

Special Council Meeting

Minutes for Tuesday 7 June 2016

UNCONFIRMED



**shire of
kalamunda**

INDEX

1.0	OFFICIAL OPENING.....	3
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	3
3.0	PUBLIC QUESTION TIME	4
4.0	PETITIONS/DEPUTATION	6
5.0	ANNOUNCEMENTS BY THE MEMBER PRESIDING WITHOUT DISCUSSION.....	7
6.0	MATTERS FOR WHICH MEETING MAY BE CLOSED	7
7.0	DISCLOSURE OF INTERESTS.....	7
8.0	REPORTS TO COUNCIL	8
	SCM 03. APPROVAL FOR A PUBLIC SUBMISSIONS MEETING – LOCAL PLANNING SCHEME No. 3 – AMENDMENT 82 – DUAL DENSITY CODING	9
	SCM 04. PROPOSED TELECOMMUNICATIONS MAST – LOT 622 (42) LEDGER ROAD, GOOSEBERRY HILL (LEDGER ROAD RESERVE)	13
	SCM 05 CONFIDENTIAL ITEM- CONSIDERATION OF TENDERS- FORRESTFIELD INDUSTRIAL AREA- NARDINE CLOSE/ASHBY CLOSE UPGRADE (E-QUOTE 09-2016).....	40
9.0	MEETING CLOSED TO THE PUBLIC	41
10.0	CLOSURE	42

MINUTES

1.0 OFFICIAL OPENING

The Presiding Member opened the meeting at 6.30pm, welcoming Councillors, Staff, Members of the Public Gallery and the press.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Andrew Waddell JP	(Shire President) (Presiding Member)	North West Ward
Sara Lohmeyer		North West Ward
Dylan O'Connor		North West Ward
Sue Bilich		North Ward
Tracy Destree		North Ward
Simon Di Rosso		North Ward
Michael Fernie		South East Ward
John Giardina		South East Ward
Geoff Stallard		South East Ward
Allan Morton		South West Ward
Brooke O'Donnell		South West Ward
Noreen Townsend		South West Ward

Members of Staff

Rhonda Hardy	Chief Executive Officer
Warwick Carter	Director Development Services
Dennis Blair	Director Infrastructure Services
Gary Ticehurst	Director Corporate Services
Sam Assaad	Manager Infrastructure Operations
Andrew Fowler-Tutt	Manager Development Services
Jonathan Smith	Manager Health & Ranger Services
Jordan Koroveshi	Senior Strategic Planning Officer
Donna McPherson	Executive Research Officer to Chief Executive Officer
Nicole O'Neill	Public Relations Coordinator
Meri Comber	Governance Officer

Members of the Public 45

Members of the Press 1

2.2 Apologies

Councillors

Nil.

2.3 Leave of Absence Previously Approved

Nil.

3.0 PUBLIC QUESTION TIME

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

3.1 David Kelly, Forrestfield

- Q1. With regard to the tender process for Forrestfield Industrial Area – Nardine Close/Ashby Close upgrade, when letters were sent to stakeholders they indicated tenders would on a three option basis, why were there only two options to quote for?
- A1. The tender has an Option A and an Option B, the third Option is A and B.
- Q2. I understood the continuation of the road (Option B) was to be a variation, why was this not so?
- A2. Director Development Services indicated the Shire had sought legal advise regarding the construction of the tender.
- Q3. Why was this tender not put to open market and in fact included a contractor not experienced in road building and were all members of that panel invited to quote?
- A3. The tender was done through WALGA as they prequalify tenderers and this speeds up the process for the Shire. All members of the panel who were qualified were invited to quote.
- Q4. There is an accomplished road builder who is a stakeholder in this development, could you explain why this stakeholder was not asked to quote and how many invitations to tender went out?
- A4. Everyone from the WAGA panel was invited. The number of invitations was taken on notice.

3.2 Sue Blair, Gooseberry Hill

- Q. In reference to Item 04 on this Agenda, why did the Council Report only mention the reserve as a tip-site and gravel quarry, rather than noting the long history of community involvement in this precious amenity? This access could interfere with the passive recreation of those who enjoy this reserve.
- A. Director Development Services answered this had been an oversight.

3.3 Cathy Burbridge, Gooseberry Hill

- Q1. With regard to Item 4 on this Agenda, residents who are part of "Friends of Leger Reserve" have worked in this area for over 20 years and have come across many contaminants, the site's contamination classification only refers to asbestos, have other departments been informed of the other contaminants on site? How will the development by Optus impact

the environment, drinking water and public safety if heavy metal and other contaminants are disturbed and who will oversee this?

- A1. Director Development Services indicated this matter has only recently been raised with the Shire, the Management Plan that does exist is in regard to asbestos, however all matters can be accommodated in a Management Plan, the Shire will bring this to the attention of the WAPC who can in-turn notify the DER for their consideration.
- Q2. Will the public be informed of the result?
- A2. It would be up to the WAPC to take this into account, the Shire only make comment.
- Q3. Optus have stated in their development application and publically that they moved the tower's original location due to concern from the public due to its proximity to the Gooseberry Hill Primary School; yet an officer from the Shire in an email to a community member states that contamination was the influencing factor, which is the correct explanation?
- A3. The Shire made Optus aware of high concentrations of asbestos, the Shire is not aware of the rationale Optus used in choosing the final location of the tower.

3.4 Natasha Binns, Gooseberry Hill

- Q1. Given that Ledger Road Reserve is a public space will Optus be required to advertise their fire management plan, dieback plan and site vehicle movement plan and if not will the Shire make these publicly available?
- A1. The Director Development Services responded, this will be up to the WAPC, the Shire will follow the direction of WAPC the Shire cannot pre-empt the decision of another authority.

3.5 Lynne Maurer, High Wycombe

- Q1. I believe there was a community petition regarding the Telecommunications Tower in Gooseberry Hill when was this tabled?
- A2. The Chief Executive Officer responded, this is to be tabled this evening.
- Q2. Does the Shire have a telecommunication policy which they are obliged to refer to? Was the revoking of Policy DEV 26 ever advertised in the newspaper circulating the district and if so for how long?
- A2. The Director Development Services responded there is no policy currently in place, there is a policy which has concluded being advertised for public comment, it has no statutory effect in this particular instance. The matter regarding advertising was taken on notice.

3.6 Lucy Eyre, Lesmurdie

Q1. With regard to the asbestos pits around the Gooseberry Hill Primary School, were the school informed about these and if so when?

A1. This question was taken on notice.

Q2. Have air tests been carried out to see if particles are in the air?

A2. Director Development Services responded they had not.

Q3. Were the Gooseberry Hill Planting Group informed about the contamination, and if so when?

A3. Yes, they were told prior to the planting; they were directed to plant within the Asbestos Management Plan which gave them direction as to where to plant and what method. The date of notification was taken on notice.

Q4. I understand this is part of the Helena Valley water catchment area, has a test been taken of the water to see if it is suitable?

A4. This question should be directed to the Department of Water.

3.6 Kylie Bullo, Kalamunda

Q1. Please could you also inform me when the Gooseberry Hill Primary School were informed regarding the asbestos contamination?

A1. These will be available on the Shire's website in the Minutes.

4.0 PETITIONS/DEPUTATION

4.1 The Chief Executive Officer read a Petition presented by Emma Kallarn on behalf the *No To Tower Group* :

"On behalf of the No To Tower Group I hereby submit a second portion of a Petition of the Electors in the Shire of Kalamunda signed by 99 electors requesting that:-

The Council reject any application for development of mobile phone base station towers:

- In close proximity to community sensitive locations and in particular facilities used by children,
- And/or environmentally sensitive locations provided for in any relevant Commonwealth, State and Local Laws and / or Policies.

That the Shire of Kalamunda applies the Precautionary Principle as noted in Australia's Inter-governmental Agreement on the Environment (IGAE). We advise that the Petition remains open to further petitioners for the foreseeable future and will be further supplemented in time.

Please accept this petition as a clear indication of the concerns related to mobile telephone base stations and the total number of electors petitioning currently stands at 458 that desire to be represented in this regard."

- 4.2 A Deputation was received from Emma Kallarn, Gooseberry Hill regarding Item SCM 04 Proposed Telecommunications Mast, Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve). There were no Councillor questions following this deputation.
- 4.3 A Deputation was received from Sonya Bell, Kalamunda regarding Item SCM 04 Proposed Telecommunications Mast, Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve). There were no Councillor questions following this deputation; however the Presiding Member responded he had not made the stated quote to the Midland Reporter regarding this matter.
- 4.4 A Deputation was received from Laurie Chantry from Planning Solutions regarding Item SCM 04 Proposed Telecommunications Mast, Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve). There were no Councillor questions following this deputation.
- 4.5 A Deputation was received from Tony Moiler representing Kalamunda Fire & Rescue Services regarding Item SCM 04 Proposed Telecommunications Mast, Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve).

A Councillor asked if it were true that when there is a fire situation the towers don't allow calls to get through. Tony Moiler responded there are management systems and it is possible to prioritise certain types of traffic.

5.0 ANNOUNCEMENTS BY THE MEMBER PRESIDING WITHOUT DISCUSSION

- 5.1 Nil.

6.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

- 6.1 **SCM 05 CONFIDENTIAL ITEM- Consideration of Tenders- Forrestfield Industrial Area- Nardine Close/Ashby Close Upgrade (e-Quote 09-2016)**

Reason for confidentiality *Local Government Act 1995 S5.23 (d) (c) - "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."*

7.0 DISCLOSURE OF INTERESTS

7.1 Disclosure of Financial and Proximity Interests

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

- 7.1.1 Nil.

7.2 **Disclosure of Interest Affecting Impartiality**

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

7.2.1 Nil.

8.0 REPORTS TO COUNCIL

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

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

SCM 03. Approval for a Public Submissions Meeting – Local Planning Scheme No. 3 – Amendment 82 – Dual Density Coding

Previous Items	OCM 140/2015
Responsible Officer	Chief Executive Officer
Service Area	Governance & PR
File Reference	PG-LPS-003/082
Applicant	
Owner	

PURPOSE

1. To approve the holding of a Public Submissions Meeting with respect to Local Planning Scheme No. 3 (LPS3) – Amendment 82 – Dual Density Coding.

BACKGROUND

2. Council resolved at its Ordinary Council Meeting of 26 October 2015, to initiate Amendment 82 (the Amendment) to the LPS3. The Amendment provides for Dual Density Coding in the identified Housing Opportunity Precincts (HOP).
3. A 60 day Community Consultation period, as well as Community Forums in each of the HOP's, was approved by Council.

DETAILS

4. The 60 day Community Consultation period commenced on 4 January 2016, finished on 4 March 2016 and resulted in 560 private submissions as well as a number from government agencies.
5. Three well attended Community Forums were held in Forrestfield, High Wycombe and Kalamunda.
6. The outcome of the Community Consultation to date has highlighted that the proposed introduction of Dual Density Coding has generated considerable interest and contention.
7. In circumstances where a matter to be considered by Council is deemed contentious, the Shire of Kalamunda Standing Orders Local Law 2016 provides in Clause 6.13 that the Council may meet to hear public submissions:-

6.13 Council may meet to hear public submissions

- (1) *Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.*

-
- (2) *The CEO and the President must set the time and date of the meeting to provide the opportunity to be heard.*
 - (3) *Where the Council resolves to meet to provide the opportunity to be heard under subclause (1), the presiding member must -*
 - (a) *instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;*
 - (b) *provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 6.9 to make a deputation on the issue; and*
 - (c) *cause minutes to be kept of the meeting to provide the opportunity to be heard.*
 - (4) *A meeting held under subclause (1) must be conducted only to hear submissions but a member may, at any time with leave of the presiding member, ask a question to seek to clarify any aspect of a submission, the Council must not make resolutions at a meeting held under subclause (1).*
 - (5) *At a meeting held under subclause (1), each person making a submission must be provided with the opportunity to fully state his or her case.*
 - (6) *A member of the public must be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the presiding member.*
 - (7) *Once every member of the public has had the opportunity to make a submission the presiding member is to close the meeting.*
 - (8) *The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.*
 - (9) *The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under subclause (8).*

It is proposed to hold the Public Submissions Meeting on Monday 20 June 2016 at 7.15pm, following a Special Council Meeting.

STATUTORY AND LEGAL CONSIDERATIONS

8. Clause 6.13 (1) and (2) of the Shire of Kalamunda Standing Orders Local Law 2016.

POLICY CONSIDERATIONS

9. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

10. The holding of a Public Submissions Meeting will provide a further opportunity for landowners and members of the community to provide feedback to Council on issues pertaining to the proposed LPS3 amendment for Dual Density Coding.

FINANCIAL CONSIDERATIONS

11. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

12. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 6.4 – To engage regularly and proactively with the community.

SUSTAINABILITY

Social Implications

13. Nil.

Economic Implications

14. Nil.

Environmental Implications

15. Nil.

RISK MANAGEMENT CONSIDERATIONS

- 16.

Risk	Likelihood	Consequence	Rating	Action/Strategy
A submission meeting is not considered necessary.	Unlikely	Major	Moderate	Ensure affected land owners and community members are provided sufficient opportunities to provide comment on Amendment 82

OFFICER COMMENT

17. Given the extensive interest in the Amendment to date it would be prudent for Council to allocate an evening dedicated to this issue so that affected community members can have their say.

Voting Requirements: Simple Majority

RESOLVED (SCM 92/2016)

That Council:

1. Approves the holding of a Public Submissions Meeting with respect to Local Planning Scheme No. 3 – Amendment 82 – Dual Density Coding on Monday 20 June 2016 at 7.15pm in the Council Chambers, Shire of Kalamunda Administration Centre, 2 Railway Road Kalamunda.

Moved: **Cr John Giardina**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (12/0)**

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

SCM 04. Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

Previous Items	
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	LD-01/042
Applicant	Planning Solutions (Aust) Pty Ltd
Owner	State of Western Australia
Attachment 1	Site Plan
Attachment 2	Floor Plans
Attachment 3	Elevation Plans
Attachment 4	Network Capacity Plan
Attachment 5	Submission Table

PURPOSE

1. To consider recommendations to the Western Australian Planning Commission (the Commission) on a planning application for a proposed Telecommunications Infrastructure (phone mast) at Lot 622 (42) Ledger Road (the site).
2. As the site is a Regional Reserve under the Metropolitan Region Scheme (MRS) the Shire is not the decision maker. The Shire is required to make recommendations to the Commission who will determine the application.

BACKGROUND

3. **Land Details:**

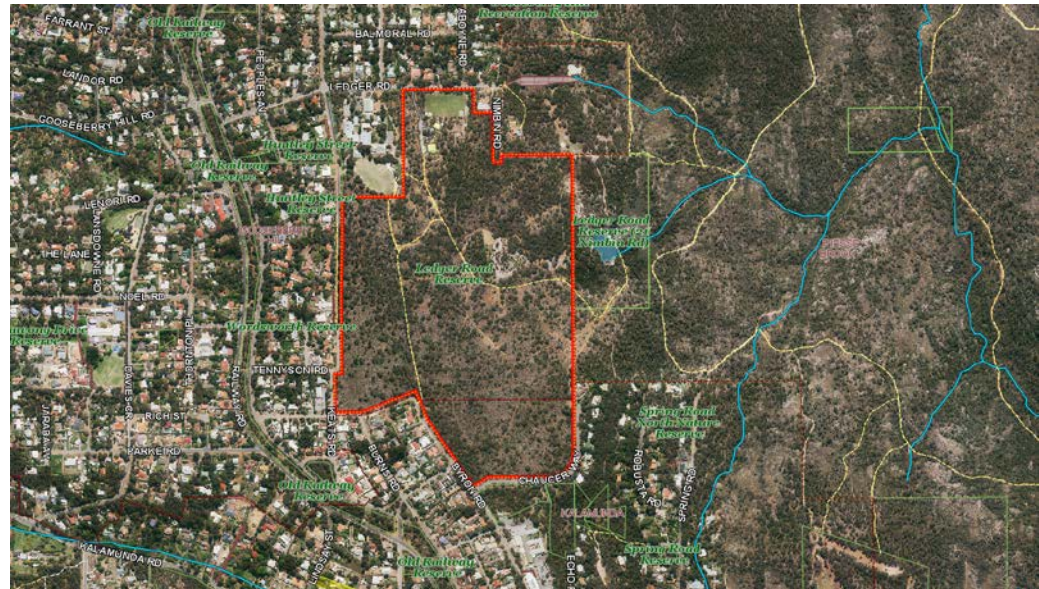
Land Area:	50.7768 ha
Metropolitan Regional Scheme Zone:	Regional Reserve – Parks and Recreation

4. In January 2011 Council considered an application for a Telecommunications Infrastructure on the subject site although in a different location to that currently proposed. Council resolved to advise the Commission that it did not support the proposal, however it was subsequently approved by the Commission in June 2011.
5. Ledger Road Reserve has historically been used as a gravel quarry and tip site. In 2006, the Shire engaged the Eastern Metropolitan Region Council (EMRC) to prepare an Asbestos Management Plan (AMP) for the site. The AMP requires areas with high concentrations of fragments to be covered with soil, mulched and vegetated.
6. In 2007, in accordance with the Contaminated Sites Act 2003 (the Act) the site was referred to the Department of Environment and Conservation, now referred to as the Department of Environment Regulation (DER) as a contaminated site with a copy of the AMP. The site was subsequently listed and classified by the now DER in 2008 as "Remediated for Restricted Use".

7. The Shire recently met with the Department of Health (DOH) toxicologist to discuss the issue of the asbestos fragments and related matters. The Shire is currently reviewing the current AMP in accordance with the DOH guidelines.

Locality Plan

- 8.



DETAILS

9. The application proposes the installation of a new communications monopole with an overall height of 42 metres above natural ground level, six panel antennas and a 3.15m x 2.38m X 2.94m equipment shelter. The monopole and shelter would be located within a 14m x 10m fenced area for security purposes. Refer Attachment 1-3.

10. In support of the proposal, the applicant has advised the following:

"An existing mobile base station is located at 60 Dixon Road, Kalamunda, approximately 1.5km south of the proposed installation, but it is too far south for a co-location solution to meet the Optus/VHA coverage demands of Gooseberry Hill.

...these residents currently have inadequate mobile phone and wireless data coverage, as there are insufficient mobile phone facilities in the area to meet the demand. The lack of coverage means residents are disadvantaged in their personal and business access to these facilities. The proposed infrastructure seeks to address this issue."

STATUTORY AND LEGAL CONSIDERATIONS

11. Clause 3.2.2 of Local Planning Scheme No.3 (the Scheme) states:

3.2.2 The approval of the local government under this Scheme is not required for commencement or carrying out of any use or development on a Region Reserve.

12. Whilst the Shire is not the decision maker on the application, in considering its recommendation to the Commission, is to consider the orderly and proper planning of the locality, including the amenity of the area. Clause 29(3) the Metropolitan Region Scheme states that the Local Government is to make recommendations for consideration by the Commission in respect of the application. Whilst not explicitly stated, it is reasonable for the Shire to rely on Clause 67, of the Deemed to Comply Regulations (that form part of the Local Planning Scheme), which states matters which are to be considered include, but are not limited to:
- The compatibility of the development within its settings;
 - Any approved Statement of Planning Policy of the Western Australian Planning Commission;
 - The preservation of the amenity of the locality;
 - The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.
 - Any relevant submissions received during the advertising or from any authority consulted.
13. Under Clause 13 of the MRS, development on reserved land, other than the erection of a boundary fence requires the approval of the Commission.
14. Under Clause 30(1) of the MRS, when considering an application, the Commission is to have due regard to the following matters:
- The purpose for which the land is zoned or reserved;
 - The orderly and proper planning of the locality; and
 - The preservations of the amenity of the locality.
15. Under Clause 29(3) of the MRS the Shire is required to forward its recommendation for consideration by the Commission within 42 of receipt of the application for development.

POLICY CONSIDERATIONS

State Planning Policy 5.2 - Telecommunications Infrastructure (2015)

16. State Planning Policy 5.2 – Telecommunications Infrastructure (SPP 5.2) (the Policy) aims to balance the needs for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas. Using a set of land use planning policy measures, the policy intends to provide clear guidance pertaining to the siting, location and design of telecommunications infrastructure.
17. In respect to Electromagnetic Emissions (EME), the Policy states as follows:
- “The use of mobile telephones has raised public concern about possible health issues associated with exposure to electromagnetic emissions. However, telecommunications carriers must comply with the Australian Communications and Media Authority (ACMA) Licence Conditions (Apparatus Licence) Determination 2003. These licence conditions make mandatory the limits in*

the Australian Radiation Protection and nuclear Safety Agency (ARPANSA) Radiofrequency (RF) Standard which sets limits for human exposure to RF electromagnetic fields from all sources, including telecommunications infrastructure. ARPANSA is the primary Commonwealth agency responsible for protecting the health and safety of people and the environment from the harmful effects of radiation.

18. *Measurement surveys undertaken by ARPANSA demonstrated that environmental radiofrequency levels near base stations for the mobile telephone network are extremely low. The ARPANSA surveys reported that typical exposures to radiofrequency fields were well below once per cent of the Standard's public exposure limits. It concluded that 'given the very low levels recorded and the relatively low power of these types of transmitters, it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research.*
19. *Standards sent by ARPANSA incorporate substantial safety margins to address human health and safety matters; therefore it is not within the scope of this Policy to address health and safety matters. Based on ARPANSA's findings, setback distances for telecommunications infrastructure are not to be set out in local planning schemes or local planning policies to address health or safety standards for human exposure to electromagnetic emissions".*
20. In regard to the visual impact and siting of telecommunications infrastructure, SPP 5.2 contains several planning principles to be considered which are summarised as follows:
- Located where the facility will not be prominently visible from significant viewing locations, such as scenic routes, lookouts and recreation centres.
 - Located so as to avoid detracting from a significant view of a landmark, streetscape, vista or panorama, whether viewed from public or private land.
 - Not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised.
 - Display features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.
 - Located where it will facilitate continuous network coverage and/or improved telecommunications services to the community.
 - Facilities should be co-located whenever possible.

21. **P-DEV52- Telecommunications Infrastructure (Draft)**

Local Planning Policy P-DEV 52- Telecommunications Infrastructure was considered at Council's Ordinary meeting on 28 March 2016 for approval to commence advertising. To date Council has not considered whether or not to finally adopt the Policy and as the application was lodged prior to the notification period closing the Policy cannot be considered seriously entertained and therefore cannot be relied on for the assessment of the application.

COMMUNITY ENGAGEMENT REQUIREMENTS

22. The proposal was advertised for public comment as follows:

- Letters sent to landowners within 800 metres of the proposal;
- A notice being placed in a local paper circulating in the district;
- Three A0 signs being placed on the road reserve adjacent to the site;
- A notice being placed on the Shire web page.

Additionally the applicant held an information session at the Ledger Road Hall attended by planning and telecommunications consultants. It is noted that this level of consultation in excess of the Shire's adopted Public Comment Policy.

23. The principal issues of concern raised in the submission are summarised as follows (refer Attachment 5):

- Proximity of the tower to sensitive land uses
- Impact on health through Electromagnetic emissions
- Potential disturbance of asbestos on the site
- Impact on flora and fauna in the Reserve
- Impact of the tower on the amenity of the area
- The application fails to comply with SPP 2.5
- The location is in a bush fire prone area
- The location is in a Priority 1 Area in the Middle Helena Catchment Area

24. A number of submitters in support of the proposal advised that they experience poor mobile device service in their locality, particularly Gooseberry Hill. This proposal will go some way in addressing this issue.

FINANCIAL CONSIDERATIONS

25. Nil

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

26. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.3 – To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.

Strategy 4.3.2 – Undertake efficient monitoring and compliance of building developments within the Shire.

SUSTAINABILITY

Social Implications

27. Some sections of the community are concerned regarding potential health implications associated with exposure to EME particularly in relation to students attending Gooseberry Hill Primary.
28. The proposal will improve telecommunications for the locality.

Economic Implications

29. Improved telecommunications infrastructure may create opportunities for economic development.

Environmental Implications

30. Notwithstanding the inclusion of Ledger Road in the Shire's adopted Local Biodiversity Strategy, the proposal is to be developed in a relatively degraded area of the reserve, which will result in minimal removal of vegetation.
31. The site is in an area listed as a contaminated site with known areas of asbestos.

RISK MANAGEMENT CONSIDERATIONS

32.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may not make a recommendation to the Commission.	Possible	Minor	Medium	Ensure Council is aware of its statutory obligations in making a recommendation to the Commission.
Impact to the contaminated site may effect health.	Unlikely	Major	Medium	Request that consideration be given to an Environmental Management Plan to address this matter.

OFFICER COMMENT

Issues Raised During Advertising Period

33. In regard to the concerns raised during advertising, the following is noted:

Impact on health through Electromagnetic emissions

The Shire does not have the legal ability or technical expertise to assess EME safety factors. The Shire has acted to date on the direction of the State and

Federal governments on such matters. Currently Australian Standards for EM radiation is enforced by ARPANSA. The precautionary principle is already used in existing safety standards and deployment processes. State Planning Policy 5.2 requires that a development application is accompanied by a report demonstrating compliance with the Deployment Industry Code, which also includes the precautionary principle. The applicant has provided this information as part of the application. Ultimately the Commission will determine if the information contained is to their satisfaction.

34. Potential disturbance of asbestos in locality:

It is recommended that if the Commission is minded to approve the proposal, that it include a condition requiring an Asbestos Management Plan as part of the operation of the site. In accordance with the requirements of the DER. It is also recommended that the Commission seek the advice of the relevant State Government Agencies. Further, conditions seeking detailed survey of areas to be impacted will ensure that surface fragments are identified in the specific areas of development.

35. Impact on flora a fauna in the Reserve

In the event the Commission approves the application the Shire will be seeking as a condition of the approval an Environmental Management Plan for the site, including a site vehicle movement plan.

36. The location is in a Bush Fire Prone Area

Bushland is often supported for siting towers as the visual impacts are generally smaller than in urban areas and there is a large benefit for the at-risk residents. The tower may also provide useful communications in the event of a bush fire.

37. The application fails to comply with SPP 2.5

The policy details the information required and the matters the local government should give consideration to when assessing a development application. The application is considered to have met the requirements of the Policy. In respect to specific requirements of the Policy the following is noted.

In regard to the visual impact of the proposal, the facility is located in a discrete location in a regional reserve approximately 320m from the nearest residential area to the south east of the subject site.

The applicant has provided a plan in support of the proposal which indicates the extent of the current gaps in the service for the Gooseberry Hill locality. Refer Attachment 4.

38. Proximity of the tower to sensitive land uses

The placement of telecommunication facilities are considered on a case-by-case basis. The State Government does not recognise any areas as being sensitive locations for the siting of telecommunications facilities.

39. The location of the telecommunication facility is located in a public drinking water source area
- The majority of Ledger Road Reserve is located in a Priority 1 water catchment area under the Middle Helena Land Use and Water Catchment Strategy. The guiding principle in considering development in P1 areas is risk avoidance. The land use compatibility table used for regulating land uses in public drinking water source areas identifies telecommunications facilities in P1 areas as compatible with conditions.
40. In addition to the objections raised to the proposal there were also a number of submissions received in support of the proposal which noted the lack of mobile coverage in the locality.
41. In summary, the proposal is considered consistent with the policy provisions of SPP 5.2, in particular the discrete location of the facility which does not detract from the visual amenity of the area. Residents' concerns regarding the site contamination are noted and if the Commission decides to support the proposal a condition requiring the preparation of an Asbestos Management Plan has been requested.
42. Ultimately the commission will be required to determine whether the application is suitable for approval, in consultation with government departments.
43. In addition to the summary of submissions (Table 5), the Shire will provide a copy of all submissions made to the Commission for its consideration.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. Recommend the Western Australian Planning Commission, in determining the application for a Proposed Telecommunications Infrastructure at Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve), have due regard to the following matters:
 - a) The subject site contains fragments of asbestos and advice should be sought from the Department of Environment Regulation and Department of Health to determine the level of risk.
 - b) The subject site is located within the Middle Helena Catchment Area and advice should be sought from the Department of Water.
 - c) Notwithstanding the advice provided by the application and the directions set out in State Planning Policy 5.2 with respect the Electro Magnetic Radiation, the community has raised this as an issue.
 - d) The area suffers from poor mobile coverage.
2. Advise the Western Australian Planning Commission that if it is minded to approve the proposal, that the following conditions be imposed:

- a) The development shall be carried out only in accordance with the terms of the development applications and any associated plans.
- b) Prior to commencement of site works and Environmental Management Plan, including detailed site survey, addressing construction and operational impacts of the development is to be approved by the Shire of Kalamunda on advice from the Department of Health, Department of Water and Department of Environmental Regulation. The Environmental Management Plan shall include, but not be limited to matters related to vegetation clearing, vehicle access, revegetation and potential asbestos hazards.
- c) The applicant to provide an Asbestos Management Plan in accordance with the requirements of the Department of Environment Regulation.
- d) No building materials, rubbish or other matter shall be deposited on the reserve after construction of the development.

3. Subject to the application being to the satisfaction of the government departments, with respect to part 1 of this recommendation, and the conditions in part 2 being applied, the Shire has no objection to this application.

The Shire forward the following documents to the Western Australian Planning Commission:

- a) A copy of all submissions
- b) A copy of the Shire's Biodiversity Strategy
- c) A copy of the current Asbestos Management Plan.

Moved: **Cr Tracy Destree**

Seconded: **Cr Noreen Townsend**

Vote:

The Officer Recommendation was put, a mover and seconder found. A Councillor put forward an Amendment containing an additional two points. A mover and seconder were found for the Amendment.

Voting Requirements: Simple Majority

AMENDMENT

That Council:

1. Requests the Chief Executive Officer to:
 - Instruct the recently engaged contractor to immediately inspect and remove, any fragments of Asbestos from all tracks within the Ledger Reserve.
 - Ensure a contractor will be engaged to bi-annually inspect and remove, any fragments that may have appeared since and were not visible on previous inspections.

- Immediately engage a consultant to revise and review the Shire's Asbestos Management Plan for Ledger Reserve Gooseberry Hill.
- Erect appropriate signage on the site to alert any users of the reserve to the presence of Asbestos on the site.
- Ensure immediate action is taken to complete the covering of the areas of heavy concentrations in accordance the Asbestos Management Plan.

2. Allocate any necessary additional funds in into 2016/17 budget to undertake immediate actions arising from the revised Asbestos Management Plan.

Moved: **Cr Andrew Waddell**

Seconded: **Cr Sara Lohmeyer**

Vote:

A Councillor foreshadowed a new motion, the Presiding Member indicated this could be considered if the motion on the table was not passed.

The mover and seconder of the substantive motion were happy for the Amendment to be added and become part of the substantive motion.

The Presiding Member gave the Councillor an opportunity to verbally outline the motion he foreshadowed.

A Councillor suggested the addition of the words "and all surface contaminants" be added at point 4, the mover and seconder agreed and this became part of the substantive motion.

Voting Requirements: Simple Majority

AMENDMENT

That Council:

4. To include the words "and all surface contaminants" after the word asbestos in point 4.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Simon Di Rosso**

Vote:

Councillors asked questions to clarify some points.

Councillors went into debate, the vote was then taken.

Voting Requirements: Simple Majority

RESOLVED (SCM 93/2016)

That Council:

1. Recommend the Western Australian Planning Commission, in determining the application for a Proposed Telecommunications Infrastructure at Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve), have due regard to the following matters:
 - a) The subject site contains fragments of asbestos and advice should be sought from the Department of Environment Regulation and Department of Health to determine the level of risk.
 - b) The subject site is located within the Middle Helena Catchment Area and advice should be sought from the Department of Water.
 - c) Notwithstanding the advice provided by the application and the directions set out in State Planning Policy 5.2 with respect the Electro Magnetic Radiation, the community has raised this as an issue.
 - d) The area suffers from poor mobile coverage.
2. Advise the Western Australian Planning Commission that if it is minded to approve the proposal, that the following conditions be imposed:
 - a) The development shall be carried out only in accordance with the terms of the development applications and any associated plans.
 - b) Prior to commencement of site works and Environmental Management Plan, including detailed site survey, addressing construction and operational impacts of the development is to be approved by the Shire of Kalamunda on advice from the Department of Health, Department of Water and Department of Environmental Regulation. The Environmental Management Plan shall include, but not be limited to matters related to vegetation clearing, vehicle access, revegetation and potential asbestos hazards.
 - c) The applicant to provide an Asbestos Management Plan in accordance with the requirements of the Department of Environment Regulation.
 - d) No building materials, rubbish or other matter shall be deposited on the reserve after construction of the development.
3. Subject to the application being to the satisfaction of the government departments, with respect to part 1 of this recommendation, and the conditions in part 2 being applied, the Shire has no objection to this application.

The Shire forward the following documents to the Western Australian Planning Commission:

 - a) A copy of all submissions
 - b) A copy of the Shire's Biodiversity Strategy
 - c) A copy of the current Asbestos Management Plan.

4. Requests the Chief Executive Officer to:
- Instruct the recently engaged contractor to immediately inspect and remove, any fragments of Asbestos **& all surface contaminants** from all tracks within the Ledger Reserve.
 - Ensure a contractor will be engaged to bi-annually inspect and remove, any fragments that may have appeared since and were not visible on previous inspections.
 - Immediately engage a consultant to revise and review the Shire's Asbestos Management Plan for Ledger Reserve Gooseberry Hill.
 - Erect appropriate signage on the site to alert any users of the reserve to the presence of Asbestos on the site.
 - Ensure immediate action is taken to complete the covering of the areas of heavy concentrations in accordance the Asbestos Management Plan.
5. Allocate any necessary additional funds in into 2016/17 budget to undertake immediate actions arising from the revised Asbestos Management Plan.

Moved: **Cr Tracy Destree**

Seconded: **Cr Noreen Townsend**

Vote:	<u>For</u>	<u>Against</u>
	Cr Michael Fernie	Cr John Giardina
	Cr Allan Morton	Cr Geoff Stallard
	Cr Brooke O'Donnell	Cr Simon Di Rosso
	Cr Noreen Townsend	Cr Sue Bilich
	Cr Dylan O'Connor	
	Cr Sara Lohmeyer	
	Cr Tracy Destree	
	Cr Andrew Waddell	
	CARRIED (8/4)	

As the motion was carried the foreshadowed motion lapsed.

Attachment 1

Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

Site Plan



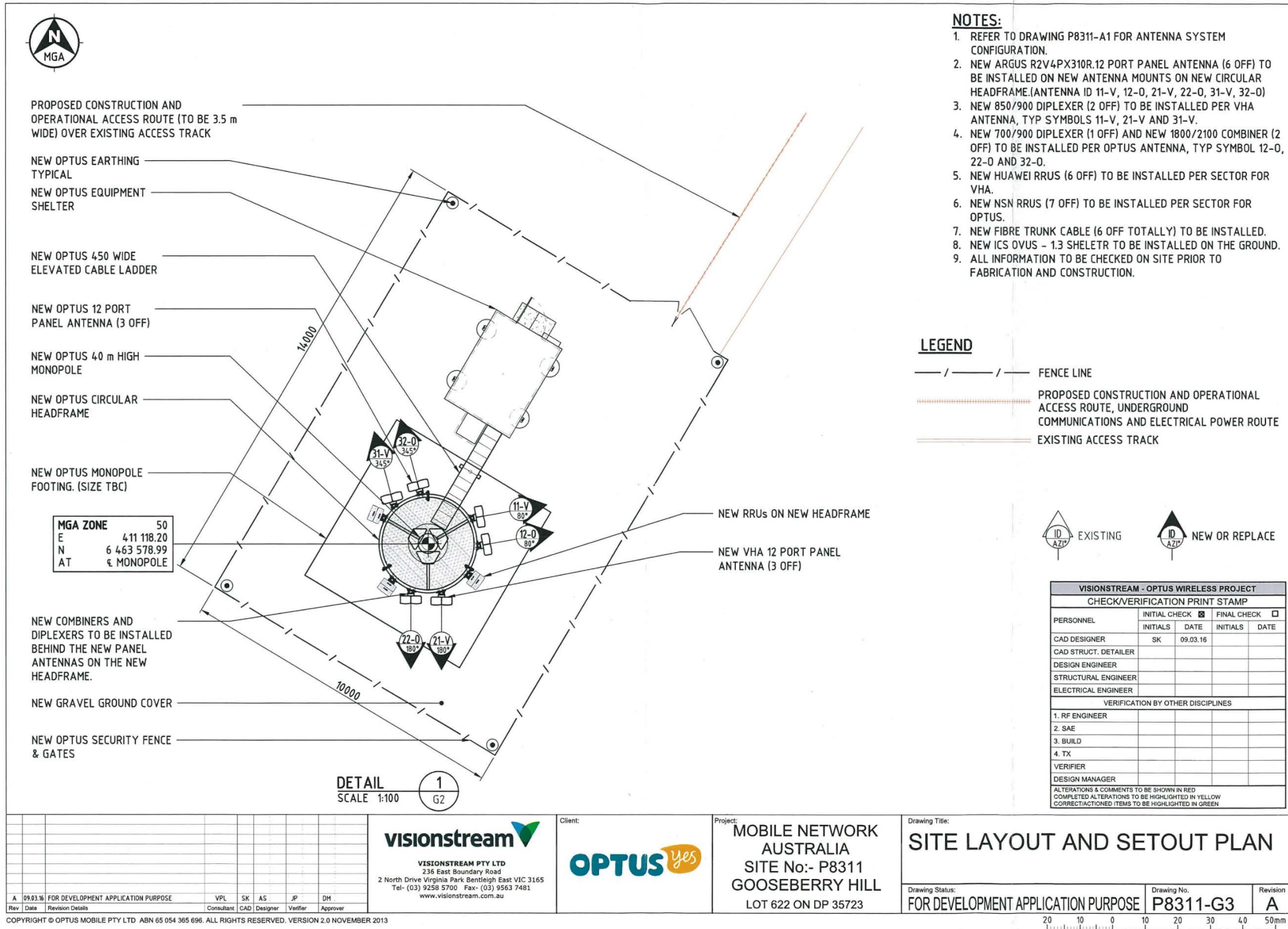
Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)



Attachment 2

Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

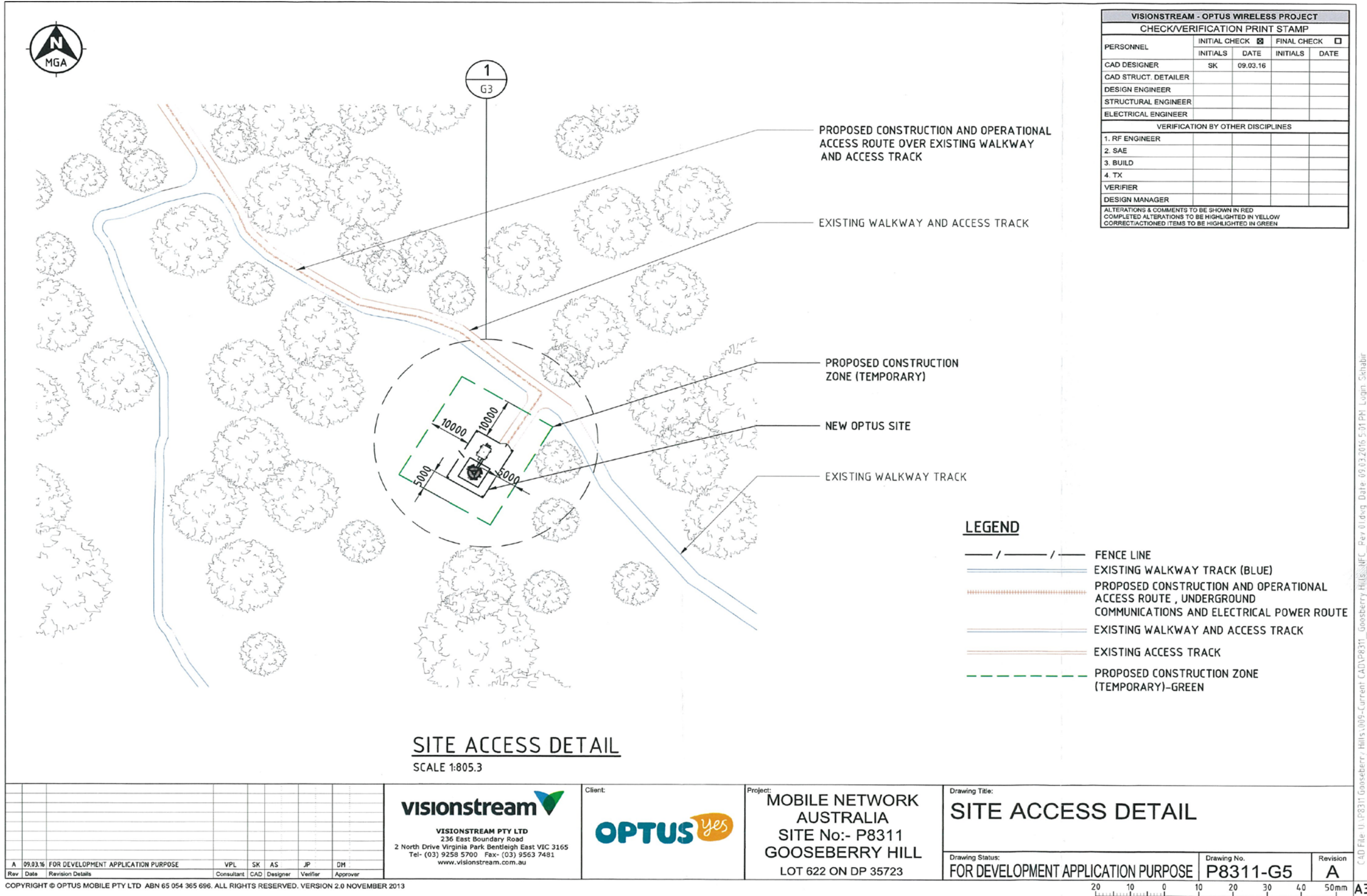
Floor Plans



Attachment 2

Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

Floor Plans



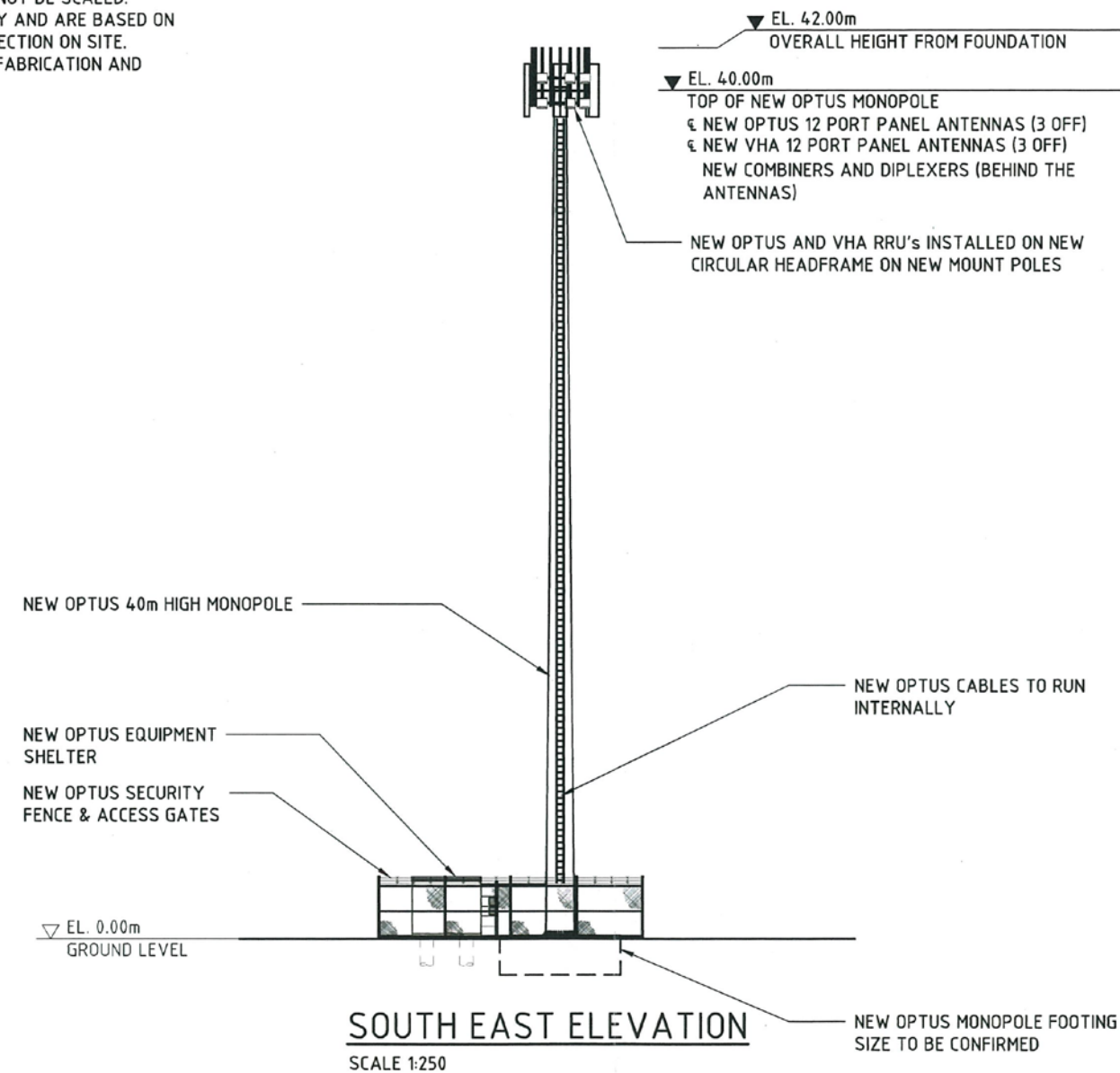
Attachment 3

Proposed Telecommunications Tower Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

Elevation Plan

NOTES:

1. REFER TO DRAWING P8311-A1 FOR PANEL ANTENNA DETAILS.
2. REFER TO DRAWING P8311-T1 FOR PARABOLIC ANTENNA DETAILS.
3. STRUCTURAL ADEQUACY OF EXISTING POLE / TOWER AND ITS FOUNDATION HAVE BEEN CONFIRMED BY TBC. REFER TO TBC POLE / TOWER CERTIFICATE No.TBC.
4. THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED.
5. EXISTING ANTENNAS AS SHOWN ARE INDICATIVE ONLY AND ARE BASED ON INFORMATION SUPPLIED BY OTHERS AND/OR BY INSPECTION ON SITE.
6. ALL INFORMATION TO BE CHECKED ON SITE PRIOR TO FABRICATION AND CONSTRUCTION.



VISIONSTREAM - OPTUS WIRELESS PROJECT					
CHECK/VERIFICATION PRINT STAMP					
PERSONNEL	INITIAL CHECK <input checked="" type="checkbox"/>		FINAL CHECK <input type="checkbox"/>		
	INITIALS	DATE	INITIALS	DATE	
CAD DESIGNER	SK	09.03.16			
CAD STRUCT. DETAILER					
DESIGN ENGINEER					
STRUCTURAL ENGINEER					
ELECTRICAL ENGINEER					
VERIFICATION BY OTHER DISCIPLINES					
1. RF ENGINEER					
2. SAE					
3. BUILD					
4. TX					
VERIFIER					
DESIGN MANAGER					
ALTERATIONS & COMMENTS TO BE SHOWN IN RED COMPLETED ALTERATIONS TO BE HIGHLIGHTED IN YELLOW CORRECT/ACTIONED ITEMS TO BE HIGHLIGHTED IN GREEN					

Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver
A	09.03.16	FOR DEVELOPMENT APPLICATION PURPOSE	VPL	SK	AS	JP	DM

visionstream
VISIONSTREAM PTY LTD
236 East Boundary Road
2 North Drive Virginia Park Bentleigh East VIC 3165
Tel- (03) 9258 5700 Fax- (03) 9563 7481
www.visionstream.com.au

Client:
OPTUS yes

Project:
MOBILE NETWORK AUSTRALIA
SITE No:- P8311
GOOSEBERRY HILL
LOT 622 ON DP 35723

Drawing Title:
SITE ELEVATION

Drawing Status:
FOR DEVELOPMENT APPLICATION PURPOSE

Drawing No.
P8311-G4

Revision
A

20 10 0 10 20 30 40 50mm

C:\D File U:\P8311 Gooseberry Hill\009-Current CAD Date 11.03.2016 10:38 AM Login: Skhabir

Attachment 4

Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

Network Capacity Plan



Site Purpose

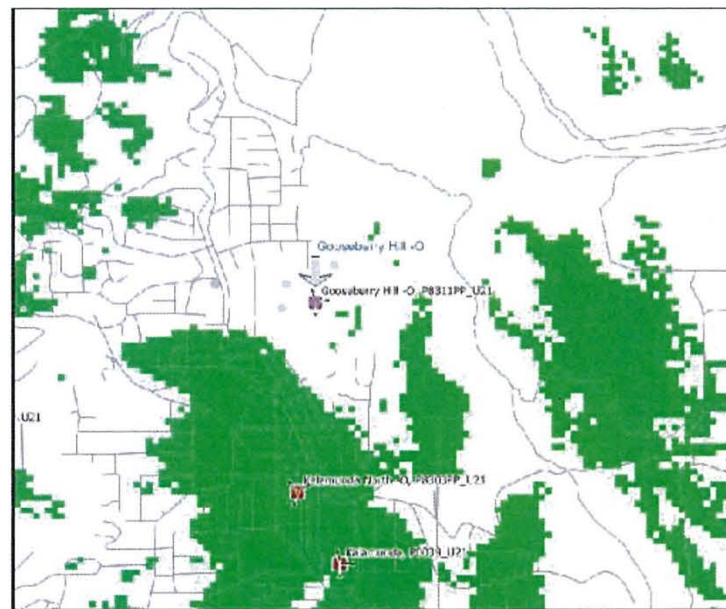


Exponential growth in demand for data at higher speeds has created a need for increased numbers of mobile phone base stations. Increased phone traffic now means it is no longer possible to rely on one site covering a large area as sites become congested. The proposed base station will provide the area with:

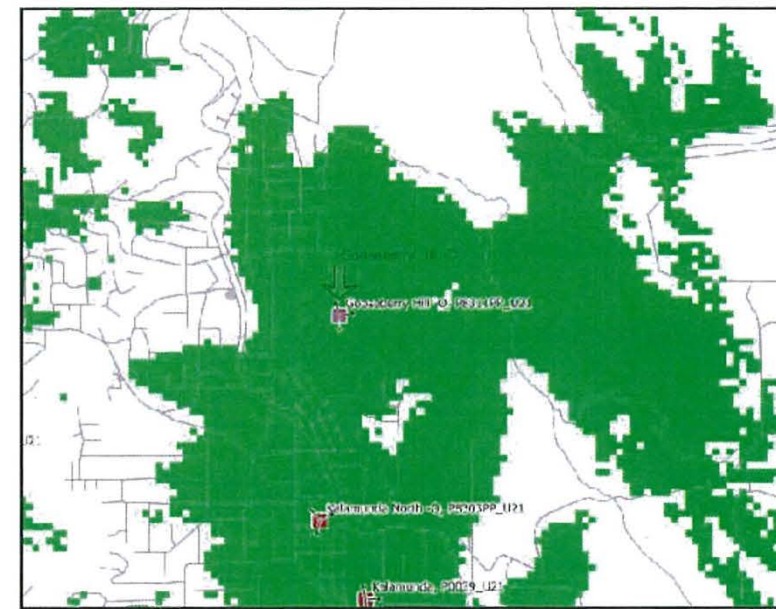
Improved coverage for the suburb of Gooseberry Hill and surrounding area

&

Improved capacity coverage and call quality in the area.



Before



After

In analysing the network, Optus engineers have found that existing sites covering Kalamunda are unable to deliver the high quality of service desired by Optus customers in the Gooseberry Hill Townsite and surrounding area. This is why a new site is being proposed for this area.



Attachment 5

Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

Submission Table

No objection	2, 8, 9, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 41, 44, 45, 47, 48, 49, 53, 54, 57, 72, 74, 75 , 76, 98, 100, 103, 106	Noted.
Tower will increase the risk to human health through EME.	3, 4, 6, 46, 61, 62, 65, 66, 71, 77, 81, 82, 83, 84, 85, 94, 95, 96, 101	The Shire does not have the legal ability or technical expertise to assess EME safety factors. The Shire has acted to date on the direction of the State and Federal governments on such matters. Currently Australian Standards for EM radiation is enforced by ARPANSA. The precautionary principle is already used in existing safety standards and deployment processes. State Planning Policy 5.2 requires that a development application is accompanied by a report demonstrating compliance with the Deployment Industry Code, which also includes the precautionary principle. The applicant has provided this information as part of the application.
Tower will detract from the amenity of the area due to it being visible over the tree line/ tower is too tall.	3, 5, 33, 58 , 73	Noted. When considering the application the WA Planning Commission is to have due regard to the preservation of the locality of the area.
Development will impact on the revegetation that has been occurring in the Reserve.	3,	The site is located in a semi cleared area away from revegetation work that has occurred on the reserve.
The proposal will set an undesirable precedent for development in Reserves.	5, 33, 43, 58, 69	Noted. When considering the application the WA Planning Commission is to have due regard to the preservation of the locality of the area.

It is important to have mobile coverage in the locality, particularly for emergencies.	7, 10, 26, 29, 41, 68, 75, 103, 106	It will be recommended to the WA Planning Commission that if approved, an Environmental Management Plan be required.
Coverage is currently poor in Gooseberry Hill/ Kalamunda	9, 11, 17, 18, 21, 23, 29, 30, 31, 32, 34, 44, 48, 49, 57, 75, 98, 101	Noted.
Proposal is too close to Gooseberry Hill Primary School, Child Care Centre and/ or residences.	3, 12, 19, 24, 40, 42, 50, 51, 59, 60, 61, 62, 63, 64, 67, 69, 73, 78, 79, 81, 83, 85, 87, 88, 89, 90, 91, 92, 96, 97, 99, 101, 102, 104	The placement of telecommunication facilities are considered on a case-by-case basis. The State Government does not recognise any areas as being sensitive locations for the siting of telecommunications facilities
Proposal will impact on flora and fauna and users of the Reserve by residents.	40, 43, 54, 59, 64, 71, 86, 89	It will be recommended to the WA Planning Commission that if approved, an Environmental Management Plan be required.
Emergency services may not be able to use the tracks during the construction phase.	43,	It will be recommended to the WA Planning Commission that if approved, a Vehicle Management Plan be required.
Object if the tower does not provide reasonable coverage.	52	Noted.
Clearing of natural vegetation and bushland to accommodate tower and shelter.	58,	It will be recommended to the WA Planning Commission that if approved, an Environmental Management Plan be required.
The site is potentially contaminated by asbestos, further environmental studies need to be undertaken before the surface should be disturbed.	60, 61, 62, 63, 64, 66, 71, 77, 78, 79, 80, 81, 82, 84, 85, 86, 87, 90, 91, 92, 96, 97, 99, 102, 104	It is recommended that if the Commission is minded to approve the proposal, that it include a condition requiring an Asbestos Management Plan as part of the operation of the site. In accordance with the requirements of the DER. It is also recommended that the Commission seek the advice of the relevant State Government Agencies.

The Application fails to comply with SPP (State Planning Policy) 5.2 in that it has not addressed the network capacity for future demands/ and or current gaps In service.	55, 56, 105	The application has provided a plan detailing the gaps in the local network.
The Proposal does not service the Bibbulmun Track, The Kalamunda National park and cover very few residences in Gooseberry Hill.	55, 5 6, 105	Noted. It is a matter for the proponent as to the area in which the proposal will provide a service.
The location is in a designated bush fire prone area and has not included information on how this will be addressed under Australian Standard As3959-2009 (construction of buildings in a bushfire prone area)	55, 56, 105	If a building permit is required for the structure, assessment under As3959 would be done at this stage.
The proposal does not comply with SPP 3.7 (Planning in a Bushfire Prone Area) in that it has not satisfactorily demonstrated compliance with this policy. As such in accordance with this policy the responsible decision maker should apply the precautionary principle.	55 ,56, 105	The application is accompanied by an EME report calculating EME levels from the facilities which adopts the precautionary principle.
Object to Proposal	70, 93	Noted.
Vehicles will negatively impact on the dieback and vegetation.	58, 77	It will be recommended to the WA Planning Commission that if approved, a Vehicle Management Plan be required.
The Council is currently reviewing its Telecommunications Policy and until this has been completed, the development application is too premature.	80	Noted, however the Shire is under a statutory obligation to make its recommendation to the WA Planning Commission within a prescribed period under the Metropolitan Region Scheme.
The site is in Priority 1 Area in the Middle Helena Drinking Water Catchment area	89, 90, 97	Noted. It is recommended that when considering the application the WA Planning Commission seek advice from the Department of Water on the matter.

Attachment 5

Proposed Telecommunications Mast – Lot 622 (42) Ledger Road, Gooseberry Hill (Ledger Road Reserve)

Submitters List

Submitter Name	Street Address	Suburb	Submission Number
Alwyn Williams	8/27 Byron Road	KALAMUNDA WA 6076	2
Name & Address Withheld	Name & Address Withheld	Name & Address Withheld	3
Mark O'Sullivan	8 Keats Road	GOOSEBERRY HILL WA 6076	4
Mary Swan	20 Headingly Road	KALAMUNDA WA 6076	5
Nola Smart	PO Box 701	KALAMUNDA WA 6926	6
Lorna McLaren	19/106 Williams Street	GOOSEBERRY HILL WA 6076	7
Patricia Neale	4/106 Williams Street	GOOSEBERRY HILL WA 6076	8
Thelma Sadler	8/106 Williams Street	GOOSEBERRY HILL WA 6076	9
John Freeman	27 Ledger Road	GOOSEBERRY HILL WA 6076	10
Steven & Penelope Jew	20 Bamoral Road	GOOSEBERRY HILL WA 6076	11
E Altinier	64 Williams Street	GOOSEBERRY HILL WA 6076	12
Russell Philip	5 City Vista	GOOSEBERRY HILL WA 6076	13
J & K Zetdler	49 Peoples Avenue	GOOSEBERRY HILL WA 6076	14
David Morse	15 Keats Road	GOOSEBERRY HILL WA 6076	15
Joyce & Thomas Johnon	16 Keats Road	GOOSEBERRY HILL WA 6076	16
Robert & Fay Whiltshire	133 Railway Road	GOOSEBERRY HILL WA 6076	17
Lorraine Shaw	15 Blamire Road	KALAMUNDA WA 6076	18
Jane Savage	3/5 Poets Lane	KALAMUNDA WA 6076	19

Submitter Name	Street Address	Suburb	Submission Number
Evelyn Adams	PO Box 847	DUNSBOROUGH WA 6281	20
Lesley Kinder	20/106 Williams Street	GOOSEBERRY HILL WA 6076	21
Sally Gunn	125 Railway Road	GOOSEBERRY HILL WA 6076	22
Alfred Brighton	155 Railway Road	GOOSEBERRY HILL WA 6076	23
Trevor Calnon	69 Peoples Avenue	GOOSEBERRY HILL WA 6076	24
Jillian Smith	13 Tennyson Road	GOOSEBERRY HILL WA 6076	25
James Armanasco	8/31 Byron Road	KALAMUNDA WA 6076	26
Sonya Crawford	8/31 Byron Road	KALAMUNDA WA 6076	27
Patrick Steineck	PO Box 1127	KALAMUNDA WA 6926	28
Name & Address Withheld	Name & Address Withheld	Name & Address Withheld	29
Melissa Haslam	PO Box 358	KALAMUNDA WA 6926	30
Brian & Sharron Haslam	1 Torwood Drive	GOOSEBERRY HILL WA 6076	31
Raymond Langton	3 Longfellow Road	GOOSEBERRY HILL WA 6076	32
Jess Glover	12 Longfellow Road	GOOSEBERRY HILL WA 6076	33
Nigel Dickinson	12 Longfellow Road	GOOSEBERRY HILL WA 6076	34
Mr & Mrs Welch	41 Ledger Road	GOOSEBERRY HILL WA 6076	35
Lloyd Hatfield	23 Huntley Street	GOOSEBERRY HILL WA 6076	36
Cheryl Connolly	23 Huntley Street	GOOSEBERRY HILL WA 6076	37
Linda & Maurie Tong	14 Tennyson Road	GOOSEBERRY HILL WA 6076	38
Ian Revel	7/106 Williams Street	GOOSEBERRY HILL WA 6076	39

Submitter Name	Street Address	Suburb	Submission Number
Doug & Kirstie Cusens	50 Chaucer Way	KALAMUNDA WA 6076	40
Barbara Steemson	PO Box 674	KALAMUNDA WA 6926	41
Betty Wolfe	14 Keats Road	KALAMUNDA WA 6076	42
Lawrence & Jillian Wright	16 Balmoral Road	GOOSEBERRY HILL WA 6076	43
Patrick Blundell	10 Robinson Road	DARLINGTON WA 6070	44
Paul Woolrich	PO Box 331	KALAMUNDA WA 6076	45
Gladys Lourvanij	23 Crocus Road	KALAMUNDA WA 6076	46
Nadia & Rita Mittica	6/18 Tanuda Drive	RIVERVALE WA 6103	47
Neil Newton	78 Williams Street	GOOSEBERRY HILL WA 6076	48
Michael & Maureen Allman	PO Box 193	KALAMUNDA WA 6926	49
Louise Fagan	1/56 Williams Street	KALAMUNDA WA 6076	50
Kylie Sheridan	19 Myerson Crescent	MAIDA VALE WA 6057	51
Ella	No Address Provided	No Address Provided	52
Jane Wilson	105 Railway Road	GOOSEBERRY HILL WA 6076	53
Max Jones	15 Tennyson Road	GOOSEBERRY HILL WA 6076	54
Sarah Knox	20 Jasmin Way	MAIDA VALE WA 6057	55
Martin Cooke	20 Jasmin Way	MAIDA VALE WA 6057	56
Name & Address Withheld	Name & Address Withheld	Name & Address Withheld	57
Name & Address Withheld	Name & Address Withheld	Name & Address Withheld	58
Brett Davenport	47 Ledger Road	GOOSEBERRY HILL WA 6076	59

Submitter Name	Street Address	Suburb	Submission Number
Kylie Bullo	3 Burns Road	KALAMUNDA WA 6076	60
Sara Colombini	84 Williams Street	GOOSEBERRY HILL WA 6076	61
Les & Glennys Mitchell	5 Parke Road	GOOSEBERRY HILL WA 6076	62
Lyn Maurer	No Address Provided	No Address Provided	63
Sonya Bell	2 Robusta Road	KALAMUNDA WA 6076	64
Tara Andersen	2/15 Dixon Road	KALAMUNDA WA 6076	65
Debbie Lack-Moran	No Address Provided	No Address Provided	66
Suzy Saban-Smithers	No Address Provided	No Address Provided	67
Andrew Stubbs	15 Wordsworth Avenue	GOOSEBERRY HILL WA 6076	68
Frances Asha	3/54 Williams Street	KALAMUNDA WA 6076	69
Grant French	3 Burns Road	KALAMUNDA WA 6076	70
Anna & Colin Campbell	22 Sherborne Road	GOOSEBERRY HILL WA 6076	71
Ian Moss	21 Blamoral Road	GOOSEBERRY HILL WA 6076	72
Elis Sinclair	1 Thornton Place	GOOSEBERRY HILL WA 6076	73
Charles Bush	44 Daley Street	DARLINGTON WA 6070	74
Geoffrey Price	9 Arthur Road	GOOSEBERRY HILL WA 6076	75
Ian Lauder	5/106 Williams Street	GOOSEBERRY HILL WA 6076	76
Emma-Jo Broadley	19 Ledger Road	GOOSEBERRY HILL WA 6076	77
Belinda Grose	40 Fletcher Road	GOOSEBERRY HILL WA 6076	78
Heidi Bullo	No Address Provided	No Address Provided	79

Submitter Name	Street Address	Suburb	Submission Number
Iris Jones	2 Orangedale Road	LESMURDIE WA 6076	80
Kathryn Gray	No Address Provided	No Address Provided	81
Lara Geach	No Address Provided	No Address Provided	82
Mike Burbridge	23 John Street	GOOSEBERRY HILL WA 6076	83
Daniel Greg	No Address Provided	No Address Provided	84
Lucy Eyre	No Address Provided	No Address Provided	85
Cathy Burbridge	23 John Street	GOOSEBERRY HILL WA 6076	86
Toni Warden	21 Roach Road	PIESSE BROOK WA 6076	87
Vic Bullo	7 Jillara Way	LESMURDIE WA 6076	88
Shirley Muir	32 Chaucer Way	KALAMUNDA WA 6076	89
Vanessa	No Address Provided	No Address Provided	90
Gerald Longhurst	4 Balmoral Road	GOOSEBERRY HILL WA 6076	91
Barbara Longurst	4 Balmoral Road	GOOSEBERRY HILL WA 6076	92
Elizabeth Williams	38 Robusta Road	KALAMUNDA WA 6076	93
Michael Avila	56 Chaucer Way	KALAMUNDA WA 6076	94
Tamryn Ferguson	84 Dawson Avenue	FORRESTFIELD WA 6058	95
Phil Darling	No Address Provided	No Address Provided	96
Narelle Harrison	22 Upwood Circle	HIGH WYCOMBE WA 6057	97
Michael Konrath	PO Box 980	KALAMUNDA WA 6926	98
Paul Colombini	84 Williams Street	GOOSEBERRY HILL WA 6076	99

Submitter Name	Street Address	Suburb	Submission Number
Ross Bennett	PO Box 850	KALAMUNDA WA 6926	100
Helen Botica	No Address Provided	No Address Provided	101
Surin Cargill	No Address Provided	No Address Provided	102
Nora Stubbs	1/106 Williams Street	GOOSEBERRY HILL WA 6076	103
Diana Archer	No Address Provided	No Address Provided	104
Emma Kallarn	No Address Provided	No Address Provided	105
Kalamunda Volunteer Fire Brigade	PO Box 28	KALAMUNDA WA 6926	106

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

SCM 05 CONFIDENTIAL ITEM- Consideration of Tenders- Forrestfield Industrial Area- Nardine Close/Ashby Close Upgrade (e-Quote 09-2016)

Reason for confidentiality *Local Government Act 1995 S5.23 (d) (c)- "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."*

Previous Items	N/A
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-STU-028
Applicant	N/A
Owner	Various
Confidential Attachment 1	Tender Evaluation Report

Reason for confidentiality *Local Government Act 1995 S5.23 (d) (c)- "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."*

Voting Requirements: Simple Majority

RESOLVED (SCM 95/2016)

That Council:

1. Accepts the recommendation of the Tender Assessment Panel to appoint Curnow Group for the upgrade of Nardine Close/Ashby Close within Forrestfield Industrial Area for its tendered sum of \$1,063,310.00.
2. Authorises the Chief Executive Officer to negotiate the Separable Portion B or part thereof, based on the land available on 20 September 2016.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (12/0)**

9.0 MEETING CLOSED TO THE PUBLIC

9.1 Meeting Closed to the Public

RESOLVED (SCM 94/2016)

That the meeting be closed to the public to discuss Confidential Items (provided under separate cover).

Moved: **Cr Allan Morton**

Seconded: **Cr Tracy Destree**

Vote: **CARRIED UNANIMOUSLY (12/0)**

The meeting closed to the public at 8:05pm. All members of the public left the gallery.

9.2 SCM 05 CONFIDENTIAL ITEM- Consideration of Tenders- Forrestfield Industrial Area- Nardine Close/Ashby Close Upgrade (e-Quote 09-2016)

Reason for confidentiality *Local Government Act 1995 S5.23 (d) (c)- "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."*

Voting Requirements: Simple Majority

RESOLVED (SCM 95/2016)

1. Accepts the recommendation of the Tender Assessment Panel to appoint Curnow Group for the upgrade of Nardine Close/Ashby Close within Forrestfield Industrial Area for its tendered sum of \$1,063,310.00.
2. Authorises the Chief Executive Officer to negotiate the Separable Portion B or part thereof, based on the land available on 20 September 2016.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (12/0)**

9.3 Meeting Reopened to the Public

RESOLVED (SCM 96/2016)

That the meeting reopen to the public following consideration of the Confidential Items (provided under separate cover).

Moved: **Cr Geoff Stallard**

Seconded: **Cr Sue Bilich**

Vote: **CARRIED UNANIMOUSLY (12/0)**

The meeting reopened to the public at 8:21pm, members of the public returned and the Presiding Member read the Resolution of Council to the meeting.

10.0 CLOSURE

- 10.1 There being no further business, the Presiding Member declared the meeting closed at 8:22pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2016