Ordinary Council Meeting Minutes

Monday, 27 February 2017
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Minutes of the Ordinary Council Meeting held in the Council Chambers, 6 Paterson Street, Mundijong on Monday 27 February 2017. The Shire President declared the meeting open at 7pm and welcomed Councillors, staff and members of the gallery and acknowledged that the meeting was being held on the traditional land of the Noongar People and paid his respects to their Elders past and present.

1. Attendances and apologies (including leave of absence):

In Attendance:

Councillors: J Erren ..........................................................Presiding Member
D Atwell
K Ellis
D Gossage
S Hawkins
S Piipponen
J See
M Rich
Cr B Urban

Officers: Mr K Donohoe ..................................................Chief Executive Officer
Mr A Schonfeldt......................................................... Director Planning
Mr D Elkins ............................................................ Director Engineering
Mr P Kocian .......................Acting Director Corporate and Community
Ms K Cornish .........................Governance Advisor (Minute Taker)

Leave of Absence: Nil
Apologies: Nil

Observers:
Members of the Public – 28
Members of the Press – 1

2. Public question time:

2.1. Response to previous public questions taken on notice:

Public question time commenced at 7.01pm

Mr John Kirkpatrick, 77 Mead Street, Byford, WA, 6122

Question 1
As the Shire built the Byford and Districts Country Club on behalf of that organisation, did the Shire charge the management fees to supervise the construction as it did not belong to the Shire until it was completed and if not when did the Council resolve to waive these fees?

Response:
The Shire of Serpentine Jarrahdale and Byford and Districts Country Club executed a Funding Agreement for the Construction of Byford and Districts Country Club House and Bowling Green. Under the agreement there was no provision for the Shire to charge the Byford and Districts Country Club a management fee.
Question 2
When will the Shire as owners of the building known as the Byford and Districts Country Club currently leased to this organisation ensure that the lessees comply with the conditions of the Liquor Licence as issued by the Liquor Licensing Court?
Response:
Compliance of conditions of a Liquor licence issued by the Department of Racing, Gaming and Liquor is the responsibility of the Department of Racing, Gaming and Liquor. The lease between the Shire and Byford and Districts Country Club only requires a copy of the Liquor Licence to be provided to the Shire to be satisfied that the appropriate licences have been obtained.

Question 3
When is the Council going to prosecute the Darling Downs Residents Association or its office bearers for illegally clearing vegetation and maliciously damaging the reserves in Darling Downs without authorisation?
Response:
The Shire will not be taking further action regarding this matter.

Mrs Lee Bond, PO Box 44, Armadale, WA, 6112

Question 1
What date did the CCTV and audio equipment cease operating in the Council Chamber and outer foyers and what was the original cost to install it and the date it was installed?
Response:
The Presiding Member advised this question will be taken on notice and a written response will be provided.

Question 2
What financial input has or is the Shire of Serpentine Jarrahdale Council having towards the building in Linton Street North, operating as Byford and District Country Club but advertised as a stadium and sports arena?
Response:
The financial arrangements between the Shire of Serpentine Jarrahdale and the Byford and Districts Country Club for the construction of the building and bowling green were governed by a Funding Agreement. The Agreement provided for a maximum Shire contribution to the project of $280,000 ex GST.

Question 3
Are Council employees or Council officers of the Shire of Serpentine Jarrahdale Council advising people with applications for ancillary buildings on 5 acres to apply for subdivisions?
Response:
This will depend on a case by case basis. As the question does not relate to a particular block or development proposal it is hard to give a straight yes or no answer. If there is merit in a development application for ancillary accommodation and it fits with Council policy, it is likely to be supported, however if a policy variation is sought, it may not be supported. If there is an alternative for subdivision and the applicant wants to subdivide this would need to be considered on its merits taking into account relevant State and local planning policies and determined by the Western Australian Planning Commission.

Ms Anne Hansson, Address Provided

Question 1
How can this agenda item be presented this evening for Council to consider by way of a simple majority vote, when the decision was already made prior to the 10th February that the decisions of motions and minutes would be held at the March 2017 Ordinary Council Meeting?
Response:
No decision has yet been made in regards to this. The Acting CEO, Mr Gary Clark as the author of this report is recommending to Council that decisions from the Annual Electors Meeting held in January 2017 be dealt with at the March Ordinary Council Meeting. This will give officers sufficient time to provide relevant information and advice to Council as well as provide time for the Shire’s newly appointed CEO to be informed. The intention of this report is also to inform our ratepayers and residents in case they were expecting that Council would be dealing with the decisions from the Annual Electors’ Meeting at tonight’s OCM.

Question 2
Would it not have been more appropriate to have called a Special Meeting to consider decisions from the Electors’ General Meeting at the March Ordinary Council Meeting so as to advise the public what was happening?
Response:
Section 5.33(1) provides Council with the option of either considering the decisions made at the electors’ meeting at the next ordinary council meeting or at a special meeting called for that purpose. The recommendation to Council is to consider the decisions at the March OCM.

Question 3
I would like to know who made the decision prior to the 10th February? As the CEO has informed me in writing that the decision was already made and we the members of the public had 6-7 weeks to amend the minutes.
Response:
There was no decision made prior to the 10th February. The Acting CEO is making a recommendation to Council that decisions made at the Annual Electors’ Meeting be dealt with at the March OCM.
The Acting CEO was advising that you had some extra time to clarify statements you made at the Annual Electors’ meeting for the purposes of having them recorded in the minutes of the Annual Electors’ Meeting.

Mr Grant Richardson, Address Provided

Question 1
In the Shire budget of which year were funds last allocated to Cardup, what was the amount, and what were those funds used for?
Response:
The Presiding Member advised this question will be taken on notice and a written response will be provided.

Question 2
In July 2016, a service request was lodged with the SJ Shire regarding Wormall Civil. Why has no correspondence been received addressing the matters in the service request? Has any action been taken to address the issues in the service request? Why is it taking so long?
Response:
I understand that in response to your service request received 16 July 2016, officers conducted a compliance inspection on 3 August 2016. Officers have since been liaising with Wormall Civil to ensure they comply with their relevant planning approvals and where not that appropriate approvals are sought. With regards to your specific question I understand that you have received verbal feedback from a number of officers but that no formal response has been sent yet. I will request the CEO to ensure that you receive a detailed response by the end of this week.

Question 3
What is being done to address the traffic problem at the intersection of Abernethy Rd and Soldiers Rd?
Response:
A tender for the upgrading of Abernethy Road is currently open. The works within the tender include the intersection of Abernethy Road and Soldiers Road.

**Mr Denver Reid and Mrs Marie Reid, 16 Kokoda Blvd, Byford, WA, 6122**

Question 1
With all the evidence we have provided to you why is the Shire refusing to take adequate action to remove these dangerous trees or prune them down to an acceptable height, ie. Four meters high?
Response:
The Shire recently arranged to have dead wood pruned from the trees, to reduce the risk of branch drop. The tree surgeons employed were qualified arborists, and reviewed the overall health of each of the trees at the time. The trees were not deemed to have any more risk than other public trees within the Shire.

Question 2
Does the Shire accept responsibility should these trees in question cause death, injury or damage to us, our families or our property?
Response:
The Shire is responsible for all trees on land under its control.

Question 3
Why is the Shire continuing to plant gum trees in the estate (over 100 small trees between us and the reserve of Gallipoli Road Reserve) when they are known to be dangerous and a nuisance?
Response:
Additional trees are being planted by the land developer, as is required by their approval to subdivide, provided by the State. Local and Australian native plants are commonly used on public land, as they provide habitat for native animals, and are the most suited to the Australian climate.

**Shire President on behalf of**

**Mr Shane Rowley, 332 Gobby Road, Serpentine, WA, 6125**

Question 1
When is Gobby Road going to be sealed?
Response:
There are no current plans to seal Gobby Road.

Question 2
How much will it cost and when will it be budgeted for?
Response:
There are no current plan to seal Gobby Road. Sealing the road to a 6m seal width, would cost in the order of $350,000 per km.

Question 3
If there is no funding when will you apply for funding and why should we put up with this?
Response:
There are no current plans to seal Gobby Road. Gobby Road sealing is not eligible for any currently available grants.

**Public Question time ended at 7.13pm.**
3. **Public statement time:**

*Public statement time commenced at 7.13pm*

**Mrs Lee Bond, PO Box 44, Armadale, WA, 6112**

The Annual Electors Meeting held on the 23 January 2017 was specifically for members of the community to express their needs and make their voices heard, it was not to be high jacked by an Acting CEO or Councillors with little respect for the community. Since when is it acceptable for someone representing this Shire to insult and name call members of the community who object to behaviour of this Council. Neither is it acceptable for family members of Councillors to threaten members of the gallery.

The advertising by the Shire that the community are invited to give their opinion on what is important to them regarding the needs of this Shire is another waste of money and time. Should anyone have been listening to members of the gallery during question and statement time you would already have your answers. There will be no chance of this Shire being anything that the community can be proud of as long as we have the thuggish and bullying behaviour which is constantly directed towards members of the community.

**Shire President on behalf of**

**R Choyce and S Johnson, 2/1256 Rowley Road, Darling Downs, WA, 6122**

Again, I draw the Councils attention to the disgusting condition of the ditch and verge in front of the Rowley Brook Village. I approached the Council last April/May of the builders rubbish in the ditch blown from the development opposite. It is still there. The water in the ditch flows back into the creek instead of flowing under the road to the block opposite.

We now have again stagnant water, result, mosquitos of which the Council is aware.

The vegetation along the verge now obscures vision on the right when leaving the village. The ditch also has vegetation growing in it.

This is the third time I have contacted the Council on this matter. Examiner newspaper is next step.

Lot 19, two and a half years ago after eight years of contact with the Council, this lot was cleared and fire breaks done, due to Cr Keith Ellis. Since then nothing has been done and Lot 19 is now the fire hazard it was then. No firebreaks have been done since.

**Mr John Flegeltaub, 21/2489 South West Highway, Serpentine, WA, 6125**

I wish to voice my dissatisfaction with the procedure taken by the Acting Shire CEO in appointing a replacement CBFCO. At a meeting attended by brigade Captains they were informed that five applications had been received, but 2 would not be considered due to a conflict of interest, however within 24 hours these applicants were reinstated with no reason given. Kim Maddern was appointed by the Acting CEO as he was virtually walking out the door, no interviews were conducted, leaving the CEO to live with the decision.

Surely the best move would have been to appoint and Acting CBFCO for a period of 1-2 months giving the new CEO time to peruse the applications, interview the applicants, visit the brigades and ascertain who he and the brigades could work and communicate with best.
My statement has nothing to do with Kim Maddern’s ability to do the position justice, however the procedure taken has created adverse feelings with brigade members and resulted in some resignations.

Ms Salli Galvin, President, Serpentine Foothills Polocrosse Club

Serpentine Foothills Polocrosse Club would like to offer a solution to Council. The Polocrosse club would be happy to contribute to the cost of an irrigating system along with the Shire. The Shire continuing to water and maintain the grounds as they have done very successfully for the past 32 years. Polocrosse is a fast growing sport with new members joining our club every year. There is a big equine industry in our Shire, it stands side by side with our rural image.

If the watering and maintenance of our polocrosse grounds by the Shire is stopped our beautifully maintained, turfed fields will turn to dust in the summer and mowed weeds in the winter. The easterly wind in Summer will blow the topsoil off the fields and cover the Eric Senior Pavilion, the Pony Club Grounds and Golf Club in dust. It will not be aesthetically pleasant.

It will change the way we run our polocrosse club and pose questions as to whether we can successfully function as a polocrosse club at the Serpentine sports reserve on the “John Lyster Grounds”. Its knock on effect will be that Serpentine Foothills Polocrosse Club will take a considerable downturn. Australian Polocrosse Association research statistics state that Polocrosse clubs that don't have a home ground continue to function for approximately 3 years and then fold.

The club has been running successfully for 32 years now it would be such a shame to do that. The Pony Club use our grounds for dressage and show jumping on their larger events. Show Horse Council of WA and the Southside Jump Club do as well. A new club has started using our grounds in the Performance Show Welsh Pony and Cob Society. Liaisons with the Murray Polocrosse Club have taken place with thought that they might coexist with us on our magnificent facility. Liaisons with the Rottweiler Association of WA to use our facilities as their main head quarters and use our grounds to host their 4 main events every year, swell as training weekends.

I do want to make it very clear to Councillors that the pony club and polocrosse horse sports are very different and that we could not co-exist on the same field all year around. We use the Pony Club side once a year for finals only. They use our side as an overflow when their events are too big for their grounds. The high speed twisting and turning nature of our game would make a terrible mess of the pony clubs dressage arenas if we were to use them full time. The grounds simply would not hold up to the over use. We definitely need both paddocks to be maintained and watered.

There has been substantial capital put into the Serpentine Sports Reserve. From the Shire, the Polocrosse and Pony Club and the State and Federal Governments. The grounds are spectacular, the clubrooms are outstanding. The turfed kikuyu grounds have been aerated, weeded, mown and watered for many many years now and as a result the main fields are pristine.

The Eric Senior Pavilion had the Polocrosse Club contribute to $22 000 cash and approximately $100 000 in labour including the earth works, electrical and roofing from polocrosse club members. The Serpentine Horse and Pony Club contributed $32 000 in cash plus a similar amount in kind with labour from their club members.

The Shire has just redone all the bores and piping for both the Polocrosse and Pony Club grounds to be watered successfully. One could assume with the long term thought of putting a cost effective and water wise irrigation system in for the polocrosse grounds.
the following financial year. (As the pony club grounds already have their upgrade for popup sprinklers).
It would be a waste of time, money and effort to neglect these grounds and let them go to waste. After many years of Shire Participation in keeping these grounds in good workable order. Starting another Equine Project somewhere else would be foolish use of Shire Money when we have such a wonderful equine Facility available with some minor improvements the potential is endless.

The current system is not cost effective. The travelling irrigation system is old, labour intensive and wasteful with water. The lifespan of the old system is limited if not finished already. So if we were to purchase a new more efficient and effective travelling irrigator the pressure will be off the Shire and the Clubs to reach a steadfast decision at this Council meeting. I believe that not enough research has been put into this particular report. The clubs that are directly effected by this report have definitely not been represented well in the initial report.

I am currently researching irrigating systems and have come up with three types
1) The pop up sprinklers, these are the most costly to install but the thought is that will take very little labour to use as it is automated.
2) The hard hose irrigating sprinkler - the approximate cost of purchasing one of these is $45 000 the water outlets for this irrigating system will have to be shifted adjacent to where they are now so they are near the Karnup road. It will require a tractor to move it for its next run however, but it is run via satellite so it will be much less labour intensive and use a lot less water.
3) The soft hose irrigating system - this is a new version to the irrigating system we have now. The approximate cost for purchasing a new one is $20 000. The water outlets are already in place. This system will not leak like the current one we have which resulted in over water use. As this system is newer one would assume it is less labour intensive than our old system. A secondhand soft hose irrigating system similar to the one just mentioned could be purchased for approximately $10 000 and could be used as an interim irrigating system until this matter has been researched more thoroughly.

The Polocrosse Club would support any of the above options. Please be clear councillors that we were not the main push behind the installation of the pop up irrigation system. If the shire is keen to use popup sprinklers the club would agree. The club however would be happy with whatever the Shire believes is best for irrigating the grounds.

The polocrosse grounds are a wonderful asset to our shire. Work is currently being done with the four main clubs that use the grounds to maximise the utilisation of these facilities. The Polocrosse and Pony Clubs are working in closely with the Shire Department in Sports and Community Recreational Development, with workshops on goal setting and operational planning. We are successfully working towards a Master Plan for our Sports Reserve and are very excited about what the future will bring for our grounds and the clubs that it will benefit.

The Polocrosse Club and the Pony Club, the two main licenses of the sports reserve, are extremely successful clubs in their particular fields, this we have discussed in the past deputation to Council in November 2016. Both Clubs stand strongly together to coexist and include other clubs to use our facilities. We look forward to working closely with the shire to improve the shire’s asset to make the sports reserve the Equestrian Capital of the Shire and the whole Southern Metropolitan Area.

Ms Anne Hansson, Address Provided
I saw the agenda item 7.5 author Gary Clark to consider decisions from the Electors’ General Meeting at the March Ordinary Council Meeting. I do not have a problem with when the decisions are presented to which OCM but I do find it disturbing that an
email I received after a meeting with the then CEO dated 10th February 2017, that the decision had already made to defer to decisions from the Annual Electors meeting until the March OCM.

It appears to me that decisions are made behind closed doors and without Council input or maybe by a quick ring-a-round. The way that this has all been done is just another way this Shire seems to have operated in the past. I have a problem with a Council that votes to reduce the number of minutes per year to half to then complain there is not enough time to deal with items presented. Would it not have been more appropriate to have called a Special Meeting mid-February to present the 7.5 agenda item so the Council looks as though they are being more transparent and engaging and keeping the community informed.

Mr John Kirkpatrick, 77 Mead Street, Byford, WA, 6122

My statement tonight concerns the conduct of the Electors Meeting on 23rd January 2017.

I made enquiries about this meeting from the Department of Local Government as to the status of this meeting and it was made very clear to me that this was not a Council meeting or a meeting of Council but a meeting for the electors of the Shire for them to have their say.

The Presiding Member did not make it clear that the electors could in fact elect a Presiding Member from the floor to run the meeting. That person would have had to rely on the CEO for advice as to conforming with the Local Government Act and Regulations.

It was also made very clear to me that the Councillors' had no vote as elected members by a vote as an elector. So what are they the ones identified as attendees.

This is why I raised the issue of who were the attendees and how was the President going to establish who had a right to vote and who were in fact observers as they were neither residents or Ratepayers of the Shire. Some I believe came from as far away as Mandurah and certainly some of the City of Armadale. This is not made clear in the minutes.

The Shire President came into the gallery because not all public could fit into the Chamber and he probably could not see the people in the inner and outer foyer he was not able to establish who in fact was eligible to vote. There was no clear delineation of who could vote.

It was pleasing to see that both the Presiding Member and the Deputy Shire President had their family and friends supporting them even though a number of them are not electors.

It is clear that the meeting by a clear majority supported my motion to reject the two reports and no confidence in the President and Acting CEO that there is clear dissatisfaction with both office bearers. My motion of no confidence in the Shire President and Acting CEO cannot force a decision onto Council to dismiss them but it will be on the public records that there is a lot of dissatisfaction with both office bearers.

The Acting CEO waffled on for about forty minutes and ended up stating that he did not care as he would not be here. Not bad for an employee that was paid about $5000 a week of ratepayers money.

It is noted that a motion of no confidence in the President and Acting CEO by Diane Toohey is only declared carried, but no figures were counted as the President was by
this stage appearing to be uninterred in the proceedings. He looked a bit like King Charles I facing Cromwell and awaiting his execution.

There was a third motion of no confidence in the President and Acting CEO which was carried but I notice that this has been omitted. There were a number of motions proposed by Mr Williamson and carried but seem to be omitted in the minutes, I am not surprised as the meeting degenerated into a shambles.

I feel sorry for the Minutes Secretary as she has obviously had no support from the Acting CEO or the Shire President. She has made a valiant effort in trying to make some sense out of the evening. The President did not understand the regulations that controlled the way the meeting should be run so how could she without some support write an accurate reflection of the meeting.

It was the duty of the Acting CEO to see that the minutes were a true reflection of the intent of the meeting and clearly it is not so. We now have the situation where the report from this meeting must come to Council for a decision and the Council must decide whether to support their electors and reject the two reports and the motions of no confidence or go against the clear wishes of the Electors Meeting.

I hope the minutes will be adjusted and re-issued prior to the matter coming before Council so that the records reflect the intent of the meeting. I feel the new CEO will have difficulty in reconciling the minutes with a meeting he was not at as he was not the CEO at the time.

Mr Denver Reid and Mrs Marie Reid, 16 Kokoda Blvd, Byford, WA, 6122

We the residents of the Dress Circle of Kokoda Boulevard/Hutchinson Street, Byford, have serious concerns about the gum trees that line our verges. We have personally and collaboratively been in contact with the Shire, including a meeting recently between Shire representative, Michael Perring, and several residents on 9 February, about our plight and have yet to receive an adequate solution to this matter.

We consider the trees dangerous and are living under continued stress especially during times of strong easterly winds, which as you know are regular, or heavy rain. We remind you on the weekend of the 10-11 February a storm caused dozens of large and mature gum trees to come down in the Glades and surrounding areas causing damage to property and endangering lives. These are the same trees which are only meters from the front of our homes and that the Shire of Serpentine Jarrahdale refuses to do anything about. Our observations from the videos and photos we took of the fallen trees is how shallow and inadequate their root system is to support such huge trees. This alone is causing extra stress and concern as next time it could very well be one of our homes which has a tree fall on it.

We had previously requested that the Shire cut back the trees as they currently tower over 15-20 meters high and lean towards our homes. By law, generally any branch that overhang onto our property should be cut back to Council land, yet this has not been done.

The literature from LWP state that we would have Coral Trees and low maintenance gardens and parklands within the estate. Instead we have giant gum trees and anything but low maintenance as we are spending 11 hours a time cleaning our gutters and valleys because the huge amount of leaves, twigs, braches and sees from these trees. Not to mention the cost of filters for our vehicles which are also saturated with these seeds.

We would like to make it very clear to the Shire that as a group we will be seeking legal action should the Shire continue to treat this matter with complacency.
Shire President on behalf of  
Mr Shane Rowley, 332 Gobby Road, Serpentine, WA, 6125

My family have lived on this road since 1926 and continually put up with the substandard roads. Unless something is put into place to get this road sealed and to a safe standard the Shire remain accountable for when someone gets hurt or killed. Over the years funding has been available and spent elsewhere. To simply say there is no money is a lie as we deserve to have the same as Byford etc. Apply for funding instead of doing budgets all about the south end of the Shire.

Mrs Karina Salzmann Baker, Address Provided

My statement is in relation to the farce that was the Annual Electors Meeting and the incorrectness of the minutes and yes the minutes stand as a draft and we can supply an amended copy but have no confirmed date for when by, the problem is that my question so far been amended three times and is still incorrect and though I do understand the no verbatim and we were altered to the fact on the night that the cameras and audio recording do not work and have not for some time we therefore rely solely to close to the true accounts of the minutes taken yet there are so many things missing except for the rantings of the former CEO where he blew smoke for some and insulted other namely ratepayers, his estimated costs to the community due to conflict and disruptions is $6,000,00 and he would be happy to explain how he came up with the estimate without doing so, I think this is fanciful and ridiculous like the running of the AEM on the night. Stacking the meeting with family members of Councillors voting against any motions put forward without taking the time to understand the motions is a farce, our Presiding Member making response statements yet seem to have been omitted from the minutes that he has had 150 complaints against him and he’s still here this is not something to be proud of, and used the words (This is Disgusting) while counting the show of hands for and against the motion of a vote of no confidence in him and the former CEO. May I also point out to the Presiding Member that this is four months between eight and twelve months again this response has been omitted from the minutes, this behaviour was the trend of this meeting. If the Presiding Member finds it offensive when the public gallery applaud someone’s well executed statement I would like to state that its offensive to watch the slouching as well as whatever some members are throwing down their throat while a meeting is taking place.

To Councillor Urban thank you for being honest and standing by your principals, I did struggle to put you in the light but you have my utmost respect.

Public statement time concluded at 7.38pm

4. Petitions and deputations:
Nil

5. President’s report:

I would firstly like to welcome Kenn Donohoe as the new Chief Executive Officer for the Shire of Serpentine Jarrahdale. Kenn has recently moved to SJ after being the Chief Executive Officer in Broome for the past 9 years. He comes to us with a wealth of knowledge and years of experience within various local governments.

We have been working closely with the candidates for the upcoming state election on 11 March as the Shire requires the commitment of the next State Government to deliver much needed infrastructure to our community. The five strategic projects would secure transport, recreation and employment opportunities across the Shire and are:

- The extension of Tonkin Highway
- The realignment of the Mundijong Freight Railway
- Briggs Park Lower Oval
- George Street Byford Town Centre
- Regional Recreation Precinct
- Rapid Bus Services

We would like you to have your say as we kick off SJ Real Choices – our innovative open the books budgeting process in March. Previous consultation has given a clear indication of the services you value and the projects that spark your interest. We need you to help us deliver a medium-term work program that is affordable and that you can have confidence in. There are a number of ways to get involved including four open community workshops throughout the Shire in March as well as online to our engagement forum. For more details check out the Shire’s website.

6. Declaration of Councillors and officers interest:
Cr Gossage declared a financial interest in agenda item OCM001/02/17 and he will leave the meeting while this item is discussed. Cr Gossage submitted an application for the Chief Bush Fire Control Officer position. Cr Gossage will also be involved with a review of the process undertaken to appoint the Chief Bush Fire Control Officer, as resolved by Council tonight.

7. Receipt of minutes or reports and consideration for recommendations:

7.1 Minutes from previous Meetings:

**7.1.1 Ordinary Council Meeting – 19 December 2016**

**COUNCIL DECISION**

Moved Cr Hawkins, seconded Cr Ellis

*Corrections:*
*Minutes changed for item OCM226/12/16 to reflect the correct lot number in the item as Lot 9078 Orton Road, Byford.*

That the minutes of the Ordinary Council Meeting held on 19 December 2016 be confirmed (E16/10084).

**CARRIED UNANIMOUSLY**
7.2 Planning Reports:

Cr Gossage has declared a financial interest in item OCM001/02/17 and left the meeting at 7.43pm whilst the item was discussed.

<table>
<thead>
<tr>
<th>OCM001/02/17</th>
<th>Bush Fire Advisory Committee Information Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author:</td>
<td>Gillian French – Emergency Services Technical Officer</td>
</tr>
<tr>
<td>Senior Officer/s:</td>
<td>Andre Schoenfeldt – Director Planning</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>14 December 2016</td>
</tr>
<tr>
<td>Disclosure of Officers Interest:</td>
<td>No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act.</td>
</tr>
</tbody>
</table>

Introduction:

The purpose of this report is to provide Council with the minutes of the Shire of Serpentine Jarrahdale Bush Fire Advisory Committee Meeting held on 17 November 2016. Officers recommend council receive the minutes and endorse the resolutions contained therein.

Background:

Minutes of the Shire of Serpentine Jarrahdale Bush Fire Advisory Committee meeting are tabled at an Ordinary Council Meeting. A formally constituted meeting was held on 17 November 2016 and the minutes and recommendations from those minutes are hereby presented for endorsement.

Relevant Previous Decisions of Council:

- OCM064.5/09/14 Endorsement of Terms of Reference
- OCM075/05/16 Minutes of Meeting 17 March 2016
- OCM229/12/16 Minutes of Meeting 18 August 2016

Community / Stakeholder Consultation:

No formal community consultation is required.

Comment:

At the meeting of 17 November 2016, only one recommendation was put before the Committee which requires Council’s consideration. Additionally, discussion regarding the Terms of Reference and the Meeting Schedule also require consideration by Council.

Volunteer Chief Bush Fire Control Officer

The incumbent Mr Paul Maddern has, through a change to his employment, informed the Shire verbally that he will no longer be able to fully commit to the position of Volunteer Chief Bush Fire Control Officer within the Shire of Serpentine Jarrahdale.

The Bush Fires Act requires that once a Chief Bush Fire Control Officer (CBFCO) resigns, Local Government have one month in which to appoint a new Chief Bush Fire Control Officer or, in accordance with s.38(2)(C), the Commissioner of the Department of Emergency Services can appoint one after providing written notice to the local government.

The Chief Executive Officer can appoint a suitable candidate in accordance with s.38 and s.48 of the Bush Fires Act 1954 as amended. The Chief Executive Officer may appoint any candidate as he sees fit.

The Bush Fire Advisory Committee recommended “That the voluntary position of the Chief Bush Fire Control Officer is advertised by Council and that consultation with brigades is undertaken prior to a final decision being made.

It should be noted that the Acting Chief Executive Officer has already commenced this process and has undertaken the following:
Expressions of Interest posted on the Shire’s website;
Meeting with Brigade Captains to discuss the process;
Meeting with Brigade Captains to score the applications received; and
Meeting with Brigade Captains to discuss the outcomes of the scoring.

Following on from the process and the outcomes of the scoring process conducted by the Brigade Captains, the Chief Executive Officer with general support from the captains appointed Kim Maddern as the Chief Bush Fire Control Officer.

It is therefore recommended that Council note the process and appointment of the Chief Bush Fire Control Officer as requested by the Bush Fire Advisory Committee.

Terms of Reference

Section 67 of the Bush Fires Act 1954 states that:

“A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding
• all matters relating to the preventing, controlling and extinguishing of bush fires,
• the planning of the layout of fire breaks in the district,
• prosecutions for breaches of this Act,
• the formation of bush fire brigades and the grouping thereof under group brigade officers,
• the ensuring and cooperation and coordination of bush fire brigades in their efforts and activities, and
• any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.”

(Bullet points added for ease of reading)

Although no resolution or recommendation has been made by the Committee on this item, the Terms of Reference were previously circulated to Brigades for comment and discussion has now taken place at three previous Bush Fire Advisory Committee meetings without resolution.

Bush Fire Brigades have raised concerns on the need to change the voting requirements within the Terms of Reference because as it stands at present, the voting membership disadvantages Brigade members. Current voting membership is as detailed below:

Chairperson 1
Elected member 1
Chief Bush Fire Control Officer 1
Deputy Chief Bush Fire Control Officers 3
State Emergency Services 1
Brigade 6

Officer’s recommend that Council requests the Chief Executive Officer to undertake a review of the Terms of Reference for the Bush Fire Advisory Committee to be presented to Council in October as part of the re-establishment of Committees of Council after the local government elections.

Meeting Schedule

The committee also discussed the current meeting schedule and requested that this be amended from four meetings per year to two meetings. It is understood that one meeting is intended to be held just after the fire season and the second meeting to be held just prior to the next season. These two meetings would allow opportunity to reflect on the fire season gone and identify opportunities that could lead to better preparation, prevention and mitigation actions to be taken prior to the next meeting. At the next meeting the Committee would then be able to outline how the preparation is going and what needs to occur during
the season to manage the risk of bushfires as effectively as possible. It was also recommended that in addition to formal BFAC meetings, four operational meetings are to be held between the Brigades and the Chief Bush Fire Control Officer on a quarterly basis to consider progress on operational matters.

Officers recommend that Council support the Bush Fire Advisory Committee's request to have only two meetings per year and that this be incorporated in the updated Terms of Reference.

Conclusion
The Bush Fire Advisory Committee minutes are presented to Council. The minutes give rise to the following matters for Council's consideration:

1. The process and appointment of the volunteer Chief Bush Fire Control Officer;
2. Bush Fire Advisory Committee Terms of Reference; and
3. The Schedule of Meetings.

Attachments:
- OCM001.1/02/17 - Bush Fire Advisory Committee Minutes (E16/9477)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 1.2</th>
<th>Progressive Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.2.4</td>
<td>Provide robust reporting that is relevant, transparent and easily accessible by staff and the community.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective 6.2</th>
<th>Active and Connected People</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 6.2.4</td>
<td>Continue encouraging volunteering by providing support, training, funding, promotion and recognition.</td>
</tr>
</tbody>
</table>

Statutory Environment:
Section 67 of the Bush Fires Act.

Financial Implications:
There are no direct financial implications regarding this matter.

Voting Requirements: Simple Majority

Officer Recommendation
That Council:

1. Receives and endorses the Bushfire Advisory Committee Minutes of 17 November 2016 as per attachment OCM001.1/02/17.
2. Notes the process and appointment of the Chief Bush Fire Control Officer.
3. Requests the Chief Executive Officer to review the Terms of Reference for the Bush Fire Advisory Committee as part of the re-establishment of committees post the local government elections; and
4. Supports the request from the Bush Fire Advisory Committee to hold two meetings annually, one following the fire season and one directly prior to the next fire season.

OCM001/02/17 COUNCIL DECISION / Alternative Recommendation:

Moved Cr Rich, seconded Cr Piipponen
That Council:

1. Receives the Bushfire Advisory Committee Minutes of 17 November 2016 as per attachment OCM001.1/02/17.
2. Requests the Chief Executive Officer to undertake an independent review of the process and appointment of the Chief Bushfire Control Officer and that this be funded from account CEO502.

3. Requests the Chief Executive Officer to review the Terms of Reference for the Bush Fire Advisory Committee as part of the re-establishment of committees post the local government elections; and

4. Supports the request from the Bush Fire Advisory Committee to hold two meetings annually, one following the fire season and one directly prior to the next fire season.

CARRIED UNANIMOUSLY

Council Note: The officers recommendation was changed by amending condition 2 to instruct the CEO to undertake an independent review of the process and appointment of the Chief Bushfire Control Officer.

Cr Gossage returned to the meeting at 7.45pm.
Minutes – Ordinary Council Meeting

Local Emergency Management Committee Information Report

<table>
<thead>
<tr>
<th>OCM002/02/17</th>
<th>Local Emergency Management Committee Information Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author:</td>
<td>Gillian French – Emergency Services Technical Officer</td>
</tr>
<tr>
<td>Senior Officer/s:</td>
<td>Andre Schonfeldt – Director Planning</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>15 December 2016</td>
</tr>
<tr>
<td>Disclosure of Officers Interest:</td>
<td>No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act</td>
</tr>
</tbody>
</table>

Introduction:
The purpose of this report is to provide Council with the minutes of the Shire of Serpentine Jarrahdale Local Emergency Management Committee Meeting held on 13 December 2016.

Council are also being requested to enter into a Memorandum of Understanding with the City of Rockingham, City of Mandurah and the Shire of Murray to facilitate the provision of mutual aid during emergencies and post incident recovery.

Background:
The Minutes of the Shire of Serpentine Jarrahdale Local Emergency Management Committee meeting are tabled at an Ordinary Council Meeting. A formally constituted meeting was held on 13 December 2016 and the minutes and recommendations from those minutes are hereby presented for your information.

Relevant Previous Decisions of Council:
OCM153/08/16 - Minutes of Meeting 28 June 2016

Community Consultation:
No formal community consultation is required.

Comment:
At the meeting of 13 December 2016, three motions were put before the Committee and are further discussed below.

Local Emergency Management Arrangements

The Emergency Management Act 2005 (EM Act) formalises Western Australia’s emergency management arrangements.

Under the EM Act, local governments are required to have Local Emergency Management Arrangements. Local governments are the closest level of government to their communities and have access to specialised knowledge about the local environment and demographic features of their communities. Effective local emergency management arrangements enhance the community’s resilience and preparedness for emergencies through strategies that apply prevention/mitigation, preparedness, response and recovery measures.

The Local Emergency Management Arrangements have been workshopped through the Committee and in conjunction with the District Emergency Management Advisor. As there have been numerous amendments incorporated into the document, Officers recommended that committee members peruse the document and provide feedback prior to 31 January 2017. This will enable the committee to formally endorse the Local Emergency Management Arrangements at their next meeting in March 2017.

The Local Emergency Management Committee recommended “That the Local Emergency Management Arrangements of the Serpentine Jarrahdale Local Emergency Management Committee be reviewed, with comments to the Shire prior to 31 January 2017.”

Officers support the above resolution and recommend that it is noted by Council.
Memorandum of Understanding

Correspondence was received by the Shire in June 2016 extending an invitation to consider entering into an Emergency Management Memorandum of Understanding with the City of Rockingham, the City of Mandurah and the Shire of Murray.

As detailed within the document (attachment OCM002.2/02/17), the purpose of the agreement is:

- to set out a framework for cooperation between the Local Governments to facilitate the provision of mutual aid both during and after an emergency incident;
- to enhance the capacity of our communities to cope in times of difficulty; and
- to demonstrate the capacity and willingness of participating Local Governments to work cooperatively and share resources within the region.

The intent of entering into the memorandum of understanding, is to improve the efficiency of a joint response to a disaster, share experiences, enhance cooperation between Local Governments and improve regional resilience to disaster events. The Memorandum of Understanding provides appropriate safeguards and allows individual local governments to consider the potential risks prior to lending support on a case by case basis. The document further outlines the expectations of the understanding and acknowledges that no party is authorised to incur costs or expenses on behalf of any other party.

The Local Emergency Management Committee resolved as follows:

“That the Local Emergency Management Committee recommend the Shire of Serpentine Jarrahdale to strongly consider entering into this memorandum of understanding and request that the Chief Executive Officer raise this matter at the next WALGA Peel Zone meeting.”

Officers have assessed the existing Memorandum of Understanding and considered the potential risks and benefits. Officers support the above recommendation by the Committee and recommend that Council agree to enter into a Memorandum of Understanding with the partnering local governments.

Schedule of Meetings 2017

In order to ensure all relevant parties are able to adequately plan for the Local Emergency Management Committee Meetings a meeting schedule was proposed for the Committee’s consideration to set the dates for the year ahead. The Local Emergency Management Committee subsequently resolved as follows:

“That the Local Emergency Management Committee accept the dates for committee meetings in 2017 as follows:

9 March, 8 June, 14 September and 8 December 2017.”

Officers support the above resolution and recommend that it be noted by Council.

Conclusion:

Three motions from the minutes of the Committee are presented to Council for information and consideration. Officers recommend that Council notes the above recommendations and receives the minutes of the meeting of the Committee held on 13 December 2016. Officers also recommend that Council agree to enter into the Memorandum of Understanding with other local governments within the area to provide Emergency Management Support.

Attachments:

- OCM002.1/02/17 – Local Emergency Management Committee Minutes (E16/10184)
- OCM002.2/02/17 – Memorandum of Understanding for Emergency Services between Rockingham, Mandurah and Murray (IN16/12205)
Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 1.2</th>
<th>Progressive Organisation</th>
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<tr>
<td>Key Action 1.2.4</td>
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</tr>
<tr>
<td>Objective 6.2</td>
<td>Active and Connected People</td>
</tr>
<tr>
<td>Key Action 6.2.4</td>
<td>Continue encouraging volunteering by providing support, training, funding, promotion and recognition.</td>
</tr>
</tbody>
</table>

Statutory Environment:
Emergency Management Act 2005, Section 38

(1) A local government is to establish one or more local emergency management committees for the local government’s district.

(2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.

Financial Implications:
There are no direct financial implications regarding this matter.

Voting Requirements: Simple Majority

OMC002/02/17 COUNCIL DECISION / Officer Recommendation:
Moved Cr See, seconded Cr Urban
That Council:

1. Receives the Local Emergency Management Committee Minutes of 13 December 2016 as per attachment OCM002.1/02/17, and notes all resolutions contained therein.

2. Notes the following dates have been adopted by the Local Emergency Management Committee for meetings scheduled during 2017:
   a. 9 March 2017;
   b. 8 June 2017;
   c. 14 September 2017; and
   d. 8 December 2017.

3. Supports the proposal that the Shire of Serpentine Jarrahdale enter into a Memorandum of Understanding to facilitate the provision of mutual aid during emergencies and post incident recovery with the City of Rockingham, City of Mandurah and the Shire of Murray.

4. Authorises the Chief Executive Officer to sign a Memorandum of Understanding for the provision of mutual aid between the Shire of Serpentine Jarrahdale, the City of Rockingham, City of Mandurah and the Shire of Murray. The Memorandum of Understanding shall be similar to that contained in attachment OCM002.2/02/17.

CARRIED UNANIMOUSLY
Hopeland Static Water Supply (SJ514-07) (E17/707)

Author: Jim Johnson – Manager Compliance, Rangers and Emergency Services
Senior Officer/s: Andre Schonfeldt – Director Planning
Date of Report: 25 January 2017
Disclosure of Officers Interest: No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act

Introduction

In July 2016 Council adopted the annual budget with a $55,000 allocation towards the construction of a new Static Water Supply to be installed at the Old Hopeland School Site on Hopeland Road, Hopeland. Council required a business case to be presented to Council prior to commencement of construction. During the detailed scoping of the project, it was established that the installation of a Static Water Supply and associated infrastructure would cost $85,000 and not the $55,000 as originally allocated for in the budget.

This purpose of this report is therefore to request Council’s consideration to allow a budget variation that allocates an additional $30,000 towards the Static Water Supplies for the Hopeland School Site and that this $30,000 be transferred from restricted cash (being fire contributions from Developers).

Background:

At the Special Council Meeting of 25 July 2016, Council adopted the Annual Budget for 2016/17. As part of the resolution Council required Business cases to be developed for a number of projects including the proposed Water Storage Tank at Hopeland Community Hall (school site) which received a $55,000 allocation. This report provides the relevant information and financial requirements to satisfy Council’s requests.

Relevant Previous Decisions of Council:

- Special Council Meeting 25 July 2016, Council adopted the Annual Budget for 2016/17
- SCM011/07/16 - Agenda item 17 – Business cases approved by Council for the following projects prior to commencement – Water Storage Tank – Hopeland Community Hall - $55,000

Community / Stakeholder Consultation:

The project was suggested by the Hopeland Community Group who use the facility and this was supported by Council in their adoption of the budget. If the additional funding is approved, a community engagement process is being planned which will provide information on the overall project.

Comment:

Hopeland School Site is marked as a small red square in the centre Figure 1 below. The shaded grey areas are the sites of recent fires in the vicinity. The suppression activities undertaken in combatting these fires were severely hampered by the lack of available water. To the right of the map (in the Serpentine town site) the red dots with a white H therein indicate the hydrants.
As can be seen from the map there is a large portion of the Shire’s South West that is without scheme water supplies or static water supply for fire-fighting purposes. In fact there is no scheme water supply within an eight kilometre radius of the old school site in Hopeland. The nearest hydrant supply is in the Serpentine town site approximately 8.5 kilometres east. There is an emergency bore supply 7.5 kilometres away at the Yangedi Road Airfield, however this is reliant upon the suppression forces being able to gain access and the state of the emergency generator. Therefore in the event of a fire, fire appliances have to travel considerable distances to get sufficient water supplies to be able to effectively combat the fire. It is over 12 kilometres from the Shire’s western boundary to the nearest scheme water supply in the Serpentine townsit. The time it takes a fire appliance to travel off the fire ground onto the road, travel to Serpentine, fill their tank and return to the fire ground is prohibitive and not conducive to rapid extinguishment of a fire.

The current plan for the provision of firefighting water supply in this large area of the Shire consists of using the two Volunteer Bush Fire Brigade Bulk Water Tankers (BWT’s). These BWT’s are housed at Mundijong (seven thousand litre capacity) and Oakford (nine thousand litre capacity). Where further water supply is required, a contract mobile water supplier is called.

One of the biggest issues with this contingency plan is that it is reliant on all the Bulk Water Tankers being available to assist in this area. Where required, a contractor water carrier could be called, but it would again depend on availability. The plan is further dependent on the capacity to maintain supply for the period of the fire. Additionally it should be noted that whilst the costs for the operation of the BWT’s are met through the Local Government Grant Scheme (LGGS), the Shire has to pay for the contract services at normal commercial rates.

Officers therefore consider that the installation of an auto filled (bore supplied) SWS of 50,000L capacity is important for the ability to obtain water to the west of the Shire within a reasonable turnaround time. Guidelines for Planning in Bushfire Prone Areas states that turnaround time for a 2.4 Fire Appliance to be filled up should be a maximum of 20 minutes at legal road speeds. Based on recent fires in this area, the turnaround time for fire appliances obtaining water would be approximately 35 minutes. It is expected that the installation of this tank should reduce this time to comply with the expected 20 minutes.
Officer have considered the site and received further cost estimates from relevant parties which indicated that to install the static water supply in this location would cost a total of $85,000. The water supply would be filled from a bore on site and would be able to be operated from a generator. This provides redundancy in the event of a power failure. Generators are available from fire brigade appliances within the Shire, or if necessary, from a contractor.

Officers recommend that Council support the project to proceed and to allow for a budget adjustment to occur as is detailed in the financial Implications section below.

Options and Implications

Council has the following options:

Option 1: Support the project and related budget adjustment to allow the construction of the Static Water Supply at Old Hopeland School Site, Hopeland.

Option 2: Not support the project to proceed and consider treatment of the budget available for the completion of this project in mid-year review (i.e. transfer funds to reserve for a future project).

It is recommended that Council supports Option 1 which is to support the project and budget adjustment to continue to allow the construction of the Static Water Supply at Old Hopeland School Site, Hopeland.
Alignment with the Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective</th>
<th>Strong Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.1.3</td>
<td>Foster partnerships to deliver key projects and initiatives in conjunction with key stakeholders.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective</th>
<th>Urban Design with Rural Charm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 3.1.1</td>
<td>Maintain the area's distinct rural character, create village environments and provide facilities that serve the community’s needs and encourage social interaction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective</th>
<th>Active and Connected People</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 6.2.5</td>
<td>Create a reassuring and safe place to live</td>
</tr>
</tbody>
</table>

Statutory Environment:
The Bush Fire Act provides for Local Governments to expend moneys in connection with the control and extinguishment of bush fires.

s. 36 states;

“A local government may, notwithstanding anything to the contrary contained in any other Act -
(a)  purchase and maintain appliances, equipment, and apparatus for the prevention, control and extinguishment of bush fires;

Pursuant to section 6.8 of the Local Government Act 1995, a budget variation is being requested to approve an additional $30,000 for this project.

Financial Implications:
The 2016/17 Budget includes an allocation of $55,000 for the Hopeland Old School Site Static Water Supply Installation (General Ledger Account HOP902). A budget variation is being requested for an additional $30,000 for this project, to be funded from restricted cash (fire contributions from developers). As at 30 June 2016, there was $70,868 in restricted cash for fire control purposes.

Attachments:
- OCM003.1/02/17 - Council approval of $55,000 budget from Capital Account HOP902 for the static water supply tank at Hopeland School site - (E16/6275)

Voting Requirements: Absolute Majority

OCM003/01/17 COUNCIL DECISION / Officers Recommendation:

Moved Cr Rich, seconded Cr Urban

That Council:

1. Receive the Officer’s report as the Business Case to now progress the Hopeland Static Water Supply to procurement phase;

2. Pursuant to section 6.8 of the Local Government Act 1995, authorise the following amendment to the 2016/17 Budget, resulting in a nil change in net current assets:

<table>
<thead>
<tr>
<th>Description</th>
<th>Current Budget</th>
<th>Proposed Budget</th>
<th>Variation (Change in Net Current Assets)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hopeland Old School Static Water Supply Installation</td>
<td>($55,000)</td>
<td>($85,000)</td>
<td>($30,000)</td>
</tr>
</tbody>
</table>
### Transfer from Restricted Cash – Fire Contributions from Developers

<table>
<thead>
<tr>
<th></th>
<th>$0</th>
<th>$30,000</th>
<th>$30,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change in net current assets</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*CARRIED 9/0 by ABSOLUTE MAJORITY*
Road Dedication – Lot 50 Nicholson Road, Oakford (SJ482)

Author: Haydn Ruse – Planning Officer
Senior Officer/s: Andre Schonfeldt – Director Planning
Date of Report: 18 February 2016
Disclosure of Officers Interest: No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act

Proponent: City of Armadale
Date of Receipt: 18 February 2016
Lot Area: 7,841m²
Town Planning Scheme No 2: Not within Town Planning Scheme 2
Metropolitan Region Scheme: ‘Other Regional Roads’

Introduction

The purpose of this report is for Council to consider the dedication of land as a public road under section 56 of the Land Administration Act 1997.

This report is presented to Council as officers do not have delegation to act on requests to dedicate land as public roads.

Background:

The request to dedicate lot 50 Nicholson Road was undertaken as part of the City of Armadale’s review of undedicated roads. The subject lot was created in the 1970’s to facilitate realignment works undertaken at the intersection of Nicholson Road and Rowley Road. The lot was acquired by the then Shire of Armadale – Kelmscott for the purpose of the realignment, but never formally dedicated as a public road.

Due to administrative boundary changes, the land south of the Nicholson Road and Rowley Road intersection is now under the management of the Shire of Serpentine Jarrahdaile. While the lot requiring dedication as a public road is owned by the City of Armadale, the relevant local government (the Shire of Serpentine Jarrahdaile) must request the dedication, in accordance with the Land Administration Act 1997.
Relevant Previous Decisions of Council:
There is no previous Council decision relating to this application.

Community / Stakeholder Consultation:
There are no advertising requirements for road dedication under the *Land Administration Act 1997*.

Comment:
Proposal
The proposal seeks Councils’ support to request the Minister for Lands to dedicate the subject lot as a public road. The lot is currently constructed, functioning as Nicholson Road but owned by the City of Armadale. The private ownership of Lot 50 Nicholson Road is an issue for the management and maintenance of the road. By dedicating the lot as a public road, the Shire will formally manage the section of Nicholson Road within Lot 50. This will allow the Shire to ensure the road is maintained and accessible.

Options and Implications
Council has the following options when considering this application:

Option 1: Council may resolve to support the proposal and request the Minister of Lands to dedicate the lot as a public road.

Should Council resolve to support the proposal the lot will transfer from the City of Armadale’s ownership to the Shires management. This option will allow the Shire to formalise its road network connections and ensure public access through Nicholson Road.

Option 2: Council may resolve to refuse the application.

Should Council resolve to refuse the application the lot will remain in the ownership of the City of Armadale and the Shire will not be able to ensure maintenance or access through Nicholson Road.

Option 1 is recommended. Dedication of the lot as a public road is vital to ensuring public access.

Conclusion
Lot 50 Nicholson Road, Oakford is a section of Nicholson Road that hasn’t been formally dedicated as a public road. Dedicating the lot as a public road will allow the Shire to resume control over the road and ensure maintenance and access are provided. Officers recommend that Council support the proposal and request the Minister of Lands to dedicate the lot as a public road.

Attachments:
- **OCM004.1/02/17** – Request for Dedication (IN16/3144)
- **OCM004.2/02/17** – Layout Plan (E17/475)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 3.2</th>
<th>Appropriate Connecting Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 3.2.1</td>
<td>Plan and develop public transport networks link the community with the built and natural environment.</td>
</tr>
</tbody>
</table>

The dedication of Lot 50 Nicholson Road as a public road will allow the Shire to ensure its infrastructure is well maintained and safe for use by the community.
Statutory Environment:

- *Land Administration Act 1997*

Section 56 of the *Land Administration Act 1997* governs the situation and process for land to be dedicated as a public road. Section 56 (1) provides that the local government may request the Minister to dedicate land as a road where the land owner applies to the local government, requesting it to do so. As the land owner (City of Armadale) has requested the Shire to initiate the dedication this clause applies.

Section 56 (2) requires the local government to prepare a request to the Minister in accordance with the regulations, should the local government resolve to make such request. If Council resolves to support the dedication a request will be prepared to the Minister in accordance with the regulations.

Where the Minister grants a request by the local government prepared under section 56 (2), section 56 (4) requires the local government to indemnify the Minister against any claims for compensation. If the Council resolves to support the dedication, the Shire will indemnify the Minister against any claims for compensation as part of the request for dedication.

Section 56 (6) stipulates that there are no compensation entitlements as a result of the dedication of land referred to in subsection (1)(b) or (c). As the dedication is pursuant to subsection (1)(b) there will be no entitlements to compensation for the land owner.

Financial Implications:

Dedicating the lot as a public road will not have a financial implication. The Shire is already maintaining the full length of Nicholson Road within the Shire boundary.

Voting Requirements: Simple Majority

**OCM004/02/17 COUNCIL DECISION / Officer Recommendation:**

Moved Cr See, seconded Cr Ellis

That Council:

1. Requests the Minister for Lands to dedicate Lot 50 Nicholson Road, Oakford as a public road in accordance with section 56(1) of the *Land Administration Act 1997*, as detailed in attachment OCM004.2/02/17; and

2. Indemnify the Minister for Lands against any claims for compensation as required under section 56 (4) of the *Land Administration Act 1997*.

CARRIED UNANIMOUSLY
Introduction:
The purpose of this report is for Council to consider a road name proposal for three (3) new roads in the future stage of a subdivision in the Darling Downs Estate.

The proposal is presented to Council as Shire officers do not have delegation to approve road names.

Shire officers have assessed the application in accordance with the Shire's Local Planning Policy 38 – Road Naming (LPP38) and the GNC Policies and Standards for Geographical Naming in Western Australia. The following names are the preferred new road names:

Danish Place
Peruvian Lane
Belgian Lane

Background:
The Darling Downs area has a history as an equine area with an informal road name theme of ‘horse breeds’. The application seeks the Shire's approval for proposed road names in line with this theme. The surrounding road network has been identified in the Lots 1 & 2 Rowley Road, Darling Downs Local Structure Plan and have already received road naming approval.

There are three (3) sites within the Darling Downs Estate which require internal roads to service future lots. The applicant is proposing road names for internal roads within these sites in preparation for the next stages of subdivision. Lots created as part of a subdivision require an approved road name for addressing purposes prior to titles being issued by Landgate.
Section 6.5 of LPP 38 requires alternative names to be submitted for each road to be named. This allows the flexibility should proposed names not meet the requirements of the Shire or GNC. The following names have been proposed as alternatives:

<table>
<thead>
<tr>
<th>Proposed Name</th>
<th>History / Background</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danish</td>
<td>The Danish Warmblood is the youngest of all the European warmblood breeds, beginning in 1962. There were two Danish saddle horse breed associations—the Danish Sport Horse Society and the Danish Light Horse Association.</td>
</tr>
<tr>
<td>Peruvian</td>
<td>Although the Peruvian Horse, sometimes referred to as the Peruvian Paso, and the Paso Fino share the same earlier parentage (Andalusian, Barb and Spanish Jennet), and are both gaited, they are not the same breed.</td>
</tr>
</tbody>
</table>
Belgian | The Belgian draft horse was developed in the fertile pastures of Belgium. It was also there that the forefather of all draft horses was first bred—a heavy black horse used as knights’ mounts called the Flemish.

Ranger | In 1879, General Ulysses S. Grant was given two stallions by a Turkish Sultan, one was an Arabian (Leopard) and the other a Barb (Linden Tree). The horses were brought to America, and in 1894 they were bred with native cowhorse mares in Nebraska resulting in the Colorado Ranger.

Abaco | The rare Abaco Barb, which is in great danger of extinction, is believed to have descended from Spanish horses that were in route aboard ships with early explorers to the New World. Many of these ships never reached their destination, and instead were shipwrecked or pirated in the Caribbean.

Exmoor | The Exmoor Pony is the oldest of the nine British breeds and is least influenced by outside breeding. The Exmoor was first prized as a chariot horse by invading Roman forces.

Orlov | The Orlov Trotter was developed in 18th century Russia by Count Alexei Orlov. The breed originated through the crossing of European mares with Arabian stallions. The foundation sire of the breed was Bars I, a stallion of Arabian, Danish and Dutch breeding, foaled in 1784.

Marwari | The most amazing feature about the Indian horse called the Marwari (mar-wah-ree) is its curved ears. They often touch or cross in the middle, giving an appearance of a spectacular headdress.

Curly | The majority of the Curly Horses, also known as the American Bashkir Curly Horse, descend from a herd of three horses found by the Damele family in 1898 roaming the mountain ranges of Nevada. How they came to be on the continent remains a mystery.

Dales | The Dales Pony originated in the dales of northeast England. The Dales Pony was the ultimate farmer’s horse, pulling a plow, a cart, or working under saddle helping to herd sheep. The Dales Pony was valued as a pack pony working in the lead mines carrying the ore to cargo ships.

Percheron | The Percheron developed in the Le Perche region in Normandy in 732 A.D. when Barb horses were left by marauding Moors after their defeat in the Battle of Tours. Massive Flemish horses were crossed with the Barbs to give the Percheron its substance. Arabian blood was also added.

Gypsy | Gypsy horses, registered as Gypsy Vanner Horses, Gypsy Cobs and Gypsy Drum horses, are a relatively new concept to most people, but not to the Romany (gypsy) “Traveller” of Great Britain.

- ‘Names shall not be offensive or likely to given offence, incongruous or commercial in nature’

The proposed names are horse breed names and not considered to be offensive, likely to give offence, incongruous or commercial in nature. Proposed names are also not considered to be similar to or likely to be mistaken for any name that may be offensive or likely to give offence, incongruous or commercial in nature.

- ‘Names shall be easy to read, spell and pronounce in order to assist emergency services, service providers and the travelling public’

The proposed names are considered to be easy to read, spell and pronounce.
**Minutes – Ordinary Council Meeting**

27 February 2017

- **‘Unduly long names and names comprises of two or more words should generally be avoided’**
  
  The proposed names do not feature more than one word. An unduly long name is considered to be one that is confusing to read or difficult to pronounce due to the length of the name. The proposed names are not considered to be so long as to be difficult to read or pronounce.

- **‘Proposals for road names shall include an appropriate road type suffix’**
  
  Proposed suffixes are considered to be appropriate as they are consistent with suffix definitions under the GNC policy:

  - **Place** – Short, sometimes narrow, enclosed roadway.
  - **Lane** – Narrow way between walls, buildings or a narrow country or city roadway.

- **‘Practical application of road names to maps and plans shall be considered such as the long street names should not be allocated to short roads’**
  
  The layout plan shows that the length of proposed names do not exceed the length of the roads.

![Road Layout plan](image)

The proposed names are considered to be consistent with the requirements of the GNC policy, as such, officers support the proposal.

**Options and Implications**

With regard to the determination of the application, Council has the following options:

**Option 1:** Council may resolve to approve the proposed road names and forward the approval to the Geographic Naming Committee.

  Should Council approve the application the approval will be forwarded to the Geographic Naming Committee for final approval.

**Option 2:** Council may resolve to refuse the proposed road names.

  Should Council resolve to refuse the proposed names alternative names will need to be provided, Council should have consideration for the horse breed theme for the area if the proposed names are refused.

Option 1 is recommended.
Conclusion

The Shire’s approval is sought for the naming of three (3) new roads in Darling Downs Estate. The proposed names are consistent with an informal ‘horse breeds’ theme for the area and comply with the requirements of LPP38 and the GNC policy. Officers support the proposal and recommend that Council approve the new road names.

Attachments:

- OCM005.1/02/17 – Request for Road Naming (E17/403)
- OCM005.2/02/17 – Road Layout Plan (E17/405)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 3.2</th>
<th>Appropriate Connecting Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 3.2.2</td>
<td>Ensure that planning for the bridge and road network incorporates community safety and emergency management.</td>
</tr>
</tbody>
</table>

As per LPP38 it is recognised that road naming is an essential feature for new subdivision developments that feature roads. Approving road names that fit within a consistent theme over an area can create a sense of place and identity. Sense of place and identity means community members feel associated with the area they live in which can create a positive social environment. While the proposal is not required to provide a naming theme, the names have been selected to match surrounding road names and will have the same effect as if a theme were in place.

Statutory Environment:

- **Planning and Development Act 2005**
  
  Section 168 dedicates all land shown as a new road on a diagram or plan of survey for a subdivision as a road, when said plan is deposited.

- **Land Administration Act 1997**
  
  Section 26A(1) requires new road names to be proposed for those roads created as part of a subdivision.

Section 26A(2) allows the local government to require a person subdividing land to propose road names or alter already proposed road names. Should Council resolve not to support the proposed road names, Council may request the applicant to alter the proposed names under this section.

Section 26A(3) requires the local government to forward road names approved under subsection (1) to the Minister, in this case the GNC as they have delegated authority to approve names.

Section 26(4) confers the Minister the power to -

(a) approve proposed road names

(b) direct the local government to reconsider proposed road names, having regard to such matters as the Minister may mention in the direction; or

(c) refuse to approve the proposed names.

- Geographic Names Committee – Policy and Standards for Geographical Naming in Western Australia
- Local Planning Policy No. 38 – Road Naming
Financial Implications:
There are no financial implications associated with this proposal.

Voting Requirements: Simple Majority

OCM005/02/17 COUNCIL DECISION / Officer Recommendation:

Moved Cr Ellis, seconded Cr Hawkins

That Council:

1. Approves the following preferred road names in accordance with section 26A(3) of the Land Administration Act 1997:
   a) Danish;
   b) Peruvian;
   c) Belgian;

2. Approves the following alternative road names in accordance with section 26A(3) of the Land Administration Act 1997:
   d) Ranger;
   e) Abaco;
   f) Exmoor;
   g) Orlov;
   h) Marwari;
   i) Curly;
   j) Dales;
   k) Percheron; and
   l) Gypsy.

3. Forwards the proposal to the Geographical Names Committee for final approval.

CARRIED UNANIMOUSLY
**Proposed Amendment to Local Structure Plan – The Glades at Byford Modification No.9 (PA16/148)**

**Author:** Rob Casella – Senior Strategic Planner  
**Senior Officer/s:** Andre Schonfeldt – Director Planning  
**Date of Report:** 18 November 2016  
**Disclosure of Officers Interest:** No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act

<table>
<thead>
<tr>
<th>Proponent:</th>
<th>Taylor Burrell Barnett</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner:</td>
<td>LWP Byford Syndicate Pty Ltd</td>
</tr>
<tr>
<td>Date of Receipt:</td>
<td>25 October 2016</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2.5ha approx.</td>
</tr>
<tr>
<td>Town Planning Scheme No 2 Zoning:</td>
<td>Urban Development</td>
</tr>
<tr>
<td>Metropolitan Region Scheme Zoning:</td>
<td>Urban</td>
</tr>
</tbody>
</table>

**Introduction**

The purpose of this report is for Council to consider an amendment to the Byford Main Precinct – The Glades Local Structure Plan (the Glades LSP). The proposed amendment seeks to reclassify a small portion of the LSP, which surrounds Anzac Park, to allow for higher densities. The application also seeks to modify a number of public open space (POS) areas, and to include a north-south road connection in the centre of the subject area.

Officers have assessed the proposal and recommends a number of modifications be made to the proposed amendment to the Glades LSP, as detailed in the attached Technical Assessment and Schedule of Modifications. The proposed reclassification to higher densities is generally supported by officers as it is considered to satisfy the objectives of Liveable Neighbourhoods that seeks to achieve a diversity in housing and densification around areas of high amenity. However, further consideration is required for the proposed lot configuration and POS allocations.

Officer’s recommend that Council support the proposed amendment to the Glades LSP subject to modifications and for it to be forwarded to the Western Australian Planning Commission for determination.

**Background:**

The Glades LSP is generally bound by Abernethy Road to the north, Tonkin Highway to the west, Cardup Brook to the South and Doley / Warrington Roads to the east. The structure applies to approximately 329ha of land within the Byford District.

An application was submitted by Taylor Burrell Barnett on behalf of LWP for a number of amendments to a small portion of the Glades LSP, which was received by the Shire on 25 October 2016. Specifically, the amendments apply to Lots 9051, 9065 and 9071 Doley Road, Byford, which represents stages 10 & 11 Woodland Grove of the Glades development, located in the northern half of the Glades LSP. The proposed amendment applies to land located west of the Glades Village Centre, Doley Road, as well as to the north, south and west of Anzac Park (refer Figure 1).
Existing development

Currently the subject land is vacant with some remnant vegetation remaining from the historical rural practices carried out on the land.

The approved Glades LSP identifies the subject land as retaining a corridor of existing trees. The trees originate from Anzac Park, as illustrated in Figure 1, which was supported by the Council through its original endorsement of the Glades LSP.

The site is earmarked in the adopted Structure plan for a mixture of residential R30, R40 and R50 densities with associated local parks.

Structure Plan Approval History

On 9 March 2010, the Council at its ordinary meeting adopted the Glades LSP, which was subsequently adopted by the Western Australian Planning Commission (WAPC) on 22 February 2011. To date, a total of nine (9) amendments have been requested, with amendment seven (7) being adopted on 9 December 2013, which forms the latest version of the LSP. Amendment eight (8) is yet to be approved by the WAPC.

The most relevant modification to the subject site is modification 3 to the Glades LSP, which was adopted in June 2012 by Council. The application modified the structure plan map for the subject site from a blanket R30 density and POS to a mixture of R30, R40 and R50, with some modifications to the road network.

Relevant Previous Decisions of Council:

OCM088/05/16 – Council resolved to recommend the Byford Main Precinct LSP be approved subject to modification in the context of the Cardup Brook Precinct (Modification 8).

OCM168/06/12 – Council resolved to adopt the proposed modification to the Byford Main Precinct LSP - Doley Road North-West Precinct (Modification 3).
Community / Stakeholder Consultation:

The subject LSP was publicly advertised between 8 December 2016 – 20 January 2017, inclusive, as required under Part 4 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Local Planning Policy No.27 – Stakeholder Engagement in Land Use Planning. A total of 27 submissions have been received. 11 submissions by Government Agencies and 16 submissions from local residents. Of the submissions received by local residents, 15 have raised considerable concerns or objections, with one (1) letter providing support.

A schedule of the submissions, with the applicants' comments, is contained within the attachments. The main concerns raised as part of the submissions are summarized as follows:

- Residents, in their submissions, are opposed to the removal of trees and reduction in public open space. Of particular, was the proposal to remove large trees in proximity to Anzac Park, a memorial park, reducing the amenity and rural feel and charm of the locality.
- Submissions also raised objection to the increased density in an area marketed for its rural atmosphere, natural environment and large lots. As a concern of the increasing density, residents related the attractiveness for cheaper housing with a lower socio-economic demographic, which was of considerable concern.
- Additionally, concerns regarding the proposed pockets of higher density has raised fears among residents about the potential for increased crime rates and additional pressures on schools and the local road network.

These issues are addressed within the technical report and discussed in the comment section below.

Attachments:

- OCM006.1/02/17 – Request to Amendment the Glades LSP (IN16/22903)
- OCM006.2/02/17 – Technical Assessment Report (OC16/22595)
- OCM006.3/02/17 – Schedule of Modifications (OC16/22597)
- OCM006.4/02/17 – Schedule of Submissions (E16/10182)
- OCM006.5/02/17 – Public Open Space Schedule (IN17/1078)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 3.1</th>
<th>Urban Design with Rural Charm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 3.1.1</td>
<td>Maintain the area’s distinct rural character, create village environments and provide facilities that serve the community's needs and encourage social interaction</td>
</tr>
</tbody>
</table>

Statutory Environment:

- Planning and Development (Local Planning Schemes) Regulations 2015
- Metropolitan Region Scheme (MRS)
  Zoned 'Urban' under the MRS
- Shire of Serpentine Jarrahdale Town Planning Scheme No.2 (TPS.2)
  Zoned 'Urban Development' under TPS.2
- Byford District Structure Plan
- State Planning Policy 3.1 – Residential Design Codes
- Local Planning Policy No. 57 – Housing Diversity
- Local Planning Policy No. 60 – Public Open Space
- Local Planning Policy No. 67 – Landscape and Vegetation
Financial Implications:
There are no direct financial implications regarding this matter.

Planning Assessment:
The proposed amendment to a portion of the Glades LSP map has been considered against the provisions and objectives contained within relevant State Planning Policies, Liveable Neighbourhoods, the Byford District Structure Plan and relevant LPP’s. The detailed technical assessment is attached as OCM006.2/02/17 – Technical Assessment Report.

Proposed development
The proposed LSP amendment seeks to obtain approval to increase the density of land directly adjacent to Anzac Park and a small pocket of land in the south west corner. The proposed residential land use will impact on the POS allocations, as originally approved in the Glades LSP. In total, the increase in density will generate an additional 21 lots.

As part of the proposed LSP amendment, the application identified a total reduction of 432m² in POS. It should be acknowledged that the proposed amendment has been designed in a manner which interrupts the linear POS, where an existing row of trees exists.

As compensation, the applicant has provided a small pocket park on the north-west corner of the intersection of Casterton Road and Anzac Crescent, which is to be landscaped with vegetation and park furniture (seating).

In order to service the proposed modification, the application identifies a number of minor road alignment modifications, which seeks to improve permeability at the centre of the subdivision area. This includes the introduction of a north-south road in the centre of the subject area.

Technical Assessment
Liveable Neighbourhoods has been prepared to implement the objectives of the State Planning Strategy which aims to guide the sustainable development of Western Australia to 2029. Liveable Neighbourhoods operates as a development control policy to facilitate the development of sustainable communities. Liveable Neighbourhoods reviews and draws together separate policy aspects such as lot size, movement systems, activity centers, public open space, school sites, urban water management and development adjacent to transit stations.
The proposed LSP amendment generally satisfies the objectives and requirements contained within Liveable Neighbourhoods. A detailed assessment has been carried out against the relevant objectives where the LSP has failed to satisfy the Shire’s requirements.

Of the eight (8) elements contained within Liveable Neighbourhoods, six (6) are considered applicable, with the first four (4) being of relevance to the subject application. These are:

Element 1: Community Design
Element 2: Movement Network
Element 3: Lot Layout
Element 4: Public Parkland

Element 1 addresses the suitability of the allocation of land uses and residential density. As outlined in the technical assessment, it is considered that the proposal satisfies the objectives and requirements of Community Design. This has been achieved through the distribution and allocation of increased residential density in areas of high amenity.

Element 2 provides for road typologies to support the required movement network. It is considered that the proposal seeks to modify a minor area of the Glades LSP. Subsequently, any modifications proposed are unlikely to impact on the integrity and safety of the transport network, as the subject roads are lower order roads, expected to carry low traffic volumes.

Element 3 outlines the requirements for residential lots in a planning context, whilst encouraging a mixture of compatible uses. Specifically, lot size variety and higher density around areas of high amenity, with site responsive design is highly regarded. As provided within the proponents application, the proposed lot area and design is responsive to market demands. The proposed location of the higher densities are to be in suitable areas of high amenity and are therefore considered to be in accordance with the requirements and objectives of this element of Liveable Neighbourhoods.

Element 4 establishes appropriate design elements when planning for public parkland areas, more commonly known as Public Open Space (POS). Liveable Neighbourhoods requires parklands to provide a balance between conservation and active and passive recreational uses in district, neighbourhood and local open space reserves. The subject application proposes to reclassify a portion of earmarked for linear POS site to Residential R60 and to provide an irregular shaped pocket park adjacent to Anzac Park. Officers consider the retention of the existing trees as an important feature which has also been expressed in the community submissions. Therefore officer recommend that the proposal to include the eastern part of trees into R60 be amended to reflect this as POS.

The irregular shape POS proposed next to Anzac park is however not considered to be appropriate in size, shape or able to function as conservation, active or passive recreation parkland therefore it is recommended that this portion of POS be included within the road reserve and that no Open Space credit be given for the land.

**Recommended Modifications:**

As stated above, the technical assessment details generally support for the LSP amendment subject to a range of modifications, as confirmed within attachment OCM006.3/02/17 – Schedule of Modifications. The proposed modifications are listed below:

1. The section of trees directly to the south of Kerridge Road Reserve including the section earmarked as R60 in the north east, should be retained as POS;
2. The pocket park to the west of Anzac park be classified and included within the Road Reserve of Anzac Crescent;
3. A Landscape Management Plan be submitted illustrating the drainage and landscape component of the POS and Road Reserve sites, contained within the subject application; and
4. A built form concept plan with design principles for the R60 density dwellings be submitted prior to approval.

The following map indicates what Officer Propose the Structure Plan should look like after the necessary modifications is made to the proposed amendment:

**Options and Implications:**

With regard to the determination of the application, Council has the following options:

Option 1: To recommend to approve the Structure Plan with modifications as recommended by the officers.

Option 2: To recommend to approve the Structure Plan without modifications.

This will result in the eastern 50 meters of the trees to be removed and Public Open Space credits to be given to an irregular shaped lot which is not considered appropriate for Open Space. Additionally information regarding the landscaping and concept design principles would not be formally be required which could result in delays at the development or subdivision stages.

Option 3: To recommend to refuse to approve the Structure Plan.

If Council resolves to refuse to approve the LSP, the application will be sent to the WAPC with a recommendation to refuse the proposed amendment and it will then be up to the WAPC to consider the relevant information and to determine the application having regard for Council's comments and the attached technical report.

Option 1 is recommended.
Conclusion:

The subject application seeks to obtain Council approval to support an amendment to the Byford Main Precinct local structure plan.

The proposal generally seeks to up-code the residential density for the land surrounding Anzac Park within the Woodland Grove estate. The application also seeks to reduce the POS allocation by 432m², as well as introducing a north-south road at the centre of the subdivision area and applying minor adjustments to the existing approved road and laneway alignments.

As detailed within the technical assessment, the Officers are generally supportive of the proposal to up-code the density, given its proximity to the surrounding amenities and commercial uses. However, Officers do not support the proposed amendments to the POS allocations that may result in the removal of some of the trees and therefore recommend that Council require a number modifications to protect existing vegetation. This is to be further supported through the preparation of a Landscape Management Plan with concept designs and findings from an urban water management plan.

As part of its determination, officers recommend Council endorse the submissions received in attachment OCM006.4/02/17, the Technical Assessment contained in attachment OCM006.2/02/17, and the Schedule of Modifications contained in attachment OCM006.3/02/17 for the proposed Local Structure Plan contained in attachment OCM006.1/02/17.

Voting Requirements: Simple Majority

OCM006/02/17 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Rich

That Council:

1. Pursuant to Clause 19 Part 4 Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council endorse the schedule of submissions and comments contained within attachment OCM006.4/02/17

2. Pursuant to Clause 20 Part 4 Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, recommend to the Western Australian Planning Commission approval of the proposed amendment to the Byford Main Precinct Local Structure Plan with modifications as detailed in the Shire’s Report contained within attachment OCM006.02/02/17 and outlined in the Schedule of Modifications contained within attachment OCM006.3/02/17

CARRIED UNANIMOUSLY
Introduction:

The purpose of this report is for Council to consider the Western Australian Planning Commissions (WAPC) draft State Planning Policy 7 Design of the Built Environment (SPP 7) and associated documents, the Apartment Design Policy (ADP), Design Review Guide (‘DRG’) and Design Skills discussion paper. The suite of documents are known as ‘Design WA’ and are currently being advertised for public comment.

The WAPC recognises that State Planning Policy 3.1 Residential Design Codes ('R-Codes') does not facilitate good design outcomes for multiple dwelling, activity centre and mixed use developments. This is primarily due to the prescriptive nature of the measures used to determine such applications which often neglect design in favour of predetermined built form outcomes.

Design WA alters the approval process by assessment criteria which is more flexible and focused on design outcomes and built form objectives. This will result in more attractive and site responsive development.

The ADP is made up of four (4) parts which details the planning application process inclusive of a design advisory committee, development standards and their application, design outcomes for the siting and design of a building. This document will replace the current multiple dwelling and mixed use development provisions of the R-Codes.

The DRG is a guiding document for local governments to set up and operate design review panels. This document outlines that each local government is required a design review panel, which planning applications will be assessed at local government level and the establishment of a State design review panel.

The design skills discussion paper discusses whether architects or buildings designers should be allowed to design developments in accordance with the ADP and DRG requirements.

This report addresses each section of the draft Design WA Framework, with the Officers submission being contained in OCM007.1/02/17. It is recommended that the Council endorse the officer recommendation.

Background:

The Design WA Framework provides planning and design standards for multiple dwelling and mixed use developments that are to be applied consistently across Western Australia. The WAPC recommends that the performance-based controls provided within the Design WA Framework coupled with a ‘well-managed’ design review process can lead to better designed buildings and inform town planning requirements.

Comment / Planning Assessment:

State Planning Policy 7
This draft policy is the overarching policy for the suite of draft Design WA documents released for public comment. It identifies a three step approach to achieve its objectives, including the use of design principles enforced by the Apartment Design Policy, establishing mandatory design review panel’s in accordance with the Design Review Guide and
improving design skills to support the above, as detailed in the design skills discussion paper.

The three areas SPP7 are discussed in further detail below:

**Apartment Design Policy**

Design WA is made up of four sections being the introduction, primary controls, siting the building and designing the building. For the purposes of this report and the technical submission all sections will be considered and explored.

**Introduction**

The introduction explains parameters in which a local government can amend the ADP, similar to the R-Codes. The ADP allows local governments to create local planning policies, local development plans, structure plans and activity centre plans that vary requirements such as streetscape character types, plot ratio, building height, building depth, building separation, street setbacks, side and rear setback and incentive-based development standards subject to WAPC approval. All other requirements have the potential of being amended subject to meeting relevant WAPC criteria.

Notwithstanding the above, the intent of the ADP is to be consistently applied across Western Australia. As detailed previously the ADP includes the provision of design review panels. The introduction explains the purpose of a design review panel and how they are to be incorporated in the application process. The design review is to be carried out by a panel of “appropriately-trained, multi-disciplinary built environment experts, who are experienced in offering objective and constructive design advice”. As part of this the ‘due diligence and concept design stage’ recommends that pre-lodgement design review should be undertaken to “reduce cost/time impacts to any change before design are resolved.” It then goes on to say three design reviews are recommended for a single application prior to lodgement of the application.

Upon the submission of a development application the proponent is to provide a design statement which states how the subject development complies with the ADP. Despite the required preliminary design review process the ADP also recommends that further design reviews occur during the assessment of the application to finalise any outstanding matters.

As outlined later in this report design review panels are required to be administered and funded by local governments. Therefore, the process outlined within the introduction creates undue administrative pressures for local governments. This will result in potentially three additional meetings prior to the submission of a development application and a further meeting during its assessment. There is a high probability that the Shire will be required to provide an administration officer for minute taking and a technical planning officer to provide comment, along with the payment of the sitting members of the panel.

Section 1.3 discusses ten (10) design principles which are required to be addressed by the designers and submitted as part of the development application. The ten (10) design principles are supported.

**Primary Controls**

This section “includes default primary controls that relate to R-Codings. Explains the application of primary controls including building height, plot ratio, building depth, separation and setbacks. It guides local governments to make appropriate modifications to these controls to suit local contexts.”

The primary intent of this section is to assist local governments set built-form envelopes through their local planning framework. Should there be no local planning framework then the default requirements of ADP are in place.

This section primarily deals with controls relating to built-form envelopes that establish a three-dimensional boundary within which development may occur, which is guided by
building height, street setbacks and side and rear setbacks. In addition to building mass that is measured by plot ratio, building depth and building separation. These primary controls are also considered within parts 3 and 4 of the ADP.

Similar to the R-Codes, the ADP includes a Table 1 for primary controls, Table 2 for building separation and Table 3 for building depth. Each of these tables are prescriptive requirements. For example, table 1 provides plot ratio, building height, boundary wall, minimum street setbacks, minimum side setback, bonuses and local character context requirements. Therefore if a site is zoned residential ‘R40’, the site can be developed with a 0.6 plot ratio, 3 storey height limit, 4m front setback and a 6m rear setback.

Each requirement of the tables has an ‘explanatory’ section contained within part 2. Each section describes the intent of the requirement, planning objectives and planning guidance. Development must address and respond to this criteria in order to be capable of being approved.

This section also introduces development incentives through the use of additional height of plot ratio, where certain criteria is satisfied. This is strongly supported by the Shire. The use of incentives and bonuses which provide an opportunity for additional building height or greater plot ratio to be considered can be extremely effective.

Development incentives can be used to reward developers who strive to achieve built form outcomes that are exemplary or that contribute to heritage and sense of place. For example, an additional storey may be permitted to reward a developer that proposes a building that significantly contributes to the public realm, or which demonstrates a high quality architectural outcome. This type of outcome is particularly focused on improving town centre areas, where the development reward and benefit is greater and where additional height and plot ratio is more appropriate.

Siting the Development
This part places increased emphasis on the site for development. It requires the designer and planning system to consider the context and locality of the area when considering a development application. This part is measured by objectives, design criteria and design guidance. The WAPC states that “objectives describe the desired design outcome” “design criteria where applicable, provide specific, measurable requirements for how an objective can be achieved” “design guidance with advice on how the objectives and design criteria can be achieved through appropriate design responses, or in cases where design criteria cannot be met”.

The first section of this part relates to a site analysis plan which addresses the context of the area. It forces the applicant and designer to seriously consider the surrounding built form, character, local centres, public transport, heritage and landscaping. Officers consider this to be a sound approach in ensuring the design responds well with the context and character of an area. It also includes appropriate objectives which address matters such as natural sunlight, orientation, open space, visual privacy, vehicle and bicycle parking, cross ventilation, relationship with other buildings and the landscape are addressed through the design. These concepts are included in the current R-Codes however are now elaborated and require a further level of investigation through design to ensure the development responds to its context. Officers believe they are generally appropriate.

Within this part it includes the introduction of measures for existing tree retention, deep soil landscaping and interface with the public domain, which are not currently contemplated by the R-Codes. The intent of existing tree retention is for designers to identify existing significant trees within the lot that contribute to the local environment. A report addressing the design criteria is required to be submitted to establish if the retention of tree(s) is viable and if so the development is required to be designed around and incorporate the tree(s).
The ADP acknowledges that having significant trees in or around developments can make for a better living environment and contribute to a more sustainable urban environment. With this acknowledgment measures are included to ensure that developments include the provision of landscaped portions of the development site are considered to facilitate the growth of medium to large trees. This provision is fairly prescriptive as it provides for a minimum soil depth area based on the size lot. It also provides a ratio of number of trees per square metre required within the deep soil area. Although this is not purely outcome based the intent and prescriptive nature in the Officers opinion will aid in providing a better local environment and continued good amenity for future development.

Lastly, this part includes a provision for public domain interface which is to ensure development seriously considers their interface with areas such as public open space. The objective is to “transition between private and public domain is achieved without compromising safety and security”. Officers believe that the current R-Codes do not seriously consider the implications of development on the passive surveillance of streets and public open space areas. This is due to the policies prescriptive requirements. The inclusion of this provision within the ADP will force designers to design developments with balconies, major openings and outdoor living areas looking over public spaces. It also addresses design aspects to ensure a level of design out crime principles are applied. The officers believe the inclusion of this provision will assist in providing safer and active areas through built form.

**Designing the Building**

This section relates to the design of the building itself. Traditionally the R-Codes addresses this with limited requirements such as solar access (known as overshadowing), ratio of apartments (one bedroom and two bedroom), outdoor living areas and store rooms. This section of the ADP is thorough in its approach of development design. It elaborate on the provisions of the R-Codes and includes additional requirements such as:

- Solar and daylight access
- Natural ventilation
- Ceiling heights
- Apartment size and layout
- Private open space and balconies
- Circulation and common spaces
- Storage
- Acoustic privacy
- Noise and pollution
- Apartment mix
- Water management and conservation
- Waste management
- Ground floor apartment
- Facades
- Roof design
- Landscape design
- Planting on structures
- Universal design
- Adaptive reuse
- Mixed use
- Awnings and signage
- Energy efficiency
- Building maintenance

Overall the document requires the assessment of these types of development applications against 90 different objectives compared to the 34 design principles in the R-Codes. Officers agree that the requirements contained in part 4 should be considered when assessing these types of applications. However, the current skill set of all professionals involved in the approval process will need to be enhanced in order to appropriately and effectively apply the objectives of the policy.

For example, the policy provides the following provision under the ‘solar and daylight access’ element:

“living rooms and private open spaces of at least 70% of apartments receive 2 hours of direct sunlight between 9:00am and 3pm at mid-winter; or
“A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid-winter”
The assessment of such a provision from two dimensional plans is impractical and potentially impossible unless local governments invest in software which enables such an assessment or alternatively outsource these types of assessments.

This is an unnecessary burden on resources for local governments. Officers believe the requirements contained within this part are good in concept however, the resourcing for the assessment and compliance of some of the more complex requirements will severely impact the Shire by way of resourcing and in-house knowledge.

Design Review

The Design Review Guide establishes a framework for local governments under which design review panels will be created and operate. The DRG states that design review:

- “is conducted by expert practitioners with current experience in design and development, a record of good design in their own projects and the skills to appraise schemes (proposals) objectively
- Offers feedback and observations that will lead to the improvements of schemes (proposals), but does not redesign them
- Gives decision-makers the confidence and information to support innovative, high quality design that meet the needs of all stakeholders and to resist poorly designed schemes.”

The ADP and this policy advise that the role of a design review panel should be to discuss, provide advice and negotiate with developers on the design of developments. Given the panel members do not have a planning background or Shire town planners, the Officers are of an opinion that the panel should not be providing direct advice or negotiate with developers as it may result in non-compliance with aspects of the ADP and give applicants an unreasonable expectation of approval.

Other inner City local governments within the Perth metropolitan area have an establish design review panel. These panels run independently from the local governments however, their primary function is to provide advice to the local government. Whereas, the DRP policy states that the design review panel can in itself liaise, advise and negotiate with applicants which undermines the planning process.

Section 7 of the DRP includes a ‘Design Review Threshold Table’ which outlines what types of developments will be considered by the State Design Review Panel, Local design review panel, City or Town Architect or local government ‘as-required’ design review consultant. The table is as follows:
This table essentially states that local government will not assess development applications relating to:

- Project of state significance
- Public works of state significance
- Public works of regional significance
- Commercial development DAP threshold
- Apartment development DAP threshold

By excluding local governments from these types of applications the community and Shire’s interests are no longer considered as part of the application process. Instead the State Design Review Panel which is made up of ‘high experienced, multi-disciplinary panel of built environment professionals’ will make the decision relating to highly significant developments within our Shire. Officers believe the table should be removed to ensure that planners continue to participate in the approval process.

In light of the above, the Officers do not support state Design Review Panels, mandatory Design Review Panels at local government level and the Design Review Threshold Table. It is the Officer’s opinion that the State Design Review Panel and the Design Review Threshold Table will undermine the fundamental principles of planning inclusive of due process and community interest. Officers believe the document can be further reviewed where it solely focuses on the development of local Design Review Panels which can be used as a guide by local government should they wish to establish one.

Design Skills Discussion Paper

This discussion paper explores the possibility of only facilitating registered architects to only undertake design associated with the ADP policy. The discussion paper proposed three options. Firstly, that multiple dwelling and mixed use development above a certain threshold would require a registered architect to undertake their design. This approach is based on the New South Wales State Environment Planning Policy 65 known as SEPP 65. The types of thresholds are explored through monetary values of development, number of multiple dwellings, height or complexity. This discussion paper notes that this approach may result in anti-competitiveness as building designers will no longer have the potential to design such developments.

Option two (2) is to introduce performance-based requirements for design skills which would allow for standards to be applied to both building designers and architects. This would result in a form accreditation program to enable both building designers and architects to design developments within the ‘threshold’. The third option is to add no additional regulations as the current suite of draft Design WA documents may suitably increase the quality of development across Western Australia.

Officers believe that the third option is most appropriate. Based on the measures and in-depth requirements of the ADP and DRG (subject to the Shire’s modifications), good design outcomes should be achieved with either professions. It is also noted that a number of building designers undertake work to the same standard of an architect and are equally recognised for their work.

Community Consultation:

The suite of documents for Design WA were not required to be advertised to the community as they are publically advertised by the WAPC.

Options:

- Endorse the Officers recommendation.
- Not endorse the Officers recommendation.
- Modify the Officers recommendation.
Conclusion:
The general objectives of the policy and initiative taken by the WAPC to promote positive design outcomes is supported. Notwithstanding, there are a number of areas which are concerning and require further investigation. These aspects of the policy are currently not supported.

The Shire is particularly concerned by the establishment of mandatory design review panels and the potential for design review panels to be granted authority to liaise, advise and negotiate with applicants independently of the Shire planning process. Furthermore, the Shire is concerned at the cost of establishing and managing a design review panel.

The WAPC must also ensure that it does not impose requirements on local government which effectively limits the involvement and input of the community and its technical employees. The policy implies that design review panels will manage, control and have the ability to determine development applications that achieve a certain threshold. This is not supported as it has the potential to result in decisions that are not supported or reflect the expectations of the Shire and its community.

Attachments:
- **OCM007.1/02/17** – WALGA Submission to the WAPC (E17/1358)
- **OCM007.2/02/17** - Submission to the WAPC (E17/1091)
- **OCM007.3/02/17** - Draft State Planning Policy 7 (E17/1093)
- **OCM007.4/02/17** - Apartment Design policy (E17/1094)
- **OCM007.5/02/17** - Design Review Guide (E17/1095)

Alignment with the Strategic Community Plan

<table>
<thead>
<tr>
<th>Objective 3.1</th>
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<td>Key Action 3.1.1</td>
<td>Maintain the area’s distinct rural character, create village environments and provide facilities that serve the community’s needs and encourage social interaction</td>
</tr>
</tbody>
</table>

Statutory environment:
- Planning and Development (Local Planning Schemes) Regulations 2015
- Town Planning Scheme No. 2
- State Planning Policy 3.1 – Residential Design Codes

Financial implications:
Should the draft policies be finalised ‘as is’ the Shire will be financially burden by approximately $12,000 - $120,000 per annum as per the DRG for the establishment and ongoing meetings of a Design Review Panel.

**OCM007/02/17** COUNCIL DECISION / Officers Recommendation:

Moved Cr See, seconded Cr Urban

That Council authorise the Chief Executive Office to make a submission on behalf of the Shire of Serpentine Jarrahdale to the Western Australian Planning Commission that includes the following:

1. General support for:
   a. the objectives and principles included in State Planning Policy 7 - Design of the Built Environment and the associated provisions and guidance provided in the Apartment Design Policy including the use of incentives to achieve good design outcomes;
b. additional training be undertaken by the Department of Planning on the relevant policies and associated application with both local government staff and Councillors; and

c. the submission from the Western Australia Local Government Association as contained within OCM007.1/02/17.

2. Concerns being raised with the regards to:

   a. The requirement for Design Review Panels for Local Government to be mandatory, and that the Shire of Serpentine Jarrahdale would prefer this to be optional with related processes of administration being implemented at discretion of the Shire;

   b. The density provisions and design outcomes catered for in the Apartment Design Policy appear to only consider two storey and higher development for attached neighbourhoods, clarity should be provided as to how this will be enforced through Scheme provisions or applied as policy when assessing terraced housing;

   c. The Policy seems to be missing the middle density development currently experienced by the Shire, being the fastest growing local government in Australia by percentage;

   d. The Design Review Threshold Table appears to enable local governments to be excluded from the assessment process if the local government has not established a Local Design Review Panels in that it provides for an interim arrangement whereby the State Design Review Panel will undertake the assessments, this is not supported;

   e. The independent requirement of the Panel will result in additional costs and diminish the role of local government and its employees in assessing development applications and the associated design, this is not supported and local governments should be allowed to use internal staff; and

   f. The process also appears to have the ability to exclude local governments completely from the assessment process if reports to the Joint Development Assessment Panels would be made directly from the independent panel.

CARRIED UNANIMOUSLY
OCM008/02/17  Byford Skate-Park Budget Variation

Author: Evian Elzinga – Strategic Community Planner
Marlene Renton – Senior Recreation Development Officer

Senior Officer/s: Andre Schonfeldt – Director Planning

Date of Report: 9 February 2017

Disclosure of Officers Interest: No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act

Introduction:
In July 2016 Council adopted the annual budget with a $200,000 allocation towards the Byford Skate-Park Stage 1 with the requirement that a business case to be presented to Council prior to commencement of construction. The purpose of this report is to provide Council with an update and form the business case to allow the Byford Skate-Park project to progress. The report will also update Council on the additional funding secured through Royalties for Regions of $50,000 towards the landscaping and lighting of the Skate-Park post construction.

Officers recommend that Council support the Byford Skate-Park Stage 1 project to be progressed.

Background:
In September 2014 Council endorsed the Briggs Park Recreation Precinct Master Plan (the Master Plan) which identifies the land directly to the east of the Cricket nets and north of the existing club house facility as the location for a skate-park. The Master Plan also indicated that in the longer term the cricket nets are likely to be relocated when a new club house facility is constructed. The relocation is likely to only occur in the medium to longer term, whilst the need for a skate-park facility has been identified as being more immediate.

In 2015/16 Council included an amount of $100,000 in the annual budget for the construction of a skate-park at the location in Briggs Park identified in the Master Plan. The intent was to phase the overall construction over a number of stages and the first stage was intended to only be for the amount budgeted. However in May 2016 after preliminary designs and site analyses were completed, it was identified that due to costs associated with relocating underground services additional funding would be required to complete the construction of the first stage. Officers at the time presented Council with a report that outlined that economies of scale could be achieved if a larger skate-park was constructed all at once rather than in two stages. A single project would also enable external funding to be leveraged. As such Officers recommended that the Stage 1 of the project included the construction of a skate-park that would serve the need until such time as the cricket nets are relocated, at which point a further stage could be considered. Council subsequently made an allocation of an additional $200,000 in the 2016/17 budget towards the construction of the Byford Skate-Park (Stage 1) and requested a business case be prepared prior to undertaking the construction.

The remaining $80,700 of unspent funds from the 2015/16 budget was carried forward into the 2016/17 budget in December to allow the design to be finalised and to facilitate the relocation of the underground services at the site.

The final design of the proposed Byford Skate-Park (Stage 1) can be seen in Figure 1:
A grant of $50,000 was secured through Royalties for Regions providing a total overall budget of $350,000 to complete the design, relocate the services, construct the skate-park and undertake the landscaping and lighting.

**Relevant Previous Decisions of Council:**

- OCM235/12/16  2015/16 Carried Forward Surplus and Schedule of Variations 2016/17 Budget
- SCM11/07/16  Adoption of 2016/17 Statutory Budget (SJ514-07)
- OCM089/05/16  Proposed Change of Scope of Works
- OCM053/09/14  Council endorsed the Briggs Park Recreation Precinct Master Plan

**Community / Stakeholder Consultation:**

As part of the initial design phase (April 2016) the consultants engaged specifically with the youth of Byford to determine the preliminary design of the skate-park and particular features which the user groups would like to be incorporated into the design. The concept design was finalised and published on the Shire’s website and Facebook page in October 2016 for public comment. Relevant community groups were contacted directly via email and in person, and two community workshops were held at the Briggs Park Pavilion and Byford Secondary College. During these workshops questionnaires were distributed to seek feedback from the youth on additional elements they would like to see at the skate-park to encourage use such as shelter, drink fountains, and seating.

During the public comment period a written submission was received from the Serpentine Jarrahdale Cricket Club on in which the Club supported a skate-park in Byford but not at the proposed location citing safety issues due to the proximity to the cricket nets, reduced parking and security concerns with regards to possible increase in anti-social behaviour and vandalism to the nets.
Officers have identified that it may be possible to address the safety concerns raised by the cricket club by increasing the height of the nets and minimising the likelihood of cricket balls being hit into the skate-park. Other options may include shade-cloth or black matting to screen off the nets from the skate-park, both for a visual but also a physical barrier.

As the skate-park will be located fronting onto Mead Street, which is a significant distributor and is directly across from the Byford Secondary College, there should be a high level of passive surveillance from passing vehicle and pedestrian traffic which is in line with designing out crime principles. Additionally the funding from Royalties for Regions for the installation of security lighting should address some of the security concerns raised by the club.

Parking within Briggs Park Recreation Precinct should be addressed holistically with the total area available for carparking where the skate-park is being proposed equating to around 280sqm. Currently the temporary skate-park on the old netball courts to the south of the existing club facilities takes up around 1,200sqm. This area could be converted to additional parking for the precinct in accordance with the Master Plan which would include removal and disposal of the existing skate equipment which has been deemed unsafe by the consultants. Given that lack of parking is a significant issue at the Briggs Park, upgrade of the south east car park should be considered including the removal of the dangerous skate equipment. It is noted that the car parking would not be as conveniently located to the cricket nets, but also that the Master Plan identifies the cricket net to be relocated in the longer term. To offset the loss of parking close to the cricket nets the consultants have been requested to consider connecting pathways from the cricket storage room, that faces directly onto the proposed skate-park, to the nets so that heavy equipment such as the ball machine can be easily transported. As such, Officers believe that the only matter raised by the cricket club that cannot be mitigated is the convenience of parking next to the cricket nets.

Comment:
A copy of the Final Byford Youth Space Consultation Report is included as Attachment OCM008/02/17. This report provides the relevant background statistics and evidence of the demand for this facility. The report effectively serves as a business case for a skate-park in Byford and includes engagement with the relevant user groups to ensure maximum activation and fit for purpose. The consultants have now finalised the design for the Byford Skate-Park (Stage 1) which would inform a detailed construction tender process.

Options and Implications
Council has the following options:

Option 1: Support the calling of tenders/procurement through the WALGA Preferred Suppliers Program for the construction of the Byford Skate-Park Stage 1 including the landscaping and lighting as supported by the available budget.

Option 2: Not support the procurement process for the construction of the Byford Skate-Park and return the grant funding of $50,000 (excl. GST) and consider the treatment of the budget available for the completion of this project in mid-year review (i.e. transfer funds to reserve for a future project).

Conclusion
The Shire’s consultants have completed the design for the Byford Skate-Park (Stage 1) project including the detailed community engagement and user group consultation. The Consultant’s final report indicates evidence of a high level of demand and support for the facility and as a result Officers recommend that Council support the project to progress.

Additionally the Shire has been successful in securing a grant of $50,000 from Royalties for Regions towards the installation of the shelter and security lighting surrounding the skate-
park area. This allows more funds to be available for the total project and Officers believe that the current allocations should be sufficient to complete this project (Stage 1) as proposed.

**Attachments:**
- OCM008.1/02/17 - Briggs Park Recreation Precinct Master Plan (IN14/17497)
- OCM008.2/02/17 - Byford Youth Space Consultation and Design Report (E17/1150)

**Alignment with our Strategic Community Plan:**
The actions taken and plans for the future are in alignment with the following objectives outlined in the Strategic Community Plan:

<table>
<thead>
<tr>
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<td>Key Action 3.1.1</td>
<td>Maintain the area’s distinct rural character, create village environments and provide facilities that serve the community’s needs and encourage social interaction</td>
</tr>
<tr>
<td>Key Action 3.1.2</td>
<td>Provide appropriate amenities and accommodation for the Shire’s growing population of youth and seniors.</td>
</tr>
<tr>
<td>Objective 6.2</td>
<td>Active and Connected People</td>
</tr>
<tr>
<td>Key Action 6.2.2</td>
<td>Use community facilities to provide social interactions for all age groups through appropriate activities and events</td>
</tr>
</tbody>
</table>

**Statutory Environment:**
Section 3.57 of the Local Government Act 1995 and Part 4 of the *Local Government (Functions and General) Regulations* 1996 deals with the tender requirements for procuring goods and services. Tenders are to be publicly invited where the value of the contract is more than $150,000 unless an exemption applies as outlined in Regulation 11 of the *Local Government (Functions and General) Regulations* 1996. One of the exemptions is where the goods and services have been procured through the WALGA Preferred Suppliers Panel.

There is a current WALGA Contract (Contract No CO19_13) for Landscape Infrastructure which includes Skate Facilities. There are three suppliers listed on this panel being Convic, Playscape Creations and Proludic. It is recommended that procurement be sourced through the WALGA Preferred Supplier Program to expedite this project. This method of procurement is permissible under Council’s Purchasing Policy G001.

**Financial Implications:**
The 2016/17 Budget includes an allocation of $280,700 for this project (General Ledger Account BYP900). Actual expenditure of $6,146 has been incurred year to date as well as an open purchase order of $12,000 for detail design. This leaves an available budget of $262,554.

In addition, a budget variation is being requested for the Royalties for Regions Grant of $50,000. This grant is specifically for landscaping and lighting, and will increase the available (unspent) budget for this project to $312,554.

**Voting Requirements:** Absolute Majority

**OCM008/02/17 Officer Recommendation:**
That Council:

1. Receive the Officer’s report and attachments as the Business Case to now progress the Byford Skate-Park Project (Stage 1) to procurement phase.
2. Pursuant to section 6.8 of the Local Government Act 1995, authorise the following amendment to the 2016/17 Budget, resulting in a nil change in net current assets:

<table>
<thead>
<tr>
<th>Description</th>
<th>Current Budget</th>
<th>Proposed Budget</th>
<th>Variation (Change in Net Current Assets)</th>
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<tbody>
<tr>
<td>Briggs Park Skate-Park</td>
<td>($280,700)</td>
<td>($330,700)</td>
<td>($50,000)</td>
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<tr>
<td>Royalties for Regions Grant</td>
<td>$0</td>
<td>$50,000</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

OCM008/02/17 COUNCIL DECISION / Alternative Officer Recommendation:
Moved Cr Piipponen, seconded Cr Gossage

That Council:

1. Receive the Officer’s report and attachments as the Business Case to now progress the Byford Skate-Park Project (Stage 1) to procurement phase.

2. Pursuant to section 6.8 of the Local Government Act 1995, authorise the following amendment to the 2016/17 Budget, resulting in a nil change in net current assets:

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<td>$50,000</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

3. Endorse the method of procurement through the WALGA Preferred Supplier Program with the award of contract to be exercised by the Chief Executive Officer in accordance with delegation No C005D ‘Inviting Tenders for Goods or Services and Related Matters’.

CARRIED 7/2 by ABSOLUTE MAJORITY

Council Note: The officers recommendation was changed by adding condition 3. Condition 3 endorses the use of the WALGA Preferred Supplier Program and authorises the CEO to award the contract in accordance with Delegation C005D Inviting Tenders for Goods or Services and Related Matters.
7.3 Engineering Report:

<table>
<thead>
<tr>
<th>OCM009/02/17</th>
<th>Renewal of Permit to Operate Heavy Vehicles on Thomas and Anketell Roads – Toll Mining Service’s West (SJ1218)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author:</td>
<td>Pascal Bailey – Manager Infrastructure and Design</td>
</tr>
<tr>
<td>Senior Officer:</td>
<td>Doug Elkins – Director Engineering</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>10 February 2017</td>
</tr>
<tr>
<td>Disclosure of Officers Interest:</td>
<td>No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act</td>
</tr>
</tbody>
</table>

Introduction

The purpose of this report is for Council to consider Toll Mining Services West’s request to support its application to Main Roads Western Australia (MRWA), to operate heavy vehicles on Thomas Road and Anketell Road, Oakford. The request is to endorse a permit to operate heavy vehicles, up to and including, a Restricted Access Vehicle (RAV) Tandem Drive Category 4 and Tri Drive Category 1 Accredited Mass Management Scheme (AMMS). The requested RAV categories and configuration types are detailed in the Table below:

<table>
<thead>
<tr>
<th>Road Name</th>
<th>RAV Category</th>
<th>Maximum Vehicle Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas Road</td>
<td>Tandem Drive AMMS Network 2.3</td>
<td>25.0m</td>
</tr>
<tr>
<td></td>
<td>Tandem Drive AMMS Network 2.3</td>
<td>27.5m</td>
</tr>
<tr>
<td></td>
<td>Tandem Drive AMMS Network 3.3</td>
<td>27.5m</td>
</tr>
<tr>
<td></td>
<td>Tandem Drive AMMS Network 4.3</td>
<td>27.5m</td>
</tr>
<tr>
<td></td>
<td>Tri Drive AMMS Network 1.3</td>
<td>19.0m</td>
</tr>
<tr>
<td>Anketell Road</td>
<td>Tandem Drive AMMS Network 2.3</td>
<td>25.0m</td>
</tr>
</tbody>
</table>

The application is to renew a permit that is about to expire and was previously supported.

Background:

Toll Mining Services West requests the Shire to consider its application to MRWA to operate heavy vehicles up to Tandem Drive Level four (N4) and Tri Drive AMMS Network 1.3 on Anketell Road and Thomas Road.

Background Note to RAV

With increasing demand for heavy vehicle access on local and State roads within Western Australia, it became apparent that Main Roads’ Heavy Vehicle Services, Main Roads Regions, Local Governments and other road owners need to work together to build strong partnerships and mutual benefit in relation to heavy vehicle operation on roads. To that end, the Commissioner of Main Roads delegated power under the Road Traffic Act 1974 to the Main Roads Heavy Vehicle Access Planning Branch to work collaboratively with Local Government and other road owners in the operation of heavy vehicles on local roads and to facilitate the servicing of industrial and commercial needs. Therefore, in 2008 Main Roads Heavy Vehicle Services completed a RAV network where local and state roads servicing industrial and commercial areas were allocated ‘Restricted Access Vehicles’ classifications. Local Government roads such as Thomas Road and Anketell Road in the Shire of Serpentine Jarrahdale were allocated two different Categories or Classes under the RAV network. Those two Categories are Tandem Drive level 1-4 and Tri-Drive level 1-3, each with Concessional Level 1–3. Each Category was given a corresponding type of vehicle by maximum length and weight and number of axles, thereby limiting the maximum size vehicle that can legally use the road, without first having to obtain a special road use permit.

More recently, in view of the high level of development and rapid expansion of residential and commercial properties in the Shire of Serpentine Jarrahdale, Council determined that it was necessary to develop and establish a policy for RAVs using the Shire’s road. Policy
ED612, was adopted in December 2014 (OCM102.12.14). The policy requires confirmation of roads currently approved as suitable for RAVs and determination of level of dilapidation status and potential damage and increased road wear that might result from a proposed RAV operation and any road improvement that might be required to support the operation of a proposed RAV operation. The purpose of the information is to assist decision making in support of or otherwise to applications for RAV permit.

The policy gives the Director Engineering the delegation to grant agreement to Main Roads WA to issue a RAV permit to operators for all RAVs up to Tandem Drive Level three (N3), without referring the matter to Council, providing the road/roads comply with ‘Main Roads Route Assessment Guideline’ and ‘Standard VSR axle mass limits’. All request for the operation of RAV Category greater than N3 and/or operation for RAV with Tri Axle dolly, increased mass/AMALS and tri-drive vehicles on Shire’s roads are required to be brought to Council and/or a cost recovery considered. Toll Mining Services West request to operate RAV vehicles on the Thomas and Anketell Roads includes categories higher than what the Director Engineering can make decision upon and therefore the request is here presented to the Council for consideration.

**Relevant Previous Decisions of Council:**

There is no previous Council decision relating to this application.

**Community / Stakeholder Consultation:**

No consultation is required for this decision.

**Comment:**

Toll Mining Services West requests the Shire to consider its application to MRWA to operate heavy vehicles up to Tandem Drive Level four (N4) and Tri Drive AMMS Network 1.3 on Anketell Road and Thomas Road.

The application was assessed in accordance with Policy ED612. In the assessment relevant criteria such as adequacy of road width, horizontal alignment, sight distance overall and approach, sight distance at intersection were carefully examined to ensure compliance with the Main Roads Route Assessment Guidelines. The examination shows that most criteria comply, to some extent, with guidelines, but with some limitations. Those limitations refer mostly to the capacity of the major road intersections to cater for vehicles as long as 27.5m and for the existing road pavement to handle Tri-Drive RAV. This suggested that to continue the operation of Category 4 and Tri-Drive vehicles on Thomas Road, the Shire will need to initiate improvement works on Thomas Road especially from Hopkinson Road to South Western Highway.

Thomas Road from Hopkinson Road to South Western Highway consists of a narrow single carriageway allowing for one lane in either direction. Improvement works will be required to facilitate and sustain future RAV operations greater than category 4. The improvement works required will cover approximately 3.5 km of Thomas Road and extend 100m into all the intersecting roadway reserves and will involve major improvement to the intersection of Kardan Boulevard, Masters Road / Malarkey Road and Plaistowe Boulevard.

For cost effectiveness, and to provide benefit for money to the Shire, the improvement works at the intersection with Kardan Boulevard and Masters Road / Malarkey Road, Shire officers gave consideration to traffic signal control, however, MRWA preference and insistence is for a constructed roundabout. If a roundabout is constructed to service the proposed RAV operation, it will require land acquisition and substantial financial commitment from the Shire’s limited resources. Long and heavy haulage vehicles require a large turning circle and therefore large radius roundabout which will equate to acquisition of private land. Under the current situation, most, if not all RAV operations, do not bring benefit to the Shire, and in particular Toll Mining Services West’s operation will make no substantial economical
contribution to the Shire. Thomas Road is a link between Kwinana Freeway and South Western Highway, with heavy haulage servicing business outside the Shire. Due to the fact that no real benefit is obtained by the Shire by supporting the operation of RAV by Toll Mining Services West, it is recommended that Council does not support the request. Supporting the RAV operation will only bring a financial burden on the Shire to upgrade the road, along with additional road wear, without a financial benefit or economic benefit to the residents and ratepayers.

Ultimately, the continued use of Thomas Road as a heavy vehicle route should be questioned. Heavy vehicles should be supported if they support the local community. However, where they are not generated by the community, nor do they provide some other economic benefit to the community, the use of heavy vehicles is simply an unreasonable cost burden. Relevantly, in this case, the heavy vehicles are using a local road, due to a decision of the State to end the Tonkin Highway on a local road, and to use the local road as a strategic link between two major State roads. Ultimately, Council should insist on the road being taken over by MRWA, and in the case that this does not occur, Council should look at road modifications that will limit the access to the road to as of right vehicles.

Proposal
It is proposed that Council does not support Toll Mining Services West’s application to Main Roads Western Australia to operate heavy vehicles beyond RAV Category 4 on Anketell Road and Thomas Road.

Options and Implications
Option 1 – Resolve not to support Toll Mining Services West request for endorsement of its application for RAV operation on Thomas and Anketell Roads, Oakford.

Option 2 - Resolve to support Toll Mining Services West request for endorsement of its application for RAV operation on Thomas and Anketell Roads, Oakford.

It is recommended that Council support Option 1.

Conclusion
The Toll Mining Services West application to operate RAV vehicles on Thomas Road to a category higher than level four (N4) is one of many that will be required of Thomas Road in the future. This, in addition to MRWA intention to reclassify Thomas Road to a higher RAV category in the fulfilment of its proposed state wide Strategic Road Freight Network, will see increase request on Thomas Road to cater for heavier and longer vehicles (36.5m long). This will require the Shire to upgrade the intersection and to continually maintain the road to ensure effectiveness of traffic flow and safety to local road users. The implication to the Shire, in the immediate future, is to upgrade the major intersections of Kardan Boulevard, Masters Road / Malarkey Road at substantial cost. The requirement from MRWA for the upgrade of those intersections is to construct a roundabout in opposition to the Shire preference for traffic signals. Constructed roundabouts to cater for 36.5m long vehicles will require acquisition of land at substantial cost to the Shire, not to mention the continued maintenance of those roundabouts. Based on these facts, it can be argued that any support to RAV operation on Thomas Road and Anketell Road will impose heavy financial commitment on the Shire even if some form of cost recovery method is imposed on the heavy haulage operators. Accordingly, it is recommended that Council does not support this request.

Attachments:
• OCM009.1/02/17 – Application email from Toll Group (IN17/3084)
Alignment with our Strategic Community Plan:
The proposal is in conflict with the specific objectives outlined in the Strategic Community Plan, ie:

<table>
<thead>
<tr>
<th>Objective 2.1</th>
<th>Responsible Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 2.1.1</td>
<td>Undertake best practice financial and asset management</td>
</tr>
<tr>
<td>Objective 3.2</td>
<td>Appropriate Connecting Infrastructure</td>
</tr>
<tr>
<td>Key Action 3.2.2</td>
<td>Ensure that planning for the bridge and road network incorporate community safety and emergency management.</td>
</tr>
</tbody>
</table>

Statutory Environment:
Section 55(2) of the Land Administration Act 1997, vests care, control and management of roads in the Local Government, other than roads that are the responsibility of the State. The subject section of Thomas Road, and Anketell Road, are both local roads.

Financial Implications:
The increased operation of RAV vehicles beyond Category 4 on the Shire’s roads will ultimately result in higher road maintenance and rehabilitation costs to the Shire, without an economic or financial benefit.

Support of RAV operation for higher categories, as request by Toll Mining Services West, will require continued and sustained financial undertaking by the Shire to improve Thomas Road capacity, safety and traffic efficiency. That sustained financial burden will only continue with the potential increase to the RAV category proposed for Thomas Road by MRWA in support of its Strategic Road Freight Network.

Voting Requirements: Simple Majority

OCM009/02/17 COUNCIL DECISION / Officer Recommendation:

Moved Cr Rich, seconded Cr Hawkins

That Council does not support Toll Mining Services West application to Main Roads Western Australia to operate Restricted Access Vehicles on Thomas Road and Anketell Road.

CARRIED UNANIMOUSLY
Introduction:
Council is asked to consider awarding a tender for the provision of weed spraying services.

Background:
As part of the Shire’s ongoing requirements to control weeds in parklands, footpaths, cycle ways, rural road verges and paved medians, a tender was prepared and advertised seeking suitable contractors to provide this service. The cost of this service has increased such that a contract is now required to meet the purchasing policy requirements and the applicable Regulations.

Four submissions were received at the time of closure. These tender submissions were reviewed through a pre-determined tender submission and assessment process. This process has now been completed, with a recommendation to enable engagement of the preferred contractor in line with the summarised assessment.

Tender:
Tender RFT 01/2017 for the Provision of Weed Spraying Services was advertised in the West Australian on Wednesday 11 January 2017. The tender closed at 2.00pm on Tuesday 31 January 2017.

The Contract will be for a one-year period with a start date of 27 March 2017 and end date of 26 March 2018, with a Principal agreed option to extend the Contract for a further one-year period.

The extension for an additional one-year term will be based on the Contractor’s performance over the preceding period, including: level and quality of service, value for money, and the Principal’s satisfaction with the services.

Relevant Previous Decisions of Council:
There is no relevant previous decision from Council.

Community/Stakeholder Consultation:
There is no community in this instance. The relevant internal stakeholders were involved in the preparation of the tender specification.

Proposal:
The tender is for the provision of weed spraying services within the Shire.

Submissions:
Four tenders were received, two of which were subsequently declared compliant.

Evaluation Panel:
An evaluation panel was convened and consisted of the following personnel:
- Acting Manager Operations and Parks
- Parks and Gardens Supervisor
- Leading Hand – Parks and Gardens
Compliance Criteria:
The criteria against which the tender was evaluated is:
- Organisational profile
- Referees
- Agents
- Trusts
- Sub-Contractors
- Conflicts of Interest
- Financial Position
- Quality Assurance
- Insurance Coverage
- Occupational Safety and Health
- Demonstrated Understanding

Upon evaluation two of the tender submissions were deemed compliant.

Evaluation Criteria:
The non-price criteria against which the tenders were evaluated are:
- Relevant experience
- Tenderers resources

The tender evaluation, including price, is included in confidential attachment OCM010.2/02/17. A copy of the recommended tender is included in confidential attachment OCM010.1/02/17.

Conclusion:
The recommendation, after the tender review and price comparison, is that the contract be awarded to Website Weed & Pest WA Pty Ltd.

Attachments:
- Confidential OCM010.1/02/17 – Tender Submission from Website Weed & Pest WA Pty Ltd (IN17/2704)
- Confidential OCM010.2/02/17 – Tender evaluation score sheets (E17/1043)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 2.1</th>
<th>Key Action 2.1.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible Management</td>
<td>Undertake best practice financial and asset management</td>
</tr>
</tbody>
</table>

Statutory Environment:
In accordance with the Local Government Act 1995, Sections 3.57 (1) (2) and Local Government (Functions and General) Regulations 1996, Part 4.

Financial Implications:
The tendered rates are competitive, in comparison to existing direct engagement rates. It is expected that, overall, weed spraying services will be provided at a slightly lower cost. In the 2015/16 financial year, the Shire spent $101,563 on these services.
Voting Requirements: Simple Majority

OCM010/02/17  COUNCIL DECISION / Officer Recommendation:

Moved Cr Ellis, seconded Cr Pliipponen

1. Award tender RFT 01/2017, for Provision of Weed Spraying Services, to Website Weed & Pest WA Pty Ltd, for a one year period, from 27 March 2017 until 26 March 2018, in accordance with the submitted tender as contained in confidential attachment OCM010.1/02/17; and

2. Authorise the Chief Executive Officer to extend the contract for a period of twelve (12) months, from 27 March 2018 till 26 March 2019, should the Chief Executive Officer be satisfied with Website Weed & Pest WA Pty Ltd performance, under the contract, in accordance with the tendered contract provisions.

CARRIED UNANIMOUSLY
Consideration of Request to Reticulate Polocrosse Field - Serpentine (SJ802; RS0180)

Author: Doug Elkins – Director Engineering
Senior Officer: Gary Clark – Acting Chief Executive Officer
Date of Report: 11 November 2016
Disclosure of Officers Interest: No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act

Introduction:

At the Ordinary Council Meeting of 28 November, 2017, Council resolved to defer this decision until the February Ordinary Council Meeting. The report is re-presented for Council consideration.

Council is asked to consider the business case for the reticulation of the Serpentine Polocrosse ground, in accordance with Council’s direction in relation to various community projects, and within the context of the license agreement existing for this facility.

Background:

For some time, staff have been attending the Polocrosse ground over summer, for the purpose of maintaining the greenness of the surface. This has occurred through the management of a pull-along impulse sprinkler. The Polocrosse ground is not formally turfed. The surface consists of natural grasses, intermixed into large patches of Kikuyu. The Shire mows the paddock regularly. The Serpentine Foothills Polocrosse Club ('Polocrosse Club') have requested the Shire fund the installation of an automated reticulation system, to replace the impulse sprinkler, which has reached end-of-life.

The use of the paddock, along with the Eric Senior Pavilion, is provided for under a license agreement. Under the license agreement, the Polocrosse Club are responsible for maintaining the facility ‘... in good and substantial repair, order and condition[,] in a clean and tidy state[,] free from refuse, manure ...’ while in occupation of the site, and other times prescribed by the license. The license also provides that all improvements will be at the cost of the Polocrosse Club, ‘... unless otherwise agreed in writing by the Parties.’ Finally, the Polocrosse Club are responsible for the cost of all repairs.

The Polocrosse Club have requested the installation of an automated reticulation system, and have determined a reticulation design suitable to their needs. Council is asked to consider the merits of the proposal, in the context of the license agreement and the existing subsidies, and determine whether or not the project should proceed.

Prior to commencing this project, Council asked for a business case to be prepared for Council consideration. The business case is attached at OCM206.1/11/16.

Community / Stakeholder Consultation:

The installation of automated reticulation does not affect many stakeholders. The facility is mostly used by the Polocrosse Club, under a license agreement. Accordingly, stakeholder consultation has been restricted, in this instance, to the Polocrosse Club.

The Polocrosse Club have worked with Shire Officers to determine a suitable reticulation design. Due to the design not providing full reticulation coverage, which will result in dry areas, Shire Officers have requested confirmation in writing that the Polocrosse Club agrees to the design, and that the Polocrosse Club understands the design's deficiencies.
Comment:

Before considering the proposal itself, Council should determine whether or not it is willing to entertain meeting the full cost, or any of the cost, of installing the reticulation. Noted above, the license agreement places responsibility for maintenance, cleanliness, repair and improvements on the Polocrosse Club. However, the Shire continues to maintain the paddock, has managed the watering operation, and repairs, cleans and maintains the Eric Senior Pavilion, which is also within the license. In this instance, the Shire has been asked to fully fund the reticulation system, rather than there being the assumption that the Polocrosse Club will meet this cost, ‘. . . unless otherwise agreed in writing by the Parties.’

Arguably, the existence of a license agreement, rather than a lease, creates an expectation that the facility will also have a high proportion of general community use, and the costs should be proportioned between the Shire and the Polocrosse Club. However, the Polocrosse paddock, along with the Horse and Pony Club paddock, is surrounded by a high fence, with a single pedestrian entrance on Hall Road. The facility is out of town, and provides a surface which is not suited to general sports, such as football, hockey or soccer. Unless a potential user of the facility, such as a dog walker, enters by the single entrance on Hall Road, it is necessary to climb the fence. Within the Serpentine Townsite, there is a high quality turfed sports field, with playground and other amenities, which provides for the general public needs, as well as organised sports. Accordingly, while the facility may theoretically be used by the general public, in reality, the facility has limited usefulness, other than to the Polocrosse Club, or other horse users, so the general public use of the facility is low, and does not require a reticulated field. Relevantly, the facility also has limited usefulness to the Polocrosse Club. Over winter, the existing facility is too wet to be used, and the Polocrosse Club have had to locate on private property or the Jarrahdale Oval. The normal Polocrosse season finishes in late December, so that the Polocrosse fields are only used for a small number of events, prior to the end of the season. Additional, out of season events are run in May and April each year.

The proposal itself is compromised, due to the use. In order to protect the sprinklers, the agreed plan is to water each of the Polocrosse fields using sprinklers located outside the field boundary. In order to achieve full coverage, and avoid dry areas (brown areas), additional sprinklers are required. However, should the reticulation design be modified to achieve full coverage (even water application and no dry areas), there is likely to be a high repair cost, due to horse damage. It would also be expected that, if a broken sprinkler were to result in a hole in the field, there could also be risk to the safety of horses and riders. Relevantly, the proposal is intended to serve the desires of the particular primary user of the facility, and will not achieve the normal expectations of a reticulated field that might be suited to the public at large.

Immediately adjacent to the Polocrosse paddock is the paddock used by the Serpentine Horse and Pony Club. This paddock is reticulated and drained, so is available for use throughout the year. The two clubs already offset their events. Utilising the paddock used by the Serpentine Horse and Pony Club, for Polocrosse, could provide a better outcome to the Polocrosse Club, while constraining the cost to the community of subsidising these two clubs. This type of discussion should be included in the review of the use of Shire facilities by sporting clubs and community groups. An initial discussion, with both groups, has already been undertaken, with both groups showing a willingness to work towards better utilisation of the facilities, to achieve an overall superior facility, at a lower ongoing cost.

Proposal

The proposal is to install a reticulation system, to replace the previous pull-along impulse sprinkler. The expected cost of the installation is within the $75,000 budgeted for the project. However, the water coverage will not be even, so that the end result will be dry spots across the individual Polocrosse fields. If there is an expectation that the Shire will continue to slash the paddock, a more efficient reticulation system may result in increased mowing expectations.
The Polocrosse fields do not have a lot of use, due to being too wet over winter. Immediately adjacent to the Polocrosse paddock is a reticulated and drained paddock, currently utilised by the Serpentine Horse and Pony Club, on weekends that the Polocrosse fields are not used by the Polocrosse Club.

**Options and Implications**

Council could choose to fully fund this project, as requested by the Polocrosse Club. Ultimately, despite the license agreement defaulting the expectation of the costs being borne by the Club, this is a decision Council can reach, after weighing the other demands on Council's limited financial resources. In view of the limited opportunity for other users of this facility, and the requirement for a compromised reticulation system, to suit the needs of the Polocrosse Club, Officers do not recommend this option.

Council may choose to partially fund the proposal, based on the general public or other user value of the proposal. As noted above, the facility is generally not suited to other sports, and the reticulation will result in dry spots. There may be value to other horse groups, however, this value will generally only be if the horse groups need a green paddock, and can make use of the Polocrosse configuration without causing damage to the reticulation. As such, this option is not recommended.

A third option is to provide permission to the Polocrosse Club to undertake the works, to the specification and satisfaction of the Shire. If this is not accepted by the Polocrosse Club, the paddock can be allowed to brown off over summer. As the paddock is not turfed, instead being weeds and patches of Kikuyu, the greenness will return with the autumn rains.

The final option is to work with both the Polocrosse Club, and the Serpentine Horse and Pony Club, to develop a strategic plan for the facility, which will enable superior facilities for both clubs, while reducing the overall cost of maintaining the facility. This option may also provide enhanced income opportunities for both clubs. If Council is inclined to support this option, it is recommended that Council also indicate a willingness to contribute towards some of the cost of enhanced facilities. To assist with this investment, it is recommended that the $75,000 budget be transferred to the Serpentine Jarrahdale Sporting Precinct Reserve. It should be noted, however, that the transfer of $75,000 should not be considered the quantum of the investment to be made. Council would need to consider the merits of any proposal at the time. However, by placing the money in the reserve, funds will be available, and officers are in a position to work with the two clubs, knowing there is a willingness of the Council to financially contribute to enhanced facilities. This option, which is recommended, would not preclude the Polocrosse Club from installing reticulation, at their cost.

**Additional Information**

**Options and Implications**

The original report recommended that staff continue to work with the Polocrosse Club. This has occurred since the November Ordinary Council Meeting. In addition, as a result of the passage of time, the previous urgency (i.e. watering the paddock over summer) no longer exists. These matters in combination, allow for the refinement of Council’s options, as follows.

1. The first option is the recommended option from the original officer report. That is, to continue to work with the Polocrosse Club and the Serpentine Horse and Pony Club, to develop a strategic plan for the facility, which will enable superior facilities for both clubs, while reducing the overall cost of maintaining the facility, to Council.

2. The second option is to encourage the Polocrosse Club to apply for a Community Sporting Recreations Facility Fund, to fund one third of the project, and request one third of the project cost from the Polocrosse Club, and fund the reticulation jointly.
3 The third option is to wait until the review of community facilities is completed, in accordance with Council’s resolution of 27 September 2016, and make a decision based on the framework developed. This option is recommended. As Council is aware, it is necessary to constrain its costs, through sharing costs, encouraging the sharing of facilities, and to cease funding the marginal cost of facility provision.

Additional option 3 is recommended. In accordance with the Officers’ original report, if option 3 is preferred by Council, the funds should be placed in reserve.

Conclusion

The process of investigating this issue has enabled the confusion created by the license agreement to be discovered. While the license agreement does purport to pass many management responsibilities to the Polocrosse Club, as the Polocrosse Club generally only carry this responsibility while in occupation, the Shire has continued to provide maintenance and repair services, which probably should have been covered by the Polocrosse Club under the license agreement. The continuation of mowing and watering services has also created an expectation that this is the Shire’s responsibility, by both the Polocrosse Club and Shire officers. It is understood the license agreement was selected, instead of a lease, as it allows other users on the facility. However, in reality, there are limited opportunities for alternative uses, and a lease could have been developed that resolved all these issues and provided a true home for the Polocrosse Club (and the adjacent Serpentine Horse and Pony Club), and provided an opportunity for the Polocrosse Club to generate additional income, by making their facility available for hire to other users (both private functions and events). The form of tenure, and the responsibilities of the Shire and the Polocrosse Club, should be discussed as part of the review of all lease and license agreements.

It is recommended that the $75,000 set aside for reticulation, be transferred to the Serpentine Jarrahdale Sporting Precinct reserve. Doing this will ensure funds are available for Council to make an investment in the facility, after working with the two clubs. It is anticipated that, by working with the clubs, a superior facility can be developed, at a lower on-going cost to the Shire.

Additional Information

It is recommended that Council resolve to place the funds in reserve, and make a final determination on this issue once the framework for Community Facilities is finalised. It is expected that the framework will be presented to Council in September 2017, allowing for the submission of a Community Sporting Reserve Facility Fund grant application, in October, if this is supported at the time.

Attachments:
- OCM011.1/02/17 – Polocrosse Field Reticulation Business Case (E16/9259)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 2.1</th>
<th>Responsible Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 2.1.1</td>
<td>Undertake best proactive financial and asset management.</td>
</tr>
<tr>
<td>Key Action 2.1.2</td>
<td>Manage assets and prioritise major capital projects to ensure long-term financial sustainability.</td>
</tr>
</tbody>
</table>

Statutory Environment:

Section 46 of the Land Administration Act 1997, allows for land to be vested in a person (in this case, the Shire of Serpentine Jarrahdale). Under the same provision, the management body can be provided a power to lease, sublease or license the reserve.
Section 2.7 (2)(a) of the Local Government Act 1995, provides a role of the Council, being to ‘oversee the allocation of the local government’s finances and resources’.

**Financial Implications:**

The Serpentine Sports Reserve cost the Council $164,466 to manage, in the 2015/16 financial year. The Eric Senior Pavilion, cost the Council $21,678 to manage during the same period. The Serpentine Sports Reserve includes the land used by both the Polocrosse Club and the Serpentine Horse and Pony Club. The total cost to Council of providing the land and building, in the 2015/16 financial year, was $186,144.

The Polocrosse Club contributed their license fee of $2,045 towards the cost of the facilities. Other contributions towards cost, through casual hire and the Serpentine Horse and Pony Club, amounted to $7,123. Accordingly, the facility was subsidised to the value of $176,976 in the 2015/16 financial year.

**Voting Requirements:** Absolute Majority

**Previous Officer Recommendation:**

**That Council:**

1. **Does not approve the funding of the installation of reticulation at the Serpentine Sports Reserve.**

2. **Endorses transferring $75,000 to the Serpentine Jarrahdale Sporting Precinct Reserve, as follows:**

<table>
<thead>
<tr>
<th>GL Account</th>
<th>Description</th>
<th>Current Budget</th>
<th>Proposed Adjusted Budget</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>RSS900</td>
<td>Serpentine Polocross - Reticulation</td>
<td>75,000</td>
<td>0</td>
<td>(75,000)</td>
</tr>
<tr>
<td>11003</td>
<td>Serpentine Jarrahdale Sporting Precinct Reserve</td>
<td>0</td>
<td>75,000</td>
<td>75,000</td>
</tr>
</tbody>
</table>
Moved Cr Rich, seconded Cr Gossage

That Council appreciates the consultation and willingness of the Polocrosse Club to work with the Shire to achieve a shared partnership in developing the Serpentine Sports Facility (Polocrosse Field) and defers the decision to fund the inground reticulation system until September 2017 to achieve the following aims:

a. Finalisation of the Community Facility review.

b. Consideration of the funding through the State Government Community Sport and Recreation Facility fund in October 2017.


d. That Council resolve to transfer $75,000 into Polocrosse Grounds Redevelopment Reserve.

e. Maintains watering of the Polocrosse Turf in the interim.

CARRIED 9/0 by ABSOLUTE MAJORITY
7.4 Corporate and Community Services Report:

<table>
<thead>
<tr>
<th>OCM012/02/17</th>
<th>Confirmation Of Payment Of Creditors – December 2016 (SJ514-07)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author:</td>
<td>Vicki Woods - Finance Officer</td>
</tr>
<tr>
<td>Senior Officer:</td>
<td>Peter Kocian – Acting Director Corporate and Community</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>3 January 2017</td>
</tr>
<tr>
<td>Disclosure of Officers Interest</td>
<td>No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act</td>
</tr>
</tbody>
</table>

Introduction

The purpose of this report is to prepare a list of accounts paid by the Chief Executive Officer each month, as required by The Local Government (Financial Management) Regulations 1996.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this issue.

Community / Stakeholder Consultation

No community consultation was required.

Comment

In accordance with the Local Government (Financial Management) Regulations 1996 13(1), Schedules of all payments made through the Council’s bank accounts are presented to Council for their inspection. The list includes details for each account paid incorporating:

a) Payees name;
b) The amount of the payment;
c) The date of the payment; and
d) Sufficient information to identify the transaction.

All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment, is attached and relevant invoices are available for inspection.

It is recommended that Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 1 December 2016 to 31 December 2016, as per attachment OCM012.1/02/17 and the Purchasing Card Report 6 November 2016 to 5 December 2016 as per attachment OCM012.2/02/17.

Attachments:

- **OCM012.1/02/17** - Creditors Schedule of Accounts 1 December 2016 to 31 December 2016. (E17/145)
- **OCM012.2/02/17** – Purchasing Card Report 6 November 2016 to 5 December 2016. (E17/169)

Alignment with our Strategic Community Plan:

The Strategic Community Plan has placed an emphasis on undertaking best practice financial and asset management and is in line with the category of Financial Sustainability.
Financial Sustainability

<table>
<thead>
<tr>
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</tr>
</tbody>
</table>

Statutory Environment

Section 5.42 and 5.45(2) of the *Local Government Act 1995* states that the Local government may delegate some of its powers to the Chief Executive Officer. Council have granted the Chief Executive Officer Delegated Authority CG07 - Payments from Municipal and Trust Fund.

Financial Implications

All payments that have been made are in accordance with the purchasing policy and within the approved budget, and where applicable budget amendments, that have been adopted by Council.

Voting Requirements

Simple Majority

**OCM012/02/17 COUNCIL DECISION / Officer Recommendation:**

Moved Cr Hawkins, seconded Cr See

That Council accepts:

1. The payments authorised under delegated authority and detailed in the list of invoices for period of 1 December 2016 to 31 December 2016, as per attachment OCM012.1/02/17 - Creditor List of Accounts 1 December 2016 to 31 December 2016 including Creditors that have been paid in accordance with the *Local Government (Financial Management) Regulations 1996*.

2. The payments authorised under delegated authority and detailed in the Purchasing Card Report 6 November 2016 to 5 December 2016, as per attachment OCM012.2/02/17 that have been paid in accordance with the *Local Government (Financial Management) Regulations 1996*.  

CARRIED UNANIMOUSLY
Confirmation Of Payment Of Creditors – January 2017 (SJ514-07)

Introduction

The purpose of this report is to prepare a list of accounts paid by the Chief Executive Officer each month, as required by The Local Government (Financial Management) Regulations 1996.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this issue.

Community / Stakeholder Consultation

No community consultation was required.

Comment

In accordance with the Local Government (Financial Management) Regulations 1996 13(1), Schedules of all payments made through the Council’s bank accounts are presented to Council for their inspection. The list includes details for each account paid incorporating:

a) Payees name;

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d) Sufficient information to identify the transaction.

All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment, is attached and relevant invoices are available for inspection.

It is recommended that Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 1 January 2017 to 31 January 2017, as per attachment OCM013.1/02/17 and the Purchasing Card Report 6 December 2016 to 5 January 2017 as per attachment OCM013.2/02/17.

Attachments:

- OCM013.1/02/17 - Creditors Schedule of Accounts 1 January 2017 to 31 January 2017. (E17/814)

Alignment with our Strategic Community Plan:

The Strategic Community Plan has placed an emphasis on undertaking best practice financial and asset management and is in line with the category of Financial Sustainability.

Financial Sustainability

<table>
<thead>
<tr>
<th>Objective 2.1</th>
<th>Responsible Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 2.1.1</td>
<td>Undertake best practice financial and asset management.</td>
</tr>
</tbody>
</table>
Statutory Environment

Section 5.42 and 5.45(2) of the *Local Government Act 1995* states that the Local government may delegate some of its powers to the Chief Executive Officer. Council have granted the Chief Executive Officer Delegated Authority CG07 - Payments from Municipal and Trust Fund.

Financial Implications

All payments that have been made are in accordance with the purchasing policy and within the approved budget, and where applicable budget amendments, that have been adopted by Council.

Voting Requirements

Simple Majority

**OCM013/02/17 COUNCIL DECISION / Officer Recommendation**

Moved Cr Hawkins, seconded Cr Piipponen

That Council accepts:

1. The payments authorised under delegated authority and detailed in the list of invoices for period of 1 January 2017 to 31 January 2017, as per attachment OCM013.1/02/17 - Creditor List of Accounts 1 January 2017 to 31 January 2017 including Creditors that have been paid in accordance with the *Local Government (Financial Management) Regulations 1996*.

2. The payments authorised under delegated authority and detailed in the Purchasing Card Report 6 December 2016 to 5 January 2017, as per attachment OCM013.2/02/17 that have been paid in accordance with the *Local Government (Financial Management) Regulations 1996*.

CARRIED UNANIMOUSLY
Introduction:

The purpose of this report is to provide a monthly financial report which includes rating, investment, reserve, debtor, and general financial information to Councillors in accordance with Section 6.4 of the Local Government Act 1995.

Background:

The Local Government Act 1995 and Financial Management Regulations require that the Shire prepare a Statement of Financial Activity each month. The Local Government Act 1995 further states that this statement can be reported by either by Nature and Type, Statutory Program or by Business Unit. The Shire has resolved to report by Business Unit and to assess the performance of each business unit, by comparing the year-to-date budget and actual results. This gives an indication of how each business unit (and collectively the Shire) is performing against expectations for this point in time and any variance over or under 10% is reported.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application/issue.

Community / Stakeholder Consultation:

No community consultation was undertaken / required.

Comment:

The period of review is December 2016. The municipal surplus for this period is $17,508,436 compared to a budget position of $11,168,547. This is considered a satisfactory result for the Shire, as the Shire is maintaining a healthy budget surplus position.

Income for the December 2016 period, year-to-date is $29,022,352. The budget estimated $28,566,907 would be received for the same period. The variance to budget is $455,445. Details of all significant variances are provided in the notes to the Statement of Financial Activity by Directorate.

The following graph illustrates actual income to-date compared to the year-to-date budget.
Expenditure for the December 2016 period, year-to-date is $16,225,633. The budget estimated $24,097,437 would be spent for the same period. The variance to budget is $7,871,804. Details of all significant variances are provided in the notes to the Statement of Financial Activity by Directorate.

The following graph illustrates actual expenditure to-date compared to the year-to-date budget.

**Attachment:**

- **OCM014.1/02/17** – Monthly Financial Report December 2016 (E17/821)

**Alignment with our Strategic Community Plan:**

Financial Sustainability

<table>
<thead>
<tr>
<th>Objective 2.1</th>
<th>Responsible Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action</td>
<td>This report is a tool for evaluating performance against service delivery to ensure efficiency, effectiveness and meets the needs of the community, elected members, management and staff</td>
</tr>
</tbody>
</table>
Statutory Environment:
Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial statement for the preceding year and other financial reports as are prescribed.

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the local government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

Financial Implications:
There are no financial implications relating to the preparation of the report. Any material variances that have an impact on the outcome of the annual budget are detailed in this report.

Voting Requirements: Simple Majority

OCM014/02/17 COUNCIL DECISION / Officer Recommendation:
Moved Cr See, seconded Cr Hawkins


CARRIED UNANIMOUSLY

Introduction:
The purpose of this report is to provide a monthly financial report which includes rating, investment, reserve, debtor, and general financial information to Councillors in accordance with Section 6.4 of the Local Government Act 1995.

Background:
The Local Government Act 1995 and Financial Management Regulations require that the Shire prepare a Statement of Financial Activity each month. The Local Government Act 1995 further states that this statement can be reported by either by Nature and Type, Statutory Program or by Business Unit. The Shire has resolved to report by Business Unit and to assess the performance of each business unit, by comparing the year-to-date budget and actual results. This gives an indication of how each business unit (and collectively the Shire) is performing against expectations for this point in time and any variance over or under 10% is reported.

Relevant Previous Decisions of Council:
There is no previous Council decision relating to this application/issue.

Community / Stakeholder Consultation:
No community consultation was undertaken / required.

Comment:
The period of review is January 2017. The municipal surplus for this period is $15,713,247 compared to a budget position of $7,582,486. This is considered a satisfactory result for the Shire, as the Shire is maintaining a healthy budget surplus position.

Income for the January 2017 period, year-to-date is $29,597,541. The budget estimated $29,539,107 would be received for the same period. The variance to budget is $584,434. Details of all significant variances are provided in the notes to the Statement of Financial Activity by Directorate.

The following graph illustrates actual income to-date compared to the year-to-date budget.
Expenditure for the January 2017 period, year-to-date is $19,028,584. The budget estimated $29,619,616 would be spent for the same period. The variance to budget is $10,591,032. Details of all significant variances are provided in the notes to the Statement of Financial Activity by Directorate.

The following graph illustrates actual expenditure to-date compared to the year-to-date budget.

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 2.1</th>
<th>Responsible Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 2.1.1</td>
<td>This report is a tool for evaluating performance against service delivery to ensure efficiency, effectiveness and meets the needs of the community, elected members, management and staff</td>
</tr>
</tbody>
</table>

Attachment:

- **OCM015.1/02/17** – Monthly Financial Report January 2017 (E17/955)
Statutory Environment:
Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial statement for the preceding year and other financial reports as are prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 as amended requires the local government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

Financial Implications:
There are no financial implications relating to the preparation of the report. Any material variances that have an impact on the outcome of the annual budget are detailed in this report.

Voting Requirements: Simple Majority

OCM015/02/17 COUNCIL DECISION / Officer Recommendation:
Moved Cr Hawkins, seconded Cr See


CARRIED UNANIMOUSLY
**Nominations for Development Assessment Panel (SJ1288)**

**Author:** Karen Cornish – Governance Advisor

**Senior Officer/s:** Peter Kocian – Acting Director Corporate and Community

**Date of Report:** 3 February 2017

**Disclosure of Officers Interest:** No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act

**Introduction**

Under regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations), Council is requested to nominate four elected members of the Council, comprising two members and two alternate members to sit on the Development Assessment Panel (DAP). The submission on the local government representatives is required to be lodged by 17 March 2017.

This report provides Council with the opportunity to put forward nominations to the Minister for Planning.

**Background:**

As of 1 July 2011, DAPs came into operation in order to determine the development applications that meet a certain threshold value. There are two thresholds for the Metropolitan East DAP:

- **Mandatory DAP applications** where development has an estimated cost of $10 million or more for development in the district (regulation 5 of the DAP regulations).
- **Optional DAP applications** where development has an estimated cost of $2 million or more and less than $10 million (regulation 6 of the DAP regulations).

Each DAP comprises five members: three specialist members, one of which is the presiding member, and two local government members. The Shire has been included within the 'Metropolitan East Joint Development Assessment Panel'. This panel also includes the following municipalities:

- Armadale;
- Gosnells;
- Kalamunda;
- Mundaring; and
- Swan.

A map depicting the boundaries of the Metropolitan east DAP is included with the attachments.

Appointments of all current local government DAP members expire on 26 April 2017. Members whose term has expired will be eligible for reconsideration at this time. This report provides Council with the opportunity to put forward nominations to the Minister for Planning, who will consider and appoint all nominees.

**Relevant Previous Decisions of Council:**

OCM018/02/15 Nominations for Development Assessment Panel

**Community / Stakeholder Consultation:**

No community consultation was required.
Comment:
Following receipt of all local government nominations, the Minister for Planning will consider and appoint nominees for up to a three year term, expiring on 26 April 2020. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP Regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government members who have previously undertaken training are not required to attend further training, but are encouraged to attend refresher training.

When selecting nominees, the Council should consider that local government elections may result in a change to DAP membership if current councillors, who are DAP members, are not re-elected. If members are not re-elected, the local government will need to re-nominate for the Minister’s consideration. DAP members are entitled to be paid for their attendance at DAP meetings and training, unless they fall within a class of persons excluded from payment. Further details can be found in the Premier’s circular included in the attachments.

Attachments:
- OCM016.1/02/17 - Premier’s circular – State Government Boards and Committees circular (2010/02) (E17/908)
- OCM016.2/02/17 - DAPs questions and answers (E17/990)
- OCM016.3/02/17 - A map illustrating the boundaries of the Metropolitan East DAP (E17/991)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 1.3</th>
<th>Capable Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.3.2</td>
<td>Ensure Elected Members have a comprehensive understanding of Council’s roles and responsibilities</td>
</tr>
</tbody>
</table>

Statutory Environment:
- Planning and Development (Development Assessment Panels) Regulations 2011
- Planning & Development Act 2005

Financial Implications:
There is no financial implication relating to the nomination of members to the DAP. The local government will be reimbursed for agreed expenses incurred for each DAP meeting held at its premises, relating to catering costs, minute taking and preparation and security, if required.

Voting Requirements: Simple Majority

OCM016/02/17 COUNCIL DECISION / Officer Recommendation:
Moved Cr See, seconded Cr Plipponen
That Council:
1. Nominate Cr Hawkins as Member 1 and Councillor Ellis as Member 2 on the Metropolitan East Development Assessment Panel.
2. Nominate Cr Gossage as Alternate Member 1 and Councillor Rich as Alternate Member 2 on the Metropolitan East Development Assessment Panel.
CARRIED 5/4
Minutes – Ordinary Council Meeting

27 February 2017

OCM017/02/17  Public Health Act 2016 Delegations (SJ538)

<table>
<thead>
<tr>
<th>Author:</th>
<th>Karen Cornish – Governance Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Officer/s:</td>
<td>Peter Kocian – Acting Director Corporate and Community</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>3 February 2017</td>
</tr>
<tr>
<td>Disclosure of Officers Interest:</td>
<td>No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act</td>
</tr>
</tbody>
</table>

Introduction

Council is to consider delegating all duties conferred or imposed on it by the Public Health Act 2016 to the Chief Executive Officer. Council is also requested to approve some minor amendments to the existing delegations relating to the Health (Miscellaneous Provisions) Act 1911.

Background:

The gazettal of the Public Health Act 2016 replaces the Health Act 1911. There is a significant amount of work required to transition to the new regulatory framework. The Department of Health (WA) has advised implementation is to occur in a staged manner over the next 3 to 5 years.

The old Health Act 1911 [which will be known as Health (Miscellaneous Provisions) Act 1911] and all regulations made under it, will continue to be the main enforcement tool used by the Shire’s Health team until the provisions of the new Act are proclaimed over the coming years.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this matter.

Community / Stakeholder Consultation:

Community or stakeholder consultation is not required on this matter.

Comment:

Stages of Implementation

There are 5 stages of implementation.

Stage 1 came into operation upon Royal Assent of the new legislation and stage 2 on the following day. These two stages involve technical matters required to facilitate the transition from the Health Act 1911 to the Public Health Act 2016 and have no practical implications for local governments.

Stage 3 involves key elements of the administrative framework coming in to operation. This is provided by Part 2 of the Public Health Act 2016. Part 2 includes gazettal of Environmental Health Officers to enforce the provisions of the Act within the Shire and annual reporting requirements. Stage 3 is effective from 24 January 2017. Some administrative matters are required by Council to effect this. This includes updating all references to the Health Act 1911 to Health (Miscellaneous Provisions) Act 1911 and updating the Delegations Register to reflect this.

Stage 4 relates to notifiable infectious diseases and related conditions, prescribed conditions of health, serious public health incident powers and public health emergencies. The date for commencement of Stage 4 is yet to be determined.

Stage 5 will be the most significant stage of implementation. Stage 5 represents the point at which the move from the framework provided by the Health (Miscellaneous Provisions) Act...
1911 to the Public Health Act 2016 will occur. The development of new regulations under the Public Health Act 2016 relating to environmental health matters will commence and feature provisions for:

- The built environment;
- Water;
- Body art and personal appearances; and
- Pests and vectors

Equivalent provisions in the Health (Miscellaneous Provisions) Act 1911 and regulations and by-laws made under that Act will be repealed.

Stage 5 will require substantial works by local government to implement. The Department of Health will work closely with local governments in the lead up to this final stage.

Change to Delegations

All currently employed Environmental Health Officers (EHOs) will automatically be authorised officers. As the transition continues, EHOs will enforce both the new and the old public health legislation. As part of the implementation of Stage 3, EHOs must be provided with a certificate of authority under the Public Health Act 2016. The Shire’s authorised delegate is required to sign the certificate.

Using section 21(1)(b)(i) of the Public Health Act 2016, Council may delegate the powers and duties conferred on it to the Chief Executive Officer (CEO), or an authorised officer of the local government. At this time, the effect of the delegation being sought is minor (i.e. sign the certificate), however as further provisions are gazetted to expand the powers of the Public Health Act 2016, this delegation will provide for the smooth implementation of these provisions as they are implemented.

Therefore a new delegation is recommended to give the CEO the delegation to appoint authorised officers under Public Health Act 2016 section 21(1).

Current Delegation P011A enables the CEO, Manager Health, and EHOs to act on behalf of Council in respect to the Health Act 1911, associated regulations and the Shire’s Health local law. This delegation will need to remain in place during the transition to the new Public Health Act 2016 but will require some minor amendments to reflect the current changes.

Attachments:

- OCM017.1/02/17 – Amended Delegation P011A (E17/989)
- OCM017.2/02/17 – New Delegation to the CEO under the Public Health Act 2016 (E17/988)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 1.2</th>
<th>Progressive Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.2.6</td>
<td>Comply with all legislative and statutory requirements</td>
</tr>
<tr>
<td>Key Action 1.2.4</td>
<td>Provide robust reporting that is relevant, transparent and easily accessible by staff and the community</td>
</tr>
</tbody>
</table>

Statutory Environment:

Public Health Act 2016 section 21(1)(b)(i)
Health Act 1911
Health (Miscellaneous Provisions) Act 1911
Financial Implications:
There are no financial implications as a result of this matter.

Voting Requirements: Absolute Majority

OCM017/02/17 COUNCIL DECISION / Officer Recommendation:
Moved Cr Urban, seconded Cr Hawkins

That Council:

1. Adopts amended Delegation P011A – Appointment of Authorised Persons, Appointment of Deputy and Exercise the powers and functions under the Shire’s Health Local Law - as contained in attachment OCM017.1/02/17.

2. Adopts new Delegation P037D All powers and duties under the Public Health Act 2016 - as contained in attachment OCM017.2/02/17.

CARRIED 9/0 by ABSOLUTE MAJORITY
In accordance with section 3.12(2) of the *Local Government Act 1995*, the Presiding Member made the following declaration in regards to OCM018/02/17 Adoption of a Dust and Building Waste Local Law.

**Citation:**

Under the powers conferred by the Local Government Act 1995 and under all other powers, the Council of the Shire of Serpentine Jarrahdale is resolving to make the following Local Law:


**Purpose and Effect**

The purpose of this local law is to provide for the regulation, control and management of dust and building waste on building sites and subdivisions on land within the district to protect and enhance the environment and amenity of the district.

The effect of this local law is to establish the requirements relating to dust and building waste on building sites and subdivisions on land within the district.

| OCM018/02/17 Proposed Dust and Building Waste Local Law – Consent to advertise (SJ1066) |
|--------------------------------------------------|----------------------------------------------------------------------------------|
| Author: | Karen Cornish – Governance Advisor |
| Senior Officer/s: | Peter Kocian – Acting Director Corporate and Community |
| Date of Report: | 6 February 2017 |
| Disclosure of Officers Interest: | No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act |

**Introduction**

Council are requested to make the *Dust and Building Waste Local Law 2017* for the purposes of public advertising.

**Background:**

The Shire’s current *Dust and Sand Local Law* was gazetted on 16 November 2009. *Section 3.16 of the Local Government Act 1995* requires a local law be reviewed every 8 years to determine whether or not it considers that it should be repealed or amended. Review of this local law determined that the current *Dust and Sand Local Law 2008* be repealed and replaced with an updated local law titled *Dust and Building Waste Local Law 2017*.

**Relevant Previous Decisions of Council:**

There is no previous decision relating to this matter.

**Community / Stakeholder Consultation:**

Local and statewide public notices are required, should Council resolve to make a new local law for the purposes of advertising. *Section 3.15 of the Local Government Act* requires that the Shire takes reasonable steps to ensure our community are informed of the purpose and effect of its local laws.

Internal consultation with relevant officers has been ongoing throughout the drafting of this local law. A presentation to Councillors was also completed at a Policy Concept Forum in November 2016.

**Comment:**

**Proposal**

It is proposed to repeal the existing *Dust and Sand Local Law 2008* and adopt a new *Dust and Building Waste Local Law 2017*. 
The proposed *Dust and Building Waste Local Law 2017* is a tool to manage and enforce dust and building waste on building sites and subdivisions within the Shire. It includes provisions requiring ‘approved receptacles’ be placed and maintained on all building sites. All building waste is to be placed in the ‘approved receptacle’. Dust Management Plans are required for all dust generating development as defined in the *Dust and Building Waste Local Law 2017*.

The **purpose** of this local law is to provide for the regulation, control and management of dust and building waste on building sites and subdivisions on land within the district to protect and enhance the environment and amenity of the district.

The **effect** of this local law is to establish the requirements relating to dust and building waste on building sites and subdivisions on land within the district.

**Options and Implications**
Council can:
- Approve advertising of the proposed *Dust and Building Waste Local Law 2017* for public advertising;
- Approve advertising of the proposed *Dust and Building Waste Local Law 2017* for public advertising, subject to amendments; or
- Not approve making of the proposed *Dust and Building Waste Local Law 2017*.

Option 1 is the recommended option.

**Conclusion**
A number of similar local laws adopted by local governments were researched during the drafting of the proposed *Dust and Building Waste Local Law 2017*. Legal advice was also sought to ensure an effective and lawful document that suited the Shire’s specific requirements. It is recommended that Council adopt the *Dust and Building Waste Local Law 2017* for the purposes of advertising.

**Attachments:**
- **OCM018.1/02/17** – Draft *Dust and Building Waste Local Law 2017* (E17/979)

**Alignment with our Strategic Community Plan:**

<table>
<thead>
<tr>
<th>Objective 1.1</th>
<th>Strong Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.1.2</td>
<td>Facilitate cooperation between the Shire and its stakeholders while also considering community values.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective 1.2</th>
<th>Progressive Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.2.6</td>
<td>Comply with all legislative and statutory requirements.</td>
</tr>
</tbody>
</table>

**Statutory Environment:**

*Local Government Act 1995*

Section 3.12 describes the procedure a local government must follow for making local laws.

3.12(2) The presiding member is to give notice to the Council meeting of the purpose and effect of the local law.

3.12(3) The local government must give statewide and local public notice [section 3.12(3a)] of the proposed local law as prescribed for a period of not less than 42 days. A copy of the proposed local law and a copy of the notice must also be sent to the Minister.
3.12(4) Following the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.

3.12(5) After making the local law, the local government is to publish it in the Gazette and provide a copy to the Minister.

3.12(6) Give local public notice as prescribed, once the local law has been published in the Gazette.

3.13 If during this process, the local government decides to make a local law that would be significantly different from what it first proposed, the local government must recommence the process.

**Financial Implications:**

There will be costs associated with the advertising of the local law. These costs are included within the 2016/17 budget.

**Voting Requirements:** Simple Majority

**OCM018/02/17 COUNCIL DECISION / Officer Recommendation:**

Moved Cr Hawkins, seconded Cr Rich

That Council

1. Makes the Shire of Serpentine Jarrahdale Dust and Building Waste Local Law 2017, as contained in attachment OCM018.1/02/17 for the purposes of public advertising.

2. Provides local and statewide public notice of the proposed local law, inviting public submissions for a minimum period of 42 days, pursuant to section 3.12(3a) and 3.12(3) of the Local Government Act 1995.

3. Considers all submissions received in regards to the proposed local law as contained in attachment OCM017.1/02/17, pursuant to section 3.12(4) of the Local Government Act 1995

CARRIED UNANIMOUSLY
Introduction

Council is requested to appoint the WA Electoral Commission to conduct the Local Government election for the Shire of Serpentine Jarrahdale on 21 October 2017 and to conduct this election as a postal election.

There are a total of four positions up for election, one (1) for the north west ward, two (2) for the north ward and one (1) for the southern ward.

Background:

The Local Government Act 1995 requires that local government elections are held every two years with the next election scheduled for 21 October 2017. Section 4.20 (4) of the Act, requires Council to declare who will be responsible for the conduct of an election, with the nomination made at least eighty (80) days before election day.

Relevant Previous Decisions of Council:

OCM050/04/15 Conduct of Postal Election 17 October 2015

Community / Stakeholder Consultation:

Community consultation is not required.

Comment:

Local governments, under Section 4.61(2), may choose to conduct the election as a postal election. Local Governments have until 2 August 2017 to gain agreement from the Electoral Commissioner to conduct the election. The previous 8 elections for the Shire have been postal voting elections conducted by the WA Electoral Commission. Postal elections are more convenient for many electors and typically result in a higher rate of voter participation than in person ballots.

The Shire’s participation rates from previous local government elections are:

<table>
<thead>
<tr>
<th>Year</th>
<th>Participation Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009 Local Government Election</td>
<td>35.7%</td>
</tr>
<tr>
<td>2011 Local Government Election</td>
<td>32.7%</td>
</tr>
<tr>
<td>2013 Local Government Election</td>
<td>23.2%</td>
</tr>
<tr>
<td>2015 Local Government Election</td>
<td>27.3%</td>
</tr>
</tbody>
</table>

Attachments:

- **OCM019.01/02/17** – Estimated costs for the Local Government Ordinary Election 2017 (IN16/25800)

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective/Key Action</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective 1.2</td>
<td>Progressive Organisation</td>
</tr>
<tr>
<td>Key Action 1.2.6</td>
<td>Comply with all legislative and statutory requirements</td>
</tr>
</tbody>
</table>
Statutory Environment:
*Local Government Act 1995* - section 4.20(4) and section 4.61(2)
*Local Government (Elections) Regulations 1997*

Financial Implications:
The WA Electoral Commission has provided a cost estimate of $74,000 (inc gst) to conduct a postal election for the Shire. An allocation has been made in the 2016/2017 budget and Council will be asked to also consider a budget in 2017/2018 for the October 2017 election expenses.

Voting Requirements: Absolute Majority

Moved Cr Piipponen, seconded Cr Gossage

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, that the Western Australian Electoral Commissioner be responsible for the conduct of the ordinary local government elections to be held on 21 October 2017 for the Shire of Serpentine Jarrahdale, together with any other elections or polls which may be required.

2. Approve, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the ordinary local government election to be held on 21 October 2017 be as a postal election.

3. Approve an allocation of $74,000 in the 2017/18 budget to conduct the October 2017 election as a postal election, with the budget to be formally approved with the adoption of the Shire's 2017/18 Budget.

CARRIED 9/0 by ABSOLUTE MAJORITY
### Introduction

Council is requested to support the Serpentine Foothills Polocrosse Club project which involves the installation of additional horse yards and watering points on the polocrosse field at Serpentine Sports Ground, and to delegate authority to the CEO to provide letters of support for external funding purposes. The Club intends to fully finance the project and as part of their funding strategy is applying for grants under the Building Better Regions Fund in February and the Community Sport and Recreation Facility Fund in March.

### Background:

The Project was submitted to the Shire in March 2016 by the Serpentine Foothills Polocrosse Club (SFPC) and has recently undergone internal technical assessment which recommended the Project proceed to application for approval.

As part of this assessment it was identified that the Serpentine Sports Ground is owned by the Shire and is subject to a Crown Land in Trust restricting the use of the Land for the purpose of Recreation and Showground. There is no delegation in place to provide officers with the authority to provide written consent to the proposed improvements on the Land.

Additionally the Department of Sport and Recreation require Council approval of projects submitted for funding under the Community Sport and Recreation Facility Fund.

### Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application/issue.

### Community / Stakeholder Consultation:

#### External Consultation

The Shires Community Engagement Team discussed the project with members of the SFPC in March 2016. The Club submitted an application for the project to the Shires Locality Funding Program at this time which was unsuccessful. The club met again with the Community Engagement Team in January 2017 to discuss the current funding opportunities through the Building Better Region Fund (BBRF) and the Community Sport and Recreation Facility Fund (CRSFF).

#### Internal Consultation

The Project has undergone internal technical assessment which includes input from the following Teams: Property and Leasing, Community Engagement, Reserves, Fire, Governance, Building, Planning, and Corporate Manager. This assessment found no issues with the Project but did identify that any improvements to the Reserve required Council approval as there is no delegated authority in place.

### Comment:

#### Project

The Project is the installation of additional horse yards and watering points on John Lyster Reserve at the Serpentine Sports Ground. The total cost of the project is $65,707 of which the Club is providing $5,000 cash and $35,000 in-kind and donated materials and services. They will be seeking $25,707 in external funding to purchase the prefabricated steel yards. The Club continues to grow and the current number of horse yards and watering points are not meeting demand. The existing and new horse yards will be used by the Serpentine
Foothills Polocrosse Club, the Serpentine Horse and Pony Club, the Show Horse Council of WA, and the Southside Jump Club.

The yards are required for tournaments which continue to grow in participants and regularly attract riders from Geraldton and Kalgoorlie down to Margaret River and Capel. Last year there were riders from Victoria and New Zealand. The SFPC have been extremely successful in developing local talent with 27 state representatives and 9 Australian representatives.

The current yards are very old and require continual maintenance. The design is such that horses are able to escape posing a safety issue. The new yards are far superior in design which will minimise these occurrences. They have been installed at other polocrosse clubs including Perth, Capel, South Midlands and Kojonup.

Conclusion

The Serpentine Foothills Polocrosse Club has been operating at the Serpentine Sports Ground for 32 years. The clubs membership has experienced consistent growth and currently has 100 members making it one of the two largest polocrosse clubs in WA. The additional horse yards and watering points are required to meet rider demand. The committee is very dedicated and is being proactive in seeking external funding for a much needed project.

Alignment with our Strategic Community Plan:

<table>
<thead>
<tr>
<th>Objective 3.1</th>
<th>Urban Design with Rural Charm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 3.1.1</td>
<td>Maintain the area’s distinct rural character, create village environments and provide facilities that serve the community’s needs and encourage social interaction</td>
</tr>
<tr>
<td>Objective 6.2</td>
<td>Active and Connected People</td>
</tr>
<tr>
<td>Key Action 6.2.2</td>
<td>Use community facilities to provide social interactions for all age groups through appropriate activities and events</td>
</tr>
</tbody>
</table>

Statutory Environment:

There is no delegation in place that authorises the CEO to make a decision on a matter relating to property/land that is owned by the Shire. The CEO is only authorised to deal with matters relating to Shire land that is vested, controlled or managed, in accordance with section 3.54 of the Local Government Act.

Financial Implications:

There are no capital or maintenance implications for the Shire.
Minutes – Ordinary Council Meeting

27 February 2017

Voting Requirements: Simple Majority

OCM020/02/17 COUNCIL DECISION / Officer Recommendation:

Moved Cr Rich, seconded Cr Ellis

That Council:

1. Supports the Serpentine Foothills Polocrosse Clubs application to the Building Better Regions Fund and the Community Sport and Recreation Facility Fund for the installation of pre-fabricated horse yards and additional water points to Lot 778 Karnup Road, Serpentine, also known as John Lyster Polocrosse Ground, Serpentine, and

2. Acknowledges that the Serpentine Foothills Polocrosse Club is fully funding the project and will be responsible for all maintenance relating to the horse yards and watering points, and

3. Authorises the Chief Executive Officer to prepare a letter of support to the Serpentine Foothills Polocrosse Club for the purposes of applying to the funding programs.

CARRIED UNANIMOUSLY
7.5 Chief Executive Officer Reports:

<table>
<thead>
<tr>
<th>OCM021/02/17</th>
<th>Consider decisions from the Electors’ General Meeting at the March Ordinary Council Meeting (SJ2170)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author:</td>
<td>Gary Clark – Acting Chief Executive Officer</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>9 February 2017</td>
</tr>
<tr>
<td>Disclosure of Officers Interest:</td>
<td>No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act</td>
</tr>
</tbody>
</table>

**Introduction**

Council is requested to defer consideration of the decisions made at the Elector’s General Meeting held on the 23 January 2017, to the Ordinary Council Meeting on the 27 March 2017.

**Background:**

In accordance with *section 5.27 of the Local Government Act 1995 (the Act)* a general Meeting of Electors was held on Monday 23 January 2017. All decisions made at an electors’ meeting are required to be considered at an Ordinary Council Meeting, in accordance with *section 5.33 of the Act*.

**Relevant Previous Decisions of Council:**

There is no previous Council decision relating to this matter.

**Community / Stakeholder Consultation:**

Consultation is not required in this instance.

**Comment:**

A number of motions were carried at the 23 January 2017 Electors’ General Meeting. *Section 5.33 of the Act* applies in relation to decisions made at electors’ meetings. All decisions made are to be considered at the next ordinary council meeting, or if that is not practicable, at the first ordinary council meeting after that meeting, or a special council meeting held for that purpose.

Due to the number of decisions made at this meeting, Shire officers require sufficient time to provide relevant information and advice to Council. It is recommended that Council consider the decisions made at the Electors’ General Meeting at the Ordinary Council Meeting on the 27 March 2017. This is in accordance with *section 5.33(1)(a) of the Act*.

**Attachments:**

There are no attachments relating to this item.

**Alignment with our Strategic Community Plan:**

<table>
<thead>
<tr>
<th>Objective 1.1</th>
<th>Strong Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.1.2</td>
<td>Facilitate cooperation between the Shire and its stakeholders while also considering community values.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective 1.2</th>
<th>Progressive Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Action 1.2.6</td>
<td>Comply with all legislative and statutory requirements.</td>
</tr>
</tbody>
</table>
Statutory Environment:

*Local Government Act 1995*

- Section 5.32(a) requires the CEO to keep minutes of the meeting.
- Section 5.32(b) requires the CEO to ensure copies of the minutes are made available for inspection to members of the public before the council meeting at which decisions made at the electors’ meeting are going to be considered.
- Section 5.33(1) states all decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable –
  - (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose.
- Section 5.33(2) - states if at a meeting of the council a local government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Financial Implications:

There are no financial implications associated with deferring consideration of the decisions made at the electors’ meeting to the March Ordinary Council Meeting.

Voting Requirements: Simple Majority

**OCM021/02/17 COUNCIL DECISION / Officer Recommendation:**

Moved Cr See, seconded Cr Ellis

That Council consider the decisions made at the Electors' General Meeting held on the 23 January 2017 at the Ordinary Council Meeting on 27 March 2017, in accordance with section 5.33(1)(a) of the *Local Government Act 1995*.  

CARRIED UNANIMOUSLY
7.6 Confidential Reports:

Nil

8. Motions of which notice has been given:

Nil

9. Urgent Business:

Nil

10. Councillor questions of which notice has been given:

Nil

11. Closure:
here being no further business the Presiding Member declared the meeting closed at 8.10pm.

I certify that these minutes were confirmed at the
Ordinary Council Meeting held on 27 March 2017

...............................................                          ...................................
Presiding Member                                           Date