016/17 a differential Mining UV rate which is more than twice the lowest general differential UV rate</li></ul>	Category	Rental Value (GRV)	Rate in \$	Minimum Rate	Gross Properties		8.3307 cents	\$827.00	Rural Unimproved Properties	Value (UV)	0.6079 cents	\$1,024.00	Urban Farmland (UV)	Unimproved Value	0.5169 cents	\$1,024.00	Mining Unimproved Value (UV)		7.9172 cents	\$1,024.00	
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C.10/0516	<p>That Council endorse an increase in the annual funding allocation for community group grants, service agreements and donations to \$160,000 per annum.</p> <p>That Council determines to allocate \$136,117 in the 2016-2107 budget for community donations (as shown in Attachment 10) as follows:</p>	<p>E Denniss</p> <p>Noted</p> <p>Letters to all applicants sent.</p>																				

	<ul style="list-style-type: none"> <li>• \$36,282 New service agreements</li> <li>• \$35,873 Existing service agreements to be carried forward</li> <li>• \$10,897 New community group grants</li> <li>• \$2,500 Chief Executive Officer donations</li> <li>• \$4,000 Chief Executive Officer hall hire donations</li> <li>• \$850 Rubbish and recycling collection for community events</li> <li>• \$350 Rubbish and recycling collection for Shire leased facilities</li> <li>• \$2,000 Bridgetown Biosecurity Group</li> <li>• \$500 South West Academy of Sport Sponsorship</li> <li>• \$250 Agricultural Society School Art Prize Sponsorship</li> <li>• \$1,000 Manjimup Airfield Contribution</li> <li>• \$41,615 Landcare Officer (1<sup>st</sup> year of guaranteed 3 year funding commitment 2016/17, 2017/18 &amp; 2018/19)</li> </ul> <p>That the Chief Executive Officer be directed to develop a new Memorandum of Understanding (MOU) specific to the allocation of funding for the Landcare Officer with the Blackwood Environment Society for a 3 year funding period with the draft MOU to be presented to Council for ratification.</p> <p>That Council endorse provision of \$23,883 for Geegeelup Village Inc being a contribution towards rates for the 2016-17 financial year.</p>			
C.13/0516 Proposed Amendment to Cut & Fill Town Planning Scheme Policy	<p>That Council endorse in-principle the following amendments to its Cut and Fill Town Planning Scheme Policy (TP8) and direct the CEO to commence the community consultation required for amending a town planning scheme policy by:</p> <ol style="list-style-type: none"> <li>1. Deleting reference for the requirement of a landscaping plan.</li> <li>2. Deleting all reference to or requirements for submittal of a</li> </ol>	S Donaldson		Revised policy advertised with submission period ending 21 July 2016. Report to be presented to Council in August 2016.
		E Denniss	Letter of advice sent.	
		T Clynych	Not commenced	

	landscaping plan and payment of a landscaping bond.			
3.	Noting that such amendments wouldn't be retrospective for applicants that have already had landscaping conditions imposed and/or paid a landscaping bond.			
SpC01/0516 Cost Overruns at Bridgetown Sportsground Change Rooms	<p>That Council:</p> <ol style="list-style-type: none"> <li>Amend its 2015/16 budget as follows: <ol style="list-style-type: none"> <li>Increase the 'materials &amp; contracts' allocation for Job No. 17BU 'Bridgetown Sportsground Change Rooms' from \$316,864 to \$401,000.</li> <li>Decrease the 'materials &amp; contracts' allocation for Job No. 08BU Shire Depot Building Renewals from \$48,735 to \$32,735.</li> <li>Decrease the 'materials &amp; contracts' allocation for Job No 28BU '32 Gifford Road' from \$8,700 to \$3,500.</li> <li>Transfer an amount of \$62,936 from the Building Maintenance Reserve to Job No. 17BU 'Bridgetown Sportsground Change Rooms'</li> </ol> </li> <li>Request the CEO prepare a 'Major Projects Evaluation' Policy for consideration by Council.</li> </ol>	T Clynych	'Major Projects Evaluation' Policy yet to be commenced (July 2016)	
C.16/0616 Adoption of 2016/17 Fees & Charges	<p>That Council:</p> <ol style="list-style-type: none"> <li>Adopt the 2016/17 Schedule of Fees &amp; Charges as per Attachment 10 with the following minor changes: <ul style="list-style-type: none"> <li>Correct amounts for Photocopying Colour fees – Library Section, page 27 to read: <ul style="list-style-type: none"> <li>Double sided A4 - \$3.35</li> <li>Single side A3 - \$3.80</li> </ul> </li> <li>Electric Vehicle Recharge Station - \$0.45 cents per kWh.</li> </ul> </li> <li>Determine the waste collection rate under Section 66 of the Waste Avoidance and Resource Recovery Act at the time of adoption of the 2016/17 budget.</li> </ol>	M Larkworthy	Waste fees to be determined at time of budget adoption.	

	3. Determine the kerbside rubbish and recycling collection charges at the time of adoption of the 2016/17 budget.			
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