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- NOTE:**
- a) **The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.**
 - b) **Declaration of Councillors and Officers Interest is made at the time the item is discussed.**

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 15th DECEMBER 2008. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.03PM AND WELCOMED COUNCILLORS, STAFF AND MEMBERS OF THE GALLERY.

1. ATTENDANCE & APOLOGIES:

IN ATTENDANCE:

COUNCILLORS: DL Needham Presiding Member
JE Price
MJ Geurds
M Harris
S Twine
C Randall
WJ Kirkpatrick
K Murphy
C Butfield

OFFICERS: Ms J Abbiss Chief Executive Officer
Mr A Hart Director Corporate Services
Mrs S van Aswegen Director Strategic Community Planning
Mr B Gleeson Director Development Services
Mr R Gorbunow Director Engineering
Ms D Swadling Manager Subdivisions
Mrs L Fletcher Minute Secretary

APOLOGIES: Cr E Brown

GALLERY: 2

2. PUBLIC QUESTION TIME:

Max Erskine (12 Waterside Pass, Byford)

I have been tasked with compiling a list of questions that residents of Nettleton Road in Byford and parts of the associated neighbourhood would be keen to have answered at the next General Meeting of Council on Monday 15th December.

These relate to the recent increasing activities at Lot 21 Nettleton Road in Byford and stem from the greatly increased heavy tip truck traffic in this area.

This activity is producing a dust, noise and traffic hazard in the area of Nettleton Road due to combined factors which include the depositing of mud from within the quarry onto the paved roadway for a considerable distance down the road toward the Southwest Highway. This mud represents a skidding hazard to vehicles when wet, and after drying generates a significant dust nuisance to nearby residents. The noise of trucks is quite audible north as far as Waterside Pass with the use of exhaust brakes on the down slope to the highway.

Heavy vehicles returning up the road for reloading present a hazard to pedestrians along the footpath on the northern side of Nettleton Road due to the close proximity of the footpath to the traffic way. As the speed limit on this section is 70 KPH the draught and noise is quite intimidating to pedestrians and the risk associated with younger children is obvious.

As Nettleton Road is a nominated Tourist Drive as well as giving access to Cohuna Park we feel it is inappropriate for Nettleton Road to be trafficked by these heavy vehicles which pass every three or four minutes from early morning until late afternoon.

A resident who contacted the quarry was told that the reason Kiln Road was not being used was because it adds three minutes travelling time to the operation on each truckload.

Would Council Officers please advise on the following:

Q1. How many ratepayers in Byford were advised in 2006 of the proposed realignment of the access road within Lot 21 Nettleton Road with the subsequent deemed increase in quarrying operations at that site?

A1. The Director Development Services advises that five adjoining and nearby landowners were invited to lodge submissions on the proposal in 2006.

Q2. Why were those ratepayers who submitted a response to that application not kept informed of proceedings, and in fact did not even have their submissions acknowledged?

A2. The Director Development Services advises that the applicant requested Council in April 2007 to put the application on hold due to the need to first obtain approval from other agencies for the clearing of vegetation on this land.

Landowners who lodged submissions at the time did not receive an acknowledgement letter from the Shire, nor were they notified that the application had been put on hold in April 2007. These actions should have occurred at the time. Landowners who lodged a submission will now be notified in writing of the current status of the application.

Q3. What procedures were incumbent on the quarry operators to reduce the dust hazard from their operations both within the quarry and also to prevent the migration of quarry materials from the quarry to paved sections of Nettleton Road and beyond?

A3. The landowner and quarry operator has statutory obligations under State Government legislation and the Shire's Town Planning Scheme and Local Laws, to ensure that dust hazards do not occur from the quarry operations. Council regularly undertakes inspections of all the quarries in the Shire to ensure that management practices undertaken on site, comply with all approved management plans, planning conditions and licence conditions.

In relation to materials on public roads, Austral advise that the recent cartage operation from the quarry along Nettleton Road finished on 4 December 2008. Austral advise that there had been some moisture on the unsealed portions of the internal roads which had made its way to Nettleton Road. Engineering Services advise that as soon as the issue was raised with Council staff, Austral advised that they would arrange for Nettleton Road to be swept.

Q4. Does the Council believe these procedures are still adequate in the light of recent complaints on the dust and noise issue?

A4. Council has not received any complaints in recent times about dust and noise at the quarry. It is considered that the current Shire procedures are still adequate and ensure that the Shire undertakes regular inspections of the quarry. These procedures include the Shire reviewing and approving management plans and documents that are prepared and submitted by the quarry operator. An inspection of the quarry will soon be undertaken by Shire officers.

Q5. Is this operation under scrutiny by any Local or State Government authority to ensure all environmental factors are being adequately addressed, both within and outside the quarry, particularly with regard to the cartage of shale to other sites?

- A5. The Shire has undertaken many inspections of this quarry in previous years. It is not known to what extent State Government agencies have undertaken inspections of the property.

In relation to activities outside the quarry such as impacts on residents or damage to public roads, the Shire will investigate these issues if any complaints are made or as part of the regular inspections of the quarries. The Shire does not monitor trucking movements from one quarry site to another. If these trucks are as of right vehicles they are permitted to travel on public roads.

- Q6. Would the Council agree to addressing this issue by negotiating with the Quarry Management and seeking a resolution? Residents generally have no objection to quarrying operations provided the effects of such operations do not impact upon their lives. An act of goodwill by Austral Bricks in agreeing to use the Kiln Road access would do much in resolving the problem and provide an amicable solution.

- A6. Yes. An inspection of the property and meeting with the quarry operators will occur soon. The issues raised by residents will be discussed with the operators. The Shire will encourage the operators to communicate more regularly with the adjoining and nearby residents on activities at their quarry.

Mr Erskine thanked Council for their response to his questions.

He queried the response to question four which advised that Council had not received any complaints in recent times regarding dust and noise at the quarry.

Mr Erskine had made telephone calls to the Engineering Department and no response was received.

The Shire President confirmed that the works had now finished.

The Director Development Services advised that he is not aware if and when works will start again.

Mr Erskine asked that with regard to Council's response to question six, is this to use Kiln Road in lieu of Nettleton Road?

The Shire President advised that this issue will be discussed with Austral when they meet with staff.

Bruce Scott - 164 Nettleton Road, Byford

- Q1. Have any of the residents of Nettleton Road been consulted regarding the situation caused by the brickworks since October 2006?
- Q2. Have the residents in the newer housing developments, located within the noise and dust boundaries of the brickworks been consulted?
- Q3. What areas of Bush Forever have been affected by brickworks activities since 2006?
- Q4. Recent clearing of bush on the land owned by the brickworks has occurred. Is this lawful?
- Q5. What arrangements have been made regarding the movement of heavy equipment ie trucks that cause noise and dust pollution?

- Q6. Has any development been arranged regarding the rehabilitation of the entire mining site, after the conclusion of quarrying operations?
- Q7. Have any moves been made regarding the re-routing of truck movements via Kiln Road, which is a non residential area?
- Q8. Do any conditions exist regarding times of quarrying operations in relation to noise generation?
- Q9. Residents are concerned regarding operational times of noisy machinery within the quarry. Is this controlled within the terms of the licence to operate?
- Q10. Lot 21 Nettleton Road and the land previously operated by the Nairn Family as a dairy, is now owned by the brickworks. Is it likely that this land could be mined at some time in the future?
- Q11. Is the Water Authority aware that drinking water from the mains system in Nettleton Road is being used for dust abatement in huge quantities?
- Q12. Is it correct that prospective purchasers of land within the boundaries of the newly developed estate on Nettleton Road, are obliged to agree with and sign a statement indicating that they will accept any dust generation caused by quarrying operations at this quarry site?

The Shire President advised that these questions would be taken on notice.

Mr Scott showed an aerial photograph taken in 2001 of the brickworks and advised that to his knowledge no permission has been given for further mining. The Bush Forever site is clearly shown on this photograph and still exists. Mr Scott advised that he donated a copy of this aerial photograph to the Shire in 2006.

SD055/12/08 – Paul Steele & Elaine Greaves (228 King Road, Oldbury)

This is an appeal for our oversize shed that we wish to erect on 228 King Road, Oldbury.

Due to the answer we received at Tuesday's committee meeting on the 9/12/08 I have gone and spoken to our neighbours about the situation. They have no problem, with us having an oversize shed erected on our property and have signed the following letters which you would have with this letter.

The other letter is to state what trees and shrubs our local gardening centre on Thomas Road is supplying us with to plant and surround the shed.

- Q1. In regards to us being refused from putting an oversized shed on our property, we would like to know why Jarrah Select on Bird Road, Oldbury was given permission for a shed which is not within the policy of Serpentine Jarrahdale Council?

This question will be taken on notice.

2.1 Response To Previous Public Questions Taken On Notice

Nil

3. PUBLIC STATEMENT TIME:

Bruce Scott (164 Nettleton Road, Byford)

Mr Scott bought his property in 1986 and was unaware of the brickworks until 1990-1991 when there was a lot of cartage, dust and explosions on a daily basis. There was one occasion of an extremely loud explosion involving a lot of dust thrown up high in the air. It was confirmed that the wrong charge was set and Mr Scott received an apology but this did not help the damage to his residence.

In 2000-2001 there was a battle with the brickworks and residents over a proposed C-Class rubbish dump being constructed in the actual brickworks site for building material. A public meeting was held and petitions submitted to Council by the residents.

Since then there has been constant issues with the brickworks. Dust is the main issue relating to carting both in and out of the site. Noise is horrific. There is also some noise coming from machinery which requires upgrading.

In 2006, a change to the alignment of their quarry and road was proposed and also the use of Lot 21 Nettleton Road and the proposal to construct a road through this property and for mining to occur on this property. Mr Scott has paperwork that indicates in 1986 the brickworks were satisfied with the boundary of their works being one kilometre off their perimeter boundary. Now a distance of just 50 metres has been suggested.

4. PETITIONS & DEPUTATIONS:

COUNCIL DECISION

**Moved Cr Randall, seconded Cr Price
Council accepts the petition received from Elsie Coleman relating to the closure of a walkway between Bradshaw Road and Stevenson Place, Byford.
CARRIED 9/0**

5. PRESIDENT'S REPORT:

The Shire President advised that Serpentine Jarrahdale Shire together with the Cities of Gosnells and Armadale were the winners of the 2008 Premier's Awards in the category of Sustainable Management of the Environment – South East Regional Energy Group for the Switch Your Thinking program.

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Councillors Needham and Price declared a financial interest in item CGAM051/12/08 and advised that they would leave the Chamber whilst this item is discussed.

Cr Buttfield declared an interest of impartiality in item CGAM074/12/08 as members of her family have connections with the organisation involved. Cr Buttfield advised that this interest will not affect the way in which she votes on this matter.

7. RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION OF ADOPTION OF RECOMMENDATIONS FROM COMMITTEE MEETINGS HELD SINCE THE PREVIOUS COUNCIL MEETING:

7.1 Audit Committee Meeting – 4 November 2008

**Moved Cr Murphy, seconded Cr Harris
That the *attached (E08/5645)* minutes of the Audit Committee Meeting held on 4 November 2008 be confirmed.
CARRIED 9/0**

7.2 Ordinary Council Meeting – 24 November 2008

Moved Cr Price, seconded Cr Kirkpatrick

That the *attached (E08/5982)* minutes of the Ordinary Council Meeting held on 24 November 2008 be confirmed.

CARRIED 9/0

REPORTS OF COMMITTEES:

| | | |
|---|--|--|
| SD057/12/08 PROPOSED OVERSIZE ANCILLARY ACCOMMODATION - LOT 159 RACY PRINCE COURT, BYFORD (P02053/02) | | |
| Proponent: | M and L Pich | In Brief Application for the construction of oversize ancillary accommodation outside building envelope. Approval is recommended. |
| Owner: | As Above | |
| Officer: | Planning Assistant – Casey Rose | |
| Signatures Author: | | |
| Senior Officer: | Acting Director Development Services – Tony Turner | |
| Date of Report | 13 November 2008 | |
| Previously | | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Council | |

Date of Receipt: 3 September 2008
 Lot Area: 7543m²
 MRS Zoning: Rural
 TPS Zoning: Special Residential
 Use Class & Permissibility: Single Residence – incidental development (ancillary accommodation) AA Use
 Rural Strategy Policy Area: Residential and Stable

Background

Racy Prince Court is a cul de sac located in a well established semi rural area of Byford. The subject property backs onto an area identified as rural residential under the Byford Structure Plan (BSP). The abutting future rural residential area will be developed with lots of approximately 4000m² (1 acre). The property contains an existing residence, patios, swimming pool and an outbuilding.

Proposal

The proposed development comprises the construction of an 87m² building to be used as ancillary accommodation. The building will be brick with a metal roof.

The location, site, floor and elevation plans and an aerial photo are contained in the attachments to the agenda marked SD057.1/12/08.

Variations requested

At 87m² the proposed size of the ancillary accommodation exceeds the 60m² floor area allowed as of right in the Special Residential zone under Local Planning Policy Residential and Incidental Development (LPP17).

A letter from the applicant advises that the additional floor area is required for the following reasons:

1. The extra floor area will allow more maneuverability and storage for the two elderly family members who are to occupy the ancillary accommodation.

2. The occupants of the proposed ancillary accommodation will be downsizing from a standard size family home to the smaller self contained dwelling and therefore require a reasonable floor area to cater for the needs of two people.

The application also seeks a variation with regard to the maximum 10 metre separation distance between the main dwelling and the new dwelling required under LPP17. The proposed location is 18 metres from the rear of the existing dwelling.

Sustainability Statement

| Sustainable Element | Comment |
|--|---|
| Is there remnant native vegetation on site or adjoining verge? | Significant existing vegetation exists on the southern and western portions of the property. This vegetation was existing at the time of the subdivision. |
| Is remnant native vegetation to be retained or removed as a result of this proposal? | If the ancillary accommodation was approved in the proposed location, this would result in the retention of the existing native vegetation however to relocate the ancillary accommodation would require the removal of several Eucalyptus Robustus. Whilst these Swamp Mahogany trees are not a local native species, they are well established and form part of the original vegetation works at the time of the subdivisional development. |
| Is additional vegetation required to screen or ameliorate the bulk of the proposed development? | No. The proposed location is well screened by the dwelling and the existing vegetation both on Lot 159 and the neighbouring property on the northern boundary. |
| Will the requested variation have an adverse effect on streetscape or the character and amenity of the locality? | No. The ancillary accommodation would not be visible from the street or adjoining property. |
| Will the requested variation have an adverse effect on visual amenity of neighbouring properties due to bulk and scale, appearance or materials? | The location for ancillary accommodation is well screened from adjoining properties. The applicants have since advised the original proposal of a timber clad residence will now be amended to matching materials and finishes as the main dwelling. |
| Does the proposal include the capture and re-use of stormwater from the roof of the proposed building and/or diversion of stormwater from hardstand areas to landscaped areas? | No details have been provided. Condition required. |

Statutory Environment:

Planning and Development Act 2005
Serpentine Jarrahdale Town Planning Scheme No. 2
Serpentine Jarrahdale Rural Strategy 1994

Policy/Work Procedure

Implications:

Local Planning Policy LPP17 Residential and Incidental Development

| Policy Requirement | Required | Proposed | Comments |
|-----------------------------|---|------------------|-----------------------------------|
| Floor Area | 60m ² | 87m ² | Variation. Supported – see below |
| Connection to main dwelling | Under same roofline or within 10 metres | 18 metres | Variation. Supported. – see below |

LPP17 states the ancillary accommodation should be under the same roofline or located within 10 metres of the main dwelling. In this instance, the distance between the eaves of the dwelling and the proposed ancillary accommodation is greater than 10 metres as a patio and swimming pool are constructed within the immediate 10 metres of the dwelling and therefore cover the rear portion of the building envelope. The swimming pool fencing then abuts to the patio area therefore enclosing the entire outdoor entertaining area forming a boundary line along the rear of the building envelope. The ancillary accommodation is proposed 10 metres from the edge of the building envelope and therefore within 10 metres of the structures joined to the main dwelling.

The applicants are not able to move the ancillary closer to the main dwelling as the connecting structures such as patio, swimming pool and paved outdoor entertaining area occupying the remainder of the building envelope. In addition to this constraint, extensive reticulated gardens and landscaping immediately surround the house. The applicants have located the dwelling as close to the house as practically possible and this has been confirmed by a site visit to the property.

Although the accommodation exceeds the size generally allowed in the Special Residential zone under LPP 17, it is considered that the added floor space does not substantially add to the bulk of the building and the proposed dwelling is still a very modest dwelling that is significantly smaller than the main dwelling.

Financial Implications:

There are no financial implications to Council related to this application.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

5. Value and enhance the heritage character, arts and culture of the Shire.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

3. Encourage protection and rehabilitation of natural resources.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

No objections received from adjoining landowner.

Conclusion

The proposal, whilst marginally greater than the maximum allowable floor area, meets the objectives and definition of ancillary accommodation by providing a dwelling that accommodates the needs of an extended family without compromising the amenity of adjoining properties. The proposed ancillary accommodation would be ideally located in the best position to provide good access for the occupants whilst being discreetly located behind the existing dwelling and within an acceptable distance to the outdoor area of the main residence.

Voting Requirements: Simple Majority

SD057/12/08 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price, seconded Cr Twine

That the Application for Approval to Commence Development of Ancillary Accommodation on Lot 159 Racy Prince Court, Byford be approved subject to the following conditions:

- 1. Any occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling.**
- 2. In relation to condition 1. above, a Notification under Section 70A of the Transfer of Land Act 1893 must be registered over the certificate of title to the land, the subject of the proposed development, prior to issue of a Building Licence to notify owners and prospective purchasers of the land that restrictions apply to the use of the ancillary accommodation as stipulated in condition 1. The Section 70A Notification shall be prepared by the Shire's solicitors to the satisfaction of the Serpentine Jarrahdale Shire and all costs of and incidental to the preparation of and registration of the Section 70A Notification including the Shire's solicitors' costs shall be met by the applicant or the owner of the land**
- 3. All existing native trees on the subject lot and adjacent road verge shall be retained and shall be protected from damage prior to and during construction unless subject to an exemption provided within Town Planning Scheme No. 2 or the specific written approval of the Shire has been obtained for tree removal either through this planning approval or separately.**
- 4. The ancillary accommodation is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant Legislation for other types of effluent disposal systems.
All driveway surfaces are to be constructed of a suitable material such as paving, road base, or coarse gravel to limit the generation of dust and sediments entering nearby creeks and drainage lines.
Where a crossover from the road to the lot has already been provided by the developer or the location of a future crossover has been designated (ie mountable kerb and opening in existing fencing exists) then vehicular access to the lot is to be via this point only.**
- 5. All stormwater to be disposed of within the property. This shall be achieved by either soakwells or spoon drains or the use of stormwater retention/re-use methods such as rainwater tanks or the grading of hardstand areas to lawns and garden beds. Direct disposal of stormwater onto the road, neighbouring properties, watercourses or drainage lines is not permitted.**
- 6. The roof colour is to be in earthy or bushland tones consistent with the character of the locality.**

CARRIED 9/0

| | | |
|------------------------|--|--|
| CGAM047/12/08 | | PROPOSED USE OF RESERVE 23328, LOTS 66 AND 1446 ELLIOT ROAD, KEYSBROOK FOR DRIVE SAFE TRAINING COURSES (RS0111/01) |
| Proponent: | Drive Safe Australia (WA) | In Brief For Council to approve a licence to Drive Safe Australia to use Reserve 23328, Lots 66 and 14456 in Keysbrook for the purpose of a driver training facility for a period of 5 years, with a renewal option of another 5 years. |
| Owner: | Shire of Serpentine Jarrahdale | |
| Officer: | Alan Hart – Director Corporate Services | |
| Senior Officer: | Alan Hart – Director Corporate Services | |
| Date of Report | 17 November 2008 | |
| Previously | CGAM 004/07/07 | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Council | |

Background

Drive Safe Australia (WA) wrote to Council in 2004 seeking approval to lease a portion of land for the conduct of defensive driving, occupational and recreational four wheel driver training courses. Reserve 23328, Lots 66 and 1446 Elliot Road, Keysbrook was identified as a potential site.

Council wrote to DOLA and sought a change in purpose of Reserve 23328 and also requested that the Minister consider granting the power to lease. In 2004 the Department of Land Administration approved the change of vested purpose of Reserve 23328 to community purposes (from gravel extraction) with the ability to lease the reserve for 21 years.

Drive Safe Australia (WA) wrote to Council in July 2007 confirming they wish to renew their lease over Reserve 23328 and requested a further term clause be included into the lease to simplify the continuation of the lease arrangements. At the Corporate Governance and Asset Committee meeting on 17 July 2007, Council resolved to seek a valuation for the licence area and commence the advertising process to dispose of the property in accordance with Section 3.58 of the Local Government Act 1995.

Council has obtained a market valuation for the property and the advertising of the disposal of the land by licence has now occurred.

A market valuation has been received and the recommended annual rental is \$1,100.00 (Excluding GST) and the licensee be responsible for all rates and taxes.

A copy of the proposed licence agreement is with attachments marked [CGAM047.1/12/08 \(IN08/15111\)](#).

Sustainability Statement

Effect on Environment: The reserve is mostly cleared, with the exception of a large eucalypt tree and a number of small self seeded saplings located on the Eastern boundary, which appear to have died of natural causes.

A concern of Council is the effect of vehicle emissions on the environment and according to a carbon neutral calculator the estimated CO² emitted from the vehicles during the training sessions is detailed below:

No of drivers per session: 10
Approx km's per person per session: 5
No. of sessions per week: 1

Equates to 2,600km per year.

Using a medium Four Wheel Drive or six cylinder vehicle for 2600km per year a total of 0.84 tonnes of CO² is emitted and would require the planting of six trees to offset the emissions generated.

Trees absorb carbon dioxide while they grow and trap it for years to come. On average, over 70 years, six trees planted in Australia will absorb one tonne of CO₂ with 80-90% of the absorption occurring within the first 30 years.

Resource Implications: Reserve 23328 was previously vested to the Serpentine-Jarrahdale Shire for the purpose of gravel extraction. Gravel has not been excavated from this site for many years. There are no other resource implications at this site.

Economic Benefits: The Drive Safe programs benefit local business as the Keysbrook Store is often used for catering these courses. The Keysbrook Fire Station/Community Hall is used for training courses and this may continue.

Social – Quality of Life: The proposal allows for the provision of driver training to the community.

Social Diversity: The proposal does not disadvantage any social groups.

Statutory Environment: Section 3.54 of the Local Government Act 1995 applies.

Section 3.58 – Disposal of Property by way of Selling, leasing or otherwise applies and Council has advertised the proposed disposition (other than by tender or public auction) in accordance with the provisions of this section of the Act.

Policy/Work Procedure Implications:

There are no work procedures/policy implications directly related to this application.

Financial Implications:

There is an annual licence fee payable by the licensee for the use of the property. All costs in relation to the preparation of the licence will be paid by the licensee.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide recreational opportunities.
6. Ensure a safe and secure community.

Objective 3: High level of social commitment

Strategies:

2. Build key community partnerships.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.

Community Consultation:

Community Consultation is required and was undertaken in June 2008. This was in the form that is required under Section 3.58 of the Local Government Act 1995.

Comment:

The original plan for the Drive Safe course included a practical component involving some short straight line braking at approximately 45-50km per hr. A strip around 6 metres wide and 400 metres long is graded to provide a flat surface for this exercise. The area for the 400 metre gravel strip to be graded by Drive Safe required the removal of around 20 small (30cm -100cm) eucalypts which had self seeded from a larger tree.

It had been noted by our Reserves Officer on the 25 June 2007 that Drive Safe realigned the braking strip from what was detailed in their original plan, to avoid the removal of the twenty small eucalypts. From the inspection it was observed that about ten small saplings have died. It is the opinion of the Officer that these have been natural deaths as the soil is laterite and very compacted.

Given the growing focus on green house gas emissions and their effect on the environment, it is suggested that the Council may wish to consider a carbon off-set arrangement for the use of the reserve. To achieve this outcome, a carbon neutral calculator has been utilized to ascertain the estimated CO² emissions that are generated on an annual basis from vehicles using the reserve. The calculator has established that approximately 0.84 tonnes of CO² will be generated annually from the activities undertaken by Drive Safe Australia on Reserve 23328. Calculations undertaken have established that approximately six (6) trees would need to be planted to off-set the emissions generated.

In October 2008, Council received confirmation from Drive Safe Australia (WA) that 53 seedlings had been planted in a secure area of the reserve. These seedlings will more than offset the carbon emissions that will be emitted as a result of the activity on the reserve.

It is therefore recommended that Council endorse the licence and authorise the CEO and President to sign the document.

Voting Requirements: ABSOLUTE MAJORITY

CGAM047/12/08 COUNCIL DECISION/Committee / Officer Recommended Resolution:

Moved Cr Price, seconded Cr Harris

- 1. Council endorse the licence agreement between Serpentine Jarrahdale Shire and Drive Safe Australia (WA), for the use of reserve 23328, lots 66 and 1446 Keysbrook for the purpose of driver training for a period of 5 years with a further 5 year option to renew.**
- 2. The licence fee be \$1,100 per annum (excluding GST) and be subject to annual CPI adjustments.**
- 3. The licensee be responsible for the payment of all rates and taxes on the licence area.**
- 4. Council authorise the President and Chief Executive Officer to sign the lease agreement.**

CARRIED 9/0

| | | |
|--|--|---|
| CGAM048/12/08 LONG VEHICLE PERMIT APPLICATION – DIRK ROAD, KEYSBROOK (R0061) | | |
| Proponent: | Intercon Logistics | In Brief Council is requested to conditionally approve an application to extend Intercon Logistics' permit for the use of Long Vehicles on Dirk Road, Keysbrook for the purpose of entering and exiting a storage yard that houses power poles on behalf of Western Power. |
| Owner: | Not Applicable | |
| Officer: | Claire Garner - PA to Director Engineering | |
| Senior Officer: | Debra Swadling – Manager Subdivisions | |
| Date of Report | 18 November 2008 | |
| Previously | CGAM139/06/07 | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Council | |

Background

A request for extension has been received from Intercon Logistics regarding their permit for the use of oversize vehicles up to 27.5m in length to cart on Dirk Road Keysbrook, (Lot 321 Kentish Road) for the purpose of entering and exiting a storage yard that houses power poles on behalf of Western Power. This permit was granted in June 2007 (CGAM139/06/07).

As per the Engineering Customer Service Records, this haulage operation has not been the subject of complaint or incident during the period of operation.

In addition to the Council decision at CGAM139/06/07, Shire records evidence the issuing of permits for Dirk Road on three other occasions. During the period of the recorded use of Dirk Road by permit vehicles, there is no record of complaint or incident.

The proponent has advised that access will be within normal working hours except in emergency situations (i.e. pole fires). In this regard they have indicated that at times they will require access approval for twenty four (24) hours seven (7) days per week.

Sustainability Statement

Effect on Environment: The use of larger combination vehicles reduces the number of truck movements on a road resulting in reduced congestion and reduced fuel use per unit of transported material.

Resource Implications: Properly managed permit vehicle operations would minimize road resource use. The use of truck combinations reduces the burning of fossil fuels by increasing the efficiency of material haulage per unit of material.

Economic Viability: The proposal is economically viable as the use of oversize vehicles can result in real cost savings of 25% of freight transport tonnage costs. A reduction in heavy vehicle numbers, combined with suitable axle configurations on oversized vehicles will assist in slowing the deterioration of road pavements through reduced loading.

Economic Benefits: The proposal does not provide a direct economic benefit to the community.

Social – Quality of Life: The use of larger combination vehicles reduces the total number of trucks on the road, reducing congestion and truck noise and reducing the frequency aspect of truck conflict risk.

Statutory Environment: The operation of permit vehicles is controlled by Main Roads Western Australia on the basis of recommendations provided by Council.

Policy/Work Procedure Implications: There are no work procedures/policy implications directly related to this application/issue.

Financial Implications: There are no financial implications to Council related to this application/issue.

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

5. Reduce green house gas emissions.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.

Objective 2: Well developed and maintained infrastructure to support economic growth

Strategies:

1. Improved freight, private and public transport networks.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

Not applicable.

Comment:

The applicant, Intercon Logistics, is seeking Council approval to extend their permit to operate vehicles up to 27.5 metres in length to cart to the Western Power storage yard located within Lot 321 Kentish Road Keysbrook. The storage yard is a long term facility that contains power poles. The applicant is seeking approval to access the storage yard on a twenty four (24) hour seven (7) days per week basis to allow for access during emergency requirements.

Given the ability of Council to apply conditions to the operation of the vehicles, officers recommend that approval be granted in this instance for a twelve (12) month period, after which time the applicant may apply for an extension. This will allow Council to grant future approvals based on the performance of the operator during the permit period and any issues that may arise such as complaints from the general public.

Dirk Road has only two residential accesses, both of which are located more than 600m from the stockpile site. Dirk Road currently carries minimal traffic which could be affected

by the proposed truck movements. This section of Dirk Road is relatively straight allowing motorists to see oncoming vehicles.

Although Dirk Road is not particularly wide, there is enough room for vehicles to pass side-by-side using the shoulder, and with the low anticipated traffic volumes this is considered acceptable and can be enhanced with the imposition of a speed restriction.

Dirk Road is included in the list of roads included in MRWA's Restricted Access vehicle Network, subject to approval being granted by the local government. Copies of such approvals (Permits) must be carried in the vehicles at all times.

As the use of Dirk Road by residential users is limited, due to the small number of private residences and the lack of access to other roads, the frequency of permit vehicle interaction with smaller vehicles will be limited and well below the frequency of interaction on most permit vehicle routes.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That:

1. Council endorses the use of oversize vehicles (up to 27.5 metres in length) by Intercom Logistics for a period of twelve (12) months from the date of this meeting for access to the Western Power storage facility located within Lot 321 Kentish Road Keysbrook, subject to compliance with the following conditions:
 - a) No haulage by oversized vehicles (up to 27.5 metres in length) is permissible during school bus times;
 - b) Vehicle speed being limited to 40 km/hr on Dirk Road and 80 km/hr on sealed roads without pavement markings or less where either appropriate for safety reasons or posted at a lesser speed;
 - c) Vehicles are permitted to operate during daylight hours only between Monday and Saturday, unless access is required during an emergency situation;
 - d) All owner/operators adhering to the Motor Vehicle Act and Regulations and to any road closure as prescribed in Section 3.50 of the Local Government Act 1995;
 - e) Any damage to the road pavement at the confluence of Dirk Road and access to Lot 321 Kentish Road being reported to the Shire within 24 hours of the damage occurring and rectified by and at the expense of the applicant where such damage is caused as a direct result of heavy haulage operations;
 - f) Any damage to the road pavement, seal or shoulders on any section of Dirk Road or the intersection of Dirk Road and South Western Highway used by the operator's permit vehicles, being reported to the Shire within 24 hours of the damage occurring and such damage is to be rectified by and at the expense of the applicant where such damage is caused as a direct result of heavy haulage operations;
 - g) Council reserves the right to revoke its support if any of the above conditions are not adhered to or road conditions and user safety is compromised;
 - h) Copies of all permits, including truck and trailer registration numbers, as issued by Main Roads Western Australia to be submitted to Council prior to the commencement of haulage operations; and
 - i) Any application for extension to the permit after the 12 month period being referred to Council.
2. Main Roads Western Australia being advised in writing of the Council's decision in relation to the use of oversize vehicles (up to 27.5 metres in length) by Intercom Logistics for a period of twelve months for access to the Western Power storage facility located within Lot 321 Kentish Road Keysbrook.

LOST 0/7

During debate Cr Murphy foreshadowed that he would move an additional condition be included to advise that a log of vehicle movements outside of the daylight hours described in provision C shall be provided to the Shire on a monthly basis with a description of the nature of the emergency requiring such movements, if the motion under debate is defeated.

CGAM048/12/08 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Kirkpatrick, seconded Cr Geurds

That:

- 1. Council endorses the use of oversize vehicles (up to 27.5 metres in length) by Intercom Logistics for a period of twelve (12) months from the date of this meeting for access to the Western Power storage facility located within Lot 321 Kentish Road Keysbrook, subject to compliance with the following conditions:**
 - a) No haulage by oversized vehicles (up to 27.5 metres in length) is permissible during school bus times;**
 - b) Vehicle speed being limited to 40 km/hr on Dirk Road and 80 km/hr on sealed roads without pavement markings or less where either appropriate for safety reasons or posted at a lesser speed;**
 - c) Vehicles are permitted to operate during daylight hours only between Monday and Saturday, unless access is required during an emergency situation;**
 - d) All owner/operators adhering to the Motor Vehicle Act and Regulations and to any road closure as prescribed in Section 3.50 of the Local Government Act 1995;**
 - e) Any damage to the road pavement at the confluence of Dirk Road and access to Lot 321 Kentish Road being reported to the Shire within 24 hours of the damage occurring and rectified by and at the expense of the applicant where such damage is caused as a direct result of heavy haulage operations;**
 - f) Any damage to the road pavement, seal or shoulders on any section of Dirk Road or the intersection of Dirk Road and South Western Highway used by the operator's permit vehicles, being reported to the Shire within 24 hours of the damage occurring and such damage is to be rectified by and at the expense of the applicant where such damage is caused as a direct result of heavy haulage operations;**
 - g) Council reserves the right to revoke its support if any of the above conditions are not adhered to or road conditions and user safety is compromised;**
 - h) Copies of all permits, including truck and trailer registration numbers, as issued by Main Roads Western Australia to be submitted to Council prior to the commencement of haulage operations; and**
 - i) Any application for extension to the permit after the 12 month period being referred to Council**
 - j) A log of vehicle movements outside of the daylight hours described in provision C shall be provided to the Shire on a monthly basis with a description of the nature of the emergency requiring such movements.**
- 2. Main Roads Western Australia being advised in writing of the Council's decision in relation to the use of oversize vehicles (up to 27.5 metres in length) by Intercom Logistics for a period of twelve months for access to the Western Power storage facility located within Lot 321 Kentish Road Keysbrook.**

CARRIED 9/0

Committee Note: The Officer Recommended Resolution was amended by adding a part j) advising that a log of vehicle movements outside of the daylight hours described in provision C shall be provided to the Shire on a monthly basis with a description of the nature of the emergency requiring such movements.

| | | |
|------------------------|--|---|
| CGAM049/12/08 | | PERMIT VEHICLE USE ON KARNUP ROAD, HOPELANDS ROAD AND HENDERSON ROAD HOPELANDS (A0512-03) |
| Proponent: | J. J. Hawkins & Co. Pty Ltd | In Brief An application has been made by J.J. Hawkins & Co Pty Ltd for Council consent to use multi combination vehicles to cart sawdust into and waste litter from Lots 701 Henderson Road, Hopelands. It is recommended that the application be refused. |
| Owner: | Not Applicable | |
| Officer: | Debra Swadling - Manager Subdivisions | |
| Senior Officer: | Debra Swadling - Manager Subdivisions | |
| Date of Report | 11 November 2008 | |
| Previously | Not Applicable | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Council | |

Background

J. J. Hawkins and Company Pty Ltd has submitted an application to use multi combination vehicles to cart sawdust into and waste litter out of the new Proten Poultry Farm currently being constructed at Lot 701 Henderson Road, Hopelands.

A total of 880,000 kilograms of waste litter (manure) is expected to be removed from the farm each year. No information is provided on the amount of sawdust to be imported to the site.

In order to reduce large truck movements and to contain the amount of fuel used in the transport processes, J. J. Hawkins and Company Pty Ltd has requested permission to operate a 27.5 metre truck-trailer combination and pocket road trains up to 27.5 metres in length for this haulage operation. Due to the mass and length of the truck and trailer combinations, J. J. Hawkins and Company requires a permit to operate these vehicles on Karnup Road, Hopelands Road and Henderson Road.

Sustainability Statement

Effect on Environment: The use of larger combination vehicles reduces the number of truck movements on a road resulting in reduced congestion and reduced fuel use per unit of transported material.

Resource Implications: The use of truck combinations reduces the burning of fossil fuels by increasing the efficiency of material haulage per unit of material.

Social – Quality of Life: The use of larger combination vehicles reduces the total number of trucks on the road, reducing congestion and truck noise and reducing the frequency aspect of truck conflict risk.

Statutory Environment:

The operation of permit vehicles is controlled by Main Roads Western Australia on the basis of recommendations provided by Council.

Policy/Work Procedure

Implications:

There are no work procedures/policy implications directly related to this application/issue.

Financial Implications:

There are no financial implications to Council related to this application/issue.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

5. Reduce green house gas emissions.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.

Objective 2: Well developed and maintained infrastructure to support economic growth

Strategies:

1. Improved freight, private and public transport networks.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

There has been no community consultation for this proposal.

Comment:

The development approval for the Poultry Farm at Lot 701 Henderson Road included a condition requiring the applicant to contribute to the cost of upgrading Henderson Road and the intersection of Henderson Road and Hopelands Road. Following an appeal process through the State Administrative Tribunal the Shire agreed to accept a contribution of \$380,000 to partially cover the cost of the upgrades. The balance of up to \$220,000 was to be covered by the Shire.

Engineering Services has submitted an application for Black Spot Funding to cover a portion of this additional cost in the 2009-10 financial year. The success or otherwise of this application will be known in May 2009. This application was based on the results of a Road Safety Audit conducted by Shire Officers on Henderson Road and the intersection of Henderson Road and Hopelands Road.

A copy of the Road Safety Audit for Henderson Road is included with the attachments and marked [CGAM049.1/12/08 \(E08/240\)](#).

As evidenced in the Road Safety Audit report, Henderson Road is currently not in a condition to support the use of such vehicles. The road seal varies between 3.3 metres wide and 5.2 metres wide with less than a one metre shoulder each side. The bitumen seal length to Lot 701 is approximately 1,500 metres. The road seal and gravel surface will be further damaged if this permit is granted. There are also roadside table drains on both sides of the road, with culvert headwalls very close to the road pavement edge. The sides of these drains are not safely graded at the usual 1:6 slope but are in places quite steep at 1:2. Should a large vehicle vary from the centre of the road at all there is a very real danger that it would roll into the roadside drain.

The Road Safety Audit Report also raises concerns regarding the ability of the Henderson Road – Hopelands Road intersection to cope with the proposed vehicles. Until such time as the road and intersection upgrades are completed the use of such vehicles at this location poses serious safety hazards. Multiple trailer vehicles are likely to affect the road verge at the corner truncations while attempting to perform the required turning manoeuvre. There are several trees in this location which might also be affected if this application is approved.

Henderson Road is currently used by single truck-trailer vehicles servicing the turf farm next to the new poultry farm. These vehicles take up the entire road width when travelling along Henderson Road. There is no potential of two large vehicles to pass each other along this road.

It is recommended that Council refuse this application for permission to use pocket road trains and/or B-doubles along these roads for safety reasons and to protect the road surface from degradation. The application could be reconsidered after such time as the Shire completes the upgrading of the road, which is not likely to be completed until at least April 2010 (if Black Spot Funding is granted) or April 2011 (if Black Spot Application is unsuccessful).

Voting Requirements: Simple Majority

CGAM049/12/08 COUNCIL DECISION/Committee / Officer Recommended Resolution:

Moved Cr Kirkpatrick, seconded Cr Price

- 1. Council does not endorse the use of oversize vehicles (B-doubles or Pocket Road Trains up to 27.5m in length) by J. J. Hawkins and Company Pty Ltd to cart sawdust and waste litter (manure) to and from the Proten Poultry Farm at Lot 701 on Henderson Road, Hopelands, using Karnup Road, Hopelands Road and Henderson Road.**
- 2. Main Roads WA to be advised in writing of the Council's decision to refuse the use of oversize vehicles (B-Doubles and Pocket Road Trains up to 27.5m in length) by the applicant.**

CARRIED 9/0

| CGAM050/12/08 | | REVIEW OF COUNCIL POLICIES (A1048) |
|------------------------|--|---|
| Proponent: | Not Applicable | <p>In Brief</p> <p>This report presents the outcomes to date from the ongoing review of the Council's policies.</p> <p>The revised and new policies are presented for adoption together with a number of supporting Delegations of Authority.</p> <p>Current policies which are to be replaced are listed for revocation.</p> |
| Owner: | Not Applicable | |
| Officer: | Joanne Abbiss - Chief Executive Officer | |
| Senior Officer: | Not Applicable | |
| Date of Report | 28 November 2008 | |
| Previously | | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Council | |

Background

Councillors have been involved in an ongoing process of reviewing the current policies since September 2008. Some 36 policies have been reviewed and new policies considered. The review process is ongoing and as further progress is made other policies will be presented for adoption.

Sustainability Statement

The ongoing comprehensive review of all Shire policies will include the review of existing policies as well as consideration of new policies; many of which will support the Council's commitment to sustainability.

Statutory Environment:

All policies are within the Council's powers and are properly referenced to the Local Government Act 1995 and/or other legislative provisions as required.

One policy requires advertising; this being G706 Payment to Employees in Addition to Contract or Award Policy.

There are three new Delegations of Authority required to support policies.

Financial Implications:

There are no direct expenditure implications arising from this report.

New policy G911 Sustainable Financing of the Shire has important ongoing implications.

New policy G912 Preserving Proceeds From Sale of Assets has similar importance for the Shire's long term financial sustainability.

Strategic Implications:

The development of a comprehensive policy framework by the Council is important to support achievement of the adopted Strategic Plan and direction.

Community Consultation:

Required: Policy G706 must be advertised for public notice.

Comment:

Three workshops have been facilitated to progress the review of Council's policies. The initial focus has been largely in the governance area. Ongoing review will include:

- Planning policies
- Continue review of other policy areas:
 - a) Remainder of governance policies
 - b) Building
 - c) Rangers
 - d) Emergency Services
 - e) Engineering (following the commencement of the new Director and the opportunity for him to review existing policies and identify policy requirements).

This report presents 30 policies for adoption which are the outcome of the workshop process to date. There are also three Delegations of Authority which require adoption to support relevant policies.

Copies of all the policies for adoption are with the attachments marked [CGAM050.1/12/08](#).

The Instruments of Delegation are with the attachments marked [CGAM050.2/12/08](#).

The previous policies must be revoked as part of the process.

During the review of policies, an issue was identified which the Consultant has suggested warrants Council's consideration. This relates to the President's allowance. A separate report will be presented to Council for consideration of this matter.

Voting Requirements: ABSOLUTE MAJORITY

CGAM050/12/08 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Harris, seconded Cr Buttfield
That Council

1. Revokes the following policies:

- CSP1 - Audio Recording of Council Meetings Prior to July 2003
- CSP3 - Cash Bonds
- CSP4 - Councillor Telephone & Facsimile Policy
- CSP5 - Councillors - Use of Council Vehicles
- CSP6 - Email and Internet Usage
- CSP7 - Equal Opportunity Policy Statement
- CSP8 - Financial Assistance – Requests For
- CSP9 - Freeman of the Municipality
- CSP11 - Payment to Employees in Addition to Contract or Award Policy
- CSP12 - Sexual Harassment Policy
- CSP13 - Smoking in Vehicles & Council Buildings
- CSP14 - Tourism - Local Government
- CSP15 - Travel Expenses – Reimbursement to Community Members Representing Council
- CSP16 - Annual Council Dinner
- CSP17 - Authorisation and Payment of Creditors
- CSP18 - Leave Policy
- CSP19 - Responding to Repetitive and/or Abusive Requests
- CSP20 - Legal Representation and Cost Indemnification
- CSP21 - Public Question Time and Public Statement Time at Ordinary Council Meetings
- CSP22 - Family Friendly Workplace
- CSP23 - Presentation to Past Councillors
- CSP25 - Council Training, Development and Conference Attendance Policy
- CSP26 - Use of Shire of Serpentine Jarrahdale Common Seal
- CSP28 - Hire of Community Bus
- CSP29 - Depreciation and Amortisation
- CSP30 - Diversity / EEO Policy
- CSP31 - Record Keeping Policy
- CSP32 - Public Interest Disclosure Act 2003
- CSP33 - Council Community Satisfaction Survey – Bi Annually
- CSP35 - Councillors on Leave of Absence
- CSP36 - Delegates Voting Entitlements – Western Australian Local Government (WALGA) Annual General Meeting
- CSP37 - Appointment of Acting Chief Executive Officer
- HSP3 - Water Supply – Domestic
- HSP5 - Duties Relating to the Environmental Protection Act 1986

2. Adopts the following policies at *Attachment [CGAM050.1/12/08](#)*:

- G704 - Acting Chief Executive Officer
- G706 - Payment to Employees in Addition to Contract or Award Policy
- G801 - Councillor Entitlements
- G803 - Freeman of The Municipality
- G804 - Travel Expenses – Reimbursement to Community Members Representing Council
- G805 - Annual Council Dinner
- G806 - Responding to Repetitive and/or Abusive Requests
- G807 - Legal Representation and Cost Indemnification

G808 - Public Question Time and Public Statement Time at Ordinary Council Meetings
G809 - Presentation to Past Councillors
G810 - Councillors on Leave of Absence
G811 - Delegates' Voting Entitlements – WALGA
G812 - Audio Recording of Council Meetings Prior to July 2003
G813 - Council Member Training
G814 - Process for Review of Policies
G904 - Purchasing
G905 - Use of Shire of Serpentine Jarrahdale Common Seal
G907 - Recognition of Assets and Depreciation Procedure
G908 - Record Keeping
G909 - Public Interest Disclosure Act 2003
G910 - Community Survey
G911 - Sustainable Financing of the Shire
G912 - Preserving Proceeds From Sale of Assets
G913 - Risk Management
PC102 - Financial Assistance To Community
PC103 - Hire of Community Bus
ED203 - Duties Relating to the Environmental Protection Act 1986
ED306 - Support for the Tourism Industry
ED403 - Water Supply – Domestic

3. Approves the Instruments of Delegation at *Attachment* [CGAM050.2/12/08](#):

CG14 - Appointment of Acting Chief Executive Officer
CG15 - Legal Representation and Cost Indemnification
CG16 - Hire of Community Bus

4. Gives local public notice of Policy G706 Payment to Employees in Addition to Contract or Award as required by Section 5.50 of the Local Government Act 1995.

CARRIED 9/0

Council Note:

The motion was passed including the revised Policy 6907 as indicated in the supplementary report below.

SUPPLEMENTARY INFORMATION

Council's attention is brought to *Attachment* [OCM013.1/12/08](#) which provides a revised Policy G907 to reflect the changes that were adopted by Council in December 2007. Unfortunately these were not transferred to the new Policy. It is recommended that Council adopt the policies inclusive of the revised Policy G907.

Councillors Needham and Price declared a financial interest in item CGAM051/12/08 and left the meeting at 7.25pm.

The Chief Executive Officer called for a Chair.

COUNCIL DECISION

Cr Twine, seconded Cr Randall that Cr Buttfeld be nominated as the Chair.
CARRIED 7/0

| | | |
|--|--|---|
| CGAM051/12/08 PRESIDENT AND DEPUTY PRESIDENT'S ALLOWANCE AND PRESIDENT'S ANNUAL ATTENDANCE FEES (A0429) | | |
| Proponent: | Not Applicable | In Brief This report discusses the President and Deputy President's Allowance and the President's Annual Attendance Fees. It recommends consideration of increasing the allowance and fees in recognition of the commitment required by the person who holds the office of President at the Shire. It also recommends increasing the allowance for the Deputy President. |
| Owner: | Not Applicable | |
| Officer: | Joanne Abbiss Chief Executive Officer | |
| Senior Officer: | Not Applicable | |
| Date of Report | 25 November 2008 | |
| Previously | | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Council | |

Background

During the current review of Council policies and consideration of member entitlements it became apparent that there was a need to review the President's Allowance and Annual Attendance Fees and the Deputy President's Allowance.

Statutory Environment:

Local Government Act 1995 and Local Government (Administration) Regulations 1996.

Financial Implications:

An increase in fees and allowance is recommended and would result in increased expenditure. The increased costs for a full year are \$12,817 for the President and \$1,204 for the Deputy President and for the remainder of the current financial year the additional cost is \$7,010.

Strategic Implications:

Representation of the Shire by the President is critical for the achievement of the desired future outcomes.

Community Consultation:

Not applicable

Comment:

Section 5.98 (1) of the Local Government Act 1995 provides for meeting attendance fees to be paid to council members.

The Local Government (Administration) Regulations 1996 prescribe the permitted meeting attendance fees for Councillors and for the President for both council and committee meetings. The permitted meeting fees are presented in the following table:

Meeting Attendance Fees

| Regulation | Minimum - Maximum Attendance Fee per meeting | Total Meeting Attendance Fees permitted to be paid per annum |
|-----------------------------------|---|---|
| 30(1)(2)(3) Councillors | | |

| Regulation | Minimum - Maximum Attendance Fee per meeting | Total Meeting Attendance Fees permitted to be paid per annum |
|--------------------------------------|---|---|
| Council Meeting | \$60 - \$140 | \$7,000 |
| Committee Meeting | \$30 - \$70 | |
| 30(2)(4) <u>President</u> | | |
| Council Meeting | \$120 - \$280 | \$14,000 |
| Committee meeting | \$30 - \$70 | |

However Section 5.99 of the Local Government Act 1995 allows for a local government to pay an annual fee for council members in lieu of fees for attending meetings. This is the current approach adopted by the Shire.

Annual Attendance Fees

| Regulation | Minimum – Maximum Annual Attendance Fees per annum | Current Serpentine Jarrahdale Annual Attendance Fee per annum |
|--------------------------------------|---|--|
| 34 (1) <u>Councillors</u> | \$2,400 - \$7,000 | \$7,000 |
| 34 (2) <u>President</u> | \$6,000 - \$14,000 | \$7,000 |

In addition to meeting attendance fees or annual attendance fees, Section 5.98 (5) provides for the payment of an allowance to the Mayor or President.

President's Allowance

| Regulation | Minimum – Maximum President's Allowance per annum | Total permitted President's Allowance per annum | Current Serpentine Jarrahdale President's Allowance per annum |
|-------------------|--|--|--|
| 33 | <p>Minimum \$600</p> <p>Maximum \$12,000 or .002 of the local government's operating revenue whichever is the greater.</p> <p>(Based on actuals for the 2007/2008 financial year this would be \$25,634. Should the budgeted figures for</p> | <p>\$60,000</p> <p>or in Serpentine Jarrahdale's case for the 2007/2008 year the maximum would be \$25,634</p> | \$7,000 |

| Regulation | Minimum – Maximum President's Allowance per annum | Total permitted President's Allowance per annum | Current Serpentine Jarrahdale President's Allowance per annum |
|------------|---|---|---|
| | 2008/2009 be realised this figure would be (\$28,865) | | |

In addition to the fees and allowances shown above the Council may approve an allowance for the Deputy President of up to 25% of the President's allowance. Currently the Shire pays the Deputy President an allowance of \$2,000 which is actually 28.5% of the President's allowance.

Summary Table

| Remuneration | Total Remuneration Entitlement under the Local Government Act 1995 | Maximum under the Act | Current Serpentine Jarrahdale Remuneration | Difference |
|-------------------------------------|--|-----------------------|--|-------------------|
| Councillor Annual Attendance Fees | \$7,000 | | \$7,000 | \$0 |
| Deputy President's Allowance | \$6408* | | \$2,000 | - \$4,408 |
| President Annual Attendance Fees | \$14,000 | | \$7,000 | - \$7,000 |
| President Allowance | \$25,634* | | \$7,000 | - \$18,634 |
| Total President Remuneration | \$39,634 | | \$14,000 | - \$25,634 |

**based on operating revenue actuals for 2007/2008*

The Council has established the meeting fees for councilors at the maximum level provided by the Regulations. However the President's Allowance and Annual Attendance Fees are considerably below the permitted level. This is considered to be an anomaly given the expectation upon the President to actively represent the Shire. The requirement for this Shire's President is much higher than most local governments of a similar size due to its strategic outer urban location and the enormous growth impacts being experienced. It is a simple fact that the Shire's elected leader is required to make representations in elected forums, whether with Federal, State or Local Government. This is something the Chief Executive Officer cannot do as the expectation of other elected officials is most often that they will be dealing with elected not appointed representatives.

Examples of the President's regular representative commitments are the Corporate Governance and Asset Management Committee, the Audit Committee, the Southern East Metropolitan WALGA zone, Peel WALGA zone, the South West Catchments Council, Outer Metropolitan Growth Councils, South East Regional Energy Group, Peel Regional Leader's Forum, Local Emergency Management Committee, Agricultural Protection Board Waroona ZCA and the Landcare SJ Inc Board.

Other "one-off" representative commitments are also regularly expected of the President and include such matters as WALGA's Systemic Sustainability Study Expert Working Groups,

the recent Australian Council of Local Government Summit and Regional Delegations to Canberra.

This does not take into account the administrative requirements placed on the President with regard to preparation of media releases and responding to the media, signing and sealing of documents, addressing correspondence, conducting citizenship ceremonies, preparing speeches, mentoring new Councillors as well as attending numerous meetings and ceremonies on a weekly basis.

It is recommended that the President's Allowance be reviewed immediately and increased from \$7,000 to \$12,817 for the remainder of this financial year. This figure represents 50% of the maximum permitted President's Allowance under the Local Government Act 1995 as calculated by multiplying 0.002 by the actual operating revenue from the previous financial year. It is recommended that Council adopt this as policy for the calculation of the President's Allowance.

It is recommended that the Deputy President's Allowance be set at 25% of the President's Allowance as a matter of policy and be effective from 1st January 2009.

It is recommended that the Presidents Annual Attendance Fees be set at 100% of the maximum permitted under the Local Government Act 1995 and be effective from 1st January 2009.

This would mean that the President receives \$14,000 instead of \$7000 for Annual Attendance Fees and \$12,817 as a President's Allowance instead of \$7,000. This is an overall increase of \$12,817 taking the total remuneration for the President from \$14,000 to \$26,817 which is still considerably less than the maximum entitlement under the Act of \$39,634. The Deputy President would receive an increase from \$2,000 to \$3,204.

Voting Requirements: ABSOLUTE MAJORITY

Officer Recommended Resolution:

That Council:

1. In recognition of the requirements and expectations of the position, review the President's Allowance in accordance with Section 5.98(5) of the Local Government Act 1995 and Regulation 33 of the Local Government (Administration) Regulations 1996.
2. The President's Allowance be revised to \$12,817 for the 2008-2009 financial year and commencing 1 January 2009.
3. The Deputy President's Allowance be revised to \$3,204 for the 2008 – 2009 financial year and commencing 1 January 2009.
4. The President's Annual Attendance Fees be increased to \$14,000 for the 2008 – 2009 financial year and commencing 1 January 2009.
5. Authorise the additional expenditure for the increase in the current municipal budget by absolute majority.
6. Adopts a policy of paying 100% of the maximum permitted annual attendance fees under the Local Government Act 1995 for the President.
7. Council adopts a policy of paying 50% of the maximum permitted President's Allowance under the Local Government Act 1995 as calculated by multiplying 0.002 by the actual operating revenue from the previous financial year.
8. Council adopts a policy of paying 25% of the President's Allowance for the Deputy President.

LOST 0/5

During debate Cr Harris foreshadowed that she would move an amended resolution that increases the President's Allowance to \$17,943 and Deputy President's Allowance \$4,485.

CGAM051/12/08 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Harris, seconded Cr Twine

That Council:

1. In recognition of the requirements and expectations of the position, review the President's Allowance in accordance with Section 5.98(5) of the Local Government Act 1995 and Regulation 33 of the Local Government (Administration) Regulations 1996.
2. The President's Allowance be revised to \$17,943 for the 2008-2009 financial year and commencing 1 January 2009.
3. The Deputy President's Allowance be revised to \$4,485 for the 2008 – 2009 financial year and commencing 1 January 2009.
4. The President's Annual Attendance Fees be increased to \$14,000 for the 2008 – 2009 financial year and commencing 1 January 2009.
5. Authorise the additional expenditure for the increase in the current municipal budget by absolute majority.
6. Adopts a policy of paying 100% of the maximum permitted annual attendance fees under the Local Government Act 1995 for the President.
7. Council adopts a policy of paying 70% of the maximum permitted President's Allowance under the Local Government Act 1995 as calculated by multiplying 0.002 by the actual operating revenue from the previous financial year.
8. Council adopts a policy of paying 25% of the President's Allowance for the Deputy President.

CARRIED 7/0

Cr Needham and Cr Price were not present and did not vote.

Committee Note: The Officer Recommended Resolution was changed to include the President's Allowance being increased to \$17,943 and Deputy President's Allowance being increased to \$4,485.

Cr Price and Cr Needham were not present and did not vote.

Cr Price returned to the meeting at 7.27pm.

Cr Needham returned to the meeting at 7.27pm and resumed the Chair.

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

| OCM014/12/08 | | REVIEW OF PLANNING FEES (A1512) |
|------------------------|--|--|
| Proponent: | Western Australian Planning Commission | In Brief |
| Owner: | N/A | To adopt new Planning fees arising from amendments to the Planning and Development (Local Government Planning Fees) Regulations. |
| Author: | Brad Gleeson – Director Development Services | |
| Senior Officer: | N/A | |
| Date of Report | 11 December 2008 | |
| Previously | SCM001/07/08 | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Council | |

Background

Council at its meeting held on 18 July 2008 adopted the Statutory Budget for 2008/2009 including the adoption of the schedule of fees and charges.

A copy of the current Planning fees and charges is with attachments marked OCM014.1/12/08.

Proposal

Amendments to the Planning and Development (Local Government Planning Fees) Regulations (Regulations) were gazetted on 10 October 2008 and include a Consumer Price Index increase (CPI) in the maximum permissible fees which can be adopted by Local Governments for Planning Services. The amendments increase the 2007/2008 fees by the CPI rate of 3.4 per cent.

A copy of the revised Planning fees and charges is with attachments marked OCM014.2/12/08.

It is recommended that Council adopts the new maximum fees, effective from Tuesday, 16 December 2008.

Sustainability Statement

This adjustment to the Schedule of Fees and Charges aims to ensure that the Shire achieves the maximum cost recovery possible for the services it provides.

Statutory Environment:

The Regulations provide a framework for Local Government fees for Planning Services and include details of the fees which may be levied. The Regulations were gazetted in 2000 and reviewed in 2007, largely to introduce a CPI increase to the fees set out in the original 2000 version of the Regulations.

The Local Government Act provides that fees are to be imposed when a Local Government adopts its annual budget. It also provides for amendments to be made to fees during the financial year provided local public notice is given of its intention to amend the fees and the date from which the amended fees will be imposed. An Absolute Majority decision of Council is required.

Policy/Work Procedure Implications:

There is no work procedure/policy implications directly related to this issue.

Financial Implications:

The Shire has budgeted an income of \$326,400 for planning fees this financial year. Given that the 3.4% CPI increase cannot become effective until late December 2008, the increase is only likely to yield a small increase in the budgeted planning fee income for the current financial year.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation:

Public notification required.

Comment:

The Regulations set out maximum fees which may be adopted by local governments. Individual local governments may charge less than the prescribed fee or not at all. They may in some cases charge a higher fee than the specified maximum when and where there are exceptional circumstances; for example, where applications require specialist environmental assessment. It is necessary for local governments to adopt the fees it intends to impose in line with the Regulations.

The Shire's current planning fees are based on the maximum rates set out in the now superseded version of the Regulations. In order to continue providing a high level of planning service to the community, it is considered to be financially prudent to adopt the CPI increase in line with the amended Regulations.

Voting Requirements: **ABSOLUTE MAJORITY**

Officer Recommended Resolution:

1. Pursuant to clause 6.16(3) of the Local Government Act 1995, Council amends its adopted Schedule Fees and Charges for the year ending 30 June 2009 by substituting the existing Town Planning Fees with those fees set out in Attachment OCM014.2/12/08.
2. Council gives local public notice of its intention to impose the revised fees effective from 16 December 2008.

OCM014/12/08 COUNCIL DECISION:

Moved Cr Harris, seconded Cr Kirkpatrick (proforma)

1. Pursuant to clause 6.16(3) of the Local Government Act 1995, Council amends its adopted Schedule Fees and Charges for the year ending 30 June 2009 by substituting the existing Town Planning Fees with those fees set out in the amended document titled Town Planning Fees dated 15 December 2008 and marked *Attachment OCM014.3/12/08*.
2. Council gives local public notice of its intention to impose the revised fees effective from 16 December 2008.

CARRIED 9/0

Council Note:

Attachment OCM014.3/12/08 was provided by officers as OCM014.2/12/08 only included the changes and if adopted would have meant the remaining unchanged fees would have been lost.

| | | |
|--|---|---|
| OCM015/12/08 CAT STERILISATION (A0028) | | |
| Proponent: | Cr Christine Randall | In Brief Cr Randall has submitted a motion of which notice has been given relating to cat sterilisation. |
| Owner: | Not Applicable | |
| Officer: | Brad Gleeson – Director Development Services | |
| Signatures Author: | | |
| Senior Officer: | Joanne Abbiss – Chief Executive Officer | |
| Date of Report | 10 December 2008 | |
| Previously | Nil | |

| | | |
|------------------------|---|--|
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act. | |
| Delegation | Council | |

Background

Councillor Randall has forwarded a media article from 1 December 2008 relating to the issue of mandatory cat sterilisation. The release states:

“Colin Barnett supports compulsory cat sterilisation to curb the epidemic of unwanted and feral cats and says he will consider legislation to enforce responsible animal ownership.

Visiting a fundraising event at the Cat Haven in Shenton Park yesterday, the Premier said he favoured forcing cat owners to neuter their pets to avoid putting down thousands of felines a year and the huge environmental damage caused by feral cats.

“I’m prepared to look at that (legislation),” he said. “To have a situation here where up to 10,000 cats and kittens are delivered to the Cat Haven every year is a very sad situation and the majority of those have to be euthanased. “Whether it should be compulsory, my own view is that probably it should be. We’ll certainly look at the proposals by the Cat Haven.”

Mr Barnett presented a personal donation yesterday, but hesitated at providing State Government funding.

“We’d always look at that, but often organisations are successful because they are self-funded and because the community gets behind them, and if Government comes in sometimes then you lose the momentum,” he said.

But Cat Haven operations manager Roz Robinson questioned why the cat refuge was left out when the RSPCA got \$250,000 a year in State Government funding. She said any form of government funding was desperately needed and urged the State Government to consider offering a lifeline. She welcomed Mr Barnett’s stance on compulsory cat sterilisation, saying it would reduce the number of unwanted kittens by 80 per cent.

The haven has to put down almost 70 per cent of the 10,000 cats dumped on its doorstep every year.”

Sustainability Statement

The increasing number of domestic cats in the community and feral cats in bushland and natural areas, is having an impact on native wildlife.

Statutory Environment: Not applicable

Policy/Work Procedure Implications: Not applicable.

Financial Implications: \$7,268 is provided for within the 2008/2009 budget for the Cat Sterilisation program in the Shire.

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
4. Value, protect and develop biodiversity.

Objective 2: Strive for sustainable use and management of natural resources

Strategies:

1. Implement known best practice sustainable natural resource management.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

Not required.

Officer Comment:

The Shire has adopted a program where subsidies are provided to residents to have their cats sterilised at local vets. This is a positive start at a local level. However more comprehensive strategies are needed at the State level to have any real impact on the serious problem of the large numbers of unwanted cats in the community.

Council has previously provided recommendations to the Western Australian Local Government Association (WALGA) in relation to the issue of cat control legislation. To date, this matter has not been deemed a priority with WALGA or the State Government.

The Officer's recommendation differs slightly to the Councillors Recommended Resolution as the media release indicates the Premier's support as opposed to the State Government's support and seeks the prioritisation of the necessary legislation.

Voting Requirements: Simple Majority

Councillor Recommended Resolution:

1. The Shire requests that the Western Australian Local Government Association write to the Minister for Local Government and thank the State Government for committing to mandatory cat sterilisation.
2. The Shire writes to the Minister for Local Government thanking the State Government for their strong stance and commitment to addressing a long overdue problem.
3. The Shire advises residents on the Council News page in the Weekend Examiner that Council supports the State Government's stance on sterilisation of cats.

OCM015/12/08 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Randall, seconded Cr Price

1. **The Shire requests that the Western Australian Local Government Association write to the Minister for Local Government to:**
 - i) **outline the Premier's support for mandatory cat sterilisation and his preparedness to look at cat sterilisation legislation;**
 - ii) **request the Minister for Local Government prioritise the adoption of cat sterilisation legislation;**
2. **The Shire writes to the Minister for Local Government to:**

- i) **outline the Premier’s support for mandatory cat sterilisation and his preparedness to look at cat sterilisation legislation;**
 - ii) **request the Minister for Local Government prioritise the adoption of cat sterilisation legislation;**
 3. **The Shire advises residents in the Council News that it supports the Premier’s stance on cat sterilisation.**
- CARRIED 7/2**

9. CHIEF EXECUTIVE OFFICER'S REPORT

| OCM016/12/08 | | INFORMATION REPORT |
|------------------------|---|-------------------------------------|
| Proponent | Joanne Abbiss - Chief Executive Officer | In Brief Information Report. |
| Officer | Lisa Fletcher – Personal Assistant to the Chief Executive Officer | |
| Signatures - Author: | | |
| Senior Officer: | Joanne Abbiss - Chief Executive Officer | |
| Date of Report | 3 December 2008 | |
| Previously | | |
| Disclosure of Interest | | |
| Delegation | Council | |

OCM016.1/12/08 COMMON SEAL REGISTER REPORT – NOVEMBER 2008

The Common Seal Register Report for the month of November 2008 as per Council Policy CSP30 - Use of Shire of Serpentine Jarrahdale Common Seal is with the **attachments marked OCM016.1/12/08**.

OCM016.2/12/08 POLICY FORUM – 2 DECEMBER 2008

The following items were discussed at the 2 December 2008 Policy Forum:

| |
|--|
| Topic / Subject |
| Presentations |
| Byford & Districts Community Bank (Bendigo Bank) |
| Marketing session |
| Council Actions Report |
| Report on progress of Council and Committee resolutions |
| Report on Councillor correspondence |
| Strategic Planning |
| SJ Cities for Climate Protection Plus 06/07 re-inventory |
| Hot Topics |
| MOU's for Community Groups |
| Liability Cover for Shire Functions & Users of SJ Assets |
| Presentation |
| Byford Trotting Complex |
| Policy Development |
| Fencing in Old Quarter (Byford) |

OCM016.3/12/08 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION PEEL ZONE MINUTES – 27 NOVEMBER 2008 (A1164)

In the attachments marked OCM016.3/12/08 (IN08/15230) is the minutes and attachment to the minutes marked OCM016.3a/12/08 (in08/15230a) of the Peel Zone Meeting held on 27 November 2008.

OCM016.4/12/08 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION SOUTH EAST METROPOLITAN ZONE MINUTES – 26 NOVEMBER 2008 (A1164)

In the attachments marked OCM016.4/12/08 (IN08/15381) is the minutes of the South East Metropolitan Zone Meeting held on 26 November 2008.

OCM016.5/12/08 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
STATE COUNCIL MINUTES – 3 DECEMBER 2008 (A1164)

In the attachments marked OCM016.5/12/08 (IN08/15585) is the minutes of the WALGA State Council held on 3 December 2008.

OCM016/12/08 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Price, seconded Cr Harris
The Information Report to 12 December 2008 is received.
CARRIED 9/0

10. URGENT BUSINESS:

Nil

11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

Nil

Cr Twine requested a Leave of Absence from the Special Council Meeting to be held on 19 December 2008.

12. CLOSURE:

There being no further business the meeting closed at 7.50pm.

I certify that these minutes were confirmed at the
Ordinary Council meeting held on 27 January 2009.

.....
Presiding Member

.....
Date

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

| | | |
|---|--|------------------------------------|
| SD054/12/08 HEALTH INFORMATION REPORT (A0039-02) | | |
| Proponent: | N/A | In Brief Information report |
| Owner: | N/A | |
| Officer: | Melanie Watson – Acting Manager Health & Ranger Services | |
| Signatures Author: | | |
| Senior Officer: | Tony Turner – Acting Director Development Services | |
| Date of Report | 21 November 2008 | |
| Previously | | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Committee – in accordance with resolution CGAM064/02/08 | |

SD054/12/08 Committee Decision/Officer Recommended Resolution

**That Council accepts the Health Information Report.
CARRIED 7/0**

| | | |
|--|--|---|
| SD055/12/08 PROPOSED OVERSIZE AND OVERHEIGHT SHED LOT 800 (228) KING ROAD CORNER ORTON ROAD, OAKFORD (P02118/02) | | |
| Proponent: | P Steele and E Greaves | In Brief Application for the construction of an oversize and overheight outbuilding. Refusal is recommended. |
| Owner: | As Above | |
| Officer: | Planning Assistant – Casey Rose | |
| Signatures Author: | | |
| Senior Officer: | Director Development Services – Brad Gleeson | |
| Date of Report | 20 November 2008 | |
| Previously | Nil | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Committee – in accordance with resolution CGAM064/02/08 | |

SD055/12/08 Committee Decision/Officer Recommended Resolution:

That the application for approval to commence development for an oversize and overheight shed on Lot 800 (#228) King Road, Oakford be refused for the following reasons:

- 1. The size and height of the shed will have a deleterious effect on the visual amenity of the streetscape by virtue of it not being in keeping with the Rural character of the locality.**

**2. The proposed shed does not comply with Council’s adopted Local Planning Policy 17 Incidental by virtue of the building being oversize and overheight.
CARRIED 7/0**

| | | |
|--|--|--------------------|
| SD058/12/08 PLANNING INFORMATION REPORT | | |
| Officer: | Executive Manager Planning | In Brief |
| Senior Officer: | Director Development Services | |
| Date of Report | 20 November 2008 | Information report |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Committee – in accordance with resolution CGAM064/02/08 | |

SD058/12/08 Committee Decision/Officer Recommended Resolution:

**That Council accepts the Planning Information Report.
CARRIED 7/0**

| | | |
|---|---|--|
| CGAM043/12/08 MONTHLY FINANCIAL REPORT – OCTOBER 2008 (A0924/07) | | |
| Proponent: | Local Government Act 1995 | In Brief |
| Owner: | Not Applicable | |
| Officer: | Casey Mihovilovich - Manager Finance Services | To receive the Monthly Financial Report as at 31 October 2008. |
| Senior Officer: | Alan Hart - Director Corporate Services | |
| Date of Report | 11 November 2008 | |
| Previously | Not Applicable | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995 | |
| Delegation | Committee in accordance with resolution CGAM064/02/08 | |

CGAM043/12/08 Committee Decision / Officer Recommended Resolution:

**Council receives the Monthly Financial Report, as at 31 October 2008, in accordance with Section 6.4 of the Local Government Act 1995.
CARRIED 7/0**

| CGAM044/12/08 | | CONFIRMATION OF PAYMENT OF CREDITORS (A0917) |
|------------------------|--|---|
| Proponent: | Alan Hart - Director Corporate Services | In Brief To confirm the creditor payments made during the period of 22 October 2008 to 17 November 2008. |
| Owner: | Not Applicable | |
| Author: | Casey Mihovilovich - Manager Finance Services | |
| Senior Officer: | Alan Hart - Director Corporate Services | |
| Date of Report | 17 November 2008 | |
| Previously | Not Applicable | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Committee in accordance with resolution CGAM064/02/08 | |

CGAM044/12/08 Committee Decision / Officer Recommended Resolution:

That Council notes the payments authorised under delegated authority and detailed in the list of invoices for period of 22 October 2008 to 17 November 2008, presented per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.
CARRIED 7/0

| CGAM045/12/08 | | SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917) |
|------------------------|--|---|
| Proponent: | Alan Hart - Director Corporate Services | In Brief To receive the sundry debtor balances as at 17 November 2008. |
| Owner: | Not Applicable | |
| Author: | Melissa Armitage - Finance Officer (Debtors) | |
| Senior Officer: | Alan Hart - Director Corporate Services | |
| Date of Report | 17 November 2008 | |
| Previously | Not Applicable | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Committee in accordance with resolution CGAM064/02/08 | |

CGAM045/12/08 Committee Decision / Officer Recommended Resolution:

That Council receive and note the report on Sundry Debtor Outstanding Accounts as at 17 November 2008.
CARRIED 7/0

| CGAM046/12/08 | | RATE DEBTORS REPORT (A0917) |
|------------------------|--|---|
| Proponent: | Alan Hart - Director Corporate Services | In Brief To receive the rates report as at 17 November 2008. |
| Owner: | Not Applicable | |
| Author: | Kellie Bartley - Rates Officer | |
| Senior Officer: | Alan Hart - Director Corporate Services | |
| Date of Report | 17 November 2008 | |
| Previously | Not Applicable | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Committee in accordance with resolution CGAM064/02/08 | |

CGAM046/12/08 Committee Decision / Officer Recommended Resolution:

That Council receive and note the report on the Rate Debtors accounts as at 17 November 2008.
CARRIED 7/0

| CGAM052/12/08 | | INFORMATION REPORT |
|------------------------|--|--|
| Proponent: | Alan Hart - Director Corporate Services | In Brief To receive the information report to 25 November 2008. |
| Owner: | Not Applicable | |
| Author: | Various | |
| Senior Officer: | Alan Hart - Director Corporate Services | |
| Date of Report | 25 November 2008 | |
| Previously | Not Applicable | |
| Disclosure of Interest | No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act | |
| Delegation | Committee in accordance with resolution CGAM064/02/08 | |

CGAM052/12/08 Committee Decision / Officer Recommended Resolution:

That the Information Report to 25 November 2008 be received.
CARRIED 7/0

- NOTE:
- a) The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.
 - b) Declaration of Councillors and Officers Interest is made at the time the item is discussed.