



Shire of  
Serpentine  
Jarrahdale

# **Electors General Meeting**

## **Minutes**

**6.30pm**

**Thursday 20 December 2018**

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### **Contact Us**

#### **Enquiries**

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#### **In Person**

Shire of Serpentine Jarrahdale  
6 Paterson Street, Mundijong WA 6123  
Open Monday to Friday 8.30am-5pm (closed public holidays)



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**Minutes of the Electors General Meeting of the Shire of Serpentine Jarrahdale held on Thursday 20 December 2018 in the Council Chambers, 6 Paterson Street, Mundijong commencing at 6.33pm.**

**Minutes**

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

**In Attendance:**

**Councillors:** M Rich ..... Presiding Member  
D Atwell  
M Byas  
R Coales  
B Denholm  
K McConkey  
J See

**Officers:** Mr K Donohoe ..... Chief Executive Officer  
Ms H Sarcich ... Deputy CEO / Director Community Services  
Mr F Sullivan ..... Director Corporate Services  
Mr A Schonfeldt..... Director Development Services  
Mr S Harding ..... Director Infrastructure Services  
Mr A Bowman ..... Manager Governance  
Ms A Liersch .... Agendas and Minutes Officer (Minute Taker)  
Mrs A Sealy ..... PA to Director Corporate Services  
Ms M Gibson ..... Governance Officer

**Apologies:** Councillor D Gossage;

**Members of the Public: 37**

Councillor Rich declared the meeting open at 6.33pm and welcomed members of the Public, Councillors, and Staff to the 2017 /2018 Electors General Meeting.

Councillor Rich acknowledged that the meeting was being held on the traditional lands of the Noongar People, and paid her respects to their Elders, both past and present.

Councillor Rich introduced Councillors:

- Deputy Shire President David Atwell
- Councillor Morgan Byas
- Councillor Rob Coales
- Councillor Bill Denholm
- Councillor Keira McConkey
- Councillor Jacqui See



Councillor Rich advised that apologies had been received from Councillor David Gossage, and also from Mr Neil Kentish and Mr John Kirkpatrick.

Councillor Rich introduced the Executive Management Group:

Chief Executive Officer, Mr Kenn Donohoe

Deputy CEO / Director Community Services, Ms Helen Sarcich

Director Corporate Services, Mr Frazer Sullivan

Director Development Services, Mr Andre Schonfeldt

Director Infrastructure Services, Mr Steve Harding

Councillor Rich acknowledged Freeman Ms Jan Starr and Mr Athol Wigg, Justice of the Peace.

Councillor Rich advised, that in accordance with the Agenda, the order of business for tonight's meeting would be as follows:

- Shire Presidents Report
- Chief Executive Officers Report
- Auditor's Report
- Presentation by Director Corporate Services
- Acceptance of the Annual Report, incorporating the Annual Financial Statements for the year ending 30 June 2018
- General Business.

Councillor Rich advised that Questions, Statements or Motions that have been received in advance would be dealt with first. Councillor Rich requested that as presenters are called forward, to state their name and addresses.

Councillor Rich advised that the meeting would then move to Questions, Statements or Motions received tonight and requested that Questions, Statements or Motions have been written on the form available, and once presented, to provide the form to Shire Staff.

Councillor Rich requested everyone that when addressing the Meeting, to please use the microphone to enable accurate Minutes to be taken.

Councillor Rich advised that she or members of the Executive Management Group would try to answer questions tonight, but as some may require research, these questions would be taken on notice and a response provided by mail, and included in the next ordinary council meeting agenda, or, if that is not practicable, at the first ordinary council meeting after that meeting, or at a special meeting called for that purpose, whichever happens first.

Councillor Rich advised that any Motion that is presented tonight, requires a Mover and Seconder and to please ensure your name is stated clearly for Minute taking purposes.

If an Elector puts a motion before the meeting, the procedure will be the same as used at Council Meetings and Standing Orders will apply. All motions put to the meeting require a seconder before debate on the motion proceeds. If there is no seconder, the motion shall lapse and no debate will take place.



The mover of the motion speaks first, followed by the seconder, and then alternatively those wishing to speak against or for the motion. The mover has the right to respond in summing up his or her arguments or responding to comments during the debate. No new material is to be introduced by the mover of a motion in his closing remarks. No person shall speak twice to a motion other than the mover and there shall be no further debate on a motion once the mover has concluded their remarks. The motion shall then go to a vote of eligible voters.

Any debate on Motions is to be through me as the Presiding Member, and will be limited to 3 minutes per person. On taking the vote, please raise the voting card eligible Electors have been provided with on entry this evening. Please continue to hold the voting card clearly while the votes are being counted, if there is a need for them to be counted.

Councillors are also electors of the Shire of Serpentine Jarrahdale and may vote for or against, or abstain from any motion that may be put from the floor.

Please be respectful to those speaking and not interject or make comment while others are having their say.

Any decision taken on any matter this evening is not binding on the Council but will be considered by Council at the next ordinary Council meeting, or if that is not practicable, at the first ordinary Council meeting after that meeting, or at a special meeting called for that purpose, whichever happens first.

Thank you for joining us for the 2018 Electors General Meeting.

## **2. Shire Presidents Report:**

Shire President, Councillor Rich read the 2017 / 18 Shire President's message.

I am pleased to introduce the Shire of Serpentine Jarrahdale's 2017/2018 Annual Report.

### **New direction**

The local government elections held in October last year brought about a change in Councillors with Councillor Rob Coales and Councillor Bill Denholm elected in the North Ward, Councillor Morgan Byas elected in the North West Ward and Councillor Keira McConkey elected in the Southern Ward.

They joined existing Councillor Dave Gossage and Councillor Jacqui See in the North Ward, Councillor Dave Atwell (Deputy President) and myself in the Southern Ward and Councillor Sam Piipponen in the North West Ward.

I was extremely proud to be elected by the Council as Shire President in October and will work tirelessly over the next two years to enhance our municipality.

I offer thanks to the outgoing Councillors, John Erren who served as a Councillor from 2013 to 2017 including as Shire President from 2015 to 2017, Keith Ellis who served as a Councillor from 2013 to 2017 including as Shire President from 2013 to 2015 and Sandra Hawkins who served as a Councillor from 2013 to 2017.

### **Advocating for our priority projects**

Lobbying our priority projects to the State and Federal government has been a priority this year. The projects are integral to improving transport links, increasing local employment opportunities and addressing a number of our high-risk roads.



The \$505m Tonkin Highway extension from Thomas Road in Byford to South Western Highway in Mundijong remains a priority. Throughout the year the Shire has advocated for this project to Federal and State Governments and will continue to do so until the project is fully funded and a start date for the works is committed to by the State Government. I encourage the community to look at the political commitments being provided for the Tonkin Highway and assist the Shire in the advocacy.

The Metronet extension to Byford as announced by the State Government will make a significant contribution to addressing some of our community's needs. The Shire is advocating for the Metronet station in Byford to be placed in the Byford Town Centre, allowing for increased accessibility and development of the Town Centre as a hub for residents, as opposed to the isolated proposed location further north of the Byford Town Centre.

The Shire's commitment to economic development and the creation of local employment opportunities was realised with the rezoning and creation of West Mundijong Industrial Area. West Mundijong Industrial Area provides 440 hectares of industrial-zoned land and offers businesses the chance to be part of an innovative, prosperous and commercially diverse local economy that doesn't lose sight of its environmental values. We continue to advocate for the realignment of the existing freight rail line linking the Shire to commercial and industrial precincts across Perth and Peel.

It is vital that these projects progress as soon as practicable to allow us to achieve your vision for development and employment opportunities in our community, now and into the future.

### **Collaborating with our community**

June 2018 saw nearly a decade of collaborative work with the community realised, with the State Government handing over the site for the Keirnan Park Recreation Precinct. This is a major step towards creating a true community precinct that will meet the needs of local clubs and athletes well into the future. This community-defining project is planned to be delivered over six stages and projected to cost \$70-\$100 million.

In 2017/2018 the Shire invited the community to become a part of our strategic decision making processes through the establishment of a number of Advisory Committees.

The Economic Development Committee was established in June 2017 with the purpose of providing advice and input into the economic development of the Shire. The appointment of seven community members to the Committee was made in November 2017.

In November 2017, we adopted our Access and Inclusion Plan 2018-2022 and established an Access and Inclusion Advisory Committee. The Committee includes three community members who will assist us with their skills and experience. This will help us to continue implementing the actions identified in the Plan to create an inclusive community for all.

The Arts, Culture and Heritage Advisory Committee draws upon the significant experience and expertise of six community members as we work together to retain, enhance and capitalise on our unique history and culture.

### **Awards and achievements**

The Shire has been working with the community on a number of informing strategies to guide future investment. These are an Equine Strategy, a Tourism Strategy, an Economic



Development Strategy and an Engineering analysis of road networks within the whole district. These strategies are important for us, as they will continue to guide investment decisions and consequently are the basis for funding applications to leverage investment into the district.

The Planning Institute of Australia WA recognised the community's vision for a sustainable, prosperous and inclusive community that retains a connection to nature by awarding the prestigious "Hard-won victory" Award for Planning Excellence to "SJ2050 – City living offering a rural lifestyle for a diverse community with abundant opportunities". The SJ2050 visioning process received the Award for its innovative approach to overcoming planning challenges and the application of planning tools which offered significant benefit to the community.

In February, the Shire was recognised for fostering a safe and inclusive community with a prestigious Gold Participation Award (Local Government) from Neighbourhood Watch WA. The award acknowledged the Shire's support of the Serpentine Jarrahdale Neighbourhood Watch – a volunteer group whose members take an active role in crime prevention and community safety.

On behalf of the Council, I would like to thank the Chief Executive Officer and Staff for the work they have undertaken throughout the year. Their commitment, enthusiasm and work ethic throughout the 2017/18 year is evident in the achievements contained in this report.



### **3. Chief Executive Officers Report:**

Mr Kenn Donohoe, Chief Executive Officer read the 2017/18 Chief Executive Officers Report.

The 2017/18 year saw the Shire of Serpentine Jarrahdale local government elections, the composition of a new Council and employment of a new Executive Team bringing about a change in direction and leadership. We have embraced this direction and worked throughout the year on a demanding program of projects in one of Australia's fastest growing local governments.

This growth saw the creation of 260 new lots, applications for near on 1000 residential houses and 50 commercial developments with an estimated value of construction for the year of \$116 million.

#### **A focus on capital projects and works**

To accommodate this rapid growth, significant emphasis was put upon ensuring capital projects were prioritised through to completion, and re-establishing processes to understand the growing roads and transport networks in the district. A significant issue facing the Shire is evaluating its road and transport networks and reinvesting in these networks to cater for forecast demand by commuter and business users while maintaining financial sustainability.

The \$18 million contract for Abernethy Road is the largest and most complex contract we've ever managed. Significant work has been undertaken in the last 12 months relocating utility services including Telstra, NBN, gas and power to make way for the road construction works which is anticipated to be completed in 2019.

\$11m in capital works was undertaken to maintain roads, footpaths, public open space, sporting and community facilities. This work included full upgrades to eight existing roads and remedial works to nearly 11km of road throughout the Shire.

Five new footpaths were constructed to increase connectivity in our community between schools, commercial and residential precincts including; Gordin Way, South Western Highway and Bateman Street in Byford as well as Tonkin Street, Mundijong and Falls Road, Serpentine.

Percy's Park was enhanced as an attractive space for the community to enjoy with the completion of the toilets, additional bins and tree planting along the creek. Other parks and reserves throughout the Shire received new infrastructure such as BBQ's, signage, replacement shade sails and bins.

#### **Advocating for SJ**

Political leadership at both a State and Commonwealth level have given further commitments for the development of the long awaited Tonkin Highway extension and the Byford Metronet proposals. We have advocated with significant effort for the Tonkin Highway, which is a 13.7 kilometre project to be managed by the State Government with Commonwealth support. This is of the utmost importance for the Shire's vision to further develop the West Mundijong Industrial Area and the associated intermodal zone and improve transport options in the Shire all of which will be supported by the Tonkin's construction.



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**Environment and safety**

Our environment is a prime motivator for many to call the Shire home. It is critical to our wellbeing and essential to our rural identity. We have continued to invest in our environment by building a strong financial and collaborative partnership with Landcare SJ through a contribution of \$200,000 per annum and our provincial partnership with the Shire's of Armadale and Gosnells through the 'Switch your Thinking' program.

Fire preparedness was again a focus in 2017/2018, and we were successful in gaining grant funding of \$250,000 to construct and install five 215,000 litre potable static water supply tanks in Jarrahdale and refurbish two existing tanks. It is testament to the community's commitment to bushfire safety and preparedness that 99% of the 13,000 firebreak inspections conducted this year, resulted in compliance. Furthermore, we saw a decrease in the number of fires attended by our Brigades.

**An active and connected community**

Community participation and connection continues to be supported by a range of community events and activities including school holiday activities, Community Christmas, Paws in the Park, Thank a Volunteer Day, Library Lovers Day and Harmony Day, as well as supporting the great work of local community and sporting groups with grants totaling \$143,083.

A significant commitment to local sports was enabled through securing \$1.2m of funding for improvements at the Briggs Park lower oval. These works will include the installation of a subsoil drainage system, lighting and associated infrastructure. The grant will also allow for upgrades to the lighting and AFL goal posts on the upper oval.

Through the Kidsport program, we were able to support 334 of our young people to participate in local sports with financial assistance totaling \$48,482.

The Shire and Byford BMX Club worked in partnership to undertake a \$74,492 upgrade to the lighting at the Byford BMX track. This will ensure that riders can now undertake safe night time training and racing and has increased the clubs capacity to host competitions.

**Looking ahead**

We are working on a strategic review of the Shire's Technology Management which will bring in house the ICT functions and the procurement of a new fully integrated business system resulting in a modernisation and uplift in service delivery to the community and ongoing cost savings as we move forward and as our existing system approaches its end of life.

While there remains many areas for improvement to ensure the community sees value for its rate investment, I can say the staff are striving to work closely with Council and the community to realise the community's aspirations in a challenging environment.

**4. Auditor's Report:**

Mr Frazer Sullivan, Director Corporate Services read the 2017 / 18 Independent Auditors Report to the Councillors of the Shire of Serpentine Jarrahdale.

**Report on the Audit of the Financial Report****Opinion**

We have audited the accompanying financial report of the Shire of Serpentine Jarrahdale (the Shire), which comprises the Statement of Financial Position as at 30 June 2018, Statement of Comprehensive Income by Nature or Type, Statement of Comprehensive





Income by Program, Statement of Changes in Equity, Statement of Cash Flows and the Rate Setting Statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information and the Statement by Chief Executive Officer.

In our opinion, the financial report of the Shire of Serpentine Jarrahdale:

- a) is based on proper accounts and reports ; and
- b) fairly represents, in all material respects, the results of the operations of the Shire for the year ended 30 June 2018 and its financial position at the end of that period in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

### **Basis for Opinion**

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Shire in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the "Code") that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### **Emphasis of Matters**

#### **Basis of Preparation**

We draw attention to Note 1 to the financial report, which describes the basis of preparation. The financial report has been prepared for the purpose of fulfilling the Shire's financial reporting responsibilities under the Act. Regulation 16 of the Local Government (Financial Management) Regulations 1996 (Regulations), does not allow a local government to recognise some categories of land, including land under roads, as assets in the annual financial report. Our opinion is not modified in respect of this matter.

#### **Recognition of Assets Contributed by Developers**

We draw attention to Note 12(a) to the financial report, which describes the reason for the recognition of assets contributed by developers through the revaluation surplus rather than revenue as prescribed by paragraph 12 of *AASB 1004: Contributions*. Our opinion is not modified in respect of this matter.

### **Responsibilities of the Chief Executive Officer and Council for the Financial Report**

The Chief Executive Officer (CEO) of the Shire is responsible for the preparation and fair presentation of the annual financial report in accordance with the requirements of the Act, the Regulations and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards. The CEO is also responsible for such internal control as the CEO determines is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the CEO is responsible for assessing the Shire's ability to continue as a going concern, disclosing, as applicable, matters related to



going concern and using the going concern basis of accounting unless the State Government has made decisions affecting the continued existence of the Shire.

The Council is responsible for overseeing the Shire's financial reporting process.

### **Auditor's Responsibilities for the Audit of the Financial Report**

Our objectives of the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Shire's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the CEO.
- Conclude on the appropriateness of the CEO's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Shire's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report, as we cannot predict future events or conditions that may have an impact.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.



We communicate with the Council and the CEO regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

In accordance with the Local Government (Audit) Regulations 1996, we also report that :

- a) In our opinion, the following matters indicate a significant adverse trend in the financial position of the Shire:
  - i) The Operating Surplus Ratio, the Asset Sustainability Ratio and the Asset Renewal Funding Ratio have been below the DLGSCI standard for the past 3 years; and
  - ii) The Current Ratio for 2017-18 is below the DLGSCI standard, below its level for the 2 prior years and is more than 10% below last year's ratio.
- b) All required information and explanations were obtained by us.
- c) All audit procedures were satisfactorily completed in conducting our audit
- d) In my opinion, the asset consumption ratio and the asset renewal ratio included in the annual financial report were supported by verifiable information and reasonable assumptions

#### MATTERS RELATING TO THE ELECTRONIC PUBLICATION OF THE AUDITED FINANCIAL REPORT

This auditor's report relates to the annual financial report of the Shire of Serpentine Jarrahdale for the year ended 30 June 2018 included on the Shire's website. The Shire's management is responsible for the integrity of the Shire's website. This audit does not provide assurance on the integrity of the Shire's website. The auditor's report refers only to the financial report described above. It does not provide an opinion on any other information which may have been hyperlinked to/from this financial report. If users of the financial report are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited financial report to confirm the information contained in this website version of the financial report.

***Moore Stephens Chartered Accountants***  
***Greg Godwin, Partner***



## **5. Annual Report, incorporating Annual Financial Statements for the year ending 30 June 2018:**

Copies of the Annual Report containing the Financial Report were available at the meeting, and have been available for inspection on Council's website, and at the Administration Centre and the Mundijong Public Library. If anyone would like a copy of the Annual Report, please contact the Shire Office.

Mr Frazer Sullivan, Director Corporate Services, provided a presentation on the 10 year financial plan for the Shire of Serpentine Jarrahdale and additional explanation of the Auditor's Report.

The Director Corporate Services advised that the Audit report had a lot of technical jargon in it and expanded on what it actually means for the community.

Mr Sullivan explained that it is a misnomer to call local government a not for profit entity. Local Government is very much about profit. Profit is defined as change in net assets. The difference between private enterprise and local government is the asset class we are attempting to grow. It is not cash to distribute as dividends but hard assets in and on the ground, delivering amenity to our community. The main implication of the matter of emphasis highlighted in the Audit report is Serpentine Jarrahdale should be doing better from our own internal efforts to maintain our asset base. The problem Serpentine Jarrahdale has faced for the past few years, being the fastest growing municipality in Australia, is managing the extraordinary contribution being made to our asset base by the private development sector. One of the significant imposts the Shire has had to bear is funding the strategic planning that has had to be done to do just this. Thankfully, this is nearing completion with Council recently approving the advertising of a number of structure plans with associated developer contribution plans.

Further, Council also recently approved a scheme amendment that will see for the first time a contribution plan dedicated to the delivery of over \$112 million worth of additional community assets over the next 30 years.

The Director Corporate Services provided a Presentation with a simple way to think of local government finances.

Essentially the Shire receives untied revenue such as rates and general-purpose grants and then spends it on delivering services to the community, saving for special projects, renewing assets and building new assets.

The problem is in the natural order of things, money likes to run up the page, people do not want to pay rates and when the Shire does receive those funds, it is spent on delivering the immediate service demands that are ever present in daily life. Management's purpose therefore, is to drive money down the page, for that is where the wealth of the community grows, when we maintain the service potential of existing assets and construct new ones.

Unfortunately, the better this is achieved, the more difficult it becomes, because each new asset requires additional maintenance and operating costs. There is however, one spend we can do at the bottom of the page that can help up the top, that being technology.

Essentially, what the Audit report is calling for, is an addition \$3million to be spent on renewing our assets.

This was not a surprise outcome for us and the planning to deal with this is well in hand. This year's budget saw a significant portion of the rates increase being set aside



specifically to meet our obligations in matching the community infrastructure developer contribution plan.

Further, the current budget has approximately a million dollars of savings made in the waste collection service reallocated to implementing a state of the art Enterprise Resource Planning.

Looking further, to the coming budget period, we have devoted significant effort to generating additional grant funding and have over \$1.2 million dollars before a number of Ministers for final approval.

The Director Corporate Services summarised that the immense amount of funds spent on the strategic planning effort he previously referred to was due to end and much of the funds already expended can be reclaimed from the development industry.

The Director Corporate Services concluded by saying that yes the Audit report does call for action, but he reassured the community that the required action is already well in hand.

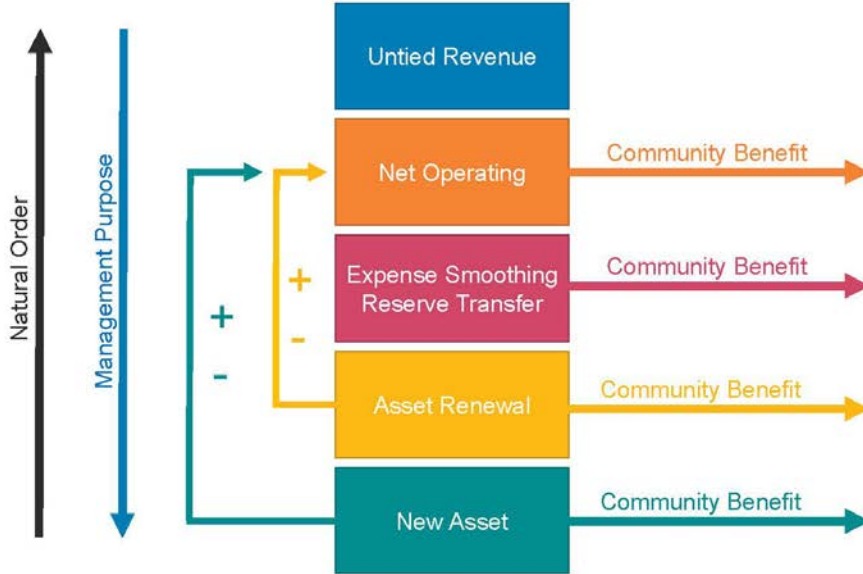
**Net Result (Change in Net Assets)      \$1,445,426**

**Total Comprehensive Income      \$140,131,836**





### 10 Year Financial Plan

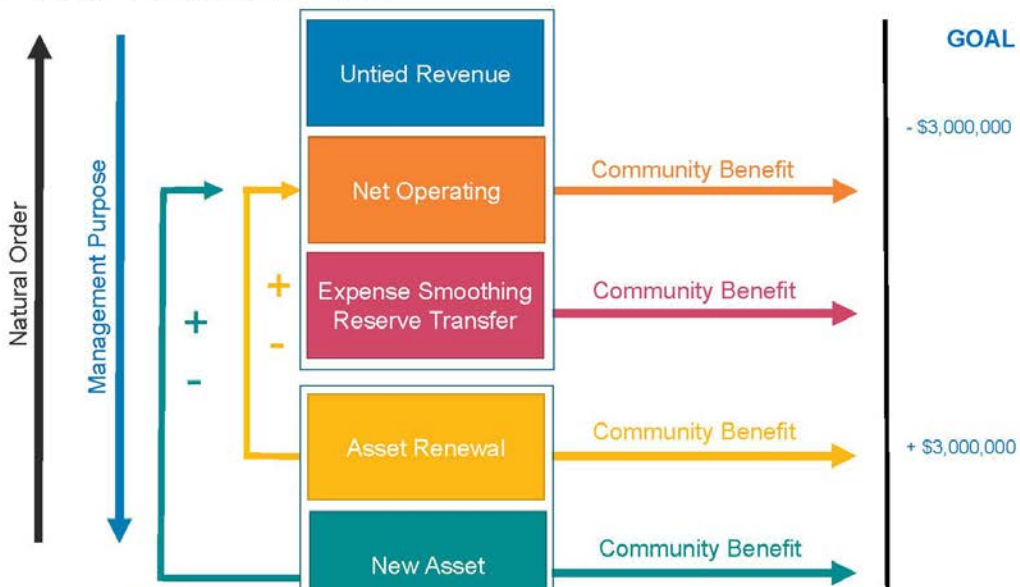


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### 10 Year Financial Plan



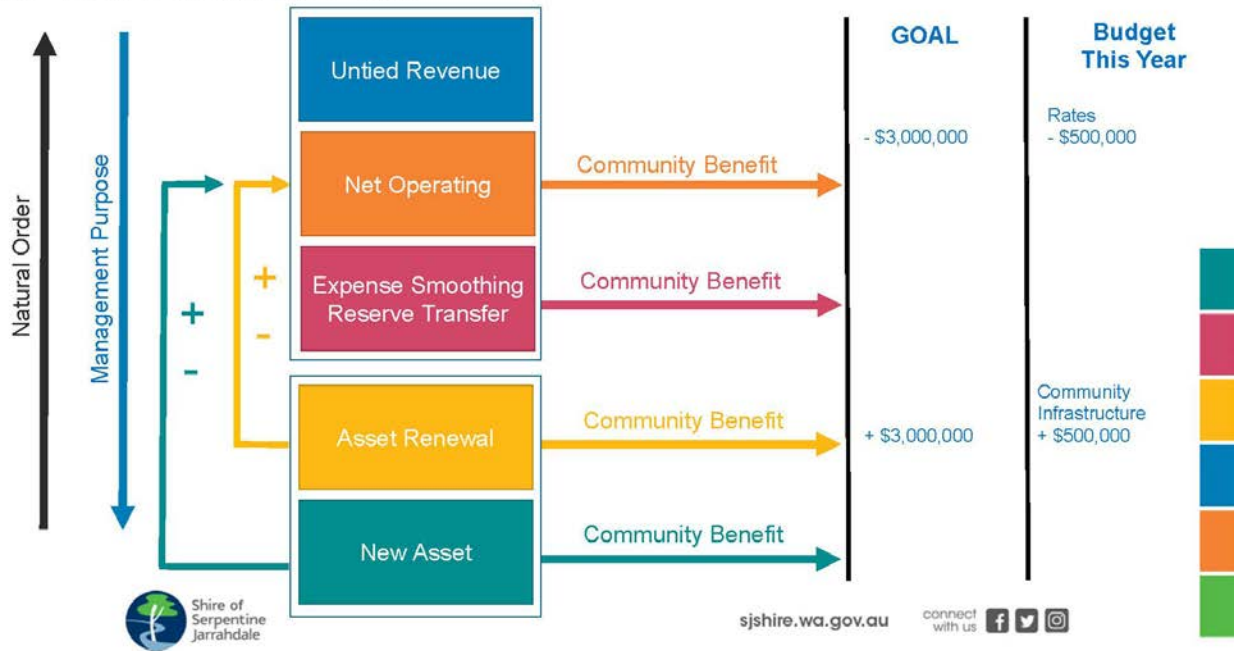
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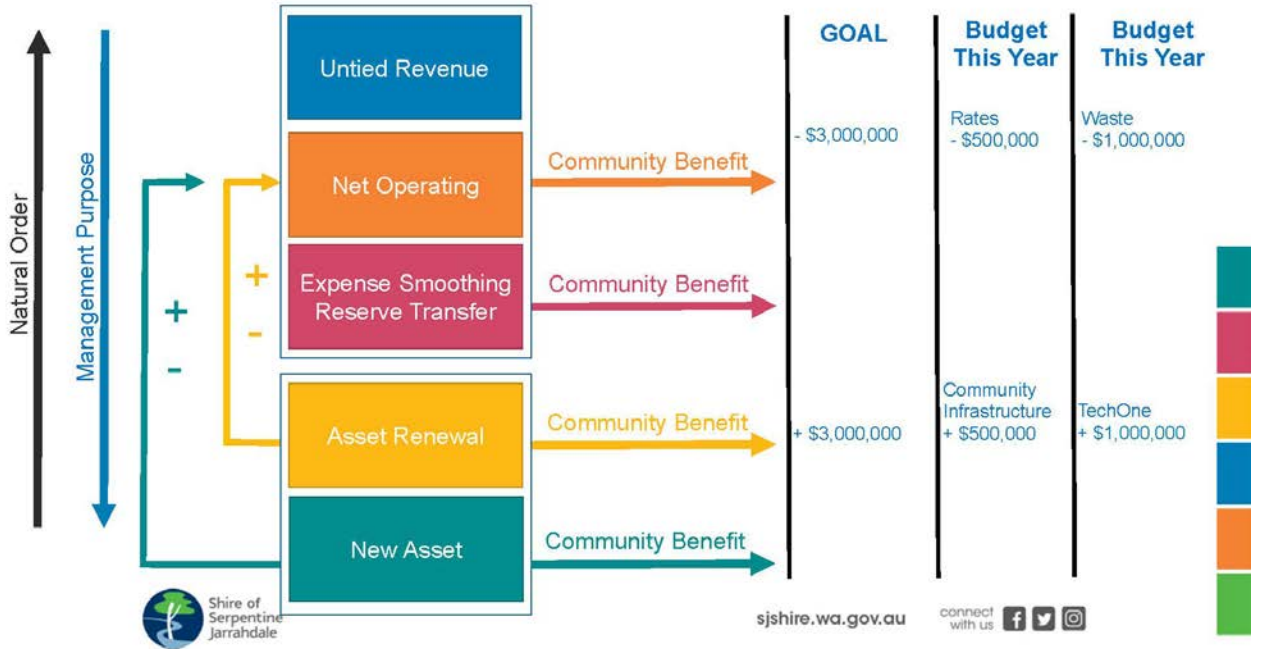




### 10 Year Financial Plan

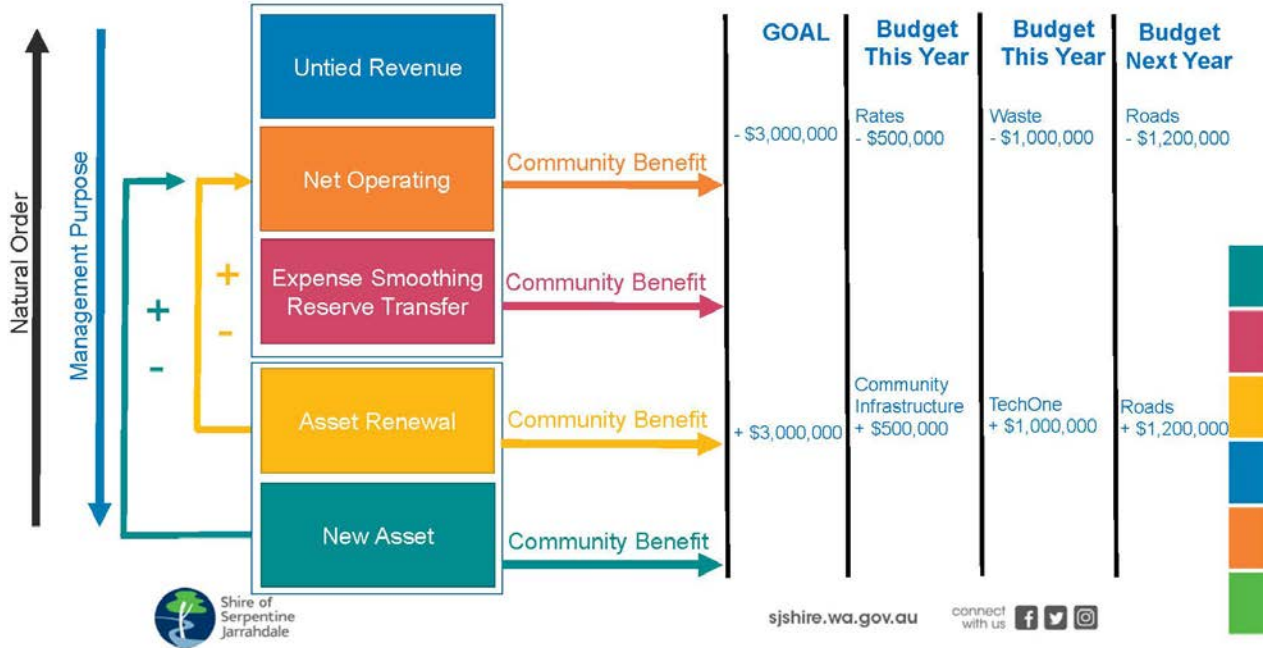


### 10 Year Financial Plan

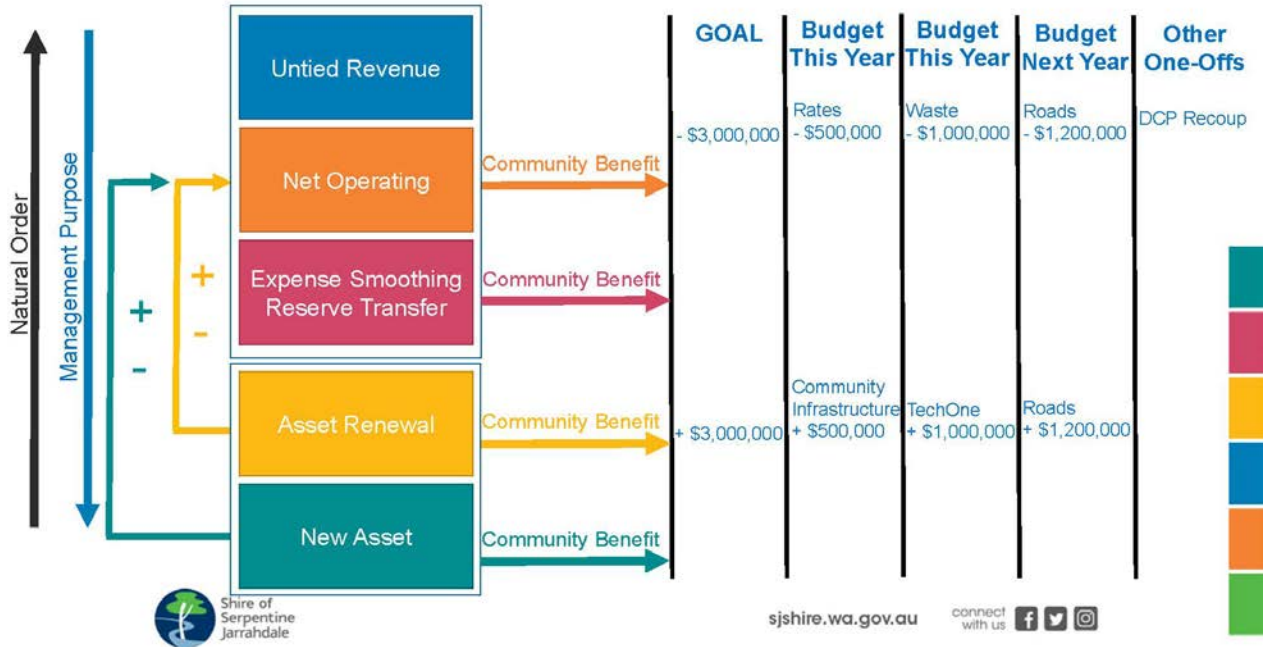




### 10 Year Financial Plan



### 10 Year Financial Plan





**6. Acceptance of the Annual Report incorporating Annual Financial Statements for the year ending 30 June 2018:**

EGM001/12/18 ELECTORS' MOTION

Moved Ms Merri Harris, seconded Mr Tom Hoyer

That the Annual Report for the Shire of Serpentine Jarrahdale for the year 2017 / 2018 incorporating the 2017 / 2018 Annual Financial Statements and the 2017/ 2018 Auditor's Report be ACCEPTED.

**CARRIED****7. General Business:****7.1 Questions, Statements or Motions of which prior notice has been given:****Merri Harris****Statement**

It has come to my attention lately that WALGA has put forward a recommendation, as part of the reform of the Local Government Act, to increase the requirements for signatures from 100 to 500 to call for a Special Electors meeting. This would appear to a simple mind like mine as being decidedly undemocratic.

Unfortunately, for local government, it is being tarred with the same anti-establishment and "lack of trust" brush that is being applied to state and particularly federal politics and the proposed recommendation from WALGA, acting on behalf of its member local governments, does nothing to disabuse us members of the public of this view.

As a member of a group of local citizens, residents and ratepayers, who are collectively disgusted at the above recommendation from WALGA and who have lost trust that elected members will act or cannot, collectively, to stand against such a proposal I wish to support the motion that will be moved this evening.

Councillors, this is your opportunity to indicate your intention to support residents and ratepayers of the shire by encouraging local community engagement and that you will be willing to financially support that process as proposed by the motion.

The lack of action by the state government to curtail the 'rogue' behaviour of industry and politically supported state planning bodies and the State Administrative Tribunal has been another prompt for this action. The lack of third party appeals, that is by members of the community, continue to deny the right of local communities to protect and value community amenity and identity. It will be only a matter of time before one of these 'rogue' decisions will affect our Shire and our community must be prepared to defend itself against the possibility.

Therefore, it has been decided, along with other local community groups around the state, that a community driven alternative mechanism, driven by a state wide Residents and Rate Payers Association needed to be created. That group has been formed and intends to assist with community group representation wherever it is required to present the views of the community.

I commend this motion to you as your opportunity to indicate your willingness to support your community to be able to represent itself in those circumstance where



it is not possible for the Shire to do so appropriately in the current legislative environment and under the constraints of the Local Government Act.

Thank you for your time.

**Margaret Cala, 49 Phillips Road, Karrakup WA 6122**

**Statement**

What is happening to Local Government when the rights of free speech for elected community representatives – our Councillors – are being eroded by WALGA, the very agency that we might believe is there to enhance and support the functioning of Local Government in Western Australia.

Recent moves by the WA Local Government Association are alarming, and lead to the question of what their priorities may be. WALGA's suggestion, as part of Local Government Reform, that the number of electors able to request a Special Elector's meeting should be raised from 100 to 500 was extraordinary – given that there are some local governments in this State which do not have 500 electors.

The new WALGA Model Communication Policy is alarming to say the least. The gagging of elected Councillors to censor their private conversations and social media postings demonstrates a level of tyranny foreign to most Australians.

The demonising and suspension of elected Councillors who speak against Council decisions and policies smacks of George Orwell's novel 1984. Stifling debate and dissenting views will not improve the quality of Council decisions. Nor will it enhance the reputation of Local Government. Not all Council decisions will be reached by unanimous agreement and an attempt to pretend otherwise is insulting the intelligence of electors. Inevitably, decisions based on a majority will occur and in most cases, the defeated Councillors and the electors they represent are willing to accept such decisions, content that all sides of the argument have been heard. It is however intolerable that Councillors may risk suspension or sacking for making known their dissenting views – even though their disagreement may have been recorded in Council Minutes which are open to the public.

I am not suggesting that it is acceptable for Councillors to engage in behaviour that is insulting or disrespectful, but it is possible to disagree and retain a respectful manner. Debate and disagreement is healthy and better outcomes are possible when conducted courteously and with an open mind.

Politicians in State and Federal levels of Government are well known for their willingness to speak out openly against decisions and policies - even against their own parties. They do this without the restrictions that WALGA is seeking to impose on Local Government Councillors. Why should Local Government be different?

Taken to extremes, a policy like this will stifle any real debate within Councils. Councillors may be intimidated into accepting an Officer's Recommendations without question or debate; even if it is clearly against community expectations. The ongoing threat of the SAT overturning Local Government decisions further disables a Council's ability to make decisions for their communities.

Local councils pool their funds to give them a voice through WALGA which appears to prioritise a system which disempowers communities.



Developers pool their funds and make donations to gain favourable rules and regulations from the Minister for Planning, the WA Planning Commission, the MRA, the DAP, the Heritage Council, and the SAT.

But who represents the interests of residents and ratepayers?

Therefore I would like to propose the following Motion:

EGM002/12/18 ELECTORS' MOTION

Moved Margaret Cala, Seconded Aaron Boots

That the Council of the Shire of Serpentine Jarrahdale resolves that the Shire of Serpentine Jarrahdale make an annual payment, in perpetuity, to the West Australian Ratepayers and Residents Association Incorporated. Such payment to be the same dollar for dollar amount as the subscription fee paid by the Shire of Serpentine Jarrahdale to the West Australian Local Government Association in the applicable year; and that Council directs the CEO to immediately implement this resolution.

MOTION LOST

**Nicole Metcalf, 119 Tuart Road, Oakford WA 6121**

Question

Tuart Road is not engineered to carry B Double Trucks. Does the broiler farm at 118 Tuart Road have permission to allow B Double Trucks to come and go from the property?

*Response (Director Infrastructure Services):*

*Permission to allow restricted access to vehicles to operate on a local road is granted by Main Roads Western Australia Heavy Vehicles Services. That authorisation for restricted access to vehicles on particular roads is governed under Part 8 of the Road Traffic (Vehicle) Regulation 2014 and is defined as:*

*RAV - Restricted Access Vehicle*

*A vehicle is classed as a Restricted Access Vehicle (RAV) if, that vehicle alone or together with any load, exceeds one or more of the following limits:*

- *A mass limit as prescribed in Part 8 of the Road Traffic (Vehicle) Regulations 2014; or one of the following dimension limits:*
  - *a width of 2.5 metres;*
  - *a height of 4.3 metres;*
  - *a length of 12.5 metres in the case of a motor vehicle that is not part of a combination;*
  - *a length of 19 metres in the case of a combination; or*
  - *any other dimension specified in the Road Traffic (Vehicles) Regulations 2014.*



*RAVs must only operate on roads approved by Main Roads, under either an order or by permit. Enquiry made to the Main Roads Western Australia Heavy Vehicles Services determined that Tuart Road is unsuitable as a RAV rated road and so, vehicles of the above dimensions do not have permission to travel on this road,*

*However, it is to be noted that should the alleged B-Double trucks that are operating on Tuart Road from 118 Tuart Road do not exceed:*

- o 2.5 metres in width*
- o 4.3 metres in height*
- o 12.5 metres as a single no combination body*
- o 19.0 metres in the case of a combination*
- o 42.5 tonnes*

*then, as-of-right they can operate on any local road without restriction, including Tuart Road.*

*A Chart can be downloaded from the Main Roads website. The only way Council can check the vehicle rating is by knowing the registration number of the specific vehicle and checking with Main Roads.*

Question

Has the owner of Lot 1 Thomas Road, Oakford cleaned up the contamination of glass cullet to the Jandakot Regional Park?

*Response (Director Development Services):*

*The landowner of Lot 1 Thomas, Road Oakford was issued with a Section 214 notice on 23 May 2017 to remove the glass cullet stockpiles from site. The Shire's compliance officers undertook an inspection of the property of 14 July 2017 and confirmed that the request had been complied with. The Shire's records and data systems were reviewed and officers are able to advise that the stockpiles of glass cullet were removed from site as well as any glass cullet that had escaped the property. The Shire's compliance officers have undertaken an inspection of the property on 18 December 2018 and can confirm that the request is still being complied with. The only glass cullet currently on site is what has been used for the entrance way and driveway to the site. The use of glass cullet in this instance is an acceptable method of dust suppression of unsealed roads and an alternative to aggregate used for road base.*

Question

When will the Cardup Industrial Park have a Structural Management Plan?

*Response (Director Development Services):*

*A draft Cardup Business Park Local Structure Plan (LSP) has been prepared. This draft LSP has been supported by the Western Australian Planning Commission subject to modifications, though it has not yet been endorsed as some modifications are still outstanding. This is a State Department of Planning matter now and not in the hands the Shire of Serpentine Jarrahdale.*



**Diane Toohey, 22 Parry Road, Serpentine WA 6125**

At the Ordinary Council Meeting of 17th December the Director of Planning confirmed that the SJ Councillors are informed, when "officer delegation" is used.

Question

Is receipt of this information prior or after this power is used?

*Response (Director Development Services):*

*As per regulation 19 of the Local Government Administration Regulations the Council is informed after the delegation is exercised.*

Question

How detailed is this information or are planning codes used so that Councillors are required to search for details?

*Response (Director Development Services):*

*The delegation register includes a description of the application including the property address, and the action taken. Example Description: Reliant Retreat, Byford 21 (L25) 405804 - Dwelling - PA18 845*

*Example Action: Approved*

*You can view any Planning Delegations issued on the Shire's website.*

Question

There has been Shire Officer Delegated decisions made that have not been accepted by the community. What happens in the case when an Officer has used their decision making rights and it is not what the Community expected?

*Response (Director Development Services):*

*In instances where the Community has queries regarding Officer Delegated decisions, the community is requested to contact the Director. Officers can then discuss the decisions with the Community to enable a better understanding regarding the Community's expectations.*

Question

Can the Officers Decision be rescinded?

*Response (Director Development Services):*

*No, not once the decision has been made.*



Question

Without any consultation with anyone?

*Response (Director Development Services):*

*Planning rules and regulations are followed as well as Council policies and Town Planning Scheme 2. Outside of these regulations, it must come to Council for a decision.*

Statement

While these decisions are in the hands of the Officer, I am not reassured, and I have made investigations and sometimes not the right decision has been made.

The Community has to have a lot of faith in the Officers Decision, and there are a few things that are very wrong.

**Thomas Dyer, Vice President, Serpentine Jarrahdale Rate Payers Association**

Statement

The Rate Payers Association is very concerned with undesirable Businesses coming into this Shire, some not being suitable to be located near housing, some toxic and liquid waste, and some certain to effect ground water. When the Shire is approached the typical answer is if we don't give it to them they will take us to S.A.T. and we will be rolled.

This sees to be a lame duck attitude by both Council Officers and Councillors alike. Council Officers and Councillors take their positions on aiming to make the Shire run better and do the best they can for the local area. Things will never improve while we sit on our hands and do nothing to solve this problem. Other Shires have similar problems which seems to be instigated by both Federal and State Government's do not stand in the way of business at any cost. Eg:- D.W.E.R. and S.A.T.

Maybe our Council should align themselves with other Councils to make a push for change. Only a few years ago the Government wanted to amalgamate several Shire Councils which would have eradicated the SJ. Shire. It looked like a done deal until 13 Councils fronted up to Parliament House and W.A.L.G.A. who represent 139 local Shire Councils withdrew their support forcing the State Government to back down from the amalgamation.

The Shire allocates over \$38,000.00 to W.A.L.G.A, the 139 Shires paying this amount, maybe more the total amount over \$5,282,000.00 is a lot of money W.A.L.G.A. receives. When Councils get very little back for their money.

With the extremely high numbers of cases lost in S.A.T. maybe the Shires need to jointly approach W.A.L.G.A. to lead a fight for a better outcome or this Shire and other fringe Shires will become the dumping ground for undesirable and noxious industries and toxic waste. Affecting living and water quality in this pristine part of the state so close to the City.



**7.2 Questions received from the floor:**

**Gwen Moore, 127 Tuart Road, Oakford**

Statement

Buffer Zones

My biggest gripe with the Council is how they allow businesses (especially noxious industries) to use people's homes and properties as buffer zones, against all the recommended standards.

My home in Tuart Road is totally within the buffer zone for a Broiler Farm. The Council tell me it is a well-run business etc etc, and this could be true, but it certainly emits a putrid odour which affects all those surrounding residents (including some who live within the Town of Kwinana) and causes our pool to turn green overnight after the sheds have been opened at night – particularly on a hot day!!!!

There is also the other example in Tuart road where the Council is giving consideration to allowing Sand Extraction from a property abutting homes and properties where people have lived for many years, and using their homes as buffer zones also. This one has caused a lot of distress to families bordering the proposed development (which for such a small area could not be considered viable anyway). This one also abuts the Jandakot Regional Park (more problems). One wonders if in the future they may try to buy up properties to expand, or even convince the powers that be that the Regional Park would be a viable option.

I remind Councillors that this area is also over the Jandakot Water Mount and our water supply is precious.

I know there are other projects in the Shire causing people a lot of distress because of buffer zones not being properly adhered to, and ask the Shire to re-think this policy to give residents some belief that the Council is actually working for the benefit of ratepayers, and not just to better their bottom line.

We need to protect our environment for the future of our children.

**Mary Plant, 37 Alice Road, Cardup**

Question

How did the grey monolith on the corner of Beenyup Road and South Western Highway end up in the centre of Byford and was this ever put out to the public?

*Response (Director Development Services):*

*Under Town Planning Scheme 2, the application was not required to be advertised.*

Question

Was this structure passed by Councillors or by Delegated Authority? Wouldn't this be more suitable for the Cardup Business Park?

*Response (Director Development Services):*

*Approval was granted under the officer's delegation.*



Question

Has there been any thought or work done by the Serpentine Jarrahdale Shire to provide accommodation for Seniors so they can stay in the area?

*Response (Chief Executive Officer)*

*Significant work has been done to attract and encourage people to invest in the Shire. We are actively looking for appropriate locations for seniors' accommodation. The Shire is encouraging those opportunities and we are hopeful that it may eventuate within the next couple of years.*

*Response (Deputy CEO / Director Community Services):*

*The Shire has been engaging with the community in developing an Ageing Well Strategy which actively looks at how older people live within the community. Housing options, social inclusion, transport, access to family are all being considered. We will continue to advocate for state and federal funding and services. This is an area that we want to encourage. The Shire wants our "seniorhood" to stay within the Shire.*

**Margaret Cala, 49 Phillips Road, Karrakup**

Question

Does the Shire have a Policy for Architectural Standards for Commercial Buildings within the Shire?

*Response (Director Development Services):*

*Yes, the Shire has design guidelines for the Byford Town Centre.*

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

Question

What reason does the Serpentine Jarrahdale Shire have for not having a full Forensic Audit of the Shire Finances?

*Response (Chief Executive Officer):*

*The Shire brought in two specialists who have completed an audit covering the key components of non-compliance and procurement processes. This external audit has been presented to the Audit, Risk and Governance Committee and then to Council. Additional procurement processes have been put in place, and the appointment of a dedicated Procurement Officer. There has been an Internal Audit managed from an organisational point of view. Systems are in place to record information more accurately.*

*A full Forensic Audit is very expensive. We are happy with the additional improvements that have been implemented. We have an Audit, Risk & Governance Committee, the Auditor General oversight and Council's Auditors undertaking reviews on a regular basis. We have also employed an Internal Auditor and additional Compliance Officers.*





Statement

A full forensic audit is very detailed and will pick up additional information.

Question

*Is the Shire aware it has unaudited statements?*

*Response (Chief Executive Officer):*

*We are unaware of an Unaudited Statement. If you have any information, please forward it to the Chief Executive Officer.*

Question

Is Serpentine Jarrahdale Shire Council going to adopt the suggestions of WALGA and gag Councillors from connecting with the Ratepayers, meaning they will stop the Councillors from explaining publicly why they voted for or against an item?

*Response (Shire President):*

*We cannot speak on behalf of the other Councillors.*

Additional Information

*Council already has in place an Elected Member Social Media Policy and an Elected Member Code of Conduct. These documents provide guidelines to Councillors.*

Question

When will the Shire Councillors stop putting through retrospective approvals?

*Response (Director Development Services):*

*The Shire has no option but to accept applications for retrospective approvals. In 2005 the Legislation changed to accommodate retrospective approvals.*

Additional Information

*Clause 164 of the Planning and Development Act 2005 : Development Commenced or Carried Out, Subsequent Approval states "A responsible authority may grant its approval under a planning scheme or interim development order for development already commenced or carried out".*

Question

Why?

*Response (Director Development Services):*

*Specific provision for seeking retrospective is contained within the Legislation. Applications can now be put forward for something that has already commenced.*



Question

So I could have anything approved?

*Response (Director Development Services):*

*The Shire would still consider the application on its merit, whether it be retrospective or not. If activities are undertaken without approval, the activity runs the risk of compliance action being taken.*

Question

What is the Shire doing about the pollution on King Road?

*Response (Director Development Services):*

*Officers are working on compliance action on the King Road site.*

Statement

The Shire should go after the owner and make him pay.

*Response (Director Development Services):*

*The Shire Officers are doing all they can.*

**Athol Wigg, 36 Old Brickworks Road, Byford WA 6122**

Statement

The current architectural abomination on the corner of Beenyup Road and South West Highway offends all of the previous planning constraints that add to the visual amenity of Byford townsite.

**Shaye Mack, 8 Dearden Road, Byford WA 6122**

Question

Listening to the report provided by the Director Corporate Services, and the information about the upcoming Shire's financial windfall's, should the ratepayers expect a reduction in their rates?

*Response (Director Corporate Services):*

*The forward projection shows a 2% rate increase moving forward which is in line with CPI.*

**Warren Robinson, 52 Lawrence Way, Byford**

As a long time resident of this Shire, I am becoming a little tired of some Councillors who I believe are in it for themselves. Self-interest. I've seen rates increase at alarming rates. We have a President who is motivated in promoting herself and looking after her mates. One mate, Barry Urban who the Shire President refuses to make repay money owed – ratepayers money on a course that he never completed. The community has lost confidence in her ability to promote our wonderful Shire. The Peel Region is ignoring our Shire due to her inability and lack of skill in advocating. Her own self interest is destroying our home, our Shire. Councillor Rich is unable to communicate clearly. She is unable to run a meeting. She continually berates other Councillors and her behaviour is not what is expected of a Shire President. It's time that we as a community do something about our future. It's my melancholy duty in the interest of our Shire to move a motion of no confidence against the Shire President.

EGM003/12/18 ELECTORS' MOTION

Moved Warren Robinson, Seconded Cr Jacqui See

That a motion of no confidence be moved against the Shire President.

**Procedural Motion****EGM004/12/18 ELECTORS' MOTION****Moved Tom Hoyer, seconded Diane Toohey****That the matter no longer be heard.****CARRIED****Lisa Brazier, 52 Taylor Road, Mundijong**

I would like to acknowledge the enormous work that Mr Andre Schonfeldt, Director Development Services has completed in a short period of time in getting the structure plans in place.

The road has not always been smooth, but you have moved forward more rapidly in the last 3 years than everyone in all the previous years.

I wish you well as you move onto become the Chief Executive Officer at Dardanup. You will be our loss.

To all Councillors, Directors and Staff, thank you for your commitment this past year, there has been a lot of work done to bringing structure plans to advertising.

I would like to wish you a Merry Christmas and a Safe New Year.



**Simone Rich, 155 Firns Road, Serpentine**

Statement

I would like Councillor Coales to apologise for swearing like that in front of the gallery and for suggesting that women are nothing more than the way they dress.

**Councillor Rob Coales**

Thank you Ms Rich, I apologise for quoting the Shire President at a public event and I never made the comment about females and the clothes they wear, what I made was, to support the motion put up by the gentlemen here, that the clothes the Shire President wears at times is inappropriate, as can be seen Monday night when we were in the Council meeting and I made a comment to the CEO and also a fellow Councillor about what she was wearing.

**Alan Clarkson, President, Ratepayers Association, 32 Ellis Road, Cardup**

Statement

I did not intend to stand up as I am not a public speaker. However, the behaviour here, and the way these people have stacked tonight's meeting, with people I have never seen at an Ordinary Council Meeting, to vote a vote of no confidence against the President, who we all know is no shrinking violet, as I have had my differences with her as well. We need somebody strong in this position in this growing Shire. I believe she has done an excellent job, and I back her.

The work she has done behind the scenes for many things here in Serpentine Jarrahdale, I compliment her and some of the other fellow Councillors. If there is disappointment in some people because of their political aspirations, get out of the Council, we are sick of you. For you to bring this Gentlemen here, and I remember well how he performed at the last meeting, it was nothing more than a character assassination against this lady here for political purposes. Have a good look at yourselves and get out if you do not like where it is. I know you well, I have been in the Ratepayers Association for about 20 years now, so I have seen many people come and go, both Officers and Councillors. Most of the Councillors are here for the right reasons, but if you are disappointed with losing the election, get out of the game. Let decent people in that want to see the Shire grow properly.

Thank you very much.

**Mary Plant, 37 Alice Road, Cardup**

Statement

I remember a few years ago where Council Meetings and meetings for the Residents were really horrendous as well. And Mr Robinson, at the last meeting, as Alan Clarkson has said, Mr Robinson's character assassination against the Shire President was completely untenable. And as far as Barry Urban goes, he is going to pay. I don't think it helps at all, for certain people for their political aspirations to carry on a vendetta against him. What he did was completely wrong, but I would hope there is an end to that.



The Shire President asked if there were any further Questions, Statements or Motions.

**8. Closure:**

There being no further business, the Presiding Member declared the meeting closed at 8.18pm.

The Shire President, Councillor Rich, invited everyone to join the Councillors and herself in the Council Dining Room for some light refreshments.

I certify that these minutes were received at the  
Ordinary Council Meeting held on the 18 February 2019.

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Presiding Member – Councillor Rich

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