



Development Services Attachments

Wednesday, 17 April 2013

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DISCUSSION PAPER: POLICY ON SMOKE-FREE OUTDOOR AREAS

BACKGROUND

There is substantial evidence linking exposure to second-hand smoke with a range of serious and life threatening health impacts including heart disease, cancer, asthma and other respiratory problems.

While most evidence relates to indoor exposure, there is emerging evidence on how smoking affects air quality in outdoor locations. A recent study which measured cigarette smoke levels in a variety of outdoor locations showed that a person sitting near a smoker in an outdoor area could be exposed to levels of cigarette smoke similar to the exposure of someone sitting in an indoor area. Therefore, the second-hand smoke in outdoor areas where people tend to congregate such as sports stadiums present a real health risk to patrons and staff.

In addition to the health impacts, cigarettes are an environmental issue. Cigarette butts take up to five years to break down and they are consistently one of the most common items found during Clean Up Australia Day.

Community attitudes towards smoking have changed over time. Due to the mounting evidence showing the harmful effects of passive smoking, and also because of litigation, by the mid-1990s smoke-free workplace policies had been introduced extensively in both public and private sectors.

There is strong public support for better and more wide-reaching tobacco control activities. A survey of residents in NSW found overwhelming support for smoking restrictions in the following areas:

- 92 % support bans in children's playgrounds
- 85% support bans outside workplace doors/entrances
- 80% support bans in sports stadiums
- 69% support bans in outdoor dining areas
- In addition, 65% say they would avoid places where they may be exposed to other peoples smoke.

There is also evidence to suggest that smoking bans support smokers who are trying to quit as well as reduce overall cigarette consumption.

EXISTING LEGISLATION

The current legislation includes the *Tobacco Products Control Act 2006* (the Act) and *Tobacco Products Control Regulations 2006* (the Regulations).

The Act makes the following references to smoking in outdoor areas:

107B. No smoking in outdoor eating areas

(1) A person must not smoke in an outdoor eating area unless the place in which the person is smoking is a smoking zone.

Penalty: a fine of \$2 000.

107C. No smoking near playground equipment

A person must not smoke within 10 m of children's playground equipment that

- (a) is in a public place or a part of a public place; and
- (b) is not in an enclosed public place.

Penalty: a fine of \$1 000.

The Regulations make it an offence to smoke in enclosed public places:

10. Prohibition on smoking in enclosed public places

(1) A person must not smoke in an enclosed public place.

Penalty: a fine of \$2 000.

COUNCIL POLICY – SMOKING, OTHER DRUGS AND ALCOHOL

Council's current policy on Smoking, Other Drugs and Alcohol states:

- Smoking is prohibited in all Council owned/leased buildings.
- The Shire of Chittering upholds the right of an individual to work in a smoke-free environment.
- There is no provision for the designation of smoking-permitted rooms or areas in buildings controlled by the Shire of Chittering.
- Smoking is not permitted within five metres of entrances to buildings or ten metres from an air-conditioning unit.

- Smoking is banned in all Shire of Chittering vehicles.
- The Shire of Chittering smoking policy is recognised as an Occupational Health and Safety responsibility.
- All job applicants to the Shire of Chittering shall be informed of the policy in regard to smoking in the workplace. It is the responsibility of the department concerned to advise all potential employees and volunteers of the non-smoking policy.

The above policy is focussed on achieving a safe workplace within the Shire for employees so therefore it is not suited to modification to cater for outdoor areas generally used by the public. With regard to smoking in outdoor areas it would be more appropriate to have a separate policy.

SUMMARY

Council has a role in advocating better public health for its residents. Council has existing smoking bans in place – all Council buildings are smoke-free to protect both the health of Council staff and members of the public. Health organisations are now urging stronger smoking bans in public places not yet covered by legislation. The majority of people are in favour of increasing control in outdoor areas for the protection of themselves and their children.

The existing legislation and policy does well to ensure that people are protected in enclosed public places and other high risk locations such as children's playgrounds. However there is a lack of control in outdoor public areas such as outside halls, offices, pavilions, sporting grounds and ovals where people congregate and can be affected by second-hand smoke.

RECOMMENDATION

It is recommended that a policy be developed that requires specific outdoor areas in public places to be nominated where smokers can and cannot smoke. The policy would have to take into consideration the following points:

- Where there is a lease agreement in place designated areas would need to be agreed between the Council (the owners) and the club lessees.
- Provision would need to be made for butt disposal bins. It would be Council's responsibility to supply and maintain the bins but it would be the clubs' responsibility for emptying and cleanup of the bins on a day to day basis within their leased area.

- Designated smoking and non-smoking areas would need to be appropriately signed. It would be the Council's responsibility to supply and maintain the signs.
- Except in locations governed by law (e.g. enclosed public places, playgrounds and outdoor eating areas) there would be no provision for legal enforcement. Therefore the clubs would have to monitor the situation themselves.

Attached is a draft policy for consideration.

It is appreciated that there are some cost implications for Council if the policy is adopted and implemented. At this stage these costings have not been undertaken as this discussion report is submitted for the consideration of the Executive Management Team before proceeding further.

GLENN SARGESON

PRINCIPAL ENVIRONMENTAL HEALTH OFFICER

8 January 2013

DRAFT POLICY: SMOKE- FREE OUTDOOR AREAS

OBJECTIVES:

The objectives of the Shire of Chittering in banning smoking in various Council areas not covered by legislation are to:

- Improve the health of community members;
- Improve public amenity and maintenance of Council property;
- Raise community awareness of issues associated with smoking;
- Provide community leadership in taking measures to protect the health and social wellbeing of the community;
- Minimise cigarette butt pollution on Council owned properties.

POLICY

1. Smoking is banned within the following outdoor public areas:
 - a. On all playing fields and sporting grounds including peripheral seating and standing observation areas;
 - b. Within five (5) metres of entrances/ exits to buildings including covered areas of those buildings such as verandas and patios;
 - c. Within ten (10) metres of air conditioning units;
 - d. Within Council carparks;
 - e. In all Council parks and reserves;

Unless in designated outdoor smoking areas.

2. In leased premises the location of designated outdoor smoking areas must be agreed between the Council (owner) and the lessee of the premises.
3. Designated outdoor smoking areas are to be appropriately signed with "SMOKING AREA" signs and include sufficient cigarette butt disposal bins.
4. Outdoor areas where the public tend to congregate are to be signed with "NO SMOKING AREA" signs.

5. The Council is responsible for the provision of signs for smoking and non smoking areas and cigarette butt disposal bins.
6. It will be the responsibility of the lessee for emptying and cleaning of cigarette butt disposal bins within the leased area
7. It will be Council's responsibility for emptying and cleaning of cigarette butt disposal bins within Council managed land.
8. The Council will not be responsible for monitoring or enforcement action related to non-compliance with this policy.

SHIRE OF CHITTERING

TOWN PLANNING SCHEME No. 6

AMENDMENT No. 49

PROPOSAL TO AMEND SCHEME

1. Local Authority: Shire of Chittering
2. Description of Scheme: Town Planning Scheme No. 6
3. Type of Scheme: District Zoning Scheme
4. Serial No. of Amendment: Amendment No. 49
5. Proposal:
 1. Amend Schedule 1 – Dictionary of Defined Words and Expressions as follows:
 - a) *Delete the existing definitions of ‘Transport Depot’ and ‘Commercial Vehicle’.*
 - b) *Include in appropriate alphabetical order definitions as follows:*

Commercial Vehicle means a motorised vehicle or a non-motorised vehicle designed, used or intended to be used for carrying goods or persons for hire or reward or for earthworks or construction.

Note: Without limiting the generality of the above definition:

 - a) *Examples of a motorised vehicle include a van, truck, prime mover, tractor, grader or a mobile crane; and*
 - b) *An example of a non-motorised vehicle is a trailer.*

Commercial Vehicle Parking means premises used or intended for use for the parking or garaging of no more than one motorised commercial vehicle and/or no more than one non-motorised commercial vehicle, but does not include the maintenance or repair of any such vehicle.

Transport Depot means premises used or intended for use for the parking or garaging of two or more motorised commercial vehicles or two or more non-motorised commercial vehicles or more than one each of motorised and non-motorised commercial vehicles, and the use includes maintenance and repair of vehicles so parked or garaged on the land but not of other vehicles.
 2. Amend Schedule 2 – Zoning Table to include a Use Class for Commercial Vehicle Parking with the following permissibilities and renumber the use classes in Schedule 2 accordingly:

		Townsite	Light Industrial	Agricultural Resource	Rural Residential	Rural Smallholdings	Rural Retreat	Rural Conservation	Residential R2
	USE CLASS								
22	Commercial Vehicle Parking	A	P	P	A	A	A	A	A

1. INTRODUCTION

1.1 Overview

The purpose of this Amendment is to strengthen and clarify the measures of the Scheme regarding anomalies between the definitions for Transport Depot and Commercial Vehicles and the lack of a definition and use class within the Zoning Table for Commercial Vehicle Parking.

1.2 Background

The Development Services Department has been receiving a number of Applications for Planning Approval requesting parking for Commercial Vehicles or the Transport Depot land use on a variety of properties throughout the Shire of Chittering. This is a land use that is not well guided throughout the Scheme or through the policy documents of the Shire of Chittering.

1.3 The Proposal

This Amendment seeks to undertake the following amendments to the Scheme:

- Include a definition for Commercial Vehicle Parking;
- Amend the definitions of Transport Depot and Commercial Vehicle;
- Include a use class and permissibilities for Commercial Vehicle Parking within Zoning Table;
- Renumber the Zoning Table accordingly.

2. AMENDMENT DETAILS

2.1 Definition for Commercial Vehicle Parking

This Amendment seeks to define and include a definition for Commercial Vehicle Parking within the Scheme. The need for the definition arises from the following:

- The Scheme includes a definition for Commercial Vehicles, but this is not a Use Class included within Schedule 2 – Zoning Table of the Scheme;
- Even though a site may be used for a Transport Depot type use, it may not fall within this definition within the Scheme, as it may only contain one (1) motor vehicle, with a larger number of trailers and attachments. As the definition of Transport Depot does not contain a reference to Commercial Vehicles, but rather Motor Vehicles (which although not defined by the Scheme, one assumes they contain motorised propulsion, which trailers/attachments do not). This means that the use would be assessed as a Use Not Listed within the Scheme; and
- A definition for Commercial Vehicle Parking would clarify the requirement for landowners within the Shire of Chittering to seek approval from Council for the parking of Commercial Vehicles on their properties.

The proposed definition for Commercial Vehicle Parking to be included in the Scheme is:

“Commercial Vehicle Parking means premises used or intended for use for the parking or garaging of no more than one motorised commercial vehicle and/or no more than one non-motorised commercial vehicle, but does not include the maintenance or repair of any such vehicle.”

This definition outlines that Commercial Vehicle Parking is to be for up to one (1) motorised Commercial Vehicle and/or one (1) non-motorised Commercial Vehicle, being any proposed trailers or attachments to be parked or garaged on the property. If more than one (1) motorised and one (1) non-motorised vehicle are proposed to be stored on the property, this will be required to be assessed as a Transport Depot, as defined by the Scheme.

2.2 Inclusion of Commercial Vehicle Parking within the Zoning Table

This Amendment seeks to include the Commercial Vehicle Parking Use Class within Schedule 2 – Zoning Table of the Scheme. The following permissibility's will be applicable to the Use Class:

		Townsite	Light Industrial	Agricultural Resource	Rural Residential	Rural Smallholdings	Rural Retreat	Rural Conservation	Residential R2
	USE CLASS								
22	Commercial Vehicle Parking	A	P	P	A	A	A	A	A

Within any residential living environment, it has been chosen to include Commercial Vehicle Parking as an A use within Schedule 2 - Zoning Table of the Scheme, which

“means that the use is not permitted unless the Local Government has exercised its discretion by granting Planning Approval after giving special notice in accordance with clause 9.4.”

This is due to the following concerns that Council may have in regards to Commercial Vehicle Parking:

- It may impact on the surrounding properties through noise or visual impact. It would be beneficial for Council to take into consideration the comments of the surrounding land owners and those on proposed transport routes, especially in the case where it is proposed to park prime movers on residential or rural residential lots;
- Appropriate roads being used for access. Council will be required to consider whether vehicles will have appropriate permits for use of Shire of Chittering roads, particularly in the case where low volume or unsealed roads are proposed to be used for access; and
- The proposed hours of operation. Council needs to consider the hours of operation of Commercial Vehicles and whether it would likely eventuate in noise complaints in the locality.

Each application for Commercial Vehicle Parking is to be assessed on its merits, taking into consideration the comments received during the advertising process.

Within the Light Industrial and Agricultural Resource zones of the Scheme, Commercial Vehicle Parking will be a ‘P’ (permitted) use. These types of land uses are inherently used for Commercial Vehicle Parking, which is ancillary to the predominant use of the land.

2.3 Amending the Definition for Transport Depot

The current definition for Transport Depot is as follows in the Scheme:

“means premises used for the garaging of two (2) or more motor vehicles, used or intended to be used for carrying of goods or persons for hire or reward, or for the transfer of goods or persons, and includes maintenance and repair of the vehicles, used but not for other vehicles.”

As previously discussed, the current definition results in applications being lodged with the Shire of Chittering proposing one (1) motorised vehicle with an unlimited number of non-motorised attachments. This would have to be assessed as a Use Not Listed by Council for Commercial Vehicle Parking. This Amendment proposes to alter the definition slightly to include reference to Commercial Vehicles and specifying them being either motorised or non-motorised, as follows

“Transport Depot means premises used or intended for use for the parking or garaging of two or more motorised commercial vehicles or two or more non-motorised commercial vehicles or more than one each of motorised and non-motorised commercial vehicles, and the use includes maintenance and repair of vehicles so parked or garaged on the land but not of other vehicles.”

The Amendment to the definition ensures that applications for transport depots can be assessed in the following format:

- A transport depot proposing two (2) or more motorised vehicles, with any number of non-motorised trailers or attachments; and
- A transport depot proposing one (1) motorised vehicle, with two (2) or more non-motorised trailers or attachments.

This will provide clarity to Council and Shire of Chittering staff as to the appropriate land use to be applied when assessing applications for either Transport Depot or Commercial Vehicle Parking.

2.4 Amending the Definition for Commercial Vehicle

The current definition for Commercial Vehicle is as follows in the Scheme:

“means a vehicle whether licensed or not which is used or designed for use for business, trade or commercial purposes or in conjunction with a business, trade or professions and without limiting the generality of the foregoing includes any utility, van, truck, trailer, tractor and any attachment to any of them or any article designed to be attached to any of them, and any bus or any earthmoving machine whether self propelled or not. The term shall not include a vehicle designed for the use as a passenger car or any trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or light truck which is rated by the manufacturer as being suitable to cart loads of not more than 1.5 tonnes”

As previously discussed, the current definition results in applications being lodged with the Shire of Chittering proposing one (1) motorised vehicle, with an unlimited number of attachments (which are non-motorised, hence not covered by the above definition). This would have to be assessed as a Use Not Listed by Council. This Amendment proposes to alter the definition slightly to include reference to Commercial Vehicles, being either motorised or non-motorised, as follows

“Commercial Vehicle means a motorised vehicle or a non-motorised vehicle designed, used or intended to be used for carrying goods or persons for hire or reward or for earthworks or construction.

Note: Without limiting the generality of the above definition:

- a) Examples of a motorised vehicle include a van, truck, prime mover, tractor, grader or a mobile crane; and*
- b) An example of a non-motorised vehicle is a trailer.”*

The Amendment to the definition of Commercial Vehicle removes the existing confusing definition and ensures that all commercial vehicles are accommodated within the definition.

3. LOCAL PLANNING POLICY FOR COMMERCIAL VEHICLE PARKING AND TRANSPORT DEPOTS

This Amendment seeks to clarify the requirements of the Scheme in relation to Commercial Vehicle Parking and the Transport Depot land uses in the Shire of Chittering. It is likely that the Amendment will also prompt the development of a Local Planning Policy which provides more detailed guidance on the following minimum requirements for these land uses:

- Minimum lot size required for either Commercial Vehicle Parking or Transport Depots;
- Likely conditions to be placed on an Planning Approval for Commercial Vehicle Parking or Transport Depot including, but not limited to:
 - Screening;
 - Vehicle Wash Down and Maintenance Facilities;
 - Construction requirements for Hard Stand Areas;
 - Minimum Access Requirements.
- The need for surrounding and locality land owners to be notified of the Application for Planning Approval for either Commercial Vehicle Parking or Transport Depot and the minimum requirements for advertising

The development of this Local Planning Policy may mean greater land use control for these sometimes contentious land uses in the Shire of Chittering.

4. CONCLUSION

This Amendment seeks to implement the following modifications to the Scheme:

- Include a definition for Commercial Vehicle Parking;
- Include Commercial Vehicle Parking as a Use Class in Schedule 2 – Zoning Table and renumber the table accordingly;
- Modify the definition of Transport Depot and Commercial Vehicle.

The Amendment will remove any confusion for Councillors and staff when assessing an Application for Planning Approval that proposes the parking of one motorised vehicle and a number of attachments on residential type properties within the Shire of Chittering. It will also cross-reference definitions for Commercial Vehicle and Transport Depot within the Scheme. This connection has been lacking and has led to the aforementioned inconsistency in the Scheme, in which a Commercial Vehicle can be parked on a residential type property with a number of attachments, subject to Council issuing its approval.

PLANNING AND DEVELOPMENT ACT 2005**RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME****SHIRE OF CHITTERING****TOWN PLANNING SCHEME No. 6 – AMENDMENT No. 49**

In pursuance of section 75 of the Planning and Development Act 2005, Council **RESOLVED** to initiate an amendment to the Shire of Chittering Town Planning Scheme No. 6 by:

1. Amend Schedule 1 – Dictionary of Defined Words and Expressions as follows:

- a) *Delete the existing definitions of 'Transport Depot' and 'Commercial Vehicle'.*

- b) *Include in appropriate alphabetical order definitions as follows:*

Commercial Vehicle means a motorised vehicle or a non-motorised vehicle designed, used or intended to be used for carrying goods or persons for hire or reward or for earthworks or construction.

Note: Without limiting the generality of the above definition:

- a) *Examples of a motorised vehicle include a van, truck, prime mover, tractor, grader or a mobile crane; and*

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2. Amend Schedule 2 – Zoning Table to include a Use Class for Commercial Vehicle Parking with the following permissibilities and renumber the use classes in Schedule 2 accordingly:

		Townsite	Light Industrial	Agricultural Resource	Rural Residential	Rural Smallholdings	Rural Retreat	Rural Conservation	Residential R2
	USE CLASS								
22	Commercial Vehicle Parking	A	P	P	A	A	A	A	A

Dated this day of 20.....

.....

CHIEF EXECUTIVE OFFICER

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF CHITTERING

TOWN PLANNING SCHEME No. 6 – AMENDMENT No. 42

The Shire of Chittering under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Amend Schedule 1 – Dictionary of Defined Words and Expressions as follows:
- a) Delete the existing definitions of ‘Transport Depot’ and ‘Commercial Vehicle’.

b) Include in appropriate alphabetical order definitions as follows:

Commercial Vehicle means a motorised vehicle or a non-motorised vehicle designed, used or intended to be used for carrying goods or persons for hire or reward or for earthworks or construction.

Note: Without limiting the generality of the above definition:

- a) Examples of a motorised vehicle include a van, truck, prime mover, tractor, grader or a mobile crane; and
- b) An example of a non-motorised vehicle is a trailer.

Commercial Vehicle Parking means premises used or intended for use for the parking or garaging of no more than one motorised commercial vehicle and/or no more than one non-motorised commercial vehicle, but does not include the maintenance or repair of any such vehicle.

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		Townsite	Light Industrial	Agricultural Resource	Rural Residential	Rural Smallholdings	Rural Retreat	Rural Conservation	Residential R2
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	USE CLASS								
22	Commercial Vehicle Parking	A	P	P	A	A	A	A	A

PLANNING AND DEVELOPMENT ACT 2005

FINAL APPROVAL

SHIRE OF CHITTERING

TOWN PLANNING SCHEME No. 6 – AMENDMENT No. 49

Adopted for final approval by resolution of the Shire of Chittering at the Ordinary meeting of Council held on the day of 20.....

COMMON SEAL of the Shire of Chittering was hereunto affixed by authority of a resolution of the Council in the presence of:

.....
PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

RECOMMENDED/SUBMITTED

FINAL APPROVAL

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

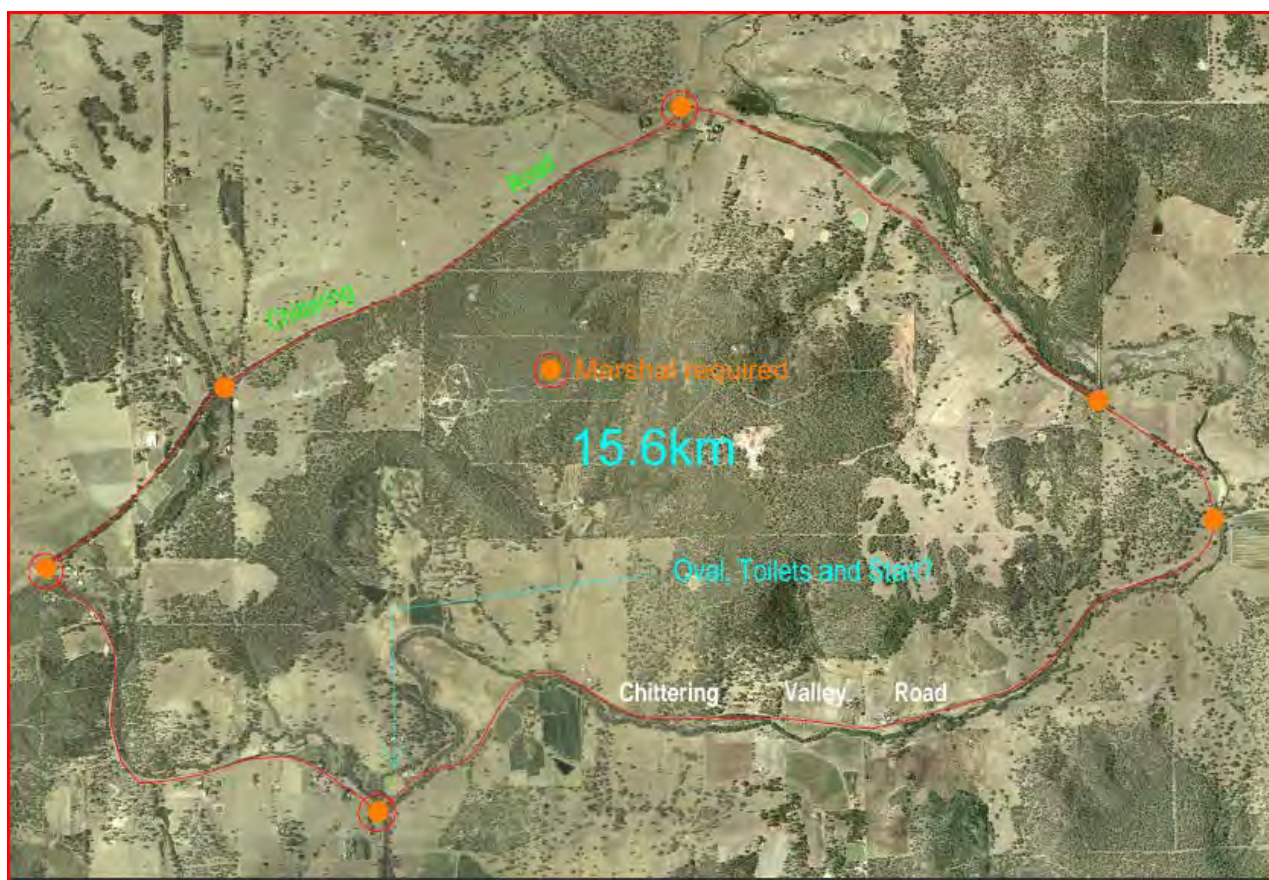
.....
DATE

FINAL APPROVAL GRANTED

.....
MINISTER FOR PLANNING

.....
DATE


Attachment 1 – Cycling Route Plan



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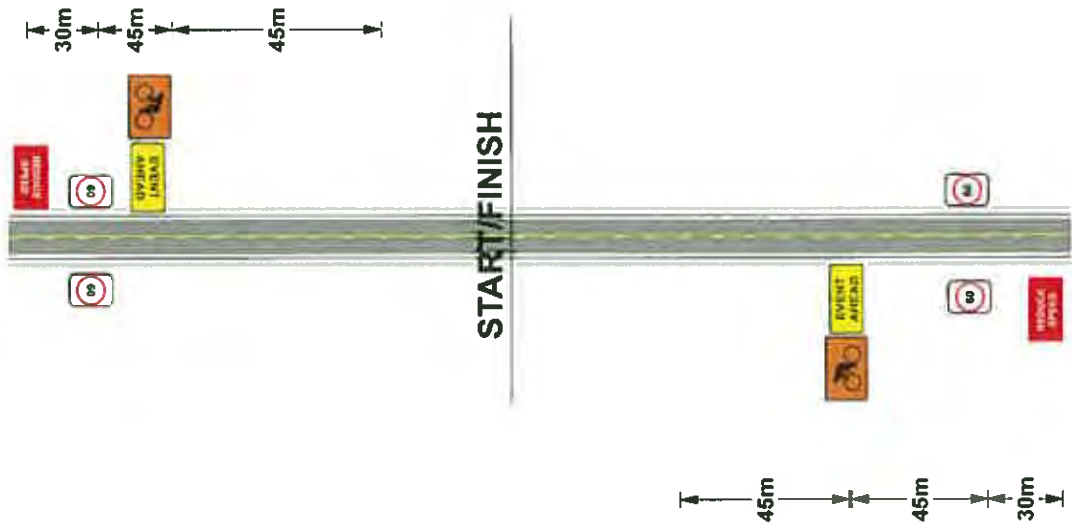
EVENT WILL BE HELD ON SUNDAY 12-05-2013



 Gemma Nicholas : AWTM K35 993 (ex 06-04-14) M: 0415194721 E: gemma@highwaystraffic.com.au F: (08) 9330 4929 PO Box 392 Applecross WA 6153	SCALE	DATE	TITLE
	CLIENT	08-03-13	PETER CLARKE CLASSIC CYCLING EVENT CHITTERING RD & CHITTERING VALLEY ROAD LOWER CHITTERING
		TCD No.	
		1	

www.invarion.com

EVENT WILL BE HELD ON SUNDAY 12-05-2013



THE FOLLOWING INTERSECTIONS WILL BE MANNED BY EVENT TRAFFIC MANAGEMENT:

Muchea East Road/Chittering Road
Chittering Road/Chittering Valley Road
Chittering Valley Road/Chittering Road


CYCLISTS WILL BE TRAVELLING ANTI-CLOCKWISE AROUND THE CIRCUIT FROM START TO FINISH

HIGHWAYS TRAFFIC Gemma Nicholas : AWTM K35 993 (ex 06-04-14) M: 0419194721 E: gemma@highwaystraffic.com.au F: (08) 9330 4929 PO Box 392 Applecross WA 6163	SCALE	DATE	TCD No.	TITLE
	CLIENT	08-03-13	2	PETER CLARKE CLASSIC CYCLING EVENT CHITTERING RD & CHITTERING VALLEY ROAD LOWER CHITTERING

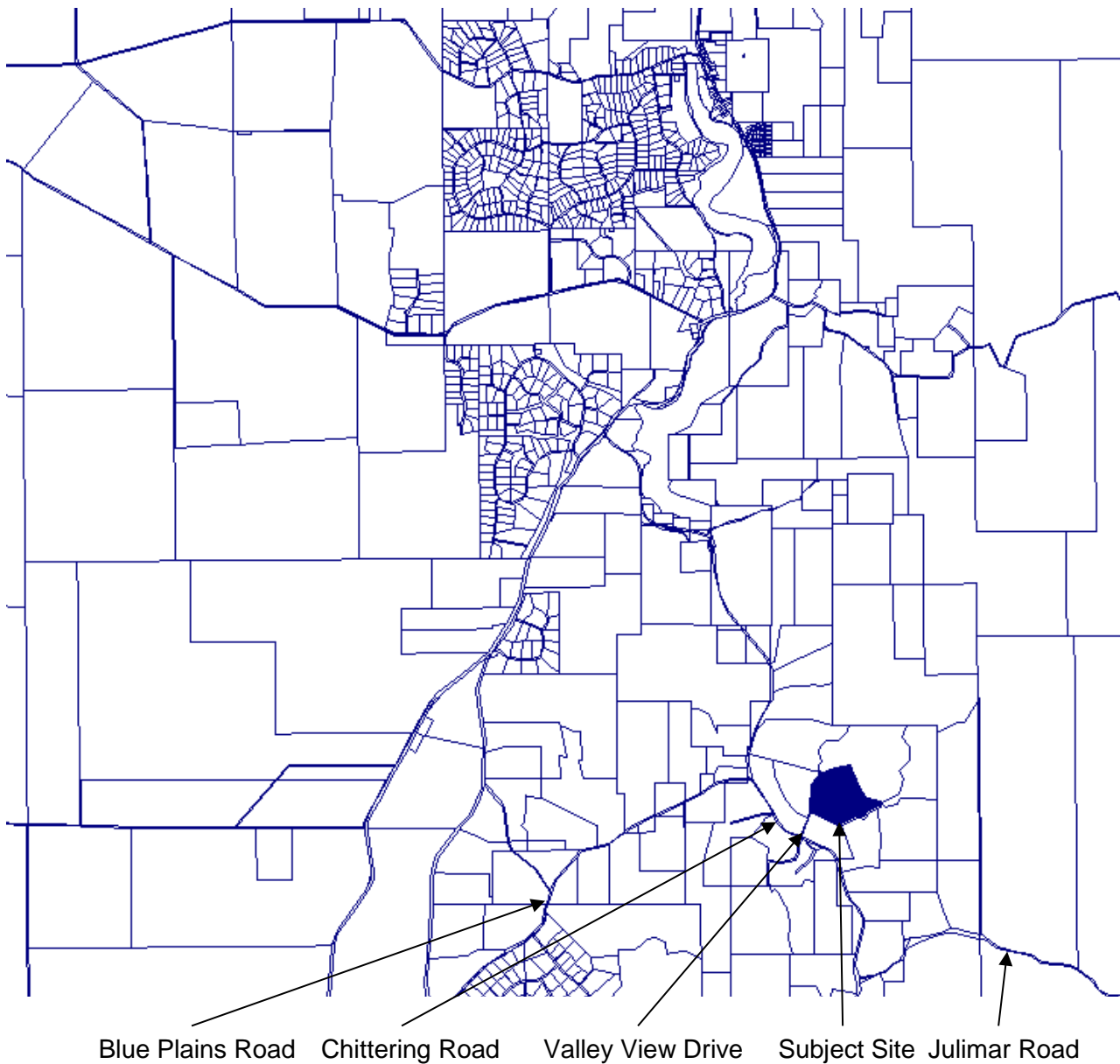
www.invarion.com

EVENT WILL BE HELD ON SUNDAY 12-05-2013



 Gemma Nicholas : AWTM K35 993 (ex 06-04-14) M: 0419194721 E: gemma@highwaystraffics.com.au F: (08) 9330 4929 PO Box 392 Applecross WA 6163	SCALE	DATE	TITLE
	CLIENT	08-03-13	PETER CLARKE CLASSIC CYCLING EVENT CHITTERING RD & CHITTERING VALLEY ROAD LOWER CHITTERING
		TCD No.	3

**Locality Plan
Lot 111 (RN 138) Valley View Drive, Chittering**



NORTHERN COMPASSION INC.

PROGRAM OVERVIEW

The Northern Compassion Inc. (NCI) residential program is for young men wanting to overcome addiction and other life controlling issues who are:

- Aged between 18 – 35
- Homeless and/or without appropriate care to ensure their mental and physical wellbeing
- Willing to deal with their life controlling problems
- Willing to participate in a Christian-based program
- Willing to commit to a dependency-free lifestyle

The NCI Program includes:

- Individual case management and counselling
- Recovery support groups
- Recreational and social activities
- Life skills development
- Pre-vocational and vocational development programs
- Spiritual development and church attendance

The NCI Program helps Participants build a foundation for long-term recovery by focusing on topics such as:

- Stages-of-Change
- Cycle-of-Addiction
- Goal Setting
- Social Skills - Communication, Conflict Resolution
- Self-Identity
- Family and Relationships
- Work and Responsibilities
- Personal Development - Diet, Exercise, Sleep, Life Skills, Spiritual Growth
- Understanding - Depression, Anxiety, Shame, Anger
- 12 Step Program
- Relapse Prevention
- Smoking Cessation

Teamwork:

NCI strongly believes in teamwork, and the importance of each Participant's role within the community. Our goal is that NCI Participants will build positive support networks and friendships that will last for a lifetime to help them live a purposeful and successful life free from life controlling issues.

Family Reconciliation:

People who are caught up in life controlling issues often destroy relationships with family and friends. Through counselling and guidance the NCI team aims to help families reconnect.

Following is an approximation of the allocation of funds per person per month:

Accommodation (mortgage repayments)	\$2,083
Food	\$625
Insurance	\$400
Staff Training	\$300
Transport	\$400
Case Management/Counselling	\$625
Recovery Support Groups	\$300
Recreation/Sport/Social activities	\$150
Life Skills/Vocational Development Programs	\$300
Administration	\$500

*Figures are based on 3 month Program for 6 participants

Referrals are expected to be largely from Government based entities such as councils and Mental Health Services such as from Joondalup Health Campus. Following the receipt of a referral a formal detailed assessment is completed to determine capacity to provide services based on the specific requirements of the applicant and the available resources to help. Capacity is deliberately limited (initially at 6-8 applicants) to ensure that the appropriate quality of assistance can be provided to applicants. Importantly staffing restrictions limit the number of participants – for every 8 participants 1 case worker and 1 (full time equivalent) support staff are required.

The level of distributions out of the organisation are minimal (outside of food, accommodation and, to a much lessor extent clothing and personal cleanliness items). Most of the professional help is government funded through Medicare. The allocation of funds above shows employment related costs for case worker, support worker, administration and training.

Major fundraising campaigns are planned for individual and corporate donations/sponsorship. Several functions (dinners, balls etc. are planned). Funding is expected in the following percentages:
1/3 Centrelink (from 80% of participant entitlement), 1/3 grants, 1/3 private/corporate sponsors.

The majority of Phase One relief is provided by Northern Compassion; this includes assessment, casework, counselling, group work, basic needs of food and accommodation etc. In relation to external support during this Phase it is largely provided by general medical practitioners, psychiatrists and psychologists.

Shire of Chittering
6177 Great Northern Highway
PO Box 70
Bindoon, WA, 6502

Farmstay Retreat

I refer to your email dated 22 January 2013 requesting additional information to support our application. We are seeking approval to use the property at 138 Valley View Drive Chittering for a farmstay retreat. The farmstay retreat would initially accommodate no more than 8 people (ideally 6 participants). These people would be accommodated in residential accommodation to be built on the site. Please see attached floor plan and profiles of the proposed dwelling. This, and any other proposed facilities would be the subject of separate application for council approval.

After some time (at least 12-24 months) of successful activity we contemplate that the facility would be expanded to accommodate a further 8-10 people. Additional facilities have not been designed but would be positioned near the newly built original building and would be built to suit existing surroundings. Again after some time of proven successful activity and subject to council approval a third accommodation facility is contemplated that would bring total capacity of the facility to 30 people.

We are therefore seeking planning approval for the property to ultimately be used to accommodate up to 30 people but only after separate council approval of the relevant infrastructure. There is no proposal for a place of worship in current planning as the style of the facility is more farmstay rather than large group gatherings.

There would be an onsite manager at all times. In addition qualified staff operating the facility would be in attendance during the running of programs. There fore initially the full time equivalent employee number is 2 people and the permanent onsite supervision will ensure that there is no impact on neighbouring properties. It is expected that the existing agricultural activities would be continued and therefore almost of the property would be retained in its existing use. Based on the positioning of the facilities there is expected to be very little, if any, impact on neighbouring properties.

Traffic to and from the site is expected to be minimal as the program is a residential on site based program. It is expected daily traffic movements would increase from 2-4 per day to up to 8 per day over periods of construction and when other qualified practitioners visit the site.

Program participants commence with a 6-week induction program. Once the 6-week induction program is completed some of the participants are expected to choose to leave the program as they feel confident of their capability to make the necessary life choices for long-term recovery.

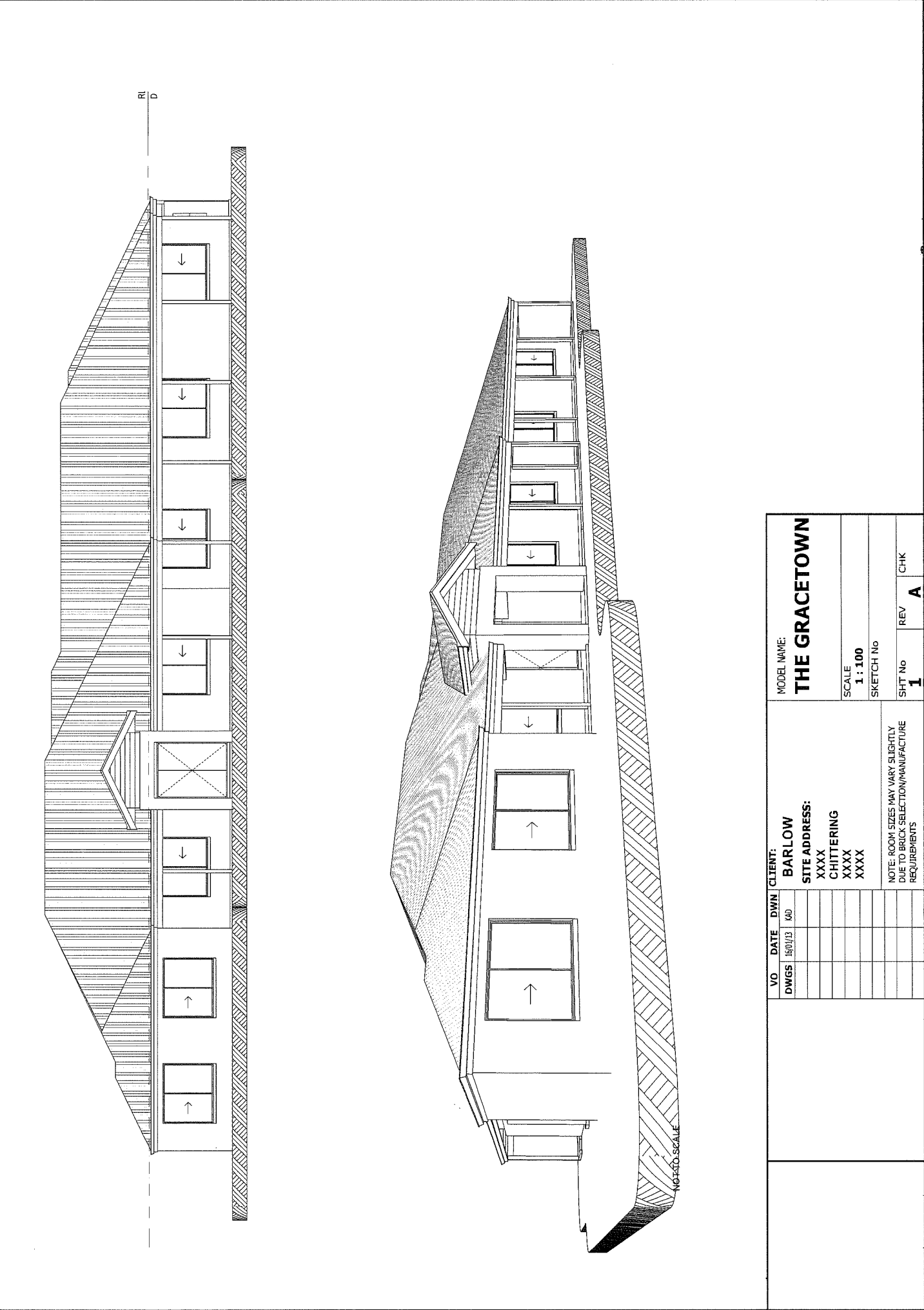
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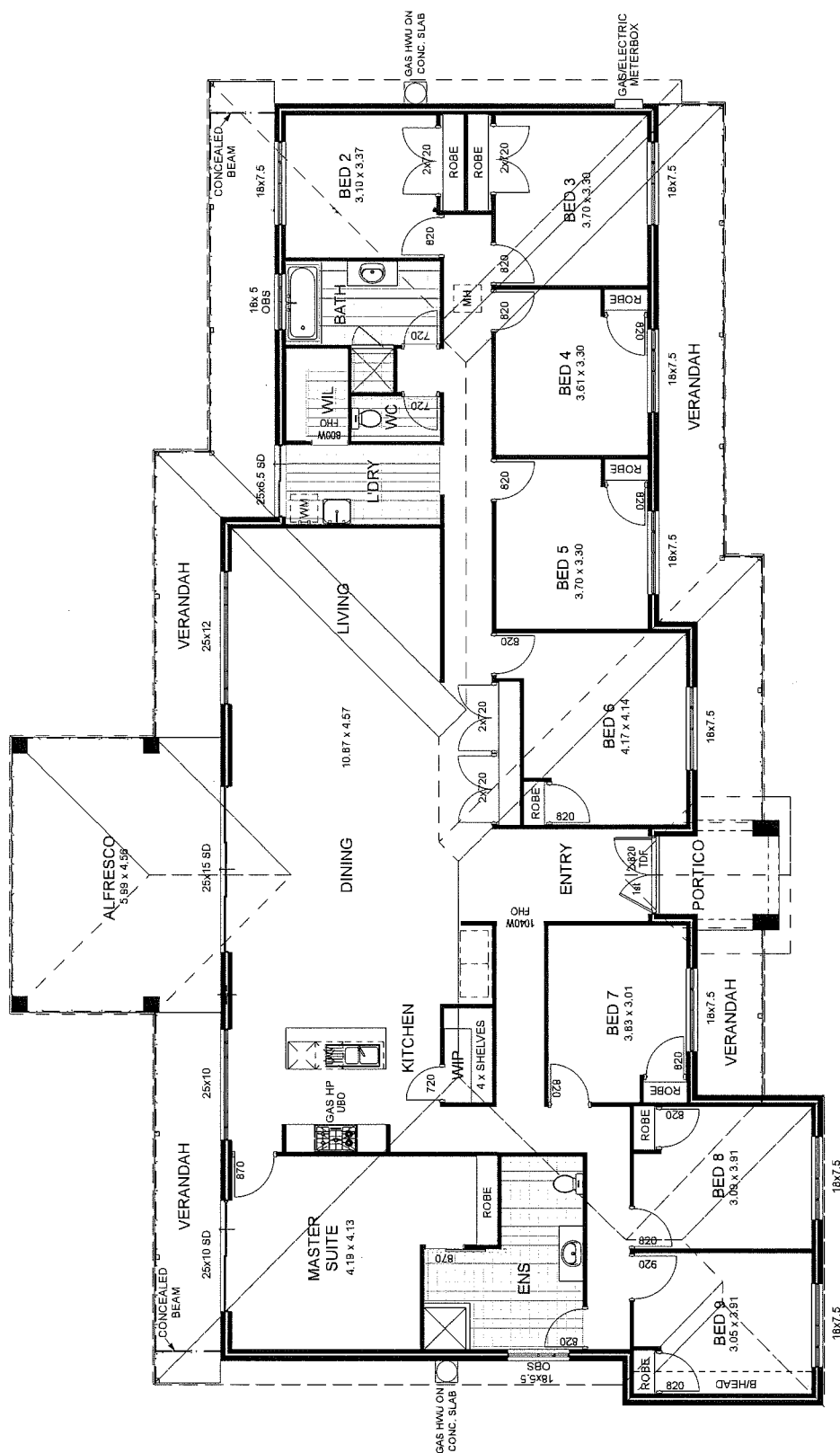
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VO			DATE	DWN	CLIENT:	MODEL NAME:		
DWGS			15/01/13	640	BARLOW	THE GRACETOWN		
			SITE ADDRESS:			SCALE		
			XXXX			1 : 100		
			CHITTING			SKETCH No		
			XXXX			SHT No		
			XXXX			REV		
						CHK		
						1 A		
						NOTE: ROOM SIZES MAY VARY SLIGHTLY DUE TO BRICK SELECTION/MANUFACTURE REQUIREMENTS		

[illegible]

Scott Penfold

Subject: FW: Additional Information - Rehabilitation Clinic - Valley View Drive, Chittering
Attachments: MENS FARMSTAY RETREAT.pdf; Northern Compassion Intake Assessment.doc

From: Grahame Barlow [mailto:gbarlow@northerncompassion.com]
Sent: Friday, 22 March 2013 4:40 PM
To: Scott Penfold
Cc: Azhar Awang; Brendan Jeans
Subject: RE: Additional Information - Rehabilitation Clinic - Valley View Drive, Chittering

Hi Scott,

Please find as follows the requested additional information.

Locally Esther Foundation www.estherfoundation.org.au is the organisation that we have established a relationship and is closest to what we are proposing. It is not exactly the same in that their program is run exclusively for women and our program will be run exclusively for men. The Administrator at Esther Foundation is Rod Lavater (0411730227 rod@estherfoundation.org.au) and I would like to have Rod join with me in presenting our proposal to the meeting of Councillors next week so that questions can be answered from someone who has relevant experience. The other organisation I have referred to is One80TC www.one80tc.org which is located on the east coast and is run for men. Our contact there is Matt Randell (0404689366).

We have noted the comments of the neighbours and our strong desire is to enhance the local community and in time be recognised as making a significant contribution to the local community and the Shire. Consequently we have decided to be more restrictive with the admission of participants to the program; so that even though we are confident in being able to run the program with no impact on the neighbours we would like the neighbours to not only experience a lack of concern but also for there to be a perceived lack of need for concern. (Please see also our response to your last issue). Specifically the participants are expected to be young men who are struggling in life. Many of these men have had relationship issues that have contributed to their current status. Generally there are issues of self worth which have resulted from a perception that no one cares for them - a view which, if not corrected, often results in lack of care by the individuals and ultimately resulting in homelessness.

Please see attached application form. I have also attached a brochure that provide an overview of the program.

From our existing understanding of the needs in the community we know that in addition to Joondalup Health Campus referrals will be received from local councils and churches. We would also absolutely want the Shire of Chittering to be a point of referral based on needs identified by council officers.

The facility will be operated by Northern Compassion Inc. This is a not for profit incorporated association established as a Public Benevolent Institution and recognised by the Australian Tax Office for the purposes of providing services to people in need. The organisation consists of concerned members of the community who believe that providing care and assistance for young men in an environment that is removed from their normal experience is paramount in seeing their lives and futures changed. The membership includes a State Minister of Parliament, two local councillors (non currently from the Shire of Chittering), clergy, and people running large successful businesses. An advisory committee also has been established including people with relevant industry experience. The program is not expected to commence until suitable land is acquired and facilities established. Therefore much of the procedural documentation has yet to be drafted. What we have done is secured the assistance of organisations such as Esther Foundation and One80TC who have indicated their preparedness to assist in developing this documentation.

The people to operate the facility have not been engaged as there is no current facility and thereby ability to provide the services. There are two major skill sets required to run the program successfully and what is proposed is for staff to be engaged with requisite psychological and also practical (agricultural/work) site manager/caretaker skills to operate the site for the complete needs of the program and the rural activities planned for the site.

We have seriously considered the security concerns of the neighbours expressed in public submissions received by the Shire. After lengthy deliberations and consultation with other operators of these types of facilities we are confident that the security concerns will not be realised. However we do wish to provide practical assurance to neighbours in particular in relation to our activities and as such we have decided to limit the program to people who have no addiction to drugs. We know that the need from people with non drug related life issues is so great this decision will not impact on the number of people for whom services will be provided. As previously advised the security of the site is greatly enhanced through the 24/7 presence of staff on the site. The 24/7 coverage results not only from staffing during the program but also from our desire to also continue to operate the property as a working farm.

Thank you for your assistance in this matter and I look forward to meeting with you on Wednesday.

Regards Grahame

WHAT WE DO

OUR FARMSTAY RETREAT IS A RESIDENTIAL BASED PROGRAM WHICH EXISTS TO OFFER MEN FROM THE AGES OF 18 - 35 AN OPPORTUNITY TO OVERCOME LIFE'S STRUGGLES IN A SAFE, SUPPORTIVE AND WELL STRUCTURED ENVIRONMENT.

OUR AIM IS TO EDUCATE YOUNG MEN WITH LIFE SKILLS THAT WILL ENABLE THEM TO BE POSITIVE MEMBERS OF OUR COMMUNITY.



MEN'S FARMSTAY RETREAT

NORTHERN COMPASSION
PO BOX 973
JOONDALUP WA 6919

ABOUT OUR PROGRAM

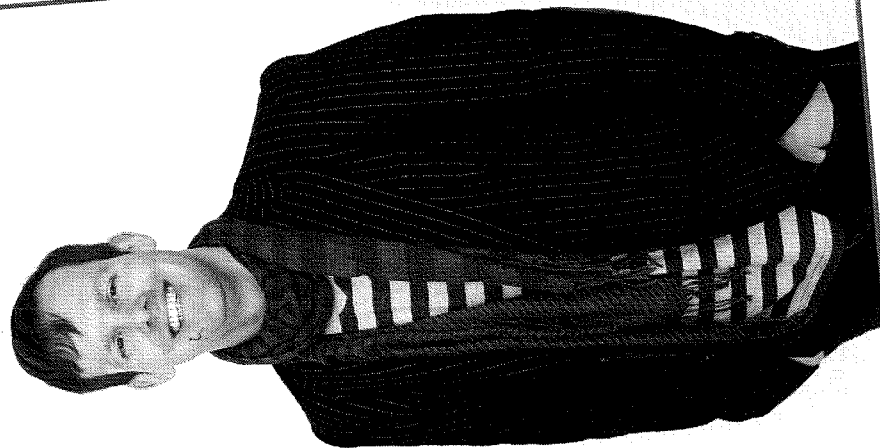
OUR PROGRAM IS FOR YOUNG MEN STRUGGLING

WITH:

- DEPRESSION
- SUBSTANCE MISUSE
- DOMESTIC VIOLENCE
- FAMILY BREAKDOWN
- HOMELESSNESS

INCORPORATED IN OUR PROGRAM IS A HOLISTIC APPROACH FOCUSING ON ALL AREAS OF YOUNG MEN'S LIVES.

- INDIVIDUAL CASE MANAGEMENT AND COUNSELLING
- LECTURES AND DISCUSSION GROUPS
- OUTDOOR PRODUCTIVE AGRICULTURE ACTIVITIES
- RECREATIONAL AND SOCIAL ACTIVITIES
- PRE-VOCATIONAL AND VOCATIONAL DEVELOPMENT PROGRAMS
- SPIRITUAL DEVELOPMENT AND CHURCH ATTENDANCE

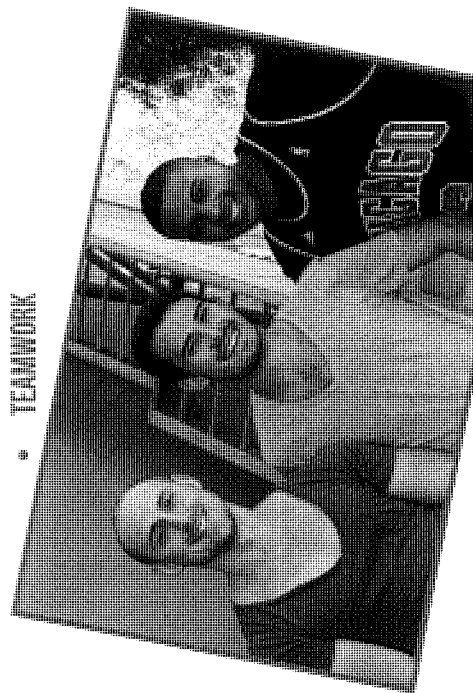


I had a broken life and just felt like I had no future. Now I have a full life with a lovely family and I am helping other young men who are struggling in life.



OUR AIM IS TO HELP YOUNG MEN BUILD A FOUNDATION FOR LONG-TERM SUCCESS BY FOCUSING ON SUCH TOPICS AS:

- GOAL SETTING
- SOCIAL SKILLS: COMMUNICATION, CONFLICT RESOLUTION
- SELF-IDENTITY
- FAMILY AND RELATIONSHIPS
- WORK ETHIC AND RESPONSIBILITIES
- PERSONAL DEVELOPMENT: DIET, EXERCISE, SLEEP, LIFE SKILLS AND SPIRITUAL GROWTH
- UNDERSTANDING DEPRESSION, ANXIETY AND SHAME
- ANGER MANAGEMENT
- 12 STEP PROGRAM
- SMOKING CESSATION
- TEAMWORK



NORTHERN COMPASSION INC.

INTAKE ASSESSMENT**APPLICANT DETAILS**

Full Name: Date of birth: / /
 Address:
 Suburb: State: Postcode:
 Home Phone: Work Phone: Mobile:
 Email:

EMERGENCY CONTACT DETAILS

Please provide the details of who you would like us to contact in the event of an emergency or to discuss details of this application.

Full Name: Relationship:
 Address:
 Suburb: State: Postcode:
 Home Phone: Work Phone: Mobile:

INFORMED CONSENT

Please be aware of the following...

1. You have a right to refuse to answer any questions contained within this document, or asked of you during the assessment process. However, this may affect the decision of whether you are accepted into the training program.
2. All information disclosed in this application form, and throughout the assessment process is confidential and will remain within NCI. The only time confidentiality will be broken is if,
 - Information in relation to a serious crime that has not yet been resolved by the police was disclosed, or if an intent to commit a serious crime was revealed.
 - If information disclosed leads us to believe a child may be at serious risk of harm.
 - If we fear for your safety.

If such situation, as described above were to arise, you would be first informed of our intent to disclose information.

3. NCI is a Christian Ministry, thus its program, ministry and operations are conducted within a Christian framework, as accepted by the Australian Christian Churches in Australia. Applicants not desiring a Christian program should seek other treatment facilities.

I the applicant named above have fully read and understood the information outlined above Yes ☐ No ☐

Applicant's Signature: Date: / /

Assessors Signature: Date: / /

REFERRAL AGENCY DETAILS

Details of Referee (Agency/Council/Institution/Individual Name):

Referee Contact Details

Address:

.....

Suburb: **State:** **Postcode:**

Contact Name: **Phone:** **Mobile:**

Email:

Other Agencies/Councils/Institutions Recommending the NCI Program

Name of Organisation: **Name of Contact:**

Address:

.....

Suburb: **State:** **Postcode:**

Email: **Phone:** **Mobile:**

REASONS FOR REFERRAL

Please provide the details of why it is recommended that this applicant participate in the NCI Program (include details of the applicant's history of connection with the referral organisation and knowledge of the applicants living conditions and general wellbeing)

[illegible]

SECTION 1: GENERAL BACKGROUND INFORMATION

1. In what country were you born?

Australia ☐
 Other ☐ Specify.....

2. Were your parents' born in Australia?

Yes ☐
 No ☐ Mother:..... Father:

Please provide your parents' contact details...

Mothers' Contact Information:

Name:
 Street:
 City: State:
 Post Code:
 Phone:.....

Fathers' Contact Information:

Name:
 Street:
 City: State:
 Post Code:
 Phone:.....

3. Do have Aboriginal or Torres Strait Islander background?

No ☐
 Aboriginal ☐
 Torres Strait ☐
 Aboriginal & TSI ☐

4. Do you have any siblings (brothers and sisters)?

Yes ☐ 1 If 'Yes' please provide details...
 No ☐ 2

Name: Age: Sex:
 Name: Age: Sex:
 Name: Age: Sex:
 Name: Age: Sex:
 Name: Age: Sex:
 Name: Age: Sex:

5. Which of the following best describes your current relationship status?

Single ☐
 Married ☐
 Separated ☐
 Divorced ☐
 De Facto ☐
 Other ☐

Partners' Details (If Applicable):

Name:
 Street:
 City: State:
 Post Code:
 Phone:.....

6. Do you have any children?

Yes

☐

No

☐

If 'Yes' please provide details...

Name: Age: Sex: Living at:

Name: Age: Sex: Living at:

Name: Age: Sex: Living at:

Name: Age: Sex: Living at:

7. With whom do you usually live (If currently in custody prior to custody)?

Alone

☐

Spouse/Partner

☐

Parents

☐

Relatives

☐

Friends

☐

Other

☐

Specify

For Official Use Only:

Please complete a genogram below:

Primary School	<input type="checkbox"/>	
High School (Yr 7-9)	<input type="checkbox"/>	
School Certificate	<input type="checkbox"/>	
Higher School Certificate	<input type="checkbox"/>	
TAFE Certificate or Diploma	<input type="checkbox"/>	Specify.....
University Qualification	<input type="checkbox"/>	Specify.....
Other (e.g. apprenticeship)	<input type="checkbox"/>	Specify.....

Yes ☐ Specify.....
No ☐

Yes ☐ Specify.....
No ☐

☐ Full-time student Specify.....
☐ Part-time student Specify.....
☐ Employed full-time Specify.....
☐ Employed part-time Specify.....
☐ Unemployed/unable to work Specify.....
☐ Other Specify.....

[illegible]

SECTION 2: LIFE CONTROLLING ISSUES

The following questions are related to life controlling challenges or addictions, such as alcohol and other drugs.

13. In your life, which of the following substances have you ever used?

	Yes	No
a. Tobacco products (cigarettes, chewing tobacco, cigars, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
b. Alcoholic beverages (beer, wine, spirits, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
c. Drugs (non prescribed)	<input type="checkbox"/>	<input type="checkbox"/>
d. Drugs (prescribed)	<input type="checkbox"/>	<input type="checkbox"/>
e. Other - specify:	<input type="checkbox"/>	<input type="checkbox"/>

If answered 'No' to all substances continue to question 22

14. In the past three months, how often have you used any of the following substances (If you have been in custody, before entering custody)?

	Never	Once or Twice	Monthly	Weekly	Daily/ Almost Daily
a. Tobacco products (cigarettes, chewing tobacco, cigars, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Alcoholic beverages (beer, wine, spirits, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Drugs (non prescribed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Drugs (prescribed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other - specify:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. In relation to the substances that you have used in the last 3 months, how did you usually take these drugs or alcohol (If you have been in custody, before entering custody)?

	Ingest	Smoke	Sniff or Inhale	Inject	Other
a. Tobacco products (cigarettes, chewing tobacco, cigars, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Alcoholic beverages (beer, wine, spirits, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Drugs (non prescribed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Drugs (prescribed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Other - specify:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. In relation to the substances used in the last 3 months, how much do you use on an average day when you are using?

a. Tobacco products (cigarettes, chewing tobacco, cigars, etc.) cigarettes <input type="checkbox"/> cigars <input type="checkbox"/> pipes <input type="checkbox"/>
b. Alcoholic beverages (beer, wine, spirits, etc.) standard drinks
c. Drugs (non prescribed)	Details
d. Drugs (prescribed)	Details
e. Other - specify:

17. Does your use of alcohol / drugs currently concern you?

Yes ☐ No ☐

Specify.....

.....

What causes you the greatest concern?

1.

2.

3.

18. Have ever overdosed on any substance?

Yes ☐ No ☐

If 'Yes' please provide details

.....

.....

.....

19. Have you ever used any drug by injection?

- No, Never☐
- Yes, in the past 3 months☐
- Yes, more than 3 months ago but less than 12 months☐
- Yes, 12 months ago or more☐

20. Have you ever accessed professional help for alcohol and other drug related issues? Yes ☐ No ☐

- Support groups (e.g. Alcoholics Anonymous)☐
- Counselling☐
- Detox program☐
- Residential treatment program☐
- Other☐ Specify.....

Provide details:

.....

.....

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.....

Was the treatment successful? Yes ☐ No ☐

Why or why not?

.....

.....

.....

.....

.....

.....

21. Would you identify any of the issues as being problematic in your life?

	Yes	No
Gambling	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Addiction	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

If 'Yes' provide details:

If you identified gambling complete questions 22-24

22. How often do you engage in the following forms of gambling?

	Daily/ Almost Daily	Weekly	Monthly	Less Often
Poker/Slot Machines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Casino Games – e.g. poker, blackjack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Racing – e.g. gallops, dogs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sporting Bets – e.g. footy tab, cricket	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lottery – keno, scratchies etc...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – please specify...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

23. Have you experienced any of the following issues related to you gambling?

	Yes	No
Have you ever felt the need to cut down on your gambling?	<input type="checkbox"/>	<input type="checkbox"/>
Have you ever felt annoyed by criticism of your gambling practices?	<input type="checkbox"/>	<input type="checkbox"/>
Have you ever had guilty feelings about your gambling?	<input type="checkbox"/>	<input type="checkbox"/>
Have you ever borrowed money from friends, family members or from work to help finance your gambling?	<input type="checkbox"/>	<input type="checkbox"/>
Have you ever gambled until all your money was gone?	<input type="checkbox"/>	<input type="checkbox"/>
Other – please specify...	<input type="checkbox"/>	<input type="checkbox"/>

24. Have you ever accessed professional help for gambling related issues?

Yes ☐ No ☐

- Support groups ☐
- Counselling ☐
- Other ☐ Specify.....

Provide details:

.....

.....

.....

25. Are there any other issues in your life which you would consider life controlling issues?

Yes ☐ No ☐

[illegible]

SECTION 3:

MOTIVATION FOR TREATMENT

26. What are the main reasons you would like to enter the NCI training program?

[illegible]

27. What are the main issues you feel like you need to work on?

1.
2.
3.
4.
5.
6.

28. Which of the following best describes how you currently feel about making changes in your life?

- I am satisfied with my life the way it is and do not want to change. ☐
- I would like to make some changes in my life, but not yet. ☐
- I am ready to makes some changes in my life in the near future ☐
- I will do all that I can to make changes in my life ☐
- Other: Specify..... ☐

29. What lead you to seek help from NCI?

- I decided I needed some help ☐
- My family encouraged me to contact NCI ☐
- I am only here because I am being forced to by the courts ☐
- Other: Specify..... ☐

SECTION 4: RELIGIOUS OR SPIRITUAL BACKGROUND

30. Which of the following best describes your religious affiliation or preference?

- | | | |
|----------------|--------------------------|---|
| Buddhist | <input type="checkbox"/> | |
| Christian | <input type="checkbox"/> | Specify... Catholic <input type="checkbox"/> Protestant <input type="checkbox"/> Pentecostal (Spirit Filled) <input type="checkbox"/> |
| Hindu | <input type="checkbox"/> | |
| Islamic | <input type="checkbox"/> | |
| Jewish | <input type="checkbox"/> | |
| Other Religion | <input type="checkbox"/> | Specify..... |
| No Religion | <input type="checkbox"/> | |

31. Are you open to learning more about Christianity? Yes ☐ No ☐

Why/ Why Not

32. Do you believe God has a role to play in your recovery? Yes ☐ No ☐

Specify.....

If the client identified 'Christianity' as being your religious preference or affiliation in question 30, please complete questions 33 – 35.

33. Which of the following apply to you?

I have been christened/baptized	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Date: / /
I have accepted Jesus Christ as my Savior	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Date: / /

34. How often do you attend Church?

- | | |
|------------|--------------------------|
| Often | <input type="checkbox"/> |
| Ocasionaly | <input type="checkbox"/> |
| Seldom | <input type="checkbox"/> |
| Never | <input type="checkbox"/> |

Church Attended (If Applicable):

Church Name:
 Pastors Name:
 Street:
 City: State: Post Code:.....
 Phone:.....

35. Is your pastor aware you have applied to attend the NCI training program'?

- | | |
|-----|--------------------------|
| Yes | <input type="checkbox"/> |
| No | <input type="checkbox"/> |

Are you comfortable with NCI contacting your pastor? Yes ☐ No ☐

SECTION 5:

MEDICAL BACKGROUND

36.

Do you have a regular/family doctor?

Yes ☐

No ☐

If 'Yes' provide details

Doctors' Details (If Applicable):

Doctor's Name:

Street:

City: State:..... Post Code:.....

Phone:.....

37.

Do you currently have, or have you ever had any of the following health conditions?

- Arthritis
- ☐
- Asthma
- ☐
- Back pain
- ☐
- Chronic Pain
- ☐
- Diabetes
- ☐
- Epilepsy (seizures)
- ☐
- Muscular, ligament or joint injuries
- ☐
- Other
- ☐ Specify

If 'Yes' provide details:

.....

.....

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.....

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.....

.....

.....

38.

Do you suffer from any condition that may affect your ability to engage in physical activity and/or sport?

Yes ☐

No ☐

If 'Yes' specify

.....

.....

.....

.....

.....

.....

39. Do you have any known allergies?

Yes ☐ No ☐

If 'Yes' specify

.....

.....

.....

40. Have you ever been tested for any of the following?

Hepatitis B Yes ☐ No ☐

Hepatitis C Yes ☐ No ☐

HIV Yes ☐ No ☐

If 'Yes' do you know the results?

Yes ☐ No ☐

Are you willing to reveal the result to NCI?

Yes ☐ No ☐

If 'Yes', have you received a positive diagnosis for

Hepatitis B Yes ☐ No ☐

Hepatitis C Yes ☐ No ☐

Hepatitis C Yes ☐ No ☐
HIV Yes ☐ No ☐

41. Would you like to be tested for any of the following?

Hepatitis B Yes ☐ No ☐

Hepatitis C Yes ☐ No ☐

HIV Yes ☐ No ☐

42. Have you ever been treated by a psychiatrist, psychologist or social worker?

Yes ☐ No ☐

If 'Yes' provide details:

[illegible]

ADHD/ ADD ☐

Anxiety ☐

Anorexia or Bulimia Nervosa ☐

Bipolar disorder (manic depression) ☐

Depression ☐

Dissociative Identity Disorder (multiple personalities) ☐

Psychosis (schizophrenia) ☐

Other ☐ Specify.....

[illegible]

Yes ☐ No ☐

[illegible]

Yes ☐ No ☐

Yes ☐ No ☐

.....

.....

.....

[illegible]

46.

Are you currently taking any medications?

Yes ☐ No ☐

If 'Yes' specify

Medication:..... Dosage.....

Medication:..... Dosage.....

Medication:..... Dosage.....

Medication:..... Dosage.....

Medication:..... Dosage.....

Medication:..... Dosage.....

47.

Have you ever self harmed (for example purposefully cut/burned yourself)?

Yes ☐ No ☐

If 'Yes' specify

When did you last self harm? Date:/...../..... Method:.....

How often do you self harm?

Details:

.....

.....

.....

.....

48.

Have you ever attempted suicide?

Yes ☐ No ☐

If 'Yes' specify

How many times in your life have you attempted suicide?

When did you last attempt suicide? Date:/...../..... Means:.....

Are you currently feeling suicidal?

.....

.....

.....

.....

.....

.....

49.

Have you ever been subject to any form of trauma or abuse?

Yes ☐

No ☐

If yes, please specify

- Extreme emotional or verbal abuse

☐
- Physical abuse or assault

☐
- Sexual abuse or assault

☐
- Death of a loved one

☐
- Other

☐ Specify.....

If 'Yes' provide details:

.....

.....

.....

.....

.....

.....

.....

.....

For Official Use Only:

Medication Classifications:

Antipsychotic ☐

Antidepressants ☐

Mood Stabilizers ☐

Other ☐

.....

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SECTION 6: LEGAL BACKGROUND

50. Have you ever been arrested? Yes ☐ No ☐

51. How many times have you been in custody?

What is the longest amount of time you have ever spent in custody?

52. Please provide a brief summary of criminal charges and convictions?

This image shows a full page of primary-ruled paper. It features horizontal dashed lines for writing and solid vertical lines forming margins on both sides. The paper is otherwise blank, with no handwriting or other markings.

53. Were any of the offences disclosed above related to drug and alcohol use? Yes ☐ No ☐

If 'Yes' please specify which ones and how?

.....

.....

.....

.....

54. Do you currently have any unpaid fines, debts or court costs? Yes ☐ No ☐

If 'Yes' please provide details including a dollar amount?

.....

.....

.....

55. Are you currently required to pay child support?

Yes ☐

No ☐

If 'Yes' please specify...

.....

.....

.....

56. Do you currently have an apprehended violence order, restraining order, or no contact order against you?

Yes ☐

No ☐

If 'Yes' provide details....

To whom does it pertain?

Name:

When was imposed?

Date: / /

How long is the order?

.....

What are the conditions of this order?

.....

.....

.....

57. Are you currently under any court order (for example parole or a bond)?

Yes ☐

No ☐

When was the order imposed?

Date: / /

How long is the order for?

.....

Do you have to report on a regular basis?

Yes ☐ No ☐

When did you last report?

Date: / /

Court imposed by?

Are there any other conditions attached to this order?

.....

.....

.....

Please provide Parole/ Probation Officers Details:

Name:

Parole/Probation Office?:

Street:

City: State:

Post Code:

Phone:.....

Fax:.....

58. Do you currently have any court cases pending? Yes ☐ No ☐

If 'Yes' please specify...

58.a

What was the charge?

.....

What date were you arrested? Date:/../

Were you given bail? Yes ☐ No ☐

Bail conditions (if applicable)

When is the case to be heard? Date:/../ Time:am/pm.

Where is the case to be heard? Court:.....

Comments:.....

.....

.....

58.b

What was the charge?

.....

What date were you arrested? Date:/../

Were you given bail? Yes ☐ No ☐

Bail conditions (if applicable)

When is the case to be heard? Date:/../ Time:am/pm.

Where is the case to be heard? Court:.....

Comments:.....

.....

.....

59. If you have any court cases pending do you have legal representation? Yes ☐ No ☐

59a. *If 'Yes' what are your solicitors details?*

Solicitors Details:

Name:

Street:

City: State:

Post Code:

Phone:.....Fax:.....

Fax:

60. Are there any other things that you believe are important that I have not already asked you?

.....

.....

.....

Other observations

.....

.....

.....

Income Confirmation

CRN number
Medicare Number

I _____ authorise Centrelink to electronically provide a statement of information Northern Compassion Inc. (hereafter referred to as NCI) to assist in the assessment of my entitlement to services from NCI. I understand that the information provided by Centrelink may include, where relevant, current or historical details of payments received, dependants, Centrelink deductions, income, assets and confirmation of my current address.

I understand that this authority, once signed, is effective only for the period I am a customer of NCI. I understand that this authority, which is ongoing, can be revoked at any time by giving notice to NCI.

I understand that I will be able to obtain a written copy of the Statements at any time from either NCI or Centrelink.

Signed _____ Date _____

Witness _____ Witness name _____

Assessor Check List

Summary **Written** ☐ **Faxed** ☐ **Emailed** ☐

Complete the Stage 2 assessment and summary and fax to Centre Manager NCI [Fax 4776 1460]. Explain to client that the suitability of the program to their requirements will be notified to them within 48 hours.

Centrelink **Explained** ☐ **Income Confirmation signed** ☐

Explain that NCI will become both the payment and correspondence nominee for the total of the benefit whilst they are in the program. Ensure the client is aware that their Centrelink is viewed as a contribution toward the program and not payment for services provided. Centrepay deductions are provided as way of contributing Centrelink benefits.

Are they currently receiving a benefit? If not, explain the process of calling Centrelink and arranging this. Contributions of \$250/ week can be made in lieu of Centrelink benefit. If ineligible to receive Centrelink, sponsors can be sought to support their application. [See *Financial Support Commitment*.]

Intake Fee **Informed** ☐

An one-off non-refundable intake fee is payable on admission. The Intake fee can only be waived by the Centre Manager.

Intake Information **Provided** ☐

Intake information brochure to be provided to applicant. **Ensure client is aware a doctors' note is required for any medication. No medication permitted without letter from doctor advising medication and dosage.**

Bedding Requirements

King single required ☐ Bottom bunk required ☐ (We do not guarantee the availability of either)

Height : _____ Weight: _____

NCI Checklist**During Initial Assessment**

Initial Assessment Document Completed ☐

Post Initial Assessment

Client Registered on the Database ☐

Documents Submitted to Manager ☐

If Not Eligible

Appropriate Referral Made ☐ Specify.....

Documents Filed in Not Suitable Applicant Folder ☐

If Eligible For Entry

Induction Date Provided ☐

Client File Created ☐

Documents Filed in Client File ☐

NORTHERN COMPASSION INC.
MEN'S FARMSTAY RETREAT
Intake Assessment Matrix

Applicant Name: _____
(For further details refer to Intake Assessment)

<i>For any negative response please refer directly below</i>	Assessed By:	Yes	No
Has the applicant signed the acknowledgement of voluntary program			
Is the participant recommended from prequalified organisations			
Do the reasons for referral/recommendation align with the program deliverables			
Is the participant willing to contribute the relevant program cost			
Is the applicant willing for all visitations to occur offsite			
Is the applicant willing to not bring any form of transport to site (all transport to be provided by Northern Compassion Inc.)			
Has the participant been confirmed as a non drug user			
Are you satisfied that there are no ongoing mental health issues that should preclude the applicant from the program			
Have you confirmed there is no requirement to provide for special emergency medical facilities or services to the applicant			
Have you confirmed that the applicant is not a registered sex offender			

If all responses are "Yes" then the client registration process can be continued. If any response above is negative the applicant is deemed to be unsuitable and the "Unsuccessful Applicant" documentation is to be prepared and prescribed communication commenced including appropriate referral of applicant to other organisations.

Consultation Plan
Lot 111 (RN 138) Valley View Drive, Chittering

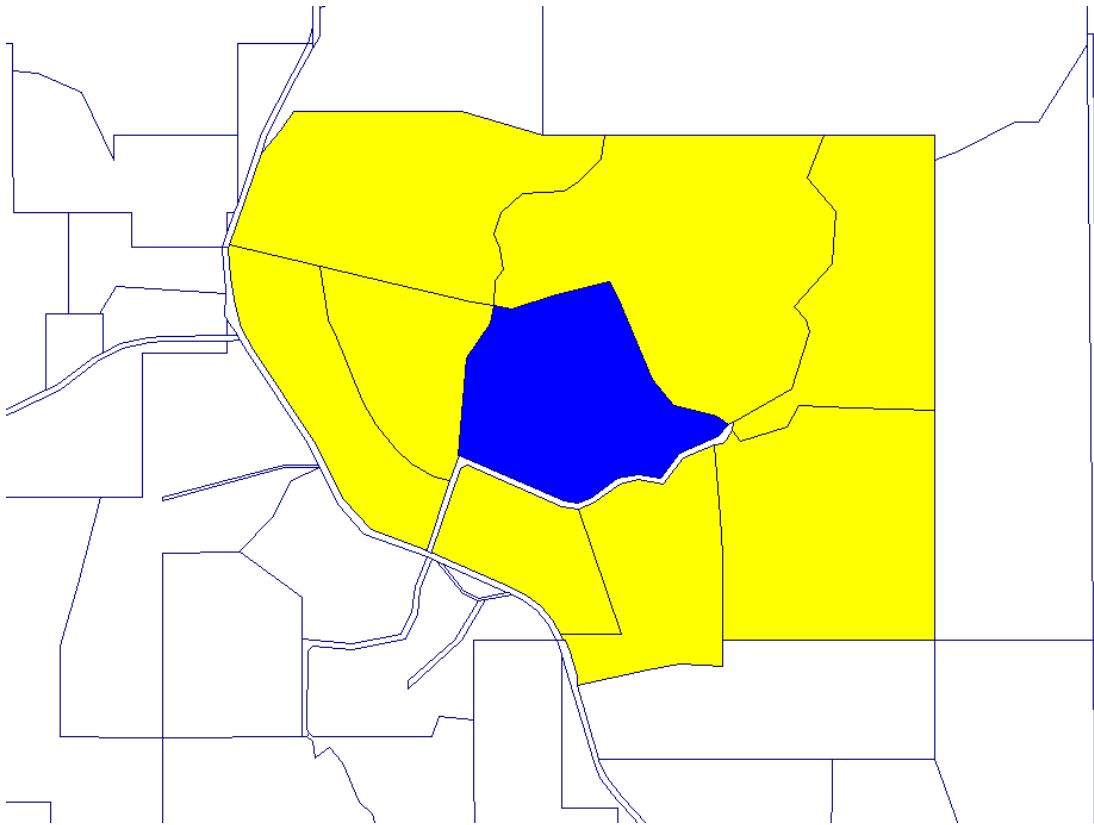


Figure 1: Consultation Plan – Lots coloured in were notified and given 14 days to respond. One landowner issued approval for the proposed building envelope modification and outbuilding. No further comments were received during the referral period.

Schedule of Submissions – Respite Retreat – Lot 111 (RN 138) Valley View Drive, Chittering

	Submission Comments	Applicant Response Comments (Completed 8/313, prior to submission of additional information)	Officer Response Comments
Public Submission - A	<ol style="list-style-type: none"> 1. Objects to the proposal. 2. The information provided by the applicant is limited; 3. As nearby resident and land owners, we have never been formally advised or consulted on any such proposal; and 4. The way we were made aware of the proposal was both inadequate and poorly executed by the Shire of Chittering. 	<ol style="list-style-type: none"> 2. Additional information can be made available as requested and as demonstrated in response to the public submissions, remembering that this project is subject to acquisition of suitable land - the subject of this application. 3. We believe it is appropriate to follow the due process established by council in all regards to this matter. 	<ol style="list-style-type: none"> 1. Noted. 2. Noted. Following the comments raised by submissions, additional information was requested from the applicant outlining the type of participants, and application matrix and the withdrawal of those participants who are drug addicted and or recovering from drug addiction. 3. The proposal was referred to the surrounding landowners of the subject property for comment as shown on the Consultation Plan. A sign was placed on the corner of Valley View Drive and Chittering Road to advertise the proposal to the public for a period of 14 days. 4. As per response in A3. This process met the requirements of the Scheme.
Public Submission - B	<ol style="list-style-type: none"> 1. Opposed. 2. Is the proposed use financially viable and sustainable? It would seem a very expensive way to “treat” such a small number of people. 3. Are there clearly defined deliverables for such a project? 4. Is there documented evidence to clearly demonstrate that such a development delivers sustainable benefit to the attendees? 5. How are the attendees going to be selected? Will they be police cleared? 6. If attendees can come and go at their discretion, what happens if 20 turn up at the same time? Do they turn them away into the street? 7. Has a full risk assessment been completed? i.e. traffic 	<ol style="list-style-type: none"> 2. The project has received tax office endorsement as a tax exempt Public Benevolent Institution. This process involved the tax office considering the proposed activities, funding and outcomes of the project. 3. Details are contained in the program overview. After a 6 week program that runs in a prescribed format from 7:30am to 10:00pm each day there is a reassessment by each individual to review continuation (if appropriate) onto other parts of the program. 4. The program has been run successfully for over 30 years and has seen thousands of peoples lives changed. 5. Attendees are selected from formal detailed (22 page) applications and require referrals and recommendations from recognised organisations. 6. Whilst the program is voluntary, once accepted into the program participants do not have the discretion to come and go as they please. 7. Preliminary planning has been completed. All 	<ol style="list-style-type: none"> 1. Noted. 2. Noted. The financial viability and sustainability of the proposal is not the responsibility of the Shire of Chittering. Should the proposal not be financially viable, this would then be the responsibility of the organisation running the proposed ‘Respite Retreat’. 3. Noted. The preliminary details of the program are provided in the program overview. 4. Noted. Details have been provided additional to the application demonstrating the benefit to the attendees, particularly in regards to the Esther Foundation and One80 TC. 5. Noted. All participants will be required to be referred to the program, with an extensive screening procedure. An assessment matrix has been provided as additional information for the application detailing the exact assessment criteria required for entry to the ‘Respite Retreat’. Participants attend at their own will and expense. 6. Dismissed. Attendees will not have the discretion to enter or leave the property at will. All transport will be organised by the operator. 7. Noted. Should Council choose to approve a proposed

Schedule of Submissions – Respite Retreat – Lot 111 (RN 138) Valley View Drive, Chittering

	<p>management and parking, fire, security, etc.</p> <p>8. What are the support requirements for those attending the facility, i.e. medical (emergency, psychology etc), security, counselling, public transport (if attendees are homeless will they have cars?), vocational opportunities (will they depend on local business or would they have to drive back to the city?) Etc?</p> <p>9. Are there support services available in the area?</p> <p>10. There is no doubt that such a development would be seen as a significant risk to existing and potential residents which when combined with the Buddhist development across the road starts to take on the look of an undesirable place to live;</p> <p>11. Property values are likely to fall even further, time taken to sell will increase dramatically, existing residents may choose to relocate anyway leaving properties vacant and theft and vandalism may increase;</p> <p>12. Whilst it is not wished to stand in the way of important care for those people who deserve it, there is no reason to believe that such a development would in fact deliver important care to those who need it;</p> <p>13. Mental health care and substance dependency are complex condition and care is better provided in purpose built facilities, located purposefully and that are run by professionals that know what they are doing.</p>	<p>documented risk assessments will be completed and all legal, including council requirements will be addressed.</p> <p>8. Medical services are provided offsite. Transport will be provided to participants as part of the program. Local vocational opportunities do not form part of the program, however following the program assistance will be provided to find placement (normally expected to be outside the Shire).</p> <p>9. Most support services are expected to be provided from major city centres.</p> <p>10. The activities and facilities on the site are expected to enhance the value and together with property improvements will not detract from the area.</p> <p>11. The property, like a number in this area has struggled to realise a high value in its current state. Infrastructure and site development is expected to increase the value of this property which would flow onto to increased property values of the area.</p> <p>12. The proposed program has been successfully operated for over 30 years in other parts of the country.</p> <p>13. The program is to be run under a demonstrated leadership with many years experience and employing staff who are fully trained. In relation to people affected by drugs (which does not apply to all participants), this project is about taking people who are motivated and well on their way to change and not those people who would require high medical supervision.</p>	<p>‘Respite Retreat’, it should be required that the applicant complete a Risk Assessment and Management Plan, with implementation of the plan upon the operation of the facility – Condition recommended.</p> <p>8. Noted. Medical assistance will be provided off-site. The management of emergencies will be the responsibility of the site manager.</p> <p>9. Noted. Support services are expected to be provided from the Perth Metropolitan Region and will be organised and paid for by the applicant. No additional support burden will fall to the Shire of Chittering.</p> <p>10. Noted.</p> <p>11. Property values are not a consideration of the planning process.</p> <p>12. Noted. Participants must show a willingness to change and will be attending at their own expense. This is not an ‘open house’ rehabilitation centre.</p> <p>13. Noted. The purpose of the facility is to help young men in need and re-establish purpose in their life and not as a ‘rehabilitation clinic’ as first defined. Furthermore, the facility will not be receiving those people addicted or recovering from addiction to drugs. Participants that have greater needs than the facility provides will be referred to other facilities and will not be accepted.</p>
Public Submission - C	<p>1. Opposed.</p> <p>2. Valley View Drive is a dead end gravel road offering poor access particularly in the case of fire or flood;</p>	<p>2. The road is more than adequate for the low volume of traffic proposed with this project. There is no additional impact on the road in relation to either fire or flood from the project.</p>	<p>1. Noted.</p> <p>2. Noted. Advice from the Technical Services Department of the Shire of Chittering is that the road is suitable for the 2 - 4 movements per day proposed in the initial stage of the ‘Respite Centre’. Subsequent applications for the expansion of the facility may require road upgrading but</p>

Schedule of Submissions – Respite Retreat – Lot 111 (RN 138) Valley View Drive, Chittering

	<p>3. The proposed land use is not in keeping with the TPS6 zoning for the area and owners and purchasers in the vicinity would be let down by the Shire if it were to allow a ‘thin wedge of the edge’ development to erode their community;</p> <p>4. A drug rehabilitation clinic will impact negatively on the safety and amenity of the local community.</p>	<p>3. Agricultural activities are proposed to be pursued on nearly all of the land and the low level proposed activity is not inconsistent with TPS6.</p> <p>4. There could be a misinterpretation of the activity proposed on the site. The description as a “clinic” potentially causes additional unnecessary concern as it is not descriptive of the sort of facility and activity proposed for the site. See also D4.</p>	<p>will be assessed at the time such applications are received by the Shire of Chittering.</p> <p>3. Dismissed. The applicant intends to retain the remainder of the farm in use. The use of ‘Respite Centre’ will be confined to future residential buildings and ancillary areas only.</p> <p>4. Noted. The facility will not be accepting those persons addicted or recovering from addiction to drugs.</p>
Public Submission - D	<p>1. Opposed.</p> <p>2. Moved to the location for solitude and the quiet farming life. A rehab clinic (or any such development) is at complete odds with this;</p> <p>3. Prior to purchase of our farm we investigated the area and ascertained that our house was the only permanently inhabited place in the street. We understood that Lot 111 had transient use by its owner and that, as it was advertised for sale, there may eventually be a permanent owner moving in to live there. The concept of an institution housing unknown numbers of drug addicts and staff nearby would have certainly stopped us from buying and would certainly have a negative effect on property values if allowed;</p> <p>4. In August last year we had a burglary at our house. The police advised it was almost certainly carried out by drug addicts. My wife and stepdaughter were traumatised by the event and we’ve had to work hard to achieve a relaxed and happy lifestyle again. A clinic potentially treating people would be very hard for us to deal with to the extent that we would be obliged to sell up and move.</p> <p>5. The “country life” in Australia is not generally associated with high fences and locked gates – we would certainly have to adopt these security measures should this proposal go ahead.</p> <p>6. Valley View Drive is not a particularly well made or</p>	<p>2. Farming activities are still proposed for the site and the low level of activity proposed for a site of this size and position is not at odds with farming life.</p> <p>3. There will not be an unknown number of people on the site. There is no basis for assuming property values would decrease. Indeed as we will be improving the property the value of the subject property (and thereby neighbouring properties) will in fact increase.</p> <p>4. An increase in the presence of people in the area will actually improve security and would contribute to a reduction in burglaries. There appears to be a misunderstanding of the nature of the activities proposed on the site by the use of the word “clinic” and “treatment” of people. The participants on the program will have already been through a rigorous application process and will be pre qualified including their non use of drugs and alcohol. Importantly we are seeking to help people so that they do not get to the point of committing crime and can rather live healthy, productive lives.</p> <p>5. This has not been found to be necessary in other places.</p> <p>6. The road is more than adequate for the low volume of</p>	<p>1. Noted.</p> <p>2. Noted. The proposal does not seek to remove the farming land from use, but to have a small portion of the property for the purposes of a ‘Respite Retreat’.</p> <p>3. Dismissed. Property values or vacancy are not a consideration of the planning process. The transient or unoccupied nature of the surrounding properties is not a consideration of the planning application.</p> <p>4. Noted. The assessment matrix of the ‘Respite Retreat’ has excluded those participants with drug use.</p> <p>5. Noted. The application does not propose additional security measures. The fencing and security of surrounding properties are the choice of the individual property owners. The purpose of the facility has been redefined from a ‘Rehabilitation Clinic’ to a ‘Respite Centre’.</p> <p>6. Dismissed. Advice has been received from the Technical</p>

Schedule of Submissions – Respite Retreat – Lot 111 (RN 138) Valley View Drive, Chittering

	<p>maintained road with several soggy area along it length. Increased traffic would probably create quite significant problems with the road. Indeed, we've seen increasing traffic on the road over the past several months with an associated level of damage already.</p> <p>7. We also note that there must be a likelihood of urgent medical support being required at such facilities far more often than in usual. This area is not well supported in that capacity.</p>	<p>traffic proposed with this project. Any demonstrable increase in traffic on the road in the past several months has not been by our organisation and we would be interested to understand the nature of this activity if it is being ascribed to our proposal.</p> <p>7. There is no increased likelihood of emergency medical support other than by virtue of more people to be expected on the site than has historically been the case. Emergency medical support is not expected as part of the program and again raises a concern that there has been a misinterpretation of the proposed activity on the site. The program is not run for those who would require immediate medical support – the people in the program are typically people who require assistance and direction as they become re established in community – this is not a detox facility.</p>	<p>Services Department that the road is of sufficient standard to support the 2 – 4 proposed vehicle movements per day.</p> <p>7. Noted. The nearest medical support is the St John Ambulance Sub-Centre located in Bindoon. The detail of those participants using the facility has misconstrued public submissions. However, the applicant should be required to undertake a Risk Assessment and Management Plan should Council choose to issue approval as recommended.</p>
Public Submission – E	<p>1. Opposed</p> <p>2. There is no security proposed for the property, the patients can come and go at will as they are voluntary, so at anytime they decide to leave the program they can go through houses, steal a car and head to Perth to get another hit. There is a strong probability that these patients could be violent, especially if they are strung out. We live here in virtual seclusion with pretty much all absentee owners, we did have an occasion recently to call 000 for urgent police assistance and it took 55 minutes for the police to arrive. This was our first instance in 18 years, should this rehab be approved I'm sure it could be the first of many. The isolation of the location and few residents means the danger of being by yourself is real and no-one can guarantee our safety.</p> <p>3. The patients will get to know which properties are absentee owners and I'm sure the opportunity will be hard to resist. One of those properties we caretake across the road and I don't fancy doing the rounds and checking the property and coming across an intruder. We realise it does happen in the area from time to time but the percentage will certainly be increased dramatically. Even if the people proposing the rehab state that they will install security, on a property of that kind you would never notice someone missing, so this would not be acceptable.</p> <p>4. We bought this property for its beauty, peace and tranquillity and have never been happier but if you allow this to go through we will live with fear and anxiety and I don't feel that any of you would want that.</p>	<p>2. Reference is being made to being "strung out". This is not the condition of the people who are participating in the program. See also C4 and D7.</p> <p>3-4. There are many inaccurate assumptions in this submission around the issue of safety, property theft and the like. See also D4.</p>	<p>1. Noted.</p> <p>2. Noted. Should Council choose to approve the application, the applicant should be required to provide a Risk Assessment and Management Plan addressing security concerns and putting in place procedures in the event of an emergency.</p> <p>3. Dismissed. Whilst safety and protection of life and property is partly the responsibility of the Shire of Chittering, it is the responsibility of individual landowners to ensure suitable security and that their properties are suitably supervised. Secondly, it cannot be assumed that the participants are thieves.</p> <p>4. Noted. Due to the information provided with the proposal and classification as a 'Rehabilitation Clinic' in the first instance, there has been some confusion as to the facility, its participants and the operation of the facility. The purpose of the facility is to provide a 'Respite Retreat' with programs on offer to young men who wish to find new direction in their life.</p>

Schedule of Submissions – Respite Retreat – Lot 111 (RN 138) Valley View Drive, Chittering

	<p>5. We paid good money for this property and should the rehab go through our property value would plummet as lets face it nobody would want to pay a reasonable price to live next to a drug rehab.</p>	<p>5. There is no basis for assuming property values would decrease. Indeed as we will be improving the property the value of the subject property (and thereby neighbouring properties) will in fact increase.</p>	<p>5. Dismissed. Property values are not a consideration of the planning process.</p>
Public Submission - F	<p>1. Opposed</p> <p>2. The Chittering Shire Council with their rate payers should not be responsible for services for an organisation which has minimal benefits for people living in the Shire.</p> <p>3. Resident security within the vicinity is feared.</p>	<p>2. The Shire should treat all ratepayers equally and any additional services paid on a fee for service basis (such as the fee for this application).</p> <p>3. See D4.</p>	<p>1. Noted.</p> <p>2. Dismissed. The Shire of Chittering would not be responsible for the operation of the facility, only ensuring that it complies with relevant laws and requirements of the Shire of Chittering. It is the right of a landowner to apply for the development of land for a use not listed in the Town Planning Scheme and for the Shire of Chittering to consider that use in accordance with its requirements.</p> <p>3. Noted.</p>
Public Submission - G	<p>1. Opposed</p> <p>2. Rehabilitation is not a process that happens ‘over-night’. Rehabilitation for drug users is a long slow process usually entailing many relapses. More often than not, there can be mental disorder/illness affecting drug users, like bi-polar or schizophrenia, which may be underlying and can be exacerbated by drugs or the use of drugs causes these illnesses to develop. No doubt you will have witnessed the drug-fuelled antic of celebrities and well known sports stars of recent. This is not something that we, as residents of the Chittering area, would want to deal with.</p> <p>3. A large majority of properties near the proposed centre are unoccupied for varying lengths of time. Easy pickings for those that may be inclined.</p> <p>4. We applaud those wishing to better themselves and undergo rehab, but drug users can be very volatile, violent and unsociable.</p>	<p>2. The program is designed to help people over a defined period. However the people participating in the program are voluntary participants who have already detoxed and reached a point of capacity to commit to the program and have been assessed as appropriate for the program through a strict assessment process. There will also be 24/7 supervision.</p> <p>3. The participants in the program are subject to referral and recommendation and there is a strict vetting process at the time of application.</p> <p>4. See G2 and G3.</p>	<p>1. Noted.</p> <p>2. Noted. The level of detail provided in the application was such that the details of the participants and how they would be vetted was not verified. The applicant has confirmed that program participants will not be ‘detoxing’. However, there is still some risk presented from these participants relapsing into previous lifestyles. As previously outlined, the applicant should be required to provide a Risk Assessment and Management Plan, as recommended, should Council choose to approve the ‘Respite Retreat’.</p> <p>3. Noted. Safety is a relevant planning consideration. However, unoccupied properties are the responsibility of their owners. As previously mentioned, it cannot be assumed that the participants are thieves.</p> <p>4. Noted. The applicant has ensured that those persons addicted or recovering from addiction to drugs will not be accepted at the facility.</p>
Public Submission – H	<p>1. Opposed</p> <p>2. Whilst we appreciate the necessity for places of this kind to be available for people who are wishing to overcome addiction we are concerned about the possibility of the residents leaving the facility and possibly becoming a nuisance or threat to neighbours.</p> <p>3. If one or more residents decided to leave they would obviously be looking to find transport and therefore neighbours could be at risk of theft or motor vehicle(s),</p>	<p>2. See B6 and G2.</p> <p>3. Transport is provided for the participants. When a participant leaves the program they are transported from the site.</p>	<p>1. Noted.</p> <p>2. Noted. The details of the application did not outline how people are vetted prior to entering the program, which has now been clarified through the submission of an assessment matrix. Transport will be provided to participants, as well as medical and other services being provided off-site.</p> <p>3. Noted. As above, the applicant has stated that the transport will be provided to and from the facility. As previously outlined, should Council choose to approve the</p>

Schedule of Submissions – Respite Retreat – Lot 111 (RN 138) Valley View Drive, Chittering

	<p>burglary and bodily harm etc. It should be noted that should the police be called it could take as much as 45 minutes for them to arrive which may be too late if a crime is being committed. We feel that the proposed facility should be closer to a police station or prison so that any ‘escape’ can be dealt with quickly without disrupting the locals.</p> <p>4. We do not feel that a use such as this is in keeping with the mainly agricultural usage of the surrounding area and may detract from the value of these properties and inhibit their future saleability. Not many buyers would willingly buy a property where their neighbours are rehabilitating drug addicts.</p>	4. See C3 and E5.	<p>application, the applicant should be required to provide a Risk Assessment and Management Plan to alleviate community concerns. Also, participants will attend at their own will and expense.</p> <p>4. Noted. The agricultural use of the property will continue should the change of use be approved by Council. The use ‘Rehabilitation Clinic’ would be confined only to the residential buildings and ancillary buildings of the facility. Property values are not a relevant planning consideration. As previously mentioned, the applicant has ensured to persons addicted or recovering from addiction to drugs will not be accepted at the facility.</p>
Public Submission - I	<p>1. Opposed</p> <p>2. The practice of allowing changes to the land uses as defined under the current Town Planning Scheme should be only followed on the basis of rare exception, hence upholding the principals and overall intentions of the scheme itself. The approval of the Buddhist establishment and the current application are linked in that every time there is an approved change of use, the value of the Planning Scheme is eroded, and precedents are set.</p> <p>3. The particular proposed use for 138 Valley View Drive seems totally inappropriate. The current rural usage should be upheld. 138 Valley View Drive is an isolated broad acres property with rudimentary facilities and as such, is unsuitable for the proposed use.</p> <p>4. Additionally, the presence of addicted young people unfortunately presents a potential security threat to local residents and their properties.</p>	<p>2. This is a matter for the Shire. The proposed use is in line with other permitted uses on this type of land within the Shire.</p> <p>3. See C3.</p> <p>4. See C4.</p>	<p>1. Noted.</p> <p>2. Dismissed. Where a use is not considered to reasonably fall within the use definitions listed in the Scheme, it is considered a ‘Use Not Listed’ by the Scheme. These are to be considered in accordance with the requirements of Clause 4.2 of the Scheme, as this application has.</p> <p>3. Noted. The agricultural use of the property will continue as a result of the application. The need for additional facilities on-site is not deemed an issue, as these will be provided by the applicant.</p> <p>4. Noted. The assessment matrix has been provided by the applicant, along with information removing those addicted to drugs from the program.</p>
Public Submission - J	<p>1. Northern Compassion Inc. does not state their church affiliation....this seems unusual. Residents are more likely to look favourably on a credible project that has a proven, successful track record from a reputable organisation than on an untried newly established organisation. This knowledge needs to be available to make an informed decision.</p> <p>2. Another issue which I feel needs to be addressed is the potential problem of a residential facility with a high percentage of smokers. The clientele, by reason of their prior addictive habits, are more likely to be “smokers”. The proposal to have initially 8 (with development up to 30)</p>	<p>1. Northern Compassion Inc. is a Public Benevolent Institution incorporated in Western Australia. It’s members and management committee comprise people from all different backgrounds and experience who have a common goal to see young men become healthy family leaders and contributors to the community.</p> <p>2. Smoking will only be permitted in restricted areas. This is an issue which is well managed in other locations that are located in a high fire danger area.</p>	<p>1. Noted. Northern Compassion Incorporated is a Public Benevolent Institution incorporated in Western Australia. Although the applicant has not operated a facility of this nature before, NCI is working with assistance from the Esther Foundation (a similar body for young women operating in South Perth) and One80TC, a program that successfully operates in NSW.</p> <p>2. Noted. Smoking and danger from smoking is an issue that can be resolved through responsible site management.</p>

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	<p>residents living and continuing the existing agricultural activities on the property, makes for difficult supervision (in both paddock and home) and the potential for heightened fire risk.</p> <p>3. I feel that this needs to be looked at with procedures in place to ensure that the safety of home and surrounding land is maintained.</p>	<p>3. All legal requirements will be complied with. All activities and procedures are to be conducted in accordance with approved policy and guidelines.</p>	<p>3. Noted. As previously outlined, should Council choose to approve such an application, a Risk Assessment and Management Plan should be provided by the applicant to address security concerns.</p>
Public Submission – K	<p>1. Opposed</p> <p>2. The proposed use is inconsistent with the rural local environment.</p> <p>3. Security risks.</p> <p>4. Opposition by current land owners and residents.</p> <p>5. Increased fire risk.</p> <p>6. Lack of information regarding the proponents qualifications and experience to safely and successfully manage similar operations in similar locations.</p>	<p>2. See C3</p> <p>3. See D4</p> <p>4. There appears to be substantial misinterpretation of the nature of the participant and the program reflected in many of the submissions.</p> <p>5. There is no basis for this concern except by virtue of increased in activity on the site in comparison to the current unoccupied basis.</p> <p>6. This facility will be properly managed by experienced and trained supervisors. This is also a matter for other authorities and agencies.</p>	<p>1. Noted.</p> <p>2. Noted. The rural use of the land will be continued. The proposal does not have a significant impact on the amount of productive agricultural land available for use. The consideration of the use of ‘Respite Retreat’ as a ‘Use Not Listed’ is in accordance with Clause 4.2 of Shire of Chittering Town Planning Scheme No.6.</p> <p>3. Noted. As per response in J3.</p> <p>4. Noted. The objections and comments of the public are considered by Council when considering the proposed change of use.</p> <p>5. Dismissed. The property is cleared and the fire risk would be similar for the development of normal residential housing associated with farming.</p> <p>6. Noted. As per response in J1.</p>
Public Submission - L	<p>1. Opposed</p> <p>2. Addiction rehabilitation involves assistance to irrational (in this case men), back into an accepted social society.</p> <p>3. Intentions of goodwill by compassionate assistance are well meaning, however rehabilitation results are far from reliable and clinics should not be located in an area distant from accepted services.</p> <p>4. There is risk from the proposal due to lack of immediate medical and police assistance.</p> <p>5. Absconded men increase risk to neighbouring residents of theft and assault, particularly women alone while partners are away.</p> <p>6. Visitors and services will increase dust hazard to neighbours</p>	<p>2. See C4.</p> <p>3. See D7.</p> <p>4. See C4 and D7.</p> <p>5. See G2 and G3.</p> <p>6. Traffic movements are expected to be low as the</p>	<p>1. Noted.</p> <p>2. Noted.</p> <p>3. Noted. The purpose of the facility is to provide a ‘Respite Retreat’ for young men offering course and guidance in life controlling issues and providing new pathways in life.</p> <p>4. Noted. As per response in J3.</p> <p>5. Noted. Participants will not be able to come to a leave the facility at will. As per response in J3.</p> <p>6. Noted. Advice from the Technical Services Department is</p>

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	<p>on this quiet no through road.</p> <p>7. Services for homeless 18-35y/o men with mental, physical and life problems have no place in the Rural Residential environment of the Chittering Valley, no matter how well supervised, as just the presence of this remedial centre will entail extra security and apprehension within the community.</p> <p>8. Indicated expenses are for 6 participants. Is this the proposed capacity? It would not be economic to run a rehabilitation clinic for this number. What are the plans for further expansion to enable economic operation?</p>	<p>program is a residential program and visitation occurs offsite.</p> <p>7. A quiet rural setting is the very place that people can be helped to overcome issues and the activities will be managed to ensure a quiet rural setting is maintained.</p> <p>8. Any increase or expansion in activity would only be proposed on the demonstrated success of the program. However an ultimate maximum of 30 participants is envisaged, for program maximums rather than economic reasons.</p>	<p>that the road is of sufficient capacity to service the first stage of the development. Should any additional stages be considered, this can be appropriately conditioned at that time to ensure the road is sufficient.</p> <p>7. Noted. As per response in L3.</p> <p>8. Noted. The initial stage of the facility is for up to 8 participants. Should this prove successful, the facility would be expanded by stage 2 and 3 to accommodate and ultimate goal of 30 participants, which is to be considered by Council as part of this application.</p>
Public Submission – M	<p>1. Opposed</p> <p>2. Having had a close association with an alcoholic for several decades, I know how unpredictable and antisocial they can be. In my view, a pristine location such as Valley View Drive can only suffer from such a facility being located there.</p> <p>3. In addition, I live about a kilometre from the proposed site and feel extremely uncomfortable at the prospect of such a facility being located nearby. I would be unable to deal with the almost inevitable confrontations with either reformed drug addicts or their families and friends, various treatment specialists, ambulances etc., as they travelled up and down Valley View Drive, Chittering Road and (probably as they took the wrong turn) Lewis Road.</p>	<p>2. There is no expected impacted on the pristine location from the project. All infrastructure is to be established sympathetically with the land, and further the activities are not expected to adversely impact on any other properties with the continuation of minor agricultural activities.</p> <p>3. Visitation is to be offsite. Specialist and other medical services are expected to be delivered off site. See also B8 and B9.</p>	<p>1. Noted.</p> <p>2. Noted. The proposal has excluded those considered to be recovering drug addicts. The assessment matrix ensures that participants are willing and able to be included in the program.</p> <p>3. Noted. Advice from the Technical Services is that the road is of sufficient capacity to service the proposal. Also, participants are not able to enter or leave the site, unless being transported to and from the Perth Metropolitan Region.</p>
Public Submission – N	<p>1. Opposed</p> <p>2. My husband is often away on business, my children and I will be home alone. This is the very reason we moved up here, to get away from the threat, perceived or real of burglary. If this proposal go ahead it will impede greatly on feeling of security and enjoyment of this beautiful valley. Our house has had one incidence already.</p> <p>3. Rehabilitation centres are more suited to an area with more support, the unlikely is almost inevitable and the surrounds of the position are isolated, will we get a full time Police presence in Bindoon.</p> <p>4. I would like to see the costing's of the Shire for the support you will need to allow for this project, or would you receive</p>	<p>2. See D4.</p> <p>3. See M2.</p>	<p>1. Noted.</p> <p>2. Whilst the security of residents is a concern to be considered by the Shire of Chittering, the 'perceived' and 'real' threat can sometimes vary. Should Council choose to approve the application, it should require that the applicant submit a Risk Assessment and Management Plan to address the security concerns of residents.</p> <p>3. Noted. As per response in N2.</p> <p>4. Dismissed. The Shire of Chittering will not be responsible for the operation of the facility, maintenance or the like. No</p>

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	<p>an allowance from their budget.</p> <p>5. Lot 111 Valley View Road is within view of our home and we would be one of the closest full time residents to this location, we should not have heard about this by word of mouth, 3 days before closing for comments.</p>		<p>costs will be incurred by the Shire as a result of this proposal.</p> <p>5. Noted. The proposal was referred to the surrounding landowners for comment as shown on the Consultation Plan. A sign was placed on the corner of Valley View Drive and Chittering Road to advertise the proposal to the public for a period of 14 days.</p>
Public Submission - O	<p>1. Opposed</p> <p>2. The vehicle traffic on Valley View Drive would increase beyond that which could be expected from the present agricultural resource zoning of the area. Vehicles of staff, Shire, Government, cleaners, service personnel, social and medical workers, ambulances etc., could result in 30 or more vehicle movements per day. These could be at any hours, 7 days a week.</p> <p>3. The location of such a clinic would be more practical on a main road for vehicle access.</p> <p>4. Valley View Drive is a gravel road passing within metres of an existing residence.</p> <p>5. Valley View Drive is a ‘no through road’ with a basic river bridge. This offers poor escape from fire or flood disasters for the dozens of people at a clinic on the road.</p> <p>6. In an ‘addiction’ clinic you are dealing with patrons who may not be rational or respectful of a community. This is not the same as with a monastery or retreat.</p> <p>7. Whilst the intention of such a facility is to operate with willing and responsive patrons, the reality is that rehabilitation success rates are far from perfect. There are going to be failures. These may well be at the expense of the local community.</p> <p>8. This exposes the local community to wandering patrons, break-ins and theft. There is a risk also from visitors and associates of patrons, some of whom will still be at the pre-rehabilitation phase.</p> <p>9. Considering the above points and given the proposed clinic is</p>	<p>2. The submission reflects an excessive estimate of traffic movements. The program is residential, participants would normally be transported in groups to avail themselves of services. Ambulances - this comment may reflect a misunderstanding of the proposed participants. See also C4.</p> <p>3. A main road location is not necessary for this project and the level of traffic movements associated with it. See also O2 and C4.</p> <p>4. See D6.</p> <p>5. See C2.</p> <p>6 - 10. See C4 and G2.</p>	<p>1. Noted.</p> <p>2. Noted. As per response in M3.</p> <p>3. Noted. The purpose of the ‘Respite Retreat’ is to provide a secluded location for the operation of the program.</p> <p>4. Noted. As per response in M3.</p> <p>5. Noted. As per response in M3.</p> <p>6. Noted. The purpose of the ‘Respite Retreat’ is not for drug addiction, as has been specified by the applicant and established in the assessment matrix, which was submitted as part of the additional information.</p> <p>7. Noted. Should participants wish to leave the facility for any reason, it will be the responsibility of the facility to transport these participants back to their place of residence or another facility.</p> <p>8. Noted. As per response in J3. The facility will not used for rehabilitating drug addicts.</p> <p>9. Noted. As per response in J3. Should Council choose to</p>

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	<p>for males, there is a particular concern to women, often home alone in the area.</p> <p>10. The location of a rehabilitation clinic will cause the community to react with increased security measures. This pressure on lifestyle is not a good reflection on Shire Planning.</p> <p>11. A person who purchases into the area knowing full well the zoning and expected land use should be able to rely on the Shire to uphold their rural and lifestyle expectations and not have change of use applications jeopardise their community.</p> <p>12. Town Planning Scheme No.6 identifies the land for ‘Agricultural Resource’ zoning. This proposed change of use would simply designate the land as ‘use not listed’. The Shire Rating structure for the property would remain the same (i.e. UV). Given the property would involve multiple dwellings and likely place more demands on Shire services than other properties in the area, it would seem that the community would be subsidising the clinic through their rates. Examples here being road upgrade costs and even this proposal processing.</p> <p>13. Using this location for an addiction clinic may be out of site and mind for the city where its patrons come from, however it will not be out of mind for the community in which it is placed.</p> <p>14. Northern Compassion Inc. is an incorporated association in Western Australia (Sept 2012). The community should be able to view the constitution of such a not for profit association that seeks a Shire planning change. A copy of this constitution should be provided to Shire for community reference.</p> <p>15. If the proposal has the backing of Government or Church groups then this information should form part of the application to the Shire for a change of use so the community can be assured of genuine intention and make further enquiries.</p>	<p>11. See D2 and E5.</p> <p>12. There is very little additional impact on Shire services expected from this project. The example given is a case in point as there is no expectation that the road would require any upgrade. See also C2 and D6.</p> <p>13. See B13 and C4.</p> <p>14. The Rules of Northern Compassion Inc. are essentially the template Rules published by the Department of Consumer Affairs. These Rules have been approved by the Department of Consumer Affairs, reviewed by the Australian Tax Office and can be made available to the Shire, and any party that would like to see them. Given that the Rules are standard Rules it may be more useful to understand the specific concerns if not raised within the 15 matters herein.</p> <p>15. See J1.</p>	<p>approve the ‘Respite Retreat’, the applicant should be required to provide a Risk Assessment and Management Plan.</p> <p>10. Noted. As per response in J3.</p> <p>11. Noted. As per response in F2.</p> <p>12. Noted. The majority of the land will continue to be utilised for agricultural pursuits. The operation of the facility will not be subsidised by the Shire.</p> <p>13. Noted. As per response in J3. The applicant has expressly removed the inclusion of those patients addicted or recovering from addiction to drugs to address community concern.</p> <p>14. Noted.</p> <p>15. Noted. Northern Compassion Incorporated is a Public Benevolent Institution incorporated in Western Australia. Although the applicant has not operated a facility of this nature before, NCI is working with assistance from the Esther Foundation (a similar body for young women operating in South Perth) and One80TC, a similar program that operates in NSW.</p>
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Public Submission – P	<div><div>1. Opposed</div><div>2. It goes without saying that such a clinic will attract some individuals with issues that challenge security and order. Concerns are held as to what security measures/restrictions will be installed by the clinic and Council. Bearing in mind we are talking about a remote location where the security of surrounding residents cannot rely on swift police or neighbour assistance. What security measures will the Council enforce?</div><div>3. Security measures are not addressed in the Northern Compassion Inc (NCI) submission, nor are they budgeted separated.</div><div>4. What is the status of NCI? From limited research it appears they do not have a web site and no publically available details. Who is NCI and who are they responsible to? It appears they are not a government body or an entity governed by directors that have “corporate responsibilities”. With this in mind who oversees and ensures compliance with relevant health and security requirements as normally defined by government bodies and applicable to various health departments and entities. We absolutely oppose any rehabilitation clinic, however one that is not responsible to a recognised health institution and that as a consequence is not subject to rigid health and security guidelines and the security of complete government funding of other hospitals, should be totally opposed. A fall in income (i.e. donations) will see items such as personal security and land security (i.e. fire breaks) fall away.</div><div>5. Chittering Valley is a fragile rural environment that depends on residents being of rural mind and sympathetic to a farming community. It appears some residents of the clinic may be emotionally vulnerable and in combination with a lack of supervision and understanding of the rural environment, a recipe for disaster. One discarded cigarette butt and we have a potential nightmare. These are risks that can be controlled to a certain extent by a simple Council objection. Again, what supervision/controls exists? Who will accept responsibility for resulting damage?</div><div>6. Are NCI in a position, both financially and from a corporate sense, to be responsible in a Rural sense? (i.e. fire breaks, fencing and water management). They are in a rural zone surrounded by livestock and other farming interests and should be good farming neighbours. Again there appears no</div></div>	<div><div>2. See C4.</div><div>3. This project is not one which requires additional security measures. This expectation could come from assumptions of the nature of the individuals participating in the program. See also C4.</div><div>4. See C4 and J1.</div><div>5. See C3, D2, and J2.</div><div>6. The level of farming activity on the site has been very limited. Water samples have been taken to establish the level of agriculture that can be supported on the property. However boundary fences will be maintained and Shire and other requirements in relation to fire breaks will</div></div>	<div><div>1. Noted.</div><div>2. Noted. The Shire of Chittering will not be responsible for the security measures of the facility. However, should Council choose to approve the facility, it is recommended that it require a Risk Assessment and Management Plan to be prepared and implemented.</div><div>3. Noted. As per response in P3.</div><div>4. Noted. As per response in O15.</div><div>5. Noted. The majority of the property will remain in agricultural use. Should Council choose to approve the proposed ‘Respite Retreat’, it is recommended that Council require the preparation and implementation of a Risk Assessment and Management Plan. Any damage resulting from the facility will not be the responsibility of the Shire of Chittering.</div><div>6. Noted. The majority of the property will continue to be used for agricultural pursuits. The management of the property will be the responsibility of the property owners in accordance with the Shire of Chittering requirements. Furthermore, when any prospective</div></div>
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	<p>budget for, or mention of these types of expenses.</p>	<p>clearly be maintained. On the assumption that the current low level of farming activity is continued the costs are expected to be largely met by livestock sales hence a detailed budget has not as yet been prepared for the current level of activity.</p>	<p>purchaser is buying a property, there is no individual vetting process to ensure the purchaser would be a responsible ‘farming neighbour’ other than the requirements of the Shire of Chittering and other relevant authorities and it would be unfair to enforce such compliance in this instance, given the agricultural use of the property will remain.</p>
	<p>7. Why would Council accept “other than farmlets” in such a pristine area? It appears to fly in the face of everything Council is trying to achieve in the valley.</p>	<p>7. See D2.</p>	<p>7. Noted. As per response in F2, Council has the ability to consider a ‘Use Not Listed’ in accordance with Clause 4.2 of the Shire of Chittering Town Planning Scheme No.6.</p>
	<p>8. As you appear well aware from our phone discussion, there will be a reduction in surrounding land values should this proposal be approved. This comes at a time when rural land holders are “doing it tough” due to many other factors and convincing them to stay on the land is becoming tough. Surely Council must attempt to do all things possible to encourage rural land pursuits particularly in the Chittering Valley.</p>	<p>8-9. See B10 and B11.</p>	<p>8. Dismissed. Land values are not a planning consideration.</p>
	<p>9. A reduction in land values will also, according to our understanding, produce a fall in the value of rateable property and a subsequent reduction in rates. Less revenue to Council.</p>		<p>9. Dismissed. Land values are not a planning consideration and rates are subject to the land value assigned to the property by the Valuer General.</p>
	<p>10. Can a “change of use” as proposed, of a rural area be ratified by the Chittering Shire without the approval of the landowners and does this ‘change of use’ only apply to the lot in question (i.e. Lot 111)? Will a change in use approval result in our land (Lot 108) being subject to land tax?</p>	<p>10. Not appropriate to comment.</p>	<p>10. Noted. The change of use applies only to Lot 111 (RN 138) Valley View Drive, Chittering.</p>
	<p>11. Chittering Valley is a “Rural” and to our knowledge has been strictly kept that way, particularly along the Chittering Valley Road, to retain the farming ambience and ‘Iconic’ drive and tourism attraction. A decision to allow such a clinic in the Valley can only being detrimental to attracting rural owners and subsequently retaining a truly rural appearance. From our perspective, firstly we had to put up with the approval and construction of the inappropriate Buddhist property directly over the road and now this proposition directly behind. Should this application be approved Council is going about destroying the ambience it has spent so many resources trying to uphold.</p>	<p>11. The description of “clinic” seems to have resulted in a number of assertions of the style of facility and the participants in the program. Any infrastructure to be added to the site will be constructed sympathetically to the surrounding properties and the footprint, height etc, will be minimal in comparison to the surrounding land area. See B10.</p>	<p>11. Noted.</p>
	<p>12. Finally, we are elderly owners that above all fear for our security should this proposal be approved, not to mention</p>	<p>12. See D4 and G2.</p>	<p>12. Noted. Refer to response in J3.</p>

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	<p>those concerns detailed above. We enjoy having our children and grandchildren stay on a regular basis and the granting of approval would certainly jeopardise the idea of a secure destination.</p> <p>13. We would suggest that the Council’s general charter is to maintain the amenity and security of the Shire of Chittering for the use of ratepayers. An approval of this application is in total contradiction to this charter. This is not a simple “Rural Health Retreat” that can be approved and simply be forgotten by Council.</p> <p>14. Our questions above I have put forward to you for future consideration against the proposal and for presentation at your future Council meetings.</p>	<p>13. There is no loss of amenity or security in the Shire to result from the project.</p>	<p>13. Council can consider the amenity of the area in determining an application. Consideration of matters are listed in Clause 10.2 of the Shire of Chittering Town Planning Scheme No.6.</p> <p>14. Noted.</p>
Public Submission – Q	<p>1. Oppose</p> <p>2. Who is Northern Compassion Inc?</p> <p>3. Who are the people involved?</p> <p>4. Do they understand the responsibilities of owning a rural property? Fire breaks, fire danger, noxious weed control etc. A rural mind set not a medical mind set.</p> <p>5. Are they adequately funded? As we don’t want a change of use and then problems if the project is not completed properly.</p> <p>6. What security guarantees are there?</p> <p>7. Is the proposed development high security or walk in walk out?</p> <p>8. It seems that the change of use is the thin edge i.e. get the change start then expansion as I note there is planned rapid</p>	<p>2. See J1.</p> <p>3. See J1 and Q4.</p> <p>4. Whilst this is not relevant to the application there is representation on the management committee of Northern Compassion Inc. who live in the Shire of Chittering and are capable of managing a rural property.</p> <p>5. The activities of Northern Compassion are to be largely funded by government grants, public donation and corporate sponsorship.</p> <p>6. No guarantees are proposed – as a minimum legal requirements must be met.</p> <p>7. See B13 and G2.</p> <p>8. A master plan has been provided and the Shire will be asked to approve each building in the master plan as, if</p>	<p>1. Noted.</p> <p>2. Noted. Refer to response in J1.</p> <p>3. Noted.</p> <p>4. Noted. A landowners responsibility to ‘running’ the land can only be controlled by the Shire requirements i.e. firebreak notice etc. General operation of the land is up to the owner and does not form part of this application.</p> <p>5. Noted. The funding of NCI is not the responsibility of the Shire of Chittering. This organisation will have to ensure that it has adequate funding to run the program and maintain the property to the satisfaction of the Shire of Chittering.</p> <p>6. Noted. See response in J3.</p> <p>7. Noted. The development will not have additional security measures. However guests will not be able to enter and leave the facility. If they do choose to leave the facility, this will have to be done using the transport of the facility. Should Council choose to approve the application, it is recommended that it is required that the applicant submit a Risk Assessment and Management Plan.</p> <p>8. Noted. The application proposes up to 30 participants to be accommodated on-site, with a number of staff.</p>

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	<p>increase to 30 residents from initial 6-8. At what level does it stop? I draw your attention to the one building that was approved for the Buddhist Monastery and the number that there are now.</p> <p>9. Is it prudent to have people with mental and health issues living close to isolated properties?</p> <p>10. Residents need to understand the danger of fire in a rural setting and to what actions need to be carried out in an emergency. If these people are ill it is not the correct setting for a proposal of this nature given these sorts of dangers in the country.</p> <p>11. It would be extremely dangerous to put a higher density of people living in a dead end road and a fire was to come from the south west. This could leave the Shire open to litigation as there may not be adequate egress in an emergency.</p> <p>12. The proposal would not be in accordance with what I understand are the uses in the agricultural zone under the town planning scheme. Does the zoning also have to be changed?</p> <p>13. This change of use/zone would be a blight and detrimental to the land values so do we get compensated or get an upgrade in our use/zoning under the Town Planning Scheme.</p> <p>14. Ad hoc land uses in an agricultural setting cannot be good town planning and I believe that Council has stated it wishes to concentrate development in modules at Muchea/Bindoon etc for better use of infrastructure. This is obviously contrary to that aim.</p> <p>15. I acknowledge that some of the queries raised have nothing to do with land ownership but all of the above points are relevant to the proposed change of use.</p>	<p>and when it is appropriate to expand. The maximum number of participants would not be expected for several years.</p> <p>9. See B13 and G2.</p> <p>10. This is not an issue for the participants of the program. The participants are fully capable of responding appropriately in an emergency – it is not a “clinic”. See also Q11.</p> <p>11. There would be a fire plan established for the site and training provided to assist with safe egress.</p> <p>12. See C3.</p> <p>13. See B10 and E5.</p> <p>14. There is nothing inconsistent with the use of this land for planning purposes. Indeed, almost all of the land will be used for agricultural purposes. And the nature of the other proposed activities is sympathetic to rural life.</p>	<p>Should the number of participants at the facility be proposed to be increased, this will be required to be approved by Council.</p> <p>9. Noted. As this is a ‘Use Not Listed’, it is required to be considered by Council in accordance with the requirements of the Shire of Chittering Town Planning Scheme No.6.</p> <p>10. Noted. See response in J3.</p> <p>11. Noted.</p> <p>12. Noted. The zoning of the property is not proposed to change. As this is a ‘Use Not Listed’ by the Scheme, Council is required to consider the proposal in accordance with the requirements of the Scheme.</p> <p>13. Noted. As per response in Q12. Compensation can only occur through ‘injurious affection’ to land (i.e. reservation of land, etc.) This is not the case for the subject proposal.</p> <p>14. Noted. As this is a ‘Use Not Listed’, the proposal must be assessed in accordance with the requirements of the Scheme.</p> <p>15. Noted.</p>
Public Submission – R	<p>1. Oppose</p> <p>2. In my opinion, the establishment of such a facility will cause an increase to individuals travelling to the shire that are experiencing difficulties in managing their lives. It is well known that the behaviour of such individuals can often include theft of items that are more easily sold. That is in general, items often seen in establishments like Cash</p>	<p>2-6. See D4</p>	<p>1. Noted.</p> <p>2. Noted. Participants go through assessment process and participate at their own will and expense. It cannot be accused that theft will occur as a result of this proposal.</p>

Schedule of Submissions – Respite Retreat – Lot 111 (RN 138) Valley View Drive, Chittering

	<p>Converters. The rural life style relies on a reasonably healthy distance between such behaviour of individuals that is more prevalent in the darker areas of the city. This therefore leads to a level of ‘rural’ security on the basis of less risk due to distance.</p> <p>3. Ads to the property’s proximity to mine is close by way of transport route, a portion of these individuals will be passing by my and my neighbours properties while travelling down Blue Plains Road (since the sealing of Blue Plains Road there has been a marked increase of through traffic to-and-from Great Northern Highway and Chittering Road). As I have to work away from my property is unattended. This makes for easy pickings to individuals that feel the opportunity is worth the risk. Besides the feeling of violation of being robbed, there comes the increased costs of insurances, infrastructure and maintenance of mechanical and electronic security systems. Of note on insurance of tools. My policy only includes tools that have been used to gain income in the last 12 months. This means my tools are not covered as they are not used to gain an income. It takes a lifetime to acquire tools and it is an onerous task to try and replace them after so many years.</p> <p>4. On the occasions where my wife is the sole resident I am particularly worried as she is deaf of light frame, and would not be aware, or able to defend herself or protect our property. This is a worrying thing for the man of the house when working away. It follows that such a facility will, by definition, add to the level of my stress as there is the thought of heightened potential of undesirable activity taking place. The concern is that there are people travelling in the shire that may have a low level of respect for other people and their property. This undermines the appeal of living here and must ultimately affect property prices.</p> <p>5. It is fortunate that the chance of restitution from such crime is low on the basis of the ability to pay is also low. So who picks up the cost? In the short term it is the people and eventually the Shire of Chittering itself that loses out.</p> <p>6. I am of the opinion that the benefits of having the facility be far less than the risk associated with the operation of such facility for dealing with what is a difficult social problem.</p>		<p>3. Noted. In addition to above.</p> <p>4. Noted. In addition to above.</p> <p>5. Noted. The applicant is required to bear all costs of the development and operation of the facility.</p> <p>6. Noted.</p>
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Schedule of Modifications Chittering Local Planning Strategy

Local planning strategy modifications

General Format

1. It is recommended that the structure of the document be reviewed to improve the ease of future reference and application.

The Strategy report structure has elements of repetition and results in some difficulties in application.

Sections 1.0 to 7.6 appear to be the sections containing the background analysis and issue identification.

Sections 8.0 to 11.5 appear to contain the actions and strategies for guiding development but are approached from 3 different ways leading to Section 8 containing "Development Strategies", section 9 being "Strategies for Progressive Development and Subdivision" and section 10 being "Development Requirements" and all three containing relevant points for considering in future land use decisions.

2. Spell check headings and undertake general punctuation and text review.

Local Planning Strategy Report

1. Insert a table into section 2 or 4 summarising the available land supply for residential and rural residential uses in the Shire.

The inclusion of the table will assist in justifying statements in the Strategy such as that found on pg 16 claiming that Bindoon can accommodate 2,000-3,000 people and will help justify the timing of the proposed New Town.

2. Amend the population projection table in section 2.2 using WA Tomorrow 2012 figures to expand the projections past 2016.

As stated in the Time Horizon of the Strategy, the Local Planning Strategy is intended to guide the Shire for the next 10-15 years. As such the quoted population projections should also stretch to a 10-15 year time horizon.

3. Amend references in the report and accompanying plans to the Perth-Darwin Highway to ensure the most contemporary route is used. Figures showing the former alignment should be updated accordingly. For example Section 6.3.2, Figure 5, Figure 6, Figure 8, Figure 10 and the Local Planning Strategy map.

The former alignment for the Highway may be useful as background context but is no longer relevant to the current strategic aims. The rationale for the use of the former highway alignment to be used as the western extent of the Bindoon townsite expansion in Section 9.1.1 should also be elaborated upon or redefined if the alignment has been abandoned and no longer represents a logical boundary or constraint.

4. Amend section 7.1.1 – Biodiversity Strategy – to ensure it is consistent with the amended section 9.10 relating to Rural Conservation and the amended local planning strategy map (refer to attachments 1, 2 and 3). Also, to ensure this section is clear that the aim is indeed to retain the great majority of Local Natural Areas (LNA) to achieve the Biodiversity Strategy target as it currently implies significant discretion by Council. Further, this section should also note that LNA's can still be retained in whole on Agricultural Resource land and within Rural Retreat or Rural Residential land through appropriate subdivision design resolved at the rezoning and Development Plan stage.

The section on the Local Biodiversity Strategy is not particularly clear on the nexus between the Local Biodiversity Strategy and the Local Planning Strategy (LPS) and how the LPS will achieve the targets. Assistance from the Department of Planning can be provided on a suggested wording of this section.

5. Amend sections 6.1.2, 7.2.1 and 9.6.1 to delete reference to allowing subdivision where there is a demonstrable evidence of suitable soils and water supply and references to 25ha minimums. Note that these three sections of the report are also repetitious.

All evidence, and advice from DAFWA, suggests that there are already ample smaller lots available, as well as opportunities for boundary realignments to create alternative small lot configurations, throughout the agricultural areas in Chittering and that the creation of even more will undermine the longer term viability of agricultural businesses. There is no evidence to suggest that subdivision is a prerequisite to more intensive agricultural pursuits being undertaken or that doing so will improve sustainable or more economically viable agricultural practices.

6. Amend section 7.2.1, 3rd point, to delete reference to requiring land to be rezoned to prior to supporting subdivision and development for intensive agriculture.

Intensive agriculture is already a permitted use in the Agricultural Resource zone, as such, rezoning is not required prior to development for such a use. SPP2.5 (or DC3.4) also does not suggest that rezoning is required prior to subdividing for intensive agricultural purposes, but rather that prior to subdivision of agricultural land, the land must first be identified as suitable for closer development in the Strategy and zoned accordingly. The role of the local planning strategy therefore is to identify those areas suitable for closer development (eg rural smallholdings) and is not to imply that all Agricultural Resource land may be open to rezoning and subdivision proposals.

Note also that the Strategy's proposal to enable the ability to subdivide Agricultural Resource land does not reflect, nor differentiate between the different Local Geographical Units and the aims listed within section 6.

7. Amend section 8.8.2, 6th point, to delete reference to allowing subdivision of Agricultural Resource zones where land is non-productive.

The reference to "non productive" is open to discretion and can be taken out of context. Landowners seeking to subdivide agricultural land for rural lifestyle purposes can usually demonstrate that the land is not productive and ad hoc lifestyle blocks may then result across the Shire in an unplanned manner contradictory to State Policy and other references in the Strategy regarding concentrating development around existing areas, protecting landscape values and protecting agricultural areas. Further, lesser productive farming areas may still have value for scenic, tourism, revegetation, buffering, environmental protection, grazing or alternative farming pursuits in the short or longer term.

Instead subdivision of Agricultural Resource areas shall be consistent with the exceptions provided for under WAPC Policy DC 3.4.

8. Amend section 8.10.1 to explain why the two nominated light industrial development sites have been chosen. For example the Chittering site is presumably strategically located midway between Bindoon and Muchea and adjoins an existing service station site along a key transport route.

So as to provide some rationale for the land uses reflected onto the Strategy map given that the Strategy shall likely form the background to future rezoning proposals and planning decisions.

9. Amend Section 8.11.1 “New Town Area” to delete the reference to Rural Residential and Rural Living subdivision potentially occurring in the interim.

Also, amend Section 8.11.2 to delete the current aim and replace with “To retain the opportunity for the development of the New Town area in the long term”.

As acknowledged in Section 2.4 of the Strategy, land supply for the lifetime of the Strategy can readily be accommodated in and around the Bindoon town precinct and the nominated rural residential areas and that doing so is the preferred direction of growth in the Shire. The need for a New Town remains a long term prospect outside the lifetime of the Local Planning Strategy. The State government may review or update the NE Corridor Extension Strategy, particularly in the context of Directions 2031 and SPP 3 (and the alignment of the Perth-Darwin Highway) which both promote consolidation of urban areas. The findings of the State Government review can then be reflected into any subsequent local planning strategies or strategy amendments.

Instead the nominated new town site can continue to be reflected in the Local Planning Strategy so as to protect it from incompatible development and to continue to identify it as a long term prospect. The site can continue to be used for its current rural purposes which ensures a status quo is maintained and does not undermine the ability for the land to subsequently be converted to a more intensive land use if later found warranted. Subdividing the land into smaller rural lifestyle lots in the interim would result in difficulties in land coordination, staging, infrastructure provision and land owner expectations at the time of then converting to an urban use.

The WAPC’s previous decision to refuse the advertising of an amendment to commence the structure planning for the New Town area sets direction of the WAPC’s position on the timing and need for the New Town.

10. Amend Section 8.9 to include reference to State Planning Policy 2.4 – Basic Raw Materials and Council’s own Local Planning Policy relating to the same issue. Also, add an aim under Section 8.9.2 referring to the need to protect basic raw material resource sites from being developed for incompatible land uses which could limit future exploitation.

To maintain consistency with State and Local policy and to provide a guiding statement on how to consider rezoning proposals in proximity to known basic raw material sites.

11. Include reference in Section 8.9 relating to the ability for basic raw material extraction to be considered in the Light Industrial or General Industrial zones as may be the case.

To provide guidance in scenarios such as the example of the Council depot rezoning proposal and Austral Bricks extractive industry occurring within the same zone, noting that 'Industry-extractive' is not a permitted use in Council's scheme.

12. Add another dot point under section 9.1.1 to refer to encouraging a more sustainable use of reticulated water infrastructure by promoting infill development and consolidation.

To translate the strategies mentioned in sections 7.5.1.4 and 7.5.2 relating to reticulated water into the Bindoon townsite strategy.

13. Add another dot point under section 8.1 or 9.1 to explain the relationship between Council's Local Planning Policy No.1 relating to the Bindoon townsite and the Local Planning Strategy or whether the Policy will be reviewed or rescinded upon preparation of the Development Plan.

To ensure consistency between the Strategy, the Policy and any future planning.

14. Add another dot point under section 8.2 or 9.2 to explain the relationship between Council's Local Planning Policy No.2 relating to the Muchea Village and the Local Planning Strategy or whether the Policy will be reviewed or rescinded upon finalisation of the Strategy.

To ensure consistency between the Strategy, the Policy and any future planning proposals.

15. Amend section 9.7.1 to add a new dot point requiring consideration to environmental assessment and vegetation protection and also to ensure it is clear that any areas of High Conservation Value are to be identified and retained, either through POS, ceding or sale to DEC, volunteer covenanting or rezoning to 'Conservation' or 'Rural Conservation', or excluded from the rezoning area altogether as may be appropriate. Also that the protection, interface and separation to such areas are to be addressed as part of the preparation of the Development Plan.

To ensure the recommendations of the Local Biodiversity Strategy are achieved and in recognition that some mapped areas of High Conservation Value (HCV) or other environmental value are within areas also identified for Rural Residential but that this is not to imply that the HCV areas are to be developed for Rural Residential purposes but are to be protected for conservation reasons..

16. Amend Section 7.1.1 and 9.10 to explain the difference between LNA's and Indicative Areas of High Conservation and the rationale behind those areas then included in the "Conservation" land use category on the Strategy map.

These sections do not explain the link between the LNA's in the Biodiversity Strategy and those areas then identified as Indicative Areas of High Conservation on the Local Planning Strategy map and then why some are nominated for inclusion in the 'Rural Conservation' land use and some are not.

Also, the two sections, plus the reference to the Biodiversity Strategy on pg 11, could all be better combined into just one or two sections to avoid repetition and to avoid the opportunity for some aims to be overlooked during implementation.

17. Delete section 9.10 "Rural Conservation" and replace with the attached suggested wording (refer Attachment 1).

To provide improved protection of the areas of high conservation value and therefore better achieve the targets contained in the Biodiversity Strategy.

To improve guidance for rezoning proposals and the Development Plan preparation and assessment process.

18. Amend section 9.8 to also include reference to the need to consider the slope analysis plan attached to the Strategy; to identify and consider any landscape values of the site; to the need for a bush fire hazard assessment to be undertaken; to the protection of vegetation on site including areas of High Conservation Value; and to ensuring a potable water supply can be demonstrated for future dwellings as part of a rezoning proposal.

The current list of matters to consider prior to, or as part of, a rezoning proposal do not adequately reflect the objectives of the Rural Smallholdings Zone in the Local Planning Scheme nor other aims of the Strategy such as landscape protection, conservation of vegetation, protection against bush fire risk, or the provisions in SPP 2.5.

19. Amend section 9.9.1 to delete reference to prevailing lot sizes.

Prevailing lot size is not a useful guide to the suitability of a site for rezoning particularly when the locality may vary in zoning, land use classification, topography, vegetation coverage, land capability etc

20. Amend section 9.9.1 to delete the reference to “whether subdivision in the area west of the former Perth-Darwin Highway alignment represents efficient use of existing infrastructure and services...etc”.

The above provision may create confusion in interpretation and application. Instead the Strategy should be clear that land more remote from infrastructure and services is unlikely to be suitable for closer development during the lifetime of the Strategy and sites that are more remote are to be removed from the Rural Retreat areas. Instead a new dot point can be added referring to the need to maximise the efficient use of existing infrastructure and services through logical staging and clustering of development.

21. Amend section 9.9.1 to insert a new dot point referring to the need to demonstrate the integration (or separation if appropriate) of the rezoning site with adjoining land and land uses.

To ensure consideration is given to appropriate road connections, buffering to any nearby agricultural activities, separation distances are achieved to any vegetated areas on adjoining properties/zones and so on.

22. Amend section 9.9.1 to elaborate on the “environmental assessment and vegetation protection” to ensure it is clear that Indicative Areas of High Conservation are to be identified and retained, either through POS, ceding or sale to DEC, or rezoning to ‘Conservation’ or ‘Rural Conservation’ or excluded from the rezoning area as may be appropriate.

To ensure the recommendations of the Local Biodiversity Strategy are achieved and in recognition that some mapped areas of High Conservation Value (HCV) are within areas also identified for Rural Retreat but that this is not to imply that the HCV areas are to be developed for Rural Retreat purposes.

23. Amend section 9.11 to delete “Light” from the title.

So as not to imply that the Muchea Employment Node is only for light industrial purposes but shall also include general industrial uses in accordance with the Muchea Employment Node Structure Plan.

24. Amend section 9.11.1 and 9.11.2 to elaborate on the strategic importance of the Muchea Employment Node and its impact on the locality.

Progress is continuing on implementation of the Muchea Employment Node Structure Plan. Once development occurs, the Node will likely result in attracting people to the area. Some additional commentary on the importance and likely impact of the Node is relevant and useful.

25. Update section 10.2 as it is understood that the Shire has commenced preparation of a District Structure Plan. The section should also make it clear that rezoning proposals, and any accompanying Development Plan, are to have regard to the District Structure Plan so as to address connectivity, interface, staging etc.

To ensure that the Strategy is as up to date as possible and that the connection between district level planning and the more local Development Plan and rezoning proposals are emphasised.

26. Amend section 10 to also include reference to the Scheme requirement and Council policy on the need for a Development Plan (structure plan) to accompany or support rezoning proposals, and that subdivision is generally in accordance with the Development Plan. References to the Development Plan process should also be consistent throughout the Strategy text.

For ease of reference and application, it would be useful to identify the required Development Plan layer of the planning process in the Local Planning Strategy.

27. Delete the draft Development Contribution Plan from an appendix to the Strategy and any references to its inclusion eg section 10.6.

The inclusion of draft statutory documents into a strategic document is not appropriate. Also, as the DCP is subsequently amended and updated, the appendix will become out of date and therefore misleading.

Local planning strategy appendices

1. Appendix 2 – Local Planning Strategy map

- Change 'Possible Future Urban Node Investigation Area' label to 'Possible Future New Town Investigation Area' and reinstate an indicative boundary.

To maintain consistency with the wording in the Strategy report and to provide an indicative boundary to the area.

2. Appendix 2 – Local Planning Strategy map

Remove the former Perth-Darwin Highway alignment from off the plan.

The former alignment is no longer relevant to land use planning. Its removal from the plan will also maintain consistency with the statement on pg 11 of Strategy text referring to its removal.

3. Appendix 2 – Local Planning Strategy map

Add a notation to the Muchea Employment Node to make the area more legible.

The current boundary on the plan is difficult to read and could be improved by notating the plan with “Muchea Employment Node” or a similar approach.

4. Appendix 2 – Local Planning Strategy map

Remove the “Future Investigation Area” labels located north and south of the Muchea townsite off the plan.

The need for the investigation areas are not justified or explained in the Strategy report.

5. Appendix 2 – Local Planning Strategy map

Add the location of the proposed community nodes/primary school/POS site located along Muchea East Road within Maryville and along Gray Road in Bindoon, and any other similar locations.

To strategically identify the focus for future community/council investment in the area.

6. Appendix 2 – Local Planning Strategy map

Improve the legibility of the Landscape Protection area around the Chittering Valley area either by way of amending the legend or adding a notation. Ensure that the map correlates with the Strategy report in this regard.

To identify the value of the Chittering Valley area and its landscape protection focus as well as its importance as a tourist drive and focus for tourism ventures.

7. Appendix 2 – Local Planning Strategy map

- Delete the following properties from the ‘Rural Conservation’ classification and instead colour ‘Agricultural Resource’:
 - (refer Attachment 3)
- Delete the following properties from the ‘Rural Conservation’ classification and instead colour ‘Rural Retreat’:
 - (refer Attachment 3)
- Delete the following properties from the ‘Rural Conservation’ classification and instead colour ‘Rural Residential’:
 - (refer Attachment 3)

To ensure that only those properties, or portions of properties, suited to the Rural Conservation zone are included in the Rural Conservation classification in the Strategy. The attached criteria is provided as a guide to the rationale for the above modifications (refer Attachment 2).

8. Appendix 1 – Water Corporation water supply map

Replace the plan with a more recently dated plan or seek written confirmation from the Water Corporation that the 1999 plan is still contemporary.

To ensure the most up to date information is contained within the Strategy.

9. Appendix 4 – Scheme Amendment No. 29

Remove the appendix from the document.

The inclusion of draft statutory documents into a strategic document is not appropriate. Also, as the DCP is subsequently amended and updated, the appendix will become out of date and therefore misleading.

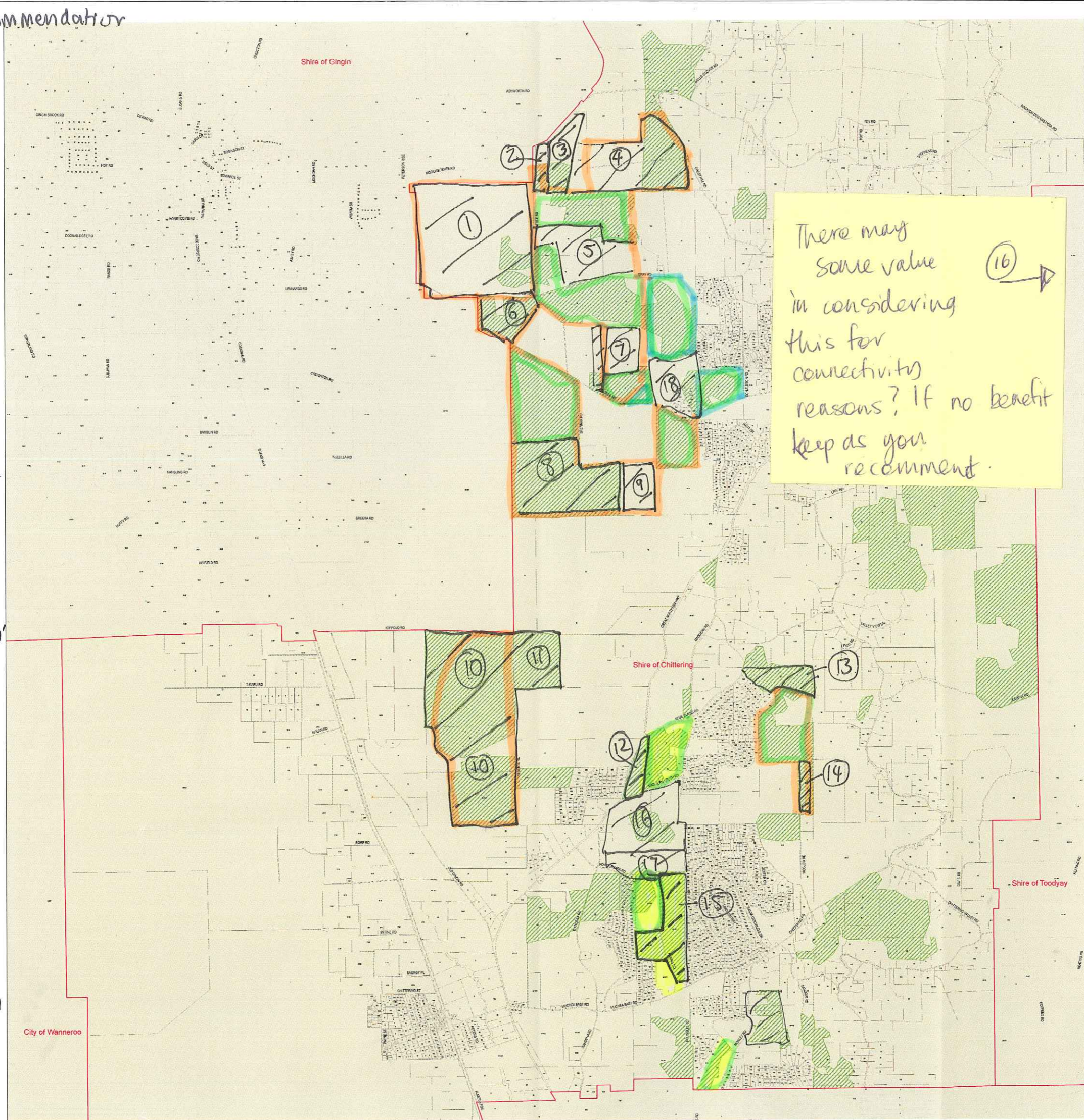
10. Appendix 3 – Staging Plan

Remove the appendix from the document.

Staging will likely be guided by developer intentions, market demand and access to servicing infrastructure. Instead references in the text to encouraging consolidation and more efficient use of services may assist in guiding staging of development.

The Staging Plan also contains guidance on lot sizes which the title of the plan does not elude to and the rationale for the lot range is not well explained in the Strategy report. The nexus between the Rural Conservation lots and the staging plan is now also to be amended, making the staging plan less relevant.

- ① Too remote & only limited conservation value
'Ag Resource'
- ② Identified as Too remote for clustered development
'Ag Resource'
- ③ Identified as 'conservation' in old LPS
'conservation' or 'ag'
- ④ Too remote. This area forms logical northern boundary to rural res.
'Ag resource'
- ⑤ limited conservation value
'Rural Retreat'
- ⑥ Too remote for isolated clustered development.
Too high conservation value
'Ag resource' or 'conservation'
- ⑦ Close to town & limited conservation value.
'Rural Res'
- ⑧ 100% HCV. Remote
'Ag resource'
- ⑨ close to town & low conservation value.
'Rural Res'
- ⑩ Remote. 100% HCV
'Ag Resource'
- ⑪ Previously 'Ag Resource' in old LPS.
'Ag Resource'
- ⑫ conservation in old LPS
'conservation'.



- Attachment 2**
- ⑬ Ag Resource in old LPS
'Ag Resource'
 - ⑭ 100% HCV, not suited to cluster
'Ag Resource'
 - ⑮ 100% HCV, not suited to cluster
'Ag Resource'
 - ⑯ 'Ag Resource' in old LPS
'Ag Resource'
 - ⑰ limited conservation value.
'rural Res'
 - ⑱ Already zoned for Rural Res.
Too late.
'Rural Res'

- Townsite in old LPS
- Rural Res in old LPS
- Rural Retreat in old LPS
- Remove from Rural Conservation
- Recommended for Rural Conservation

Process for identifying lots in the Rural Conservation category in the LPS Map

1. Identify Rural Residential, Rural Retreat, Rural Small Holdings areas in old local planning strategy that contain High Conservation Value Areas (as mapped in Local Biodiversity Strategy).
2. Remove those areas already zoned for rural residential, rural retreat, rural small holdings (too late for them and down zoning is not proposed).

Note that those already zoned will still have provisions relating to vegetation identification and protection requirements in LPS, but they won't be included in the Rural Conservation on the LPS Map.

3. Remove any lots that are not considered suitable for closer development due to other constraints or inconsistency with State Planning Policy or other provisions in the Local Planning Strategy (for example remote from settlement – SPP3 and infrastructure, within a landscape protection area, nearly 100% extreme bushfire hazard coverage – Planning for Bushfire Protection, nearly 100% HCV coverage).
4. Remove any lots that are not considered suitable for closer development if previously advised in previous planning decisions.
5. Of those properties left, remove any that have less than about 50% (estimate only) HCV, or good quality vegetation coverage as might be mapped elsewhere, because the conservation to development ratio is too much in the development favour and in which case rural residential or rural retreat might be a more befitting classification, noting that the HCV can still be protected by normal POS/appropriately sited development type measures as outlined in the LPS.
6. Round the Rural Conservation classification to cadastral boundaries where HCV is irregular in shape for ease of application but note that not all of the land within may ultimately be suitable for inclusion in the 'Rural Conservation' zone of the Local Planning Scheme but will be dependent on findings of vegetation survey and Development Plan preparation.
7. The resulting lots are to be included in the Rural Conservation category to which the Rural Conservation provisions of the Local Planning Strategy will then apply (see below).

*Note those excluded from Rural Conservation category in the LPS does not mean they don't also have some conservation value or HCV but just that they do not meet the intent/aim of the Rural Conservation zone.

** Note that no new areas (ie no land previously identified for Agricultural Resource) should be included into the Rural Conservation because there are sufficient opportunities for Rural Residential or Rural Retreat purposes already and it is undesirable to create enclaves of development remote from settlements.

9.10 Rural Conservation (suggested rewording for insertion into LPS text)

In areas identified for 'Rural Conservation' no further subdivision shall be supported other than where the land is zoned 'Agricultural Resource' and the purpose of the subdivision is for boundary rationalisation or excising a conservation lot in accordance with WAPC Policy DC 3.4.

Other forms of subdivision proposals first require the land to be appropriately rezoned to the 'Rural Conservation' zone or part 'Rural Conservation' and part alternative zone reflective of the land use within.

Prior to seeking rezoning, the proponent is to undertake a site specific environmental investigation, including flora/fauna survey, by a suitably qualified consultant(s) in accordance with EPA Guidance Statement No. 51.

The results of the above environmental investigation will determine and refine the extent of the mapped 'Indicative High Conservation Value' (HCV) area, the extent and quality of other vegetation types/categories and the bushfire risk assessment rating(s) of the site. This will then form the basis for identifying and informing any areas potentially suitable for closer subdivision/development and areas warranting greater conservation protection and/or covenanting.

Following the environmental investigation, any proposed significant reductions to the Indicative 'HCV' as hatched on the Local Planning Strategy map will first require Council approval, on advice of the Department of Environment and Conservation and Landcare.

Rezoning proposals are encouraged to include any adjoining land parcels also identified for Rural Conservation to maximise the creation of vegetation corridors and to achieve a coordinated and feasible approach to any development.

A Development Plan, prepared in accordance with the Scheme provisions, must also be submitted with the request for rezoning and shall inform the extent of the zone(s) boundary, including which areas of the land are suitable for the 'Rural Conservation' zone and which is more suited to 'Rural Residential', 'Rural Retreat' or 'Residential'.

The Development Plan, among other matters as listed in the Scheme and Council Policy(s), is to consider:

- The extent and quality of HCV and vegetation types;
- The extent and implications of any 'extreme' bush fire risk rating;
- The impact of implementing *Planning for Bush Fire Protection* requirements on the vegetation and on future development;
- The location and interface of vegetation and proposed development with adjoining land, with the objective of maintaining vegetation corridors or HCV areas in large protected parcels;
- The interface and separation distances between development (includes building envelopes, roads, fences) and the areas for conservation;
- The targets and recommendations contained in the Council's Biodiversity Strategy;
- The ability to establish a conservation covenant over the nominated conservation lot(s), or other alternative, to achieve the vegetations protection in perpetuity;

- Other conservation, ecological or landscape values on, or immediately adjoining, the subject land as may be relevant.

The lot sizes and yields proposed in a Rezoning proposal, Development Plan and subdivision application are to be guided by, and assessed against, the following:

- Site specific vegetation mapping;
- Bush fire protection and any fire hazard reduction implications;
- Land capability for the proposed development (including appropriate access, provision of a suitable water supply and onsite effluent disposal infrastructure);
- Existing lot pattern and sizes in the immediate locality and proximity to urban areas;
- Emphasis on suitably sited clustered development generally to a minimum of 5,000m² (guide only);
- Within the agreed site specific HCV areas, the creation of only one or two 'Conservation lots' of a size suitable for achieving conservation (as may be guided by the DEC or National Trust covenanting officers).

Development within the 'Conservation lot' is to be limited to the construction of a single dwelling only and land uses compatible with conservation, as also outlined in the Local Planning Scheme.

Re: Residential Shed on Lot 817, 8 Haslam Street, Muchea WA 6501

We would like the proposed shed erection to be reviewed with the following additional information:

SIZE

The shed needs to be a large shed to store items including but not limited to:

- HJ Panel Van
- HQ One Tonner
- 1951 Matchless Motorcycle
- 1990 Kawasaki Ninja Motorcycle
- Family MG
- Family's motor vehicles and motor bikes at time to time for maintenance and storage if needed
- Other items such as ride-on lawnmower and tools
- 4WD will be parked in shed as will take up too much space in carport

HEIGHT

The height of the shed is required to be taller as there will be a hoist installed. The hoist will be used to keep abovementioned vintage motor vehicles and motor cycles at a respectable level. The shed will not be used for commercial purposes.

We request the removal of condition 10 of the planning approval for the proposed shed erection at Lot 817/8 Haslam Street in Muchea WA which restricts the size to 150sq metres and the height to 4.2metres.

We will liase with the Shire regarding what native plants should be used to screen the shed from the road.

Feel free to contact either of us should you require further information.

Brett Stokes 0417090084

April Stokes 0407423428



8. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9. OFFICER'S REPORT

9.1 DEVELOPMENT SERVICES

9.1.1 Proposed Building Envelope Modification and Outbuilding (Shed) – Lot 817 (RN8) Haslam Street, Muchea*

Applicant	Brett Stokes
File ref	A11033 P019/13
Prepared by	Scott Penfold, Planning Officer
Supervised by	Azhar Awang, Executive Manager Development Services
Voting requirements	Simple majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none"> 1. Locality Plan 2. Site Plan 3. Site Photographs 4. Applicant Submission 5. Development Plan and Building Envelope Plan 6. Consultation Plan

Background

An application has been received for a proposed outbuilding to be constructed on the property. The process has been as follows:

- An Application for Planning Approval was received on the 23 January 2013;
- The information received with the planning application showed the proposed outbuilding (225m²) to be located a minimum of 5 metres from the northern lot boundary and a minimum of 12 metres from the front property boundary;
- As the proposal was located outside of the building envelope and is located in front of the existing dwelling on the property, the application was referred to the surrounding landowners for comment on 23 January 2013;
- One submission of support was given during the referral period. No further comments were made; and
- Given the proposal is located outside of the building envelope the landowner has been advised that a building envelope modification will be required to be determined by Council.

The details of the proposal are as follows:

- It is proposed to modify the Building Envelope so that it is located 5 metres from the northern boundary and 10 metres from the front property boundary (Haslam Street);
- It is proposed to construct a 15m X 15m outbuilding, with the total area to be 225m² as shown on the Site Plan;
- The roller door openings of the outbuilding are to be orientated toward the house, with the rear of the outbuilding to be oriented toward the road;



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WEDNESDAY, 20 FEBRUARY 2013

- The landowner has advised that the purpose of the outbuilding is for the storage of his vintage cars, motorcycles and memorabilia;
- The landowner has also advised [in a submission to the Shire for Council consideration] that they would be willing to implement screening between the outbuilding and the adjacent lot boundaries to reduce the visual impact of the proposed outbuilding; and
- It is anticipated that minimal clearing will be required to facilitate the construction of the outbuilding.

Council is therefore requested to determine two matters:

- The modification of the existing building envelope; and
- The construction of the proposed outbuilding in front of the main residential building line.

Council is also advised that an Application for a Proposed Outbuilding has also been received for Lot 818 (RN 4) Haslam Street, Muchea, for the construction of a similar sized outbuilding, which is proposed to be located 3 metres from the shared boundary with Lot 817 Haslam Street, Muchea (northern boundary). Whilst these matters must be considered separately based upon individual merit, the cumulative impact of the two applications on streetscape and the like should be considered.

Consultation

The application was referred to the surrounding landowners for comment, as shown on the Consultation Plan (attachment 6). One landowner supported the proposed building envelope modification and outbuilding. No other comments were raised during the referral period.

Statutory Environment

Shire of Chittering Town Planning Scheme No 6

The subject property is zoned 'Townsite' which has the following objectives under the Scheme:

- "To provide for a range of compatible uses within the Bindoon and Muchea townsites to provide for a high range of services, residential types, community and recreational facilities in a village with rural character;*
- To prohibit land uses which may adversely effect the living and visual amenity of the location;*
- To provide for the protection of the natural environment;*
- To protect or enhance any local reserves."*

Clause 10.2 Matters to be considered by Local Government

"The Local Government in considering an application for Planning Approval, is to have due regard to such of the following matters as are in the opinion of the Local Government relevant to the use or development the subject of the application-

- The aims and provisions of the Scheme;*
- The requirements of orderly and proper planning including any relevant proposed new district planning scheme or amendment, which has been granted consent for public submission to be sought;*
- Any approved Statement of Planning Policy of the Commission;*
- Any approval environmental protection policy under the Environmental Protection Act 1986;*
- Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;*



MINUTES FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY, 20 FEBRUARY 2013

- f) Any local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;
- g) The aims and objectives of Catchment Management Plans and Principles for the Scheme Area;
- h) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- i) The conservation of any place that has been registered in the Register of Places within the meaning of the Heritage Act of Western Australia 1990, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character and appearance of a heritage area;
- j) The compatibility of a use or development within its setting taking into consideration any Special Control Area.
- k) Any social issues that have an effect on the amenity of the locality;
- l) The cultural significance of any place or area affected by the development;
- m) The likely effect of the proposal on the natural environment and any means that area proposed to protect or to mitigate impacts on the natural environment;
- n) Whether the land to which the application relates is unsuitable for the proposed by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk
- o) The preservation of the amenity of the locality;
- p) 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;
- q) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- r) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- s) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- t) Whether the public utility services are available and adequate for the proposal. This includes existing facilities and those planned for construction to meet the needs of the proposal and future servicing requirements of the Scheme Area;
- u) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- v) Whether adequate provisions have been made for access by disabled persons;
- w) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- x) Whether the proposal is likely to cause soil erosion or land degradation;
- y) The potential loss of community service or benefit resulting from the Planning Approval;
- z) The conservation of water resources;
- aa) Any relevant submissions received on the application;
- bb) The comments or submission received from any authority consulted under clause 10.1.1; and
- cc) Any other planning consideration the Local Government considers relevant."



Clause 2.3 Relationship of Local Planning Policies to Scheme

- "2.3.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.
- 2.3.2 A Local Planning Policy is not part of the Scheme and does not bind the Local Government in respect of any application for Planning Approval but the Local Government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination."

Local Government is directed by Clause 10.2 of the Scheme to consider Local Planning Policies when assessing Applications for Planning Approval.

Schedule 1 Dictionary of Defined Words and Expressions

- "Building Envelope means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained."

Clause 5.8.2 Building Envelopes/Setbacks

- "Development will only be permitted in the areas identified as building envelopes provided that Council may vary the boundaries of such envelopes if it is satisfied that such variation is desirable and will not detrimentally affect the objective for the Zone or the amenity of the area generally."

This clause relates to Development Provisions of Rural Residential, Rural Retreat, Rural Small holdings and Rural Conservation Zones. However, Council should take this clause into consideration given it applies to Development Plans, even though the Development Plan is applicable to a Townsite zone.

Development Plan

A Development Plan has been adopted for the property as part of the residential development on Lot 1924 Payne Street, Muchea, in accordance with Clause 5.8.1 of the Scheme (attachment 5). The following relevant Special Provisions of the Development Plan apply to the proposed application:

- "4) Buildings, water tanks and waste disposal are to be contained within the building envelopes. Unless otherwise shown, building envelopes are to be set back from cadastral boundaries as follows;

Large Lots (above 4ha)

Road 20 metres Rear 20 metres Side 15 metres

Small Lots (R2.5 – minimum 4,000m²)

Road 15 metres Rear 7.5 metres Side 7.5 metres"

The proposed application is on a Small Lot as identified on the Development Plan

- "4) Development shall be in compliance with the "R2.5" Density Requirement as specified in the Residential Design Codes WA for smaller lots. Other uses specified in the Town Planning Scheme may be approved at the discretion of the Council. Approval is required for home business but not for home office. For any use that may result in degradation of land or water resources or nuisance to neighbours, a management plan may be required as a condition of development approval."



Policy Implications

Local Planning Policy No 7 – Outbuildings and Swimming Pools (LPP7)

The purpose of this report being prepared for Council is the need to vary LPP7 section 5.2(c) and 5.2(d) in order to consider the Application for Planning Approval, which is outlined below:

“5.2 c) The Local Government may exercise its discretion to vary the Residential Design Codes by approving outbuildings up to the maximum size of 150m², irrespective of the Residential Design Codes density restrictions.”

“5.2 d) All outbuildings are to be placed behind the main residential building line”

It should also be noted that the outbuilding requires the approval of the Local Government as it is within the ‘Rural Residential’ zone of the Scheme.

Clauses 2.3.2 and 10.2(f) outlined previously give the ability of the Local Government to grant planning approval to applications which propose variations to Local Planning Policies made under the Scheme.

Local Planning Policy No 18 – Setbacks

In regards to Local Planning Policy No.18, the following is applicable:

“5.1 Where specified, setbacks are to be in accordance with the requirements of Local Planning Policies, Development Plans (including any building envelopes) and the Residential Design Codes. The procedure for variation is as specified in TPS No.6 and the Residential Codes respectively.

5.11 Council may permit variations to the minimum setbacks specified in 5.5 and 5.7 above, as permitted by TPS No.6, in the following circumstances:

- (a) additions to an existing building*
- (b) reduced size or irregularly shaped lot*
- (c) commercial or industrial use*
- (d) temporary or minor structures*
- (e) heritage buildings*
- (f) other cases where it is reasonable to do so, as determined by Council.”*

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Yes

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

CommentConsultation

One landowner provided support for the proposed building envelope modification and outbuilding. No other comments were raised during the referral period.

Local Planning Policy No 7 – Outbuildings and Swimming Pools

It is specified by section 5.2(d) that outbuildings are to be constructed behind the main residential building line. The proposed outbuilding is located in front of the main residential building line. However, the approval for outbuildings in front of the main residential building line has occurred in the Woodlands Estate, hence precedence has been set.

It should be considered by Council that the constraints of the building envelope necessitate the construction of outbuildings on the front portion of the building envelope. Given the rear portion of the building envelope is 617m², it was necessary that the house be located on this portion of the site, given the house, water tank and on-site effluent disposal are normally co-located and the dimensions of the front portion of the building envelope and site conditions would not accommodate this.

It is specified by section 5.2(c) that the local government may approve outbuildings up to a maximum 150m² in size, at variance to the R-Codes. The proposed outbuilding is 225m² in size, hence a significant variation (50 percent) to the maximum specified in the Policy.

Local Planning Policy No 18 - Setbacks

The setbacks for the site are specified by the Development Plan and each lot has a specified building envelope. However, should Council consider varying the building envelope, the criteria outlined in section 5.11 would apply, particularly 5.11(b) which stipulates that Council may vary the setbacks based on a reduced size or irregularly shaped lot.

Development PlanR-Codes

It is specified by the Development Plan for Woodlands Estate that development of the land is to be in accordance with the requirements of the Residential Design Codes WA (R-Codes) for smaller lots. This is to be assessed based on the requirements of the R2.5 density code.

Section 6.10.1 of the R-Codes relating to outbuildings has been outlined previously in this report. The proposed outbuilding does not comply with the Acceptable Development criteria of the R-Codes in the following:

- The outbuilding has a wall height exceeding 2.4m
- The outbuilding has a ridge height exceeding 4.2m

The proposed outbuilding has a ridge height of 5.138 metres and wall height of 4.2 metres. With regard to the wall and ridge height of the proposed outbuilding, this has not been consistently applied as a requirement within the Shire of Chittering; hence precedent has been set for outbuildings to have an increased wall and ridge height. It is suggested as a future area for improvement that *Local Planning Policy No 7 – Outbuildings and Swimming Pools* is amended to specify a wall and ridge height variation to the R-Codes.



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Setbacks

The site is classified as a Small Lot by the Development Plan hence setbacks of 15 metres to the road and 7.5 metres to the side and rear are applicable. The proposed outbuilding seeks to modify the building envelope on the front portion of the site such that it is located 5 metres from the northern property boundary and 12 metres from the front property boundary.

A precedent has been set for the front setback of the building envelope, which has occurred for Lot 816 to 807 Haslam Street, Muchea. Due to the irregular shape of the lot and the constraints placed on the property by the electricity and gas easements, a reduced setback to 10 metres is considered reasonable.

The proposed outbuilding is to be setback 5 metres from the side lot boundary (northern). The required minimum setback is 7.5 metres as stipulated on the Development Plan. When considering the proposed outbuilding on the neighbouring property is to be setback 3 metres from same boundary, the distance between the two outbuildings would be 8 metres, where the normal separation would be 15 metres between buildings on adjoining properties.

Shire of Chittering Town Planning Scheme No 6

Objectives of 'Townsite' zone:

Two objectives of the 'Townsite' zone which are applicable to the proposal are:

"To provide for a range of compatible uses within the Bindoon and Muchea townsites to provide for a high range of services, residential types, community and recreational facilities in a village with rural character;

To prohibit land uses which may adversely effect the living and visual amenity of the location;

The proposed outbuilding is in accordance with other land uses in the Muchea townsite, given many other properties in this townsite have constructed outbuildings. The proposed outbuilding is in accordance with the rural character of the village.

Given the bulk and location of the proposed outbuilding, it will be easily visible from Haslam Street and surrounding properties. A site visit was conducted on 30 January 2013, photos of which are included in Attachment 3. It should be considered that the bulk of the proposed outbuilding will be significant when viewed from the street, and will likely be the predominant feature of the site, given the house is located toward the rear.

Applicant Submission

The Applicant has provided additional information to Council for the consideration of the proposed outbuilding (attachment 4). It was advised by the applicant that:

- The purpose of the outbuilding is for private storage purposes only, i.e. storage of cars, motorcycles, collection of memorabilia, tools, etc;
- The colour of the outbuilding will be Colorbond red walls with a green Colorbond roof;
- Planting has been undertaken on-site to provide some visual screening of the proposed outbuilding. Further screening will be undertaken should it be approved; and
- The neighbouring property is currently lodging a similar application for a proposed outbuilding in the front building envelope (Lot 817 (RN 8) Haslam Street, Muchea).



MINUTES FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY, 20 FEBRUARY 2013

Concluding Comments

Council has the ability to vary its Local Planning Policies in accordance with Clause 2.3.2 of the *Shire of Chittering Town Planning Scheme No 6*. No objections have been received for the proposed outbuilding at Lot 818 Haslam Street, Muchea. Furthermore, the nature of the property and easements has restricted the development such that an outbuilding is only suitable to be placed on the front portion of the building envelope, due to the development of the dwelling, water tank and effluent disposal on the larger rear portion of the building envelope.

The key considerations of this item are the size of the outbuilding (225m²), amenity issues of the adjoining street and setback to the neighbouring lot boundary. Amenity can be addressed by the implementation of screening on the street frontage, to break up the bulk of the outbuilding, of which none of the neighbouring landowners have raised concern. With regards to the side setback, the development on the neighbouring lot will likely also be an outbuilding, with a proposed setback of 3 metres; hence the development will not be closer to an existing residence or other sensitive land use.

The limitation of the size of outbuildings to 150m² in r-coded areas is implemented through *Local Planning Policy No 7 – Outbuildings and Swimming Pools*, as previously explained. However, it is not believed that the variation of the size would conflict with the objectives of the 'Townsite' zone, as no objections have been raised and the visual amenity of the locality can be managed through the implementation of screening vegetation, should Council choose to issue its approval.

OFFICER RECOMMENDATION

Moved Cr Gibson / Seconded Cr Clarke

That Council grant planning approval for the proposed building envelope modification and outbuilding at Lot 817 (RN 8) Haslam Street, Muchea, subject to the following conditions:

1. All development shall be in accordance with the submitted plans.
2. Implement screening in the form of planting local native trees or shrubs between the proposed outbuilding and the street frontage to the satisfaction of the Chief Executive Officer within 3 months of approval being issued.
3. The outbuilding is not to be used for Commercial purposes.
4. The outbuilding is for storage purposes only and not for residential habitation.
5. Roofing to be tiled or pre-painted material such as Colorbond.
6. Clearing shall only be permitted for outbuilding construction and fire safety purposes.
7. Any further developments on the site shall be the subject of subsequent planning applications/approvals.
8. If the development the subject of this approval is not substantially commenced within a period of two (2) years the approval shall lapse and be of no further effect.
9. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Advice Notes:

1. The Applicant has a right of review to the State Administrative Tribunal should the Applicant be aggrieved by Council's decision. Such a review should be lodged to the State Administrative Tribunal within twenty-eight (28) days of Council's decision.
2. The Applicant is advised to contact the Chittering Landcare Centre for a list of native species for screening vegetation.

**AMENDMENT**

Moved Cr Hawes / Seconded Cr Norton

That the words '*and maintain*' be included in condition 2 as follows:

2. *Implement and maintain screening in the form of planting local native trees or shrubs between the proposed outbuilding and the street frontage to the satisfaction of the Chief Executive Officer within 3 months of approval being issued.*

THE AMENDMENT WAS PUT AND DECLARED CARRIED 7/0
AND FORMED PART OF THE SUBSTANTIVE MOTION**AMENDMENT**

Moved Cr Rossouw / Seconded Cr Mackie

That an additional condition 10 be included as follows:

10. *That the size of the proposed shed be limited to 150m² with a maximum ridge height of 4.2m in compliance with the Shire of Chittering Local Planning Policy 7 and section 6.10.1 of the R Codes.*

THE AMENDMENT WAS PUT AND DECLARED CARRIED 5/2
AND FORMED PART OF THE SUBSTANTIVE MOTION**AMENDMENT**

Moved Cr Mackie/ Seconded Cr Clarke

That an additional condition 11 be included as follows:

11. *That the environs of the shed to be cleared of combustible material to the satisfaction of the Chief Executive Officer.*

THE AMENDMENT WAS PUT AND DECLARED CARRIED 5/2
AND FORMED PART OF THE SUBSTANTIVE MOTION



SUBSTANTIVE MOTION / COUNCIL RESOLUTION – 030213

Moved Cr Gibson / Seconded Cr Clarke

That Council grant planning approval for the proposed building envelope modification and outbuilding at Lot 817 (RN 8) Haslam Street, Muchea, subject to the following conditions:

1. All development shall be in accordance with the submitted plans.
2. Implement and maintain screening in the form of planting local native trees or shrubs between the proposed outbuilding and the street frontage to the satisfaction of the Chief Executive Officer within 3 months of approval being issued.
3. The outbuilding is not to be used for Commercial purposes.
4. The outbuilding is for storage purposes only and not for residential habitation.
5. Roofing to be tiled or pre-painted material such as Colorbond.
6. Clearing shall only be permitted for outbuilding construction and fire safety purposes.
7. Any further developments on the site shall be the subject of subsequent planning applications/approvals.
8. If the development the subject of this approval is not substantially commenced within a period of two (2) years the approval shall lapse and be of no further effect.
9. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
10. That the size of the proposed shed be limited to 150m² with a maximum ridge height of 4.2m in compliance with the Shire of Chittering Local Planning Policy 7 and section 6.10.1 of the R Codes.
11. That the environs of the shed to be cleared of combustible material to the satisfaction of the Chief Executive Officer.

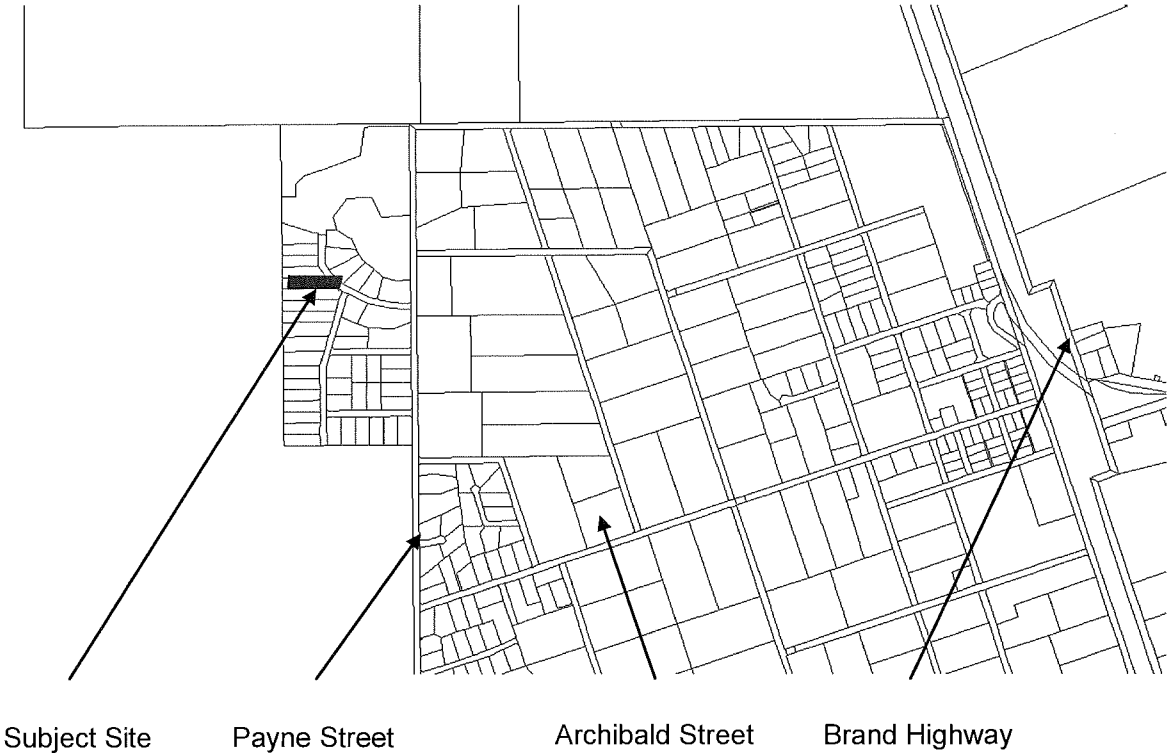
Advice Notes:

1. The Applicant has a right of review to the State Administrative Tribunal should the Applicant be aggrieved by Council's decision. Such a review should be lodged to the State Administrative Tribunal within twenty-eight (28) days of Council's decision.
2. The Applicant is advised to contact the Chittering Landcare Centre for a list of native species for screening vegetation.

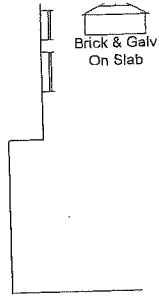
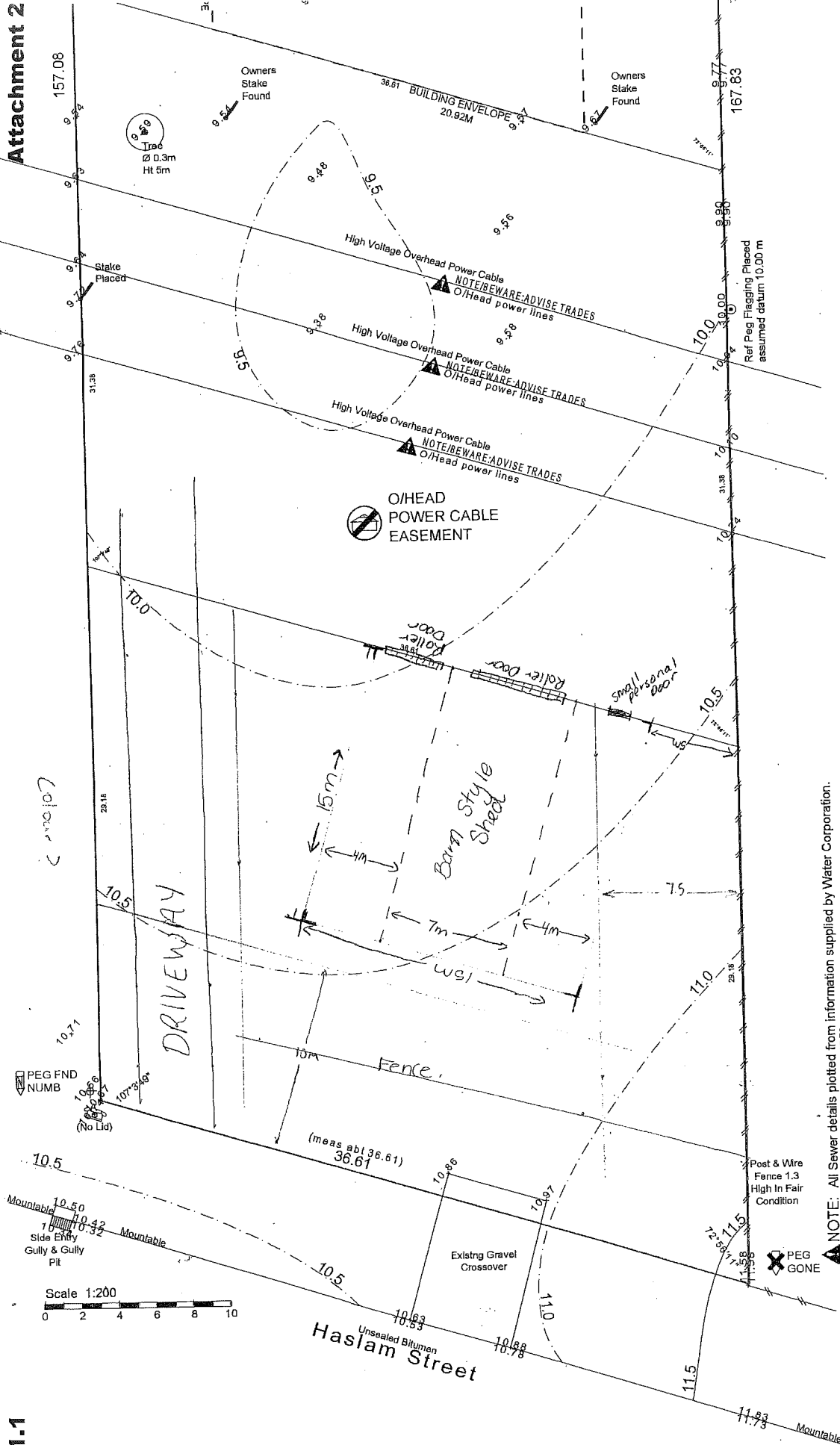
THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 7/0

Attachment 1 – Locality Plan

Locality Plan
Lot 817 (RN 8) Haslam Street, Muchea



Attachment 2



Red shed
Green roof
re-veg at front of shed
used for storage of
vintage bikes & cars & memorabilia

NOTE: All Sewer details plotted from information supplied by Water Corporation.

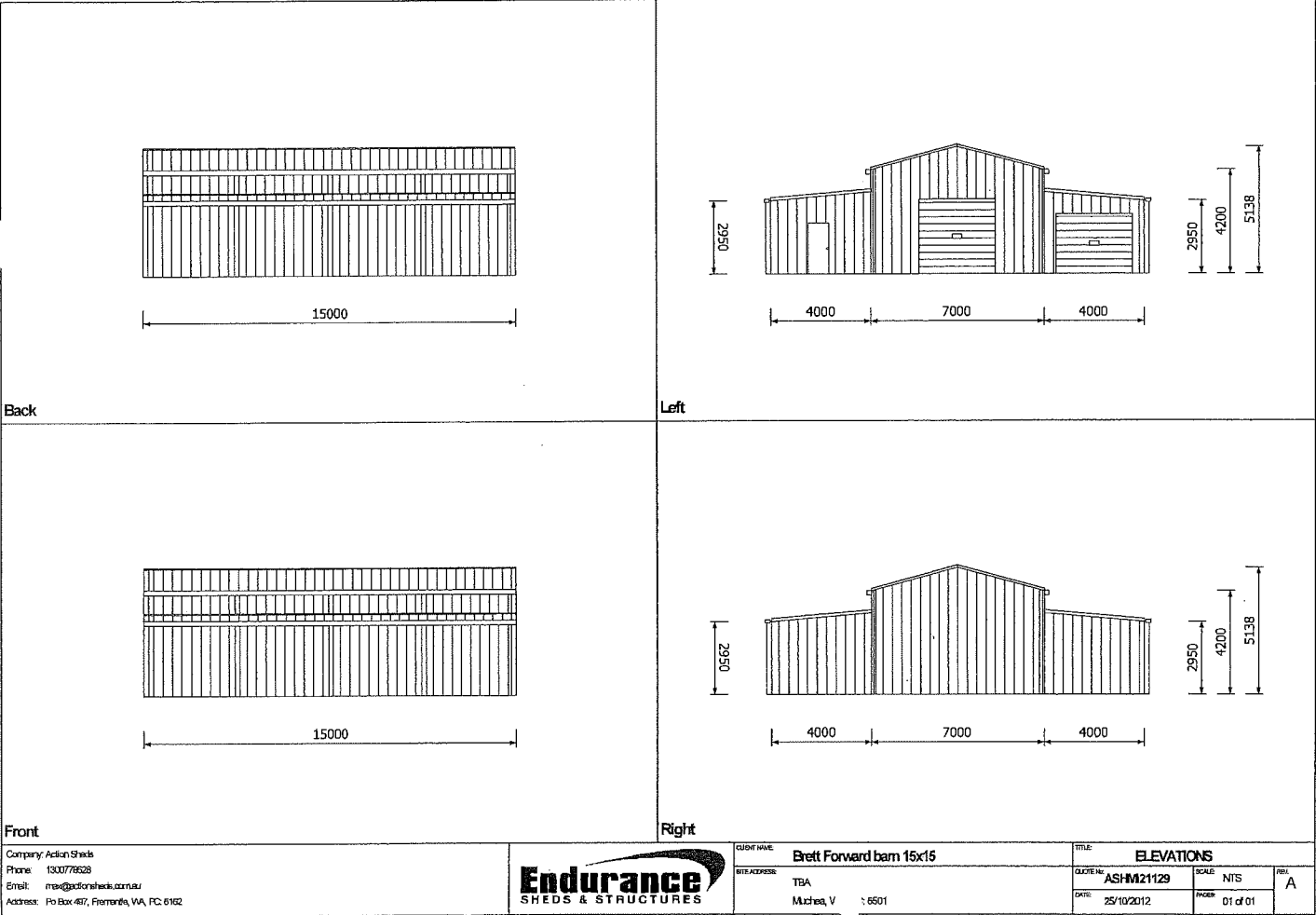
BEWARE: ADVISE TRADES
O/HEAD power lines

NOTE: ALL FEATURES SHOWN ON
SURVEY ARE POSITIONED FROM
EXISTING PEGS/FENCES & WALLS WHICH
MAY NOT BE ON THE CORRECT ALIGNMENT.

BEWARE: POSSIBLE SERVICE RUN IN & COST

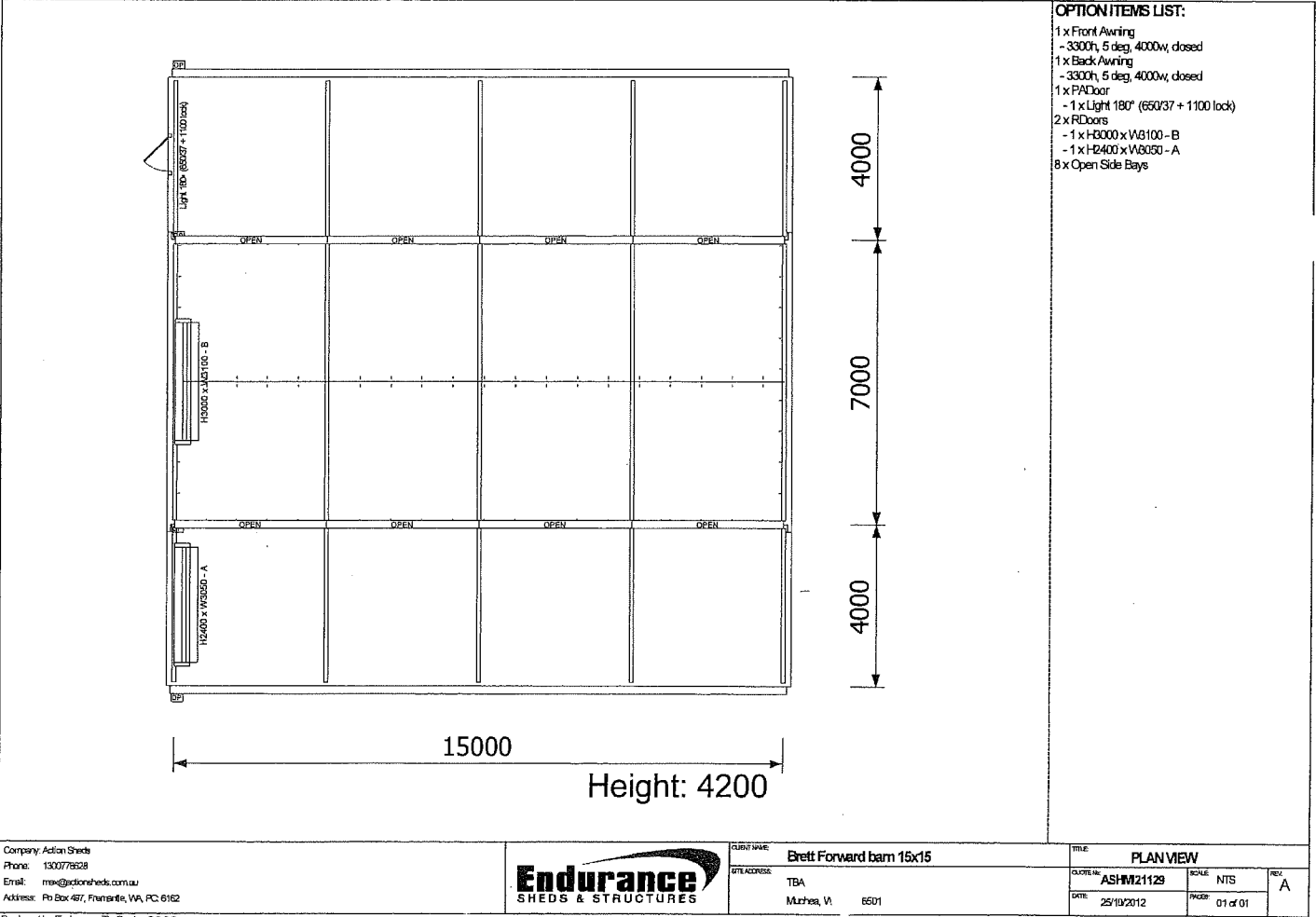
NOTE: HIGH TENSION POWER LINES.
CHECK TITLE FOR EASEMENTS AND
WESTERN POWER FOR SET-BACKS.

Item 9.1.1



Attachment 2

Item 9.1.1



Attachment 3 – Site Photographs



Figure 1: Aerial photograph of the property.



Figure 2: View of property from Halsam Street (looking northwest).



Figure 3: View of property from Haslam Street (looking west).

22 January 2013

Brett Stokes
8 Haslam Street
Muchea WA 6501

Attention: Shire of Chittering

To whom it may concern,

RE: Residential Shed on Lot 817, 8 Haslam Street, Muchea WA 6501

I would like shire approval to construct a shed at 8 Haslam Street, Muchea WA (Lot 817 Haslam Street). The shed will be used to store vintage cars, motorcycles, and memorabilia. The shed will have the following specifications:

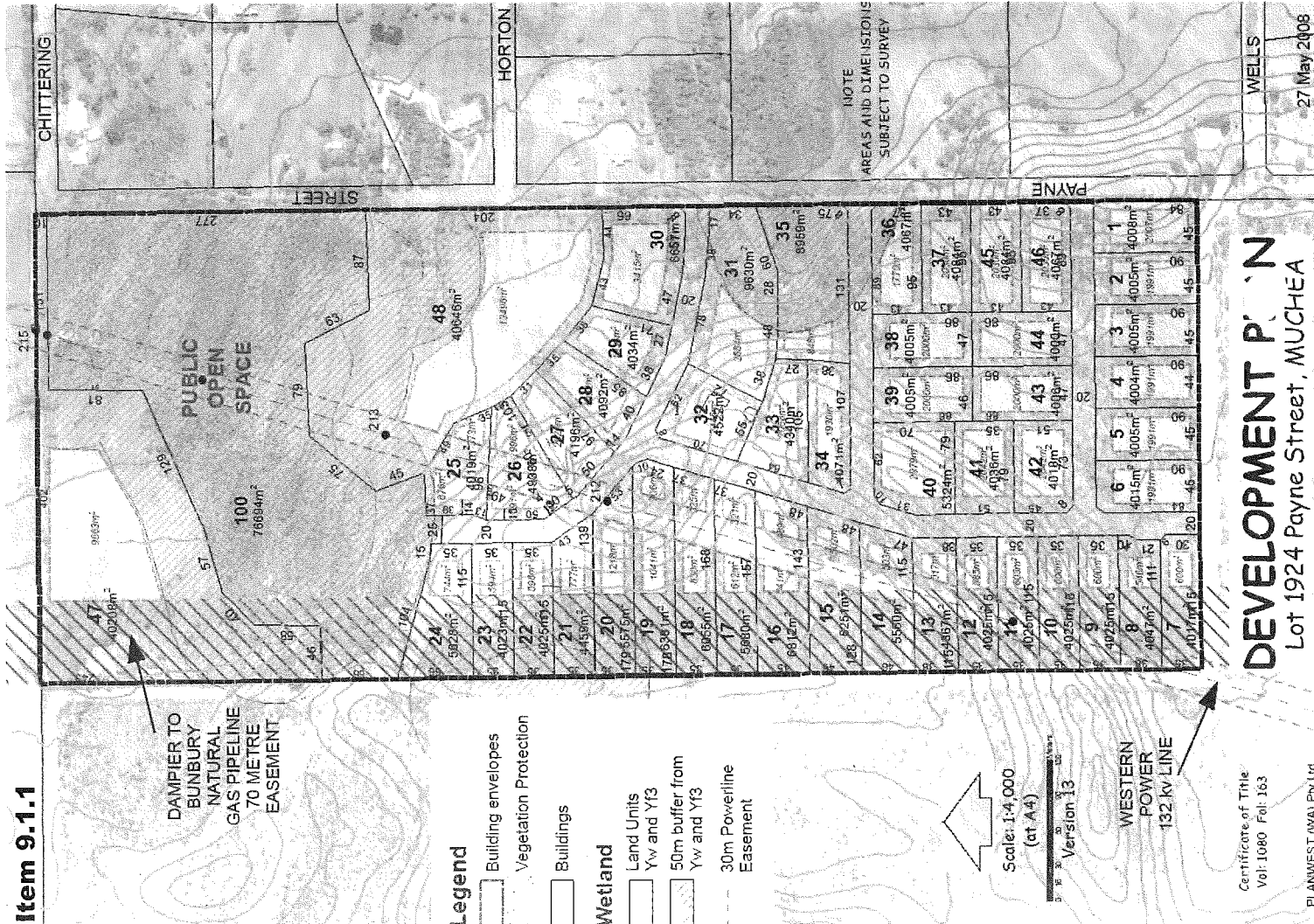
- 10 metres set back from road (Haslam Street)
- 5 meters from the boundary of lot 818 Haslam Street
- Height:
 - Main Shed: 4.2 metres
 - Awning front: 3.3 metres
 - Awning back: 3.3 metres
- Span (Width:
 - Main shed: 7 metres
 - Awning front: 4 metres
 - Awning back: 4 metres
- Length: 15 metres
- Colour: Red sides with a green roof and green doors.
- (Additional information enclosed with letter if required)

I will re-vegetate the area around the shed, and have already started on some of these plants. If there are any additional questions please feel free to phone me on my mobile – 0417 090 084.

Regards



Brett Stokes



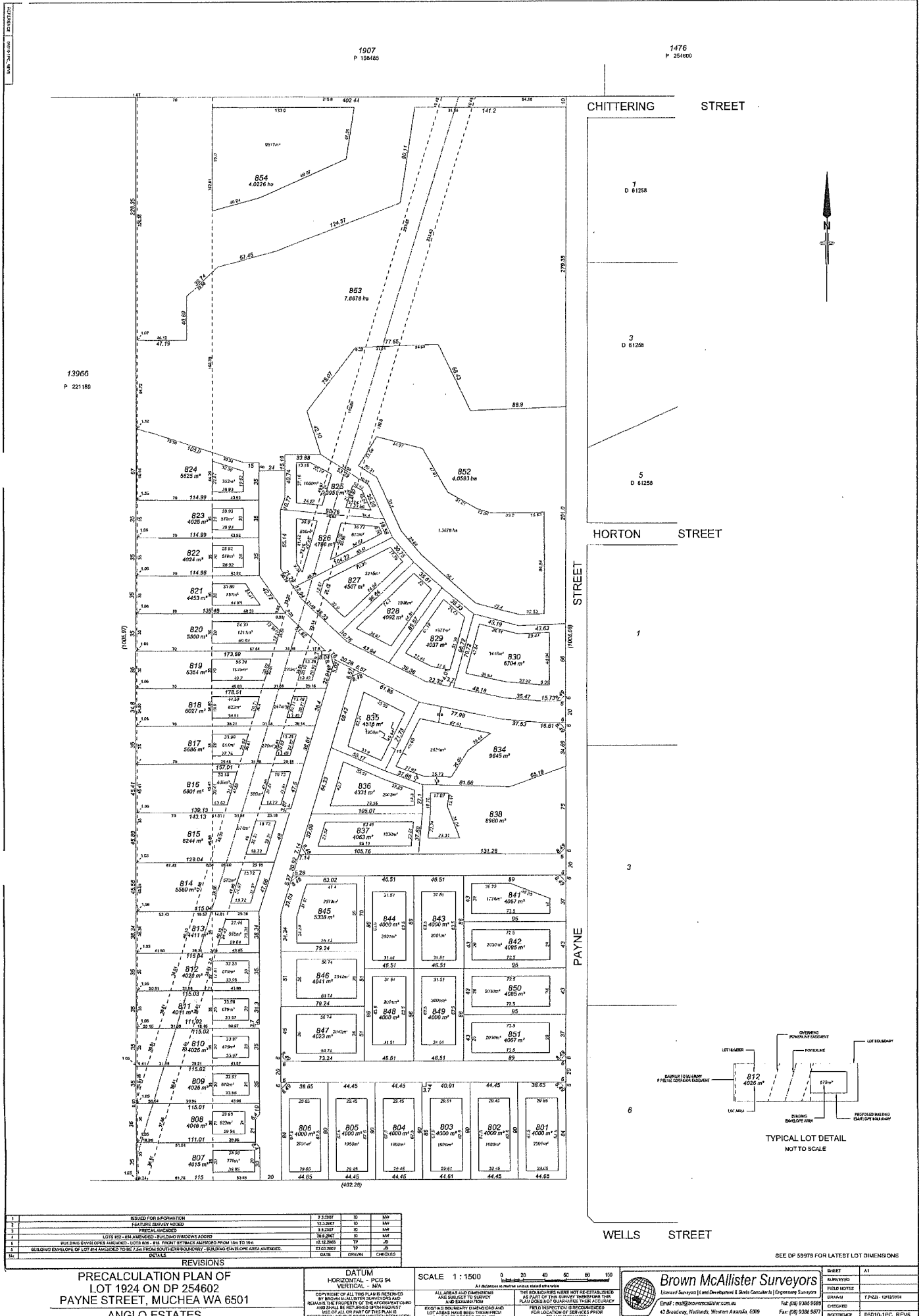
- The following development provisions apply to the Development Plan for Lot 1924 Payne Road, Muchea.
1. This Development Plan has been adopted by the Council. Subdivision and development should generally be in accordance with this Plan.
 2. In considering development and subdivision of the land, the requirements of the Shire of Chittering Town Planning Scheme No 6 for the Townsite zone apply.
 3. No clearing is permitted, without Planning Consent, within areas of Vegetation Protection as depicted on the Development Plan – unless those trees are dead, diseased or present a danger to property.
 4. Buildings, water tanks and waste disposal are to be contained within the building envelopes. Unless otherwise shown, building envelopes are to be set back from cadastral boundaries as follows:
Large Lots (above 4ha)
Road 20 metres Rear 20 metres Side 15 metres
Small Lots (R2.5 – minimum 4,000m²)
Road 15 metres Rear 7.5 metres Side 7.5 metres
 5. If the site is to have a sand pad for the proposed dwelling greater than 0.5 metres above natural ground level, then for every 0.5 metres of height above natural ground level, setback distances are to be increased by 2 metres.
 6. Fencing shall be in accordance with Local Planning Policy No 22 (Fences). Within a lot, the construction of a fence around a building envelope, any previously cleared area and adjoining authorised fire break, is permitted. Elsewhere, no boundary fences are permitted in Vegetation Protection areas as identified on the Development Plan, without Planning Consent of the Council. Where a fence crosses a strategic fire break a gate of approved design is to be provided.
 7. The construction of a crossover to each lot is to be in accordance with Council's specifications.
 8. Each dwelling is to have a water supply from roof catchment of a minimum of 120,000 litres, of which 10,000 litres is to be kept in reserve for fire fighting purposes and fitted with a standard male Camlock valve.
 9. The maintenance of any drainage swales, easements, fire breaks and Vegetation Protection and Re-vegetation areas are the responsibility of the owner/occupier.
 10. The sinking of bores, construction of dams and extraction of surface water is not permitted without the approval of the Council and relevant State Government department.
 11. Strategic Fire Breaks as shown on the Development Plan will be constructed by the developer and are to be maintained by the owner/occupier to the satisfaction of the Council and the Bush Fires Board, in accordance with the Local Planning Policy No 21 – Fire Management Plans.
 12. Development shall be in compliance with the "R2.5" Density Requirement as specified in the Residential Design Codes WA for smaller lots. Other uses specified in the Town Planning Scheme may be approved at the discretion of the Council. Approval is required for home business but not for home office. For any use that may result in degradation of land or water resources or nuisance to neighbours, a management plan may be required as a condition of development approval.
 13. Stock – The keeping of grazing animals is not permitted, other than on lots 47 (852) and 48 (854), with the approval of the Shire.
 14. All buildings shall be constructed with roofs of non-reflective materials.
 15. Alternative Treatment Units are required for disposal of liquid wastes.
 16. Landowners shall maintain natural drainage lines to prevent erosion and soil export to adjoining lots. There shall be no alteration to natural drainage lines.
 17. The developer/vendor shall inform prospective purchasers of the lots, in writing, of the provisions of the Council's Town Planning Scheme relating to the management of land, as specified in the Development Plan and Fire Management plan.
 18. No development, structures or activities shall be conducted within the DBNGP easements without the express consent from the relevant authorities.

ADOPTION
Adopted by resolution of the Council of the SHIRE OF CHITTERING at the Ordinary Meeting of the Council held on the 17th day of October 2008 and the Seal of the Municipality was pursuant to that resolution hereto affixed in the presence of:

[Signature]
PRESIDENT

[Signature]
CHIEF EXECUTIVE OFFICER

11/6/2008
DATE



Attachment 6 – Consultation Plan

Consultation Plan
Lot 817 (RN 8) Haslam Street, Muchea

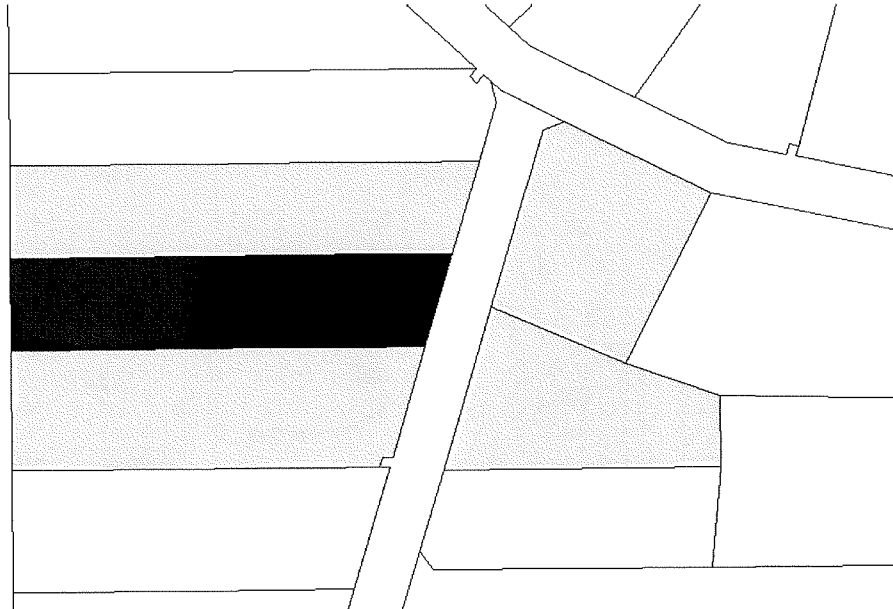


Figure 1: Consultation Plan – Lots coloured in were notified and given 14 days to respond. One landowner issued approval for the proposed building envelope modification and outbuilding. No further comments were received during the referral period.

22 January 2013

Brett Stokes
8 Haslam Street
Mucnea WA 6501

Attention: Shire of Chittering

To whom it may concern,

RE: Residential Shed on Lot 817, 8 Haslam Street, Mucnea WA 6501

I would like shire approval to construct a shed at 8 Haslam Street, Mucnea WA (Lot 817 Haslam Street). The shed will be used to store vintage cars, motorcycles, and memorabilia. The shed will have the following specifications:

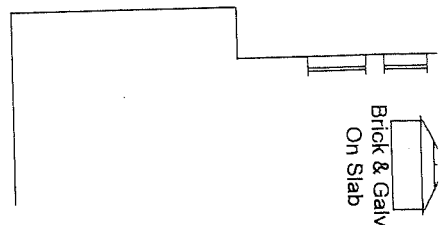
- 10 metres set back from road (Haslam Street)
- 5 meters from the boundary of lot 818 Haslam Street
- Height:
 - Main Shed: 4.2 metres
 - Awning front: 3.3 metres
 - Awning back: 3.3 metres
- Span (Width:
 - Main shed: 7 metres
 - Awning front: 4 metres
 - Awning back: 4 metres
- Length: 15 metres
- Colour: Red sides with a green roof and green doors.
- (Additional information enclosed with letter if required)

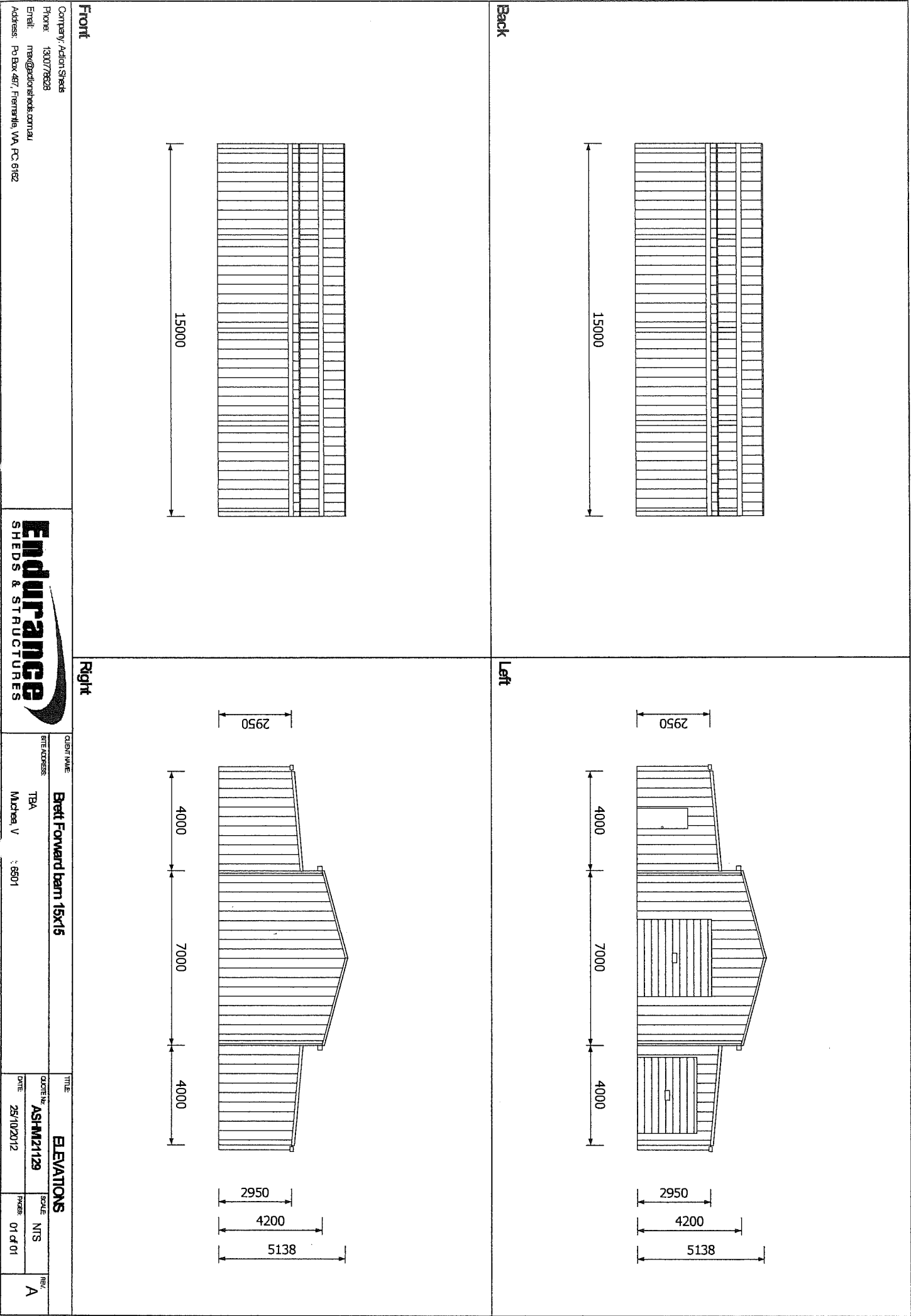
I will re-vegetate the area around the shed, and have already started on some of these plants. If there are any additional questions please feel free to phone me on my mobile – 0417 090 084.

Regards



Brett Stokes





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Company: Action Sheds Phone: 1300776328 Email: me@actionsheds.com.au Address: Po Box 487, Fremantle, WA, PC 6162		Endurance SHEDS & STRUCTURES		CLIENT NAME: Brett Forward barn 15x15
TITLE: PLAN VIEW		SITE ADDRESS: TBA Matched Vn 6501		DATE: 25/10/2012
QUOTE No: ASHM21129		SCALE: NTS		REV: A

OPTION ITEMS LIST:

- 1 x Front Awning
- 3300h, 5 deg, 4000w, closed
- 1 x Back Awning
- 3300h, 5 deg, 4000w, closed
- 1 x PADoor
- 1 x Light 180° (650/37 + 1100 lock)
- 2 x RDOors
- 1 x H3000 x W6100 - B
- 1 x H2400 x W3050 - A
- 8 x Open Side Bays

Scott Penfold

Subject: FW: Sheds - Haslam Street, Muchea

From: Jo and Glenn DaviesTaylor [<mailto:jag5463@gmail.com>]

Sent: Wednesday, 10 April 2013 2:38 PM

To: Scott Penfold

Subject: Re: Sheds - Haslam Street, Muchea

On Tue, Apr 9, 2013 at 3:47 PM, Jo and Glenn DaviesTaylor <jag5463@gmail.com> wrote:

From: Glenn Taylor

PO Box 154 (RN 4 Haslam St)

Muchea 6501

Re: Request for re-submission to council of original shed application on the above property

Dear Scott,

As per recent discussions with yourself and Alex Douglas, we would like to submit additional information to assist Council in re-considering approval of the original shed application.

1. The height is required to allow the use of a hoist to service & maintain my vintage cars.
2. The height is also intended to reduce the build up of heat in the shed by way of e-vents & cross flow ventilation, reducing the impact on the environment by eliminating the need for powered cooling systems.
3. We are prepared to "cut in" further than originally planned, approx 2 metres, on the northern side, thus reducing visual impact.
4. Further to the planting which has already taken place for screening, major planting of large native shrubs & trees will occur immediately after construction to avoid damage by machinery.
5. The size of the shed is required because of my large collection of memorabilia, cars, tools and trailers, that all need to be kept under cover and secure.

I wish to thank Councillor Robert Hawes personally for taking the time on a Sunday to travel from his home in Quinns Rocks to visit my property and discuss all aspects the overall concept.

Yours sincerely

Glenn Taylor

Mob 0428335560

9.3.2013



9.1.2 Proposed Building Envelope Modification and Outbuilding (Shed) – Lot 818 (RN4) Haslam Street, Muchea*

Applicant	Glenn Taylor and Joanne Davies
File ref	A11034 P275/12
Prepared by	Scott Penfold, Planning Officer
Supervised by	Azhar Awang, Executive Manager Development Services
Voting requirements	Simple majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none"> 1. Locality Plan 2. Site Plan and Elevations 3. Aerial Photograph and Site Photographs 4. Applicant Submission 5. Development Plan and Building Envelope Plan 6. Consultation Plan

Background

An application has been received for a proposed outbuilding to be constructed on the property. The process has been as follows:

- An Application for Planning Approval was received on the 22 November 2012;
- The information received with the planning application showed the proposed outbuilding (270m²) to be located a minimum of 3 metres from the southern lot boundary and a minimum of 10 metres from the front property boundary;
- As the proposal was located outside of the Building Envelope and is located in front of the existing dwelling on the property, the application was referred to the surrounding landowners for comment on 18 December 2012;
- No comments were raised during the referral period; and
- Given the proposal is located outside of the Building Envelope the landowner has been advised that a Building Envelope Modification will be required to be determined by Council also.

The details of the proposal are as follows:

- It is proposed to modify the Building Envelope such that it is located 3 metres from the southern boundary and 10 metres from the front property boundary (Haslam Street);
- It is proposed to construct a 10m X 20m outbuilding with a 3.5m X 20m lean-to, with the total area to be 270m² as shown on the Site Plan (attachment 2);
- The roller door openings of the outbuilding are to be orientated toward the house, with the lean-to to be facing the road;
- The landowner has advised that the purpose of the outbuilding is for the storage of his classic car collection and other residential storage purposes. The outbuilding is not proposed to be used for commercial purposes;
- The landowners have also advised in a submission to the Shire for Council consideration that they would be willing to implement screening between the outbuilding and the adjacent lot boundaries to reduce the visual impact of the proposed outbuilding;
- It is anticipated that minimal clearing will be required to facilitate the construction of the outbuilding.



Council is therefore requested to determine two matters:

- The modification of the existing building envelope; and
- The construction of the proposed outbuilding and compliance with the requirements of *Local Planning Policy No 7 – Outbuildings and Swimming Pools*.

Council is also advised that an application for a proposed outbuilding has also been received for Lot 817 (RN 8) Haslam Street, Muchea, for the construction of a similar sized outbuilding, which is proposed to be located 5 metres from the shared boundary with Lot 818 Haslam Street, Muchea (southern boundary). Whilst these matters must be considered separately based upon individual merit, the precedent of this form of development and individual impact on streetscape must be considered.

Consultation

The application was referred to the surrounding landowners for comment, as shown on the Consultation Plan (attachment 6). No comments were raised during the referral period.

Statutory Environment

Shire of Chittering Town Planning Scheme No 6

The subject property is zoned 'Townsite' which has the following objectives under the Scheme:

"To provide for a range of compatible uses within the Bindoon and Muchea townsites to provide for a high range of services, residential types, community and recreational facilities in a village with rural character;

To prohibit land uses which may adversely effect the living and visual amenity of the location;

To provide for the protection of the natural environment;

To protect or enhance any local reserves."

Clause 10.2 Matters to be considered by Local Government

"The Local Government in considering an application for Planning Approval, is to have due regard to such of the following matters as are in the opinion of the Local Government relevant to the use or development the subject of the application-

- The aims and provisions of the Scheme;*
- The requirements of orderly and proper planning including any relevant proposed new district planning scheme or amendment, which has been granted consent for public submission to be sought;*
- Any approved Statement of Planning Policy of the Commission;*
- Any approval environmental protection policy under the Environmental Protection Act 1986;*
- Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;*
- Any local Planning Policy adopted by the Local Government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the Local Government under the Scheme;*
- The aims and objectives of Catchment Management Plans and Principles for the Scheme Area;*
- In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;*



- i) The conservation of any place that has been registered in the Register of Places within the meaning of the Heritage Act of Western Australia 1990, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character and appearance of a heritage area;
- j) The compatibility of a use or development within its setting taking into consideration any Special Control Area.
- k) Any social issues that have an effect on the amenity of the locality;
- l) The cultural significance of any place or area affected by the development;
- m) The likely effect of the proposal on the natural environment and any means that area proposed to protect or to mitigate impacts on the natural environment;
- n) Whether the land to which the application relates is unsuitable for the proposed by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk
- o) The preservation of the amenity of the locality;
- p) 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;
- q) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- r) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- s) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- t) Whether the public utility services are available and adequate for the proposal. This includes existing facilities and those planned for construction to meet the needs of the proposal and future servicing requirements of the Scheme Area;
- u) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- v) Whether adequate provisions have been made for access by disabled persons;
- w) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- x) Whether the proposal is likely to cause soil erosion or land degradation;
- y) The potential loss of community service or benefit resulting from the Planning Approval;
- z) The conservation of water resources;
- aa) Any relevant submissions received on the application;
- bb) The comments or submission received from any authority consulted under clause 10.1.1; and
- cc) Any other planning consideration the Local Government considers relevant."

Clause 2.3 Relationship of Local Planning Policies to Scheme

- "2.3.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.
- 2.3.2 A Local Planning Policy is not part of the Scheme and does not bind the Local Government in respect of any application for Planning Approval but the Local Government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination."



Local Government is directed by Clause 10.2 of the Scheme to consider Local Planning Policies when assessing Applications for Planning Approval.

Schedule 1 Dictionary of Defined Words and Expressions

"Building Envelope means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained."

Clause 5.8.2 Building Envelopes/Setbacks

"Development will only be permitted in the areas identified as building envelopes provided that Council may vary the boundaries of such envelopes if it is satisfied that such variation is desirable and will not detrimentally affect the objective for the Zone or the amenity of the area generally."

This clause relates to Development Provisions of Rural Residential, Rural Retreat, Rural Small holdings and Rural Conservation Zones. However, Council should take this clause into consideration given it applies to Development Plans, even though the Development Plan is applicable to a Townsite zone.

Development Plan

A Development Plan has been adopted for the property as part of the residential development on Lot 1924 Payne Street, Muchea, in accordance with Clause 5.8.1 of the Scheme (attachment 5). The following relevant Special Provisions of the Development Plan apply to the proposed application:

"4) Buildings, water tanks and waste disposal are to be contained within the building envelopes. Unless otherwise shown, building envelopes are to be set back from cadastral boundaries as follows;

Large Lots (above 4ha)

Road	20 metres	Rear	20 metres	Side	15 metres
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Small Lots (R2.5 – minimum 4,000m²)

Road	15 metres	Rear	7.5 metres	Side	7.5 metres"
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The proposed application is on a Small Lot as identified on the Development Plan

"4) Development shall be in compliance with the "R2.5" Density Requirement as specified in the Residential Design Codes WA for smaller lots. Other uses specified in the Town Planning Scheme may be approved at the discretion of the Council. Approval is required for home business but not for home office. For any use that may result in degradation of land or water resources or nuisance to neighbours, a management plan may be required as a condition of development approval."

Policy Implications

Local Planning Policy No 7 – Outbuildings and Swimming Pools (LPP7)

The purpose of this report being prepared for Council is the need to vary LPP7 section 5.2(c) and 5.2(d) in order to consider the Application for Planning Approval, which are outlined below:

"5.2 c) The Local Government may exercise its discretion to vary the Residential Design Codes by approving outbuildings up to the maximum size of 150m², irrespective of the Residential Design Codes density restrictions."

"5.2 d) All outbuildings are to be placed behind the main residential building line"



Clauses 2.3.2 and 10.2(f) outlined previously give the ability of the Local Government to grant planning approval to applications which propose variations to Local Planning Policies made under the Scheme.

Local Planning Policy No 18 – Setbacks

In regards to *Local Planning Policy No 18*, the following is applicable:

- “5.1 Where specified, setbacks are to be in accordance with the requirements of Local Planning Policies, Development Plans (including any building envelopes) and the Residential Design Codes. The procedure for variation is as specified in TPS No.6 and the Residential Codes respectively.*
- 5.11 Council may permit variations to the minimum setbacks specified in 5.5 and 5.7 above, as permitted by TPS No.6, in the following circumstances:*
- (a) additions to an existing building*
 - (b) reduced size or irregularly shaped lot*
 - (c) commercial or industrial use*
 - (d) temporary or minor structures*
 - (e) heritage buildings*
 - (f) other cases where it is reasonable to do so, as determined by Council.”*

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Yes

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Comment

Consultation

No comments were raised during the consultation period.

Local Planning Policy No 7 – Outbuildings and Swimming Pools

It is specified by section 5.2(d) that outbuildings are to be constructed behind the main residential building line. The proposed outbuilding is located in front of the main residential building line. However, the approval for outbuildings in front of the main residential building line has occurred in the Woodlands Estate, hence precedence has been set.

It should be considered by Council that the constraints of the building envelope necessitate the construction of outbuildings on the front portion of the building envelope. Given the rear portion of the building envelope is 830m², it was necessary that the house be located on this portion of the site, given the house, water tank and on-site effluent disposal are normally co-located and the dimensions of the front portion of the building envelope and site conditions would not accommodate this.

It is specified by section 5.2(c) that the local government may approve outbuildings up to a maximum 150m² in size, at variance to the R-Codes. The proposed outbuilding is 270m² in size, hence a significant variation (80 percent) to the maximum specified in the Policy.

Local Planning Policy No 18 - Setbacks

The setbacks for the site are specified by the Development Plan and each lot has a specified building envelope. However, should Council consider varying the building envelope, the criteria outlined in section 5.11 would apply, particularly 5.11(b) which stipulates that Council may vary the setbacks based on a reduced size or irregularly shaped lot.

Development PlanR-Codes

It is specified by the Development Plan for Woodland Estate that development of the land is to be in accordance with the requirements of the Residential Design Codes WA (R-Codes) for smaller lots. This is to be assessed based on the requirements of the R2.5 density code.

Section 6.10.1 of the R-Codes relating to outbuildings has been outlined previously in this report. The proposed outbuilding does not comply with the Acceptable Development criteria of the R-Codes in the following:

- The outbuilding has a wall height exceeding 2.4m
- The outbuilding has a ridge height exceeding 4.2m

The proposed outbuilding has a ridge height 6.020 metres and wall height of 4 metres. With regards to the wall and ridge height of the proposed outbuilding, this has not been consistently applied as a requirement within the Shire of Chittering hence precedent has been set for outbuildings to have an increased wall and ridge height. It is suggested as a future area for improvement that *Local Planning Policy No 7 – Outbuildings and Swimming Pools* is amended to specify a wall and ridge height variation to the R-Codes.

Setbacks

The site is classified as a Small Lot by the development plan hence setbacks of 15 metres to the road and 7.5 metres to the side and rear are applicable. The proposed outbuilding seeks to modify the building envelope on the front portion of the site such that it is located 3 metres from the southern property boundary and 10 metres from the front property boundary.



A precedent has been set for the setback of 10 metres to the front property boundary, which has occurred for Lot 816 to 807 Haslam Street, Muchea. Due to the irregular shape of the lot and the constraints placed on the property by the electricity and gas easements, a reduced setback to 10 metres is considered reasonable.

The proposed outbuilding is to be setback 3m from the side lot boundary (southern). The required minimum setback is 7.5 metres as stipulated on the Development Plan. This is a significant variation to the required side setback. When considering the proposed outbuilding on the neighbouring property is to be setback 5 metres from same boundary, the distance between the two buildings would likely be 8 metres, where the normal separation would be 15 metres between buildings on adjoining properties.

Shire of Chittering Town Planning Scheme No 6

Objectives of 'Townsite' zone:

Two objectives of the 'Townsite' zone which are applicable to the proposal are:

"To provide for a range of compatible uses within the Bindoon and Muchea townsites to provide for a high range of services, residential types, community and recreational facilities in a village with rural character;

To prohibit land uses which may adversely effect the living and visual amenity of the location;

The proposed outbuilding is in accordance with other land uses in the Muchea townsite, given many other properties in this townsite have constructed outbuildings. The proposed outbuilding is in accordance with the rural character of the village.

Given the bulk and location of the proposed outbuilding, it will be easily visible from Haslam Street and surrounding properties. A site visit was conducted on 30 January 2013 (attachment 3). It should be considered that the bulk of the proposed outbuilding will be significant when viewed from the street, and will likely be the predominant feature of the site, given the house is located toward the rear. The bulk of the building can be managed through the planting of screening vegetation, should Council choose to issue its planning approval.

Applicant Submission

The Applicant has provided additional information to Council for the consideration of the proposed outbuilding (attachment 4). It was advised by the Applicant that:

- The purpose of the outbuilding is for private storage purposes only, i.e. storage of vintage cars, collection of memorabilia, storage of trailers, tools, etc;
- The colour of the outbuilding will mirror that of the house;
- Given the slope of the land, the outbuilding will be cut in, being approximately 1m above NGL on the southern side of the outbuilding;
- Planting has been undertaken on the street frontage to provide some visual screening of the proposed outbuilding. Further screening will be undertaken should it be approved; and
- The neighbouring property is currently lodging a similar application for a proposed outbuilding in the front building envelope (Lot 817 (RN 8) Haslam Street, Muchea).



MINUTES FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY, 20 FEBRUARY 2013

Concluding Comments

Council has the ability to vary its Local Planning Policies in accordance with Clause 2.3.2 of the *Shire of Chittering Town Planning Scheme No 6*. No objections have been received for the proposed outbuilding at Lot 818 Haslam Street, Muchea. Furthermore, the nature of the property and easements has restricted the development such that an outbuilding is only suitable to be placed on the front portion of the building envelope, due to the development of the dwelling, water tank and effluent disposal on the larger rear portion of the building envelope.

The key considerations of this application are: the size of the outbuilding (270m²); amenity issues of the adjoining street; and setback to the neighbouring lot boundary. Amenity can be addressed by the implementation of screening on the street frontage, to break up the bulk of the outbuilding, of which none of the neighbouring landowners have raised concern. With regards to the side setback, the development on the neighbouring lot will likely also be an outbuilding, with a proposed setback of 5 metres, hence the development will not be closer to an existing residence or other sensitive land use.

The limitation of the size of outbuildings to 150m² in r-coded areas is implemented through *Local Planning Policy No 7 – Outbuildings and Swimming Pools*, as previously explained. However, it is not believed that the variation of the size would conflict with the objectives of the 'Townsite' zone, as no objections have been raised and the visual amenity of the locality can be managed through the implementation of screening vegetation, should Council choose to issue its approval.

OFFICER RECOMMENDATION

Moved Cr Mackie / Seconded Cr Clarke

That Council grant planning approval for the proposed building envelope modification and outbuilding at Lot 818 (RN 4) Haslam Street, Muchea, subject to the following conditions:

1. All development shall be in accordance with the submitted plans.
2. Implement screening in the form of planting local native trees or shrubs between the proposed outbuilding and the street frontage to the satisfaction of the Chief Executive Officer within 3 months of approval being issued.
3. The outbuilding is not to be used for Commercial purposes.
4. The outbuilding is for storage purposes only and not for residential habitation.
5. Roofing to be tiled or pre-painted material such as Colorbond.
6. Clearing shall only be permitted for outbuilding construction and fire safety purposes.
7. Any further developments on the site shall be the subject of subsequent planning applications/approvals.
8. If the development the subject of this approval is not substantially commenced within a period of two (2) years the approval shall lapse and be of no further effect.
9. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Advice Notes:

1. The Applicant has a right of review to the State Administrative Tribunal should the Applicant be aggrieved by Council's decision. Such a review should be lodged to the State Administrative Tribunal within twenty-eight (28) days of Council's decision.
2. The Applicant is advised to contact the Chittering Landcare Centre for a list of native species for screening vegetation.

**AMENDMENT**

Moved Cr Hawes / Seconded Cr Norton

That the words '*and maintain*' be included in condition 2 as follows:

2. *Implement and maintain screening in the form of planting local native trees or shrubs between the proposed outbuilding and the street frontage to the satisfaction of the Chief Executive Officer within 3 months of approval being issued.*

THE AMENDMENT WAS PUT AND DECLARED CARRIED 7/0
AND FORMED PART OF THE SUBSTANTIVE MOTION

AMENDMENT

Moved Cr Rossouw / Seconded Cr Mackie

That an additional condition 10 be included as follows:

10. *That the size of the proposed shed be limited to 150m² with a maximum ridge height of 4.2m in compliance with the Shire of Chittering Local Planning Policy 7 and section 6.10.1 of the R Codes.*

THE AMENDMENT WAS PUT AND DECLARED CARRIED 5/2
AND FORMED PART OF THE SUBSTANTIVE MOTION

AMENDMENT

Moved Cr Mackie/ Seconded Cr Clarke

That an additional condition 11 be included as follows:

11. *That the environs of the shed to be cleared of combustible material to the satisfaction of the Chief Executive Officer.*

THE AMENDMENT WAS PUT AND DECLARED CARRIED 5/2
AND FORMED PART OF THE SUBSTANTIVE MOTION



SUBSTANTIVE MOTION / COUNCIL RESOLUTION – 040213

Moved Cr Mackie / Seconded Cr Clarke

That Council grant planning approval for the proposed building envelope modification and outbuilding at Lot 818 (RN 4) Haslam Street, Muchea, subject to the following conditions:

1. All development shall be in accordance with the submitted plans.
2. Implement and maintain screening in the form of planting local native trees or shrubs between the proposed outbuilding and the street frontage to the satisfaction of the Chief Executive Officer within 3 months of approval being issued.
3. The outbuilding is not to be used for Commercial purposes.
4. The outbuilding is for storage purposes only and not for residential habitation.
5. Roofing to be tiled or pre-painted material such as Colorbond.
6. Clearing shall only be permitted for outbuilding construction and fire safety purposes.
7. Any further developments on the site shall be the subject of subsequent planning applications/approvals.
8. If the development the subject of this approval is not substantially commenced within a period of two (2) years the approval shall lapse and be of no further effect.
9. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
10. That the size of the proposed shed be limited to 150m² with a maximum ridge height of 4.2m in compliance with the Shire of Chittering Local Planning Policy 7 and section 6.10.1 of the R Codes.
11. That the environs of the shed to be cleared of combustible material to the satisfaction of the Chief Executive Officer.

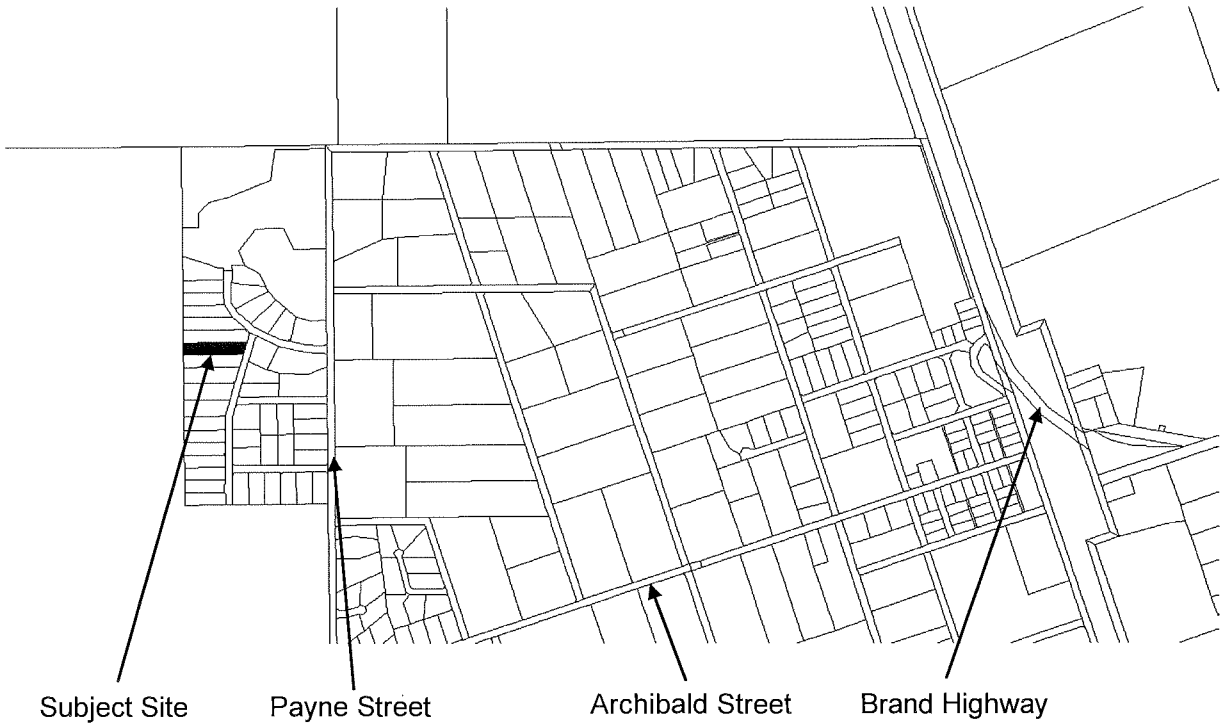
Advice Notes:

1. The Applicant has a right of review to the State Administrative Tribunal should the Applicant be aggrieved by Council's decision. Such a review should be lodged to the State Administrative Tribunal within twenty-eight (28) days of Council's decision.
2. The Applicant is advised to contact the Chittering Landcare Centre for a list of native species for screening vegetation.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 7/0

Attachment 1 – Locality Plan

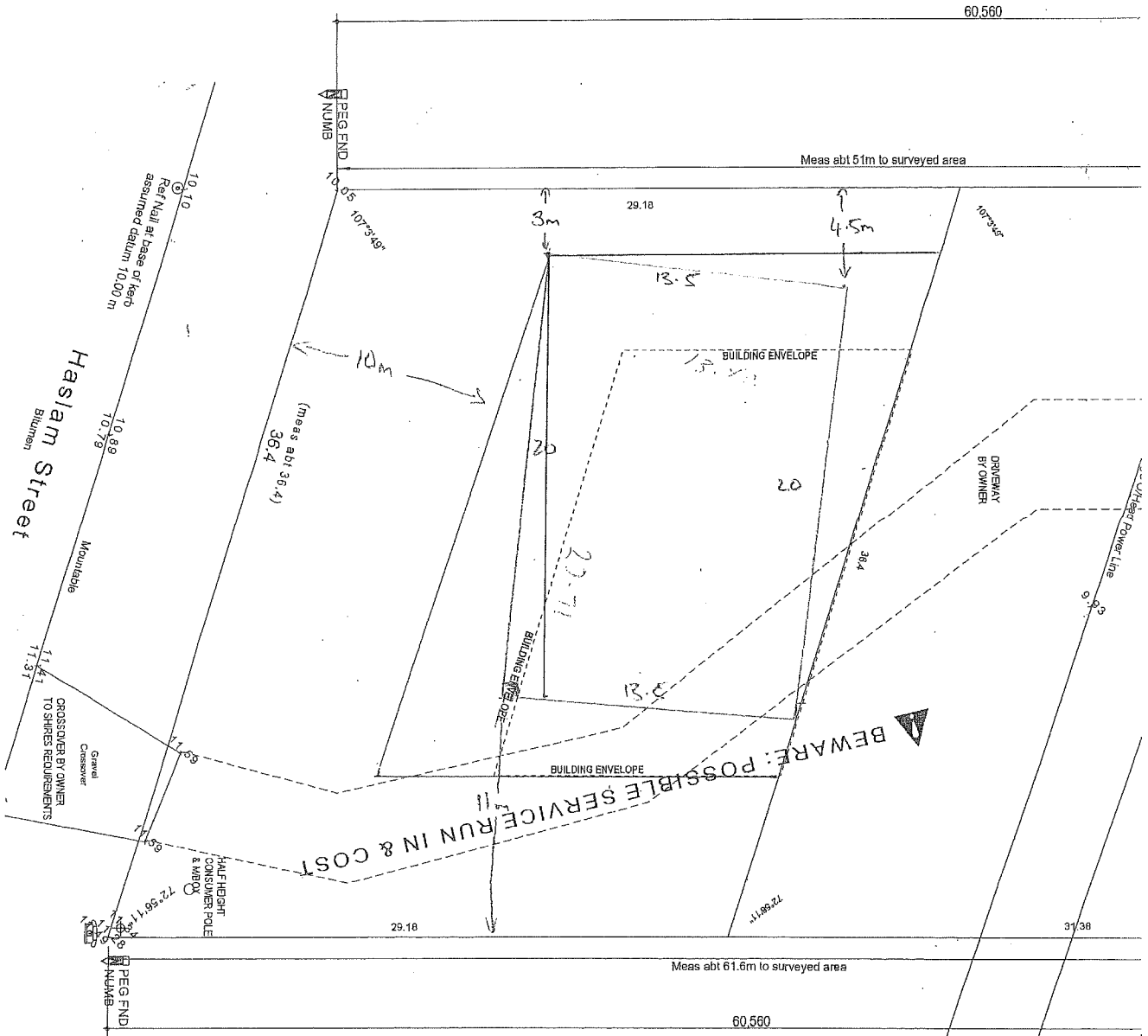
Locality Plan
Lot 818 (RN 4) Haslam Street, Muchea



COTTAGE & ENGINEERING SURVEY Licensed Surveyors ©	Ph (08)9381 6211 Fax (08)9382 2503 Email perth@cottage.com.au www.cottage.com.au			Builder : Redink Homes CLIENT : Taylor/ Davies LOT 818 Haslam Street, Muchea	LEGEND SEI Pos Phc Cor Cor
	J/N: 204044	DATE: 10 Feb 09	SCALE: 1:200	DRAWN: S. McGuckin	

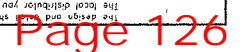
NOTE : EARTHWORKS / SET-OUT DIMENSIONS MAY VARY ON SITE AT BUILDERS DISCRETION. SEWER / DRAINAGE MAY VARY FROM SCHEMATIC PRESENTATION / CHECK MINIMUM CLEARANCES. RETAINING NOT INCLUDED IN CONTRACT - REMAINS OWNERS RESPONSIBILITY. THIS SURVEY DOES NOT GUARANTEE THE LOCATION OF BOUNDARY PEGS OR FENCES. CHECK TITLE FOR EASEMENTS / COVENANTS ETC.

- NOTE** : COTTAGE & ENGINEERING SURVEYS ACCEPT NO RESPONSIBILITY FOR ANY PHYSICAL ON SITE CHANGES TO THE PARCEL OR PORTION OF THE PARCEL OF LAND SHOWN ON THIS SURVEY INCLUDING ANY ADJOINING NEIGHBOURS LEVELS AND FEATURES THAT HAVE OCCURRED AFTER THE DATE ON THIS SURVEY.
- WARNING** : PLAN NOT YET APPROVED BY TITLES OFFICE. VERIFY LOT DIMENSIONS & ANGLES WITH TITLE.
- NOTE** : All Sewer details plotted from information supplied by Water Corporation.
- NOTE/BEWARE** : ADVISE TRADES
Of/Head power lines



Scale 1:200

Page 125



Attachment 3 – Site Photographs

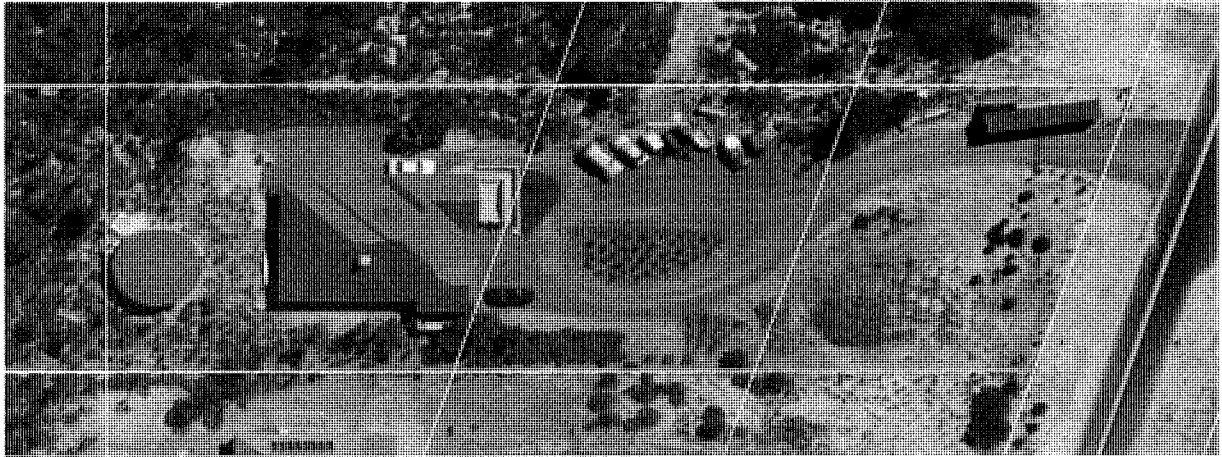


Figure 1: Aerial photograph of the property.

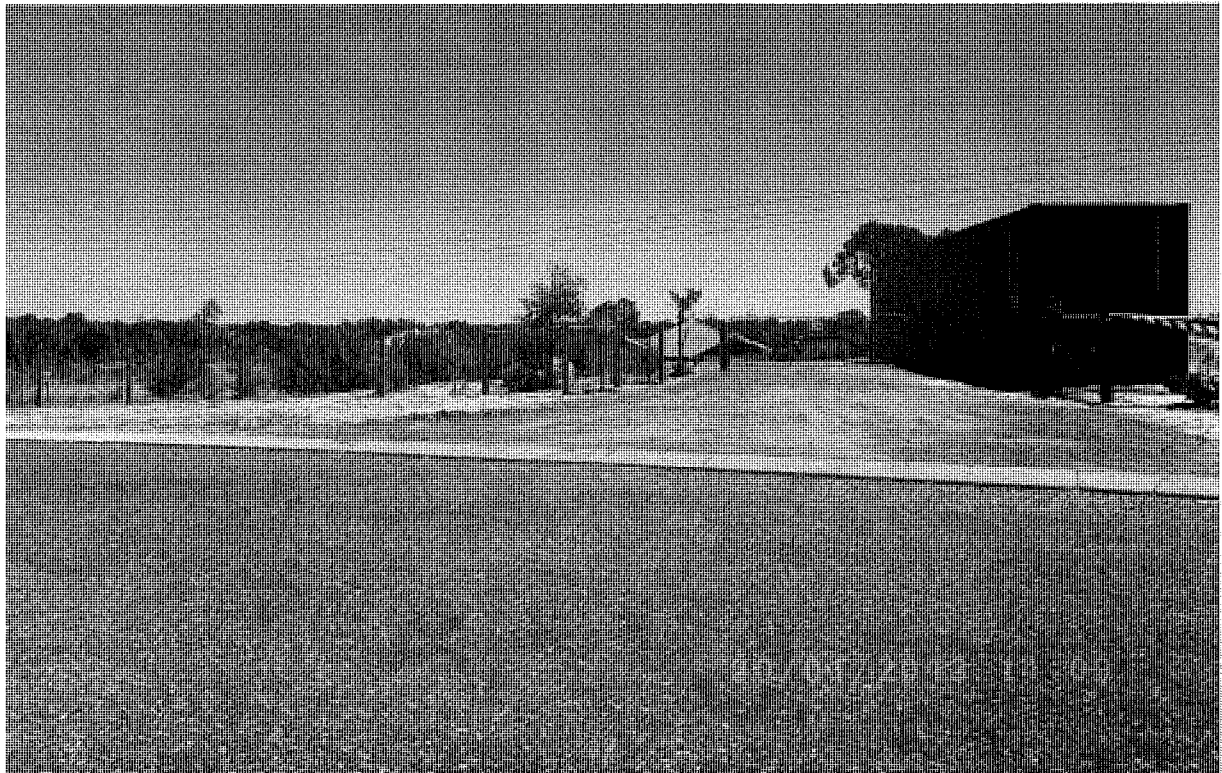


Figure 2: View of property from Haslam Street (looking west).



Figure 3: View of property from Haslam Street (looking northeast).

Lisa Templer

From: Jo and Glenn DaviesTaylor <jag5463@gmail.com>
Sent: Tuesday, 22 January 2013 11:18 AM
To: Chatter
Subject: Building application for shed, lot 818 Haslam St, Muchea

From Glenn Taylor
Lot 818 Haslam St (PO Box 154) Muchea 6501
Ph Mobile 0428335560
22nd January, 2013

Your ref A11034 P275/12

SHIRE OF CHITTERING
RECEIVED

22 JAN 2013

Officer.....SCOTT
File.....A11034
Ref.....I1336460

Attention Scott Penfold, Planning Officer, Shire of Chittering

Dear Scott

Further to my application for construction of a shed on my property as above, lodged on 22nd November, 2012 and recent telephone conversations with yourself, i wish to confirm the following points:

1. Shed to be for private use only i.e storage of vintage cars, collection of memorabilia , tools, trailers etc..
2. Colour of shed to match house- walls colorbond classic cream, roof colorbond jasper. Roller doors will face the house.
3. Shed will be "cut in" to the sloping ground on the northern side. The southern side to be approx 1 metre above natural ground level. This will reduce overall visual height as viewed from road
4. Planting of gum trees & large grevilleas along the Haslam St fence line has already been undertaken for the purpose of screening.
- 5.. Planting of the northern & southern boundaries will be carried out immediately after shed construction,
6. Our neighbours at Lot 817 Haslam St, Brett & April Stokes, are currently lodging an application for a large shed at the front of their property. We have viewed their proposal and have no objections. They have our permission if it become necessary to move their front building envelope closer to our property.

Please advise me as soon as possible if I have omitted any relevant information you require.

Would you kindly advise my telephone as soon as Council has made a decision.

Kind regards,
Glenn Taylor



The following development provisions apply to the Development Plan for Lot 1924 Payne Road, Muchea.

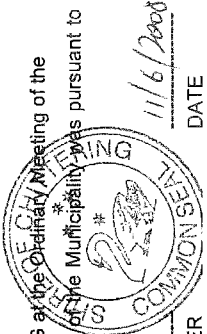
1. This Development Plan has been adopted by the Council. Subdivision and development should generally be in accordance with this Plan.
2. In considering development and subdivision of the land, the requirements of the Shire of Chittering Town Planning Scheme No 6 for the Townsite zone apply.
3. No clearing is permitted, without Planning Consent, within areas of Vegetation Protection as depicted on the Development Plan – unless those trees are dead, diseased or present a danger to property.
4. Buildings, water tanks and waste disposal are to be contained within the building envelopes. Unless otherwise shown, building envelopes are to be set back from cadastral boundaries as follows:
Large Lots (above 4ha)
Road 20 metres Rear 20 metres Side 15 metres
Small Lots (R2.5 – minimum 4,000m²)
Road 15 metres Rear 7.5 metres Side 7.5 metres
5. If the site is to have a sand pad for the proposed dwelling greater than 0.5 metres above natural ground level, then for every 0.5 metres of height above natural ground level, setback distances are to be increased by 2 metres.
6. Fencing shall be in accordance with Local Planning Policy No 22 (Fences). Within a lot, the construction of a fence around a building envelope, any previously cleared area and adjoining authorised fire break, is permitted. Elsewhere, no boundary fences are permitted in Vegetation Protection areas as identified on the Development Plan, without Planning Consent of the Council. Where a fence crosses a strategic fire break a gate of approved design is to be provided.
7. The construction of a crossover to each lot is to be in accordance with Council's specifications.
8. Each dwelling is to have a water supply from roof catchment of a minimum of 120,000 litres, of which 10,000 litres is to be kept in reserve for fire fighting purposes and fitted with a standard male Camlock valve.
9. The maintenance of any drainage swales, easements, fire breaks and Vegetation Protection and Re-vegetation areas are the responsibility of the owner/occupier.
10. The sinking of bores, construction of dams and extraction of surface water is not permitted without the approval of the Council and relevant State Government department.
11. Strategic Fire Breaks as shown on the Development Plan will be constructed by the developer and are to be maintained by the owner/occupier to the satisfaction of the Council and the Bush Fires Board, in accordance with the Local Planning Policy No 21 – Fire Management Plans.
12. Development shall be in compliance with the "R2.5" Density Requirement as specified in the Residential Design Codes WA for smaller lots. Other uses specified in the Town Planning Scheme may be approved at the discretion of the Council. Approval is required for home business or not for home office. For any use that may result in degradation of land or water resources or nuisance to neighbours, a management plan may be required as a condition of development approval.
13. Stock – The keeping of grazing animals is not permitted, other than on lots 47 (852) and 48 (854), with the approval of the Shire.
14. All buildings shall be constructed with roofs of non-reflective materials.
15. Alternative Treatment Units are required for disposal of liquid wastes.
16. Landowners shall maintain natural drainage lines to prevent erosion and soil export to adjoining lots. There shall be no alteration to natural drainage lines.
17. The developer/vendor shall inform prospective purchasers of the lots, in writing, of the provisions of the Council's Town Planning Scheme relating to the management of land, as specified in the Development Plan and Fire Management plan.
18. No development, structures or activities shall be conducted within the DBNGP easements without the express consent from the relevant authorities.

ADOPTION

Adopted by resolution of the Council of the SHIRE OF CHITTERING at the Ordinary Meeting of the Council held on the 17th day of October 2008 and the Seal of the Municipality was pursuant to that resolution hereto affixed in the presence of

[Signature]
PRESIDENT

[Signature]
CHIEF/EXECUTIVE OFFICER





Attachment 6 – Consultation Plan

Consultation Plan
Lot 818 (RN 4) Haslam Street, Muchea

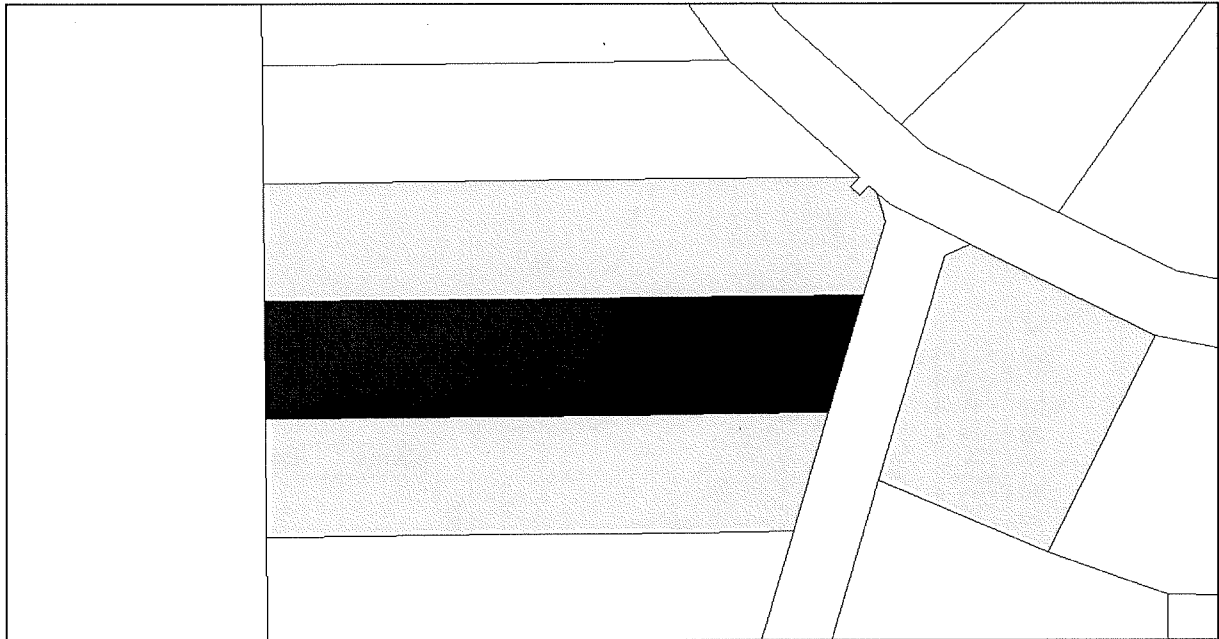


Figure 1: Consultation Plan – Lots coloured in were notified and given 14 days to respond.

Lisa Templer

From: Jo and Glenn DaviesTaylor <jag5463@gmail.com>
Sent: Tuesday, 22 January 2013 11:18 AM
To: Chatter
Subject: Building application for shed, lot 818 Haslam St, Muchea

From Glenn Taylor
 Lot 818 Haslam St (PO Box 154) Muchea 6501
 Ph Mobile 0428335560
 22nd January, 2013

Your ref A11034 P275/12

Attention Scott Penfold, Planning Officer, Shire of Chittering

SHIRE OF CHITTERING
 RECEIVED

22 JAN 2013

Officer..... Scott
 File..... A11034
 Ref..... I1336460

Dear Scott

Further to my application for construction of a shed on my property as above, lodged on 22nd November, 2012 and recent telephone conversations with yourself, i wish to confirm the following points:

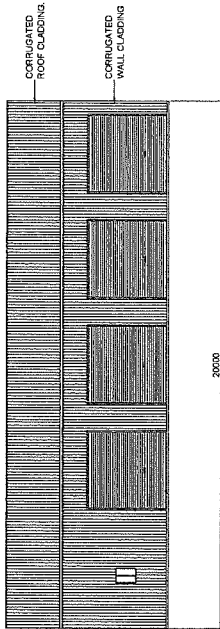
1. Shed to be for private use only i.e storage of vintage cars, collection of memorabilia , tools, trailers etc..
2. Colour of shed to match house- walls colorbond classic cream, roof colorbond jasper. Roller doors will face the house.
3. Shed will be "cut in" to the sloping ground on the northern side. The southern side to be approx 1 metre above natural ground level. This will reduce overall visual height as viewed from road
4. Planting of gum trees & large grevilleas along the Haslam St fence line has already been undertaken for the purpose of screening.
- 5.. Planting of the northern & southern boundaries will be carried out immediately after shed construction,
6. Our neighbours at Lot 817 Haslam St, Brett & April Stokes, are currently lodging an application for a large shed at the front of their property. We have viewed their proposal and have no objections. They have our permission if it become necessary to move their front building envelope closer to our property.

Please advise me as soon as possible if I have omitted any relevant information you require.

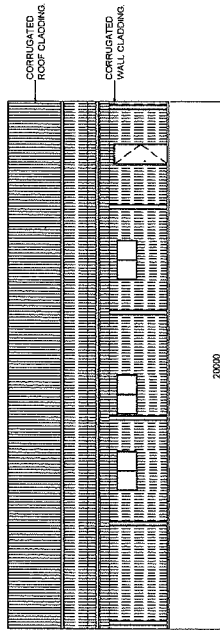
Would you kindly advise my telephone as soon as Council has made a decision.

Kind regards,
 Glenn Taylor

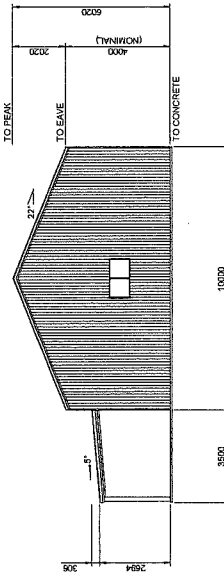
Page



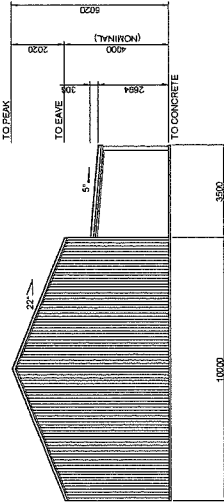
1 SIDEWALL EXTERIOR ELEVATION



2 SIDEWALL EXTERIOR ELEVATION
6 SCALE: 1 = 200






4 ENDWALL EXTERIOR ELEVATION

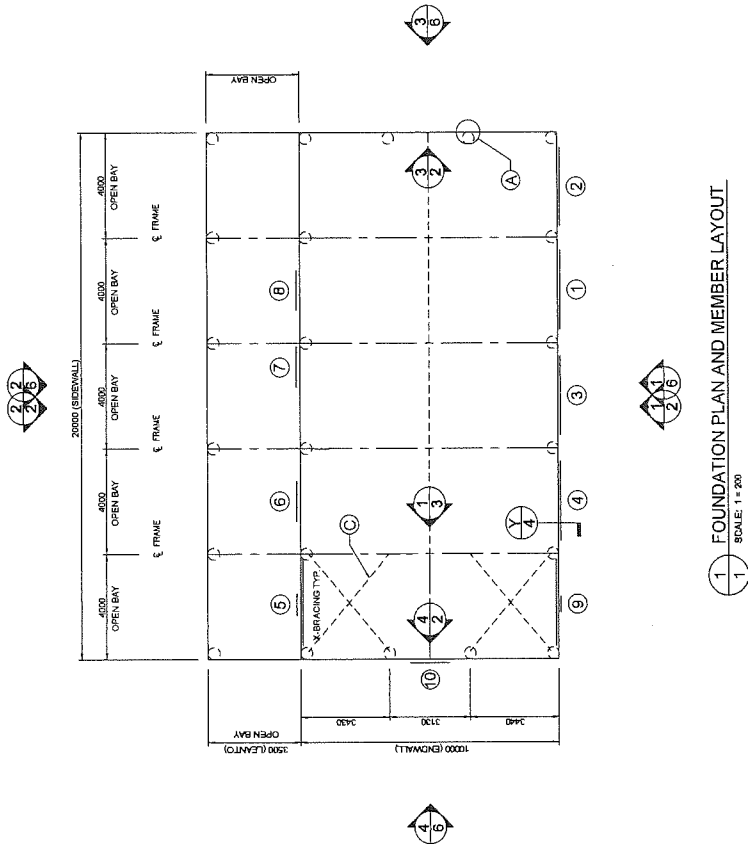


3 ENDWALL EXTERIOR ELEVATION
6 SCALE: 1"=200'

BUILDING COLOURS	
WALL	CLASSIC CREAM
ROOF	JASPER
ROLLER DOOR	JASPER
I.P.A. DOOR	CLASSIC CREAM
WINDOW	CLASSIC CREAM
DOWNPIPE	CLASSIC CREAM
GUTTER	CLASSIC CREAM
CORNER FLASHING	CLASSIC CREAM
BARGE FLASHING	JASPER
OPENING FLASHING	CLASSIC CREAM

STEEL BUILDING BY WESTERN SHEDS & GARAGES (CONTACT) N/A								Civil & Structural Engineers 50 Punari Street Curnjunga, Qld 4812 Fax: 07 4725 5650 Email: design@noring.com.au ABN 34 468 179 559		Mr. Timothy Roy Messer BE MIEAust RPCEQ Registered Professional Engineer 2559980 Signature <i>T Messer</i> Date 1/11/12	
FOR		SHED DOCTOP LOT 818, 4 HASLEM ST MUCHEA		Registered Chartered Professional Engineer (Civil & Structural) Registered Professional Engineer (Civil & Structural) QLD Reg. No. 9885 Reg. No. 156488 Registered Consulting Engineer (Structural) N.T. Reg. No. EC53902 Registered Engineer - (Civil) T143		Registered on the NPER in the areas of practice of Civil & Structural National Professional Engineers Register		AT		Registered Professional Engineer (Civil & Structural) QLD Reg. No. 9885 Reg. No. 156488 Registered Consulting Engineer (Structural) N.T. Reg. No. EC53902 Registered Engineer - (Civil) T143	
DRAWN		FBHS		TM		1/11/2012		RHAM141108		6	
CHECKED		DATE		JOB NO.		SHEET		6		OF	

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ROOF STRAP BRACING TO BE CONNECTED TO THE PURLIN CLOSEST TO THE LINE OF THE END WALL MULLION.

STEEL BUILDING BY WESTERN SHEDS & GARAGES (CONTACT) N/A		fairdinkum SHED SAFE TM		Civil & Structural Engineers NORTHERN CONSULTING Engineers 60 Pitt Street Cunningham, Qld 4812 Fax: 07 4725 5850 Email: design@ncoeng.com.au ABN 341 008 173 58		Mr Timothy Roy Messer BE MIEAust RPEQ Registered Professional Engineer 2555900 Signature <i>T. Messer</i> Date 1/11/12	
FOR AT		SHED DOCTOR LOT 818, 4 HASLEIGH REET MUCHEA		Registered Professional Engineer (Civil & Structural) QLD Regn. No. 2555900 Registered Professional Engineer (Civil & Structural) NT Regn. No. 2555900 Registered Professional Engineer (Civil & Structural) VIC Regn. No. 2555900 Registered Professional Engineer (Civil & Structural) WA Regn. No. 2555900		Registered on the NPER in the areas of practice of Civil & Structural National Professional Engineers Register	
DRAWN FDHS		CHECKED TM		DATE 1/11/2012		JOB NO. RHAM14108	
SHEET 1 OF 6							

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