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Minutes of the Ordinary Council Meeting held in the Council Chambers, 6 Paterson Street, Mundijong on Monday, 22 July 2013. The Shire President declared the meeting open at 7.00pm and welcomed Councillors, staff and members of the gallery.

1. Attendances and Apologies (including Leave of Absence):

In Attendance:

COUNCILLORS: B Moore Presiding Member
G Wilson
D Atwell
J Kirkpatrick
S Piipponen
B Urban

OFFICERS: Mr R Gorbunow Chief Executive Officer
Mr A Hart Director Corporate and Community
Mr B Gleeson..... Director Planning
Mr G Allan Director Engineering
Ms Linda Jones Personal Assistant to Chief Executive Officer

APOLOGIES: Nil

OBSERVERS: Nil

Members of the Public - 10

Members of the Press - 1

2. Response to Previous Public Questions Taken on Notice:

Nil

3. Public Question Time:

Public Question / Statement Time commenced at 7.01pm.

Dr Sheila Twine, 25 Millbrook Close, Jarrahdale – re Jarrahdale Heritage Park

We read in the paper that Jarrahdale Heritage Park is one of the Shire's five 'big ticket' items to progress and yet I'm told the Shire can do nothing without permission from the National Trust (NTWA) which is the owner of most of the land. I understand there is no current agreement between the Shire and the NTWA.

My members and I are in confusion as to what funds remain and what happened to the reserve fund?

1. I request a breakdown of income and expenditure for the Heritage Park, with notes attached for items which will be hard to comprehend by Jarrahdale Heritage Society (JHS) members. This breakdown to run from the earliest days (in a large font please for old eyes, with three copies).
2. I request a meeting with the Shire finance people (for three JHS members) to explain items on the spreadsheet and give a clear picture of the present position.

Response:

The Shire President thanked Dr Twine for her comments and agreed to a meeting with officers and members of the Jarrahdale Heritage Society to discuss the matters raised.

Jan Star, 230 Jarrahdale Road, Jarrahdale

Re OCM013/07/13 Confidential Item - Reconsideration of Extractive Industry Licence and Development Approval - Lot 4 Transit Road and Lot 6 Jarrahdale Road, Jarrahdale

1. Given there has been no real attempt to answer community concerns and given that there is no justification given for the Officer's Recommendation, can someone please explain on what Planning grounds this recommendation was made, considering it was counter to both Western Australian Planning Commission and Council Planning policies?

Response:

The Director Planning advised that the recommendation has been presented by Planning officers following discussions in mediation at the State Administrative Tribunal (SAT). These discussions are held in confidence. SAT requested Council to reconsider the application based on information previously submitted and new information submitted by the applicant at SAT.

2. Given the apparent disregard of the proponents for previous conditions of their Development Approval, their current disregard of Council policies and State Regulations (clearing of native vegetation); and their disregard for their neighbours by allowing their noxious weeds to infest properties far and wide despite requests from Council for their eradication, by what means is Council going to ensure their conditions are met if this is approved?

Response:

The Director Planning advised that employment of a Planning Compliance Officer will allow the Shire to better enforce the management plans and more closely monitor the conditions. Council has attempted to get the landowner to deal with noxious weeds on the property on a number of occasions.

Merri Harris, 806 South Western Highway, Byford

Re OCM013/07/13 Confidential Item – Reconsideration of Extractive Industry Licence and Development Approval – Lot 4 Transit Road and Lot 6 Jarrahdale Road, Jarrahdale

Ms Harris requested that answers to her questions be provided tonight prior to Councillors voting on the item.

1. May I please have an explanation as to why there is no indication within the body of the item on the agenda as to why the item is to be Confidential?

Response:

The full report was provided to Councillors under separate confidential cover as per Section 5.23(2) of the *Local Government Act 1995* for the purpose of considering a matter that is currently at SAT.

2. Under Item 4 there is reference to the production of an annual report that must provide details relating to complaints and complaint responses. Has there been a directive to the proponent about how they will provide access to the method of making complaints to the general public such as signage at the gate of the property that informs the public about how to make a complaint? Will there be any

requirement of the company to make it known to the Shire when they receive a complaint?

Response:

The Director Planning advised that, during the SAT mediation process, a commitment was given by the proponent to improve communication with the local community. As a result of that commitment conditions 4 and 5 were included and form part of the Officer's Recommendation. The detail will be worked out in discussion with the proponent.

3. Who will enforce the requirement of the proponent to exclude batters from the buffer areas?

Response:

The Director Planning advised that Conditions 12 and 13 relate to Q3. The Shire will need to enforce compliance with conditions.

4. Will the bunding areas be included within the perimeter of the excavation site and if so, how will this affect the pegging of the excavation areas?

Response:

As above.

5. Does the Dust Management Plan require the proponent to have a water truck onsite at all times or just during excavation periods?

Response:

The Director Planning advised that Condition 14 relates to Q5.

6. Who will monitor the dust nuisance from easterly breezes when excavation is not actively occurring?

Response:

The Director Planning advised that the landowner will be responsible for ensuring there are no dust problems. The Shire will be responsible for monitoring the conditions of approval.

7. How will the proponent be required to monitor wind and dust conditions during weekends, public holidays and periods of non-excavation?

Response:

The Director Planning advised that Conditions 6 and 7 relate to Q7.

8. If approval for this excavation is provided today will the proponent be required to proceed with all plantings of trees within the buffer areas this winter?

Response:

The Director Planning advised that Condition 22 relates to Q8. Planting may not necessarily occur this winter.

9. Has there been an assurance bond placed against the requirements for vegetation and rehabilitation of the site? If not, why not?

Response:

The Director Planning advised that no condition for bonding of the proposed works has been recommended. Commitment for an extra 1000 trees came out of the mediation process and it is understood the trees have already been ordered.

10. Will the hours of operation also apply to clearing operations and burn-offs?

Response:

The Director Planning advised that Item 5.7 of the Excavation Rehabilitation Management Plan relates to Q10.

11. Under item C, point 1, should the word 'approval' be replaced with 'licence'?

Response:

The Director Planning advised that the wording under Item C, point 1 is correct and clarified that:

- Development approval for an extractive industry is in accordance with the Shire's Town Planning Scheme.
- Granting of an Extractive Industry Licence is in accordance with the Shire's Local Laws.
- Development approval for sand extraction is in accordance with the Metropolitan Region Scheme.

12. Is it true that third parties can make representation to the State Administrative Tribunal?

Response:

The Director Planning advised that SAT can consider a request for representation to a hearing and recommended members of the community contact SAT directly in this regard.

Joanne Scott, PO Box 175, Mundijong

Re OCM013/07/13 Confidential Item – Reconsideration of Extractive Industry Licence and Development Application - Lot 4 and 5 Transit Road and Lots 6 and 7 Jarrahdale Road.

The Shire President read aloud the following questions in the absence of Ms Scott:

"In response to your correspondence dated 12 July, please note unfortunately I am unable to be present at the Council meeting tonight. I seek answers to the following:

1. *When did the Council receive notice that the proponent had made an application to the State Administrative Tribunal (SAT)?"*

Response:

Council was advised by SAT on 11 March 2013 of the lodgement of an application for review.

"2. Why was I not informed when Council became aware that an application was before SAT?"

Response:

There is no requirement under the *State Administration Act* for Council to notify residents that an application for review has been lodged.

“3. *When did Council receive the request from SAT to reconsider its decision?*”

Response:

SAT at the mediation held on 9 May 2013 made this Order.

“4. *On what basis did Council deem it necessary to commission a confidential report?*”

Response:

Matters before the SAT are confidential.

Kerry and Peter Westlake, Lot 10 Transit Road, Jarrahdale

Re OCM013/07/13 Confidential Item – Reconsideration of Extractive Industry Licence and Development Application - Lot 4 and 5 Transit Road and Lots 6 and 7 Jarrahdale Road.

1. Have all objecting ratepayers to this extractive industry proposal been notified in writing of this reconsideration by Council of its original decision?

Response:

The Chief Executive Officer advised that notification was forwarded to people who made a submission advising of the meeting tonight.

2. What has changed from the 11 February 2013 meeting on the grounds of objection to warrant ‘confidential consideration’?

Response:

Subsequent to the refusal by Council, the applicant sought a review of the decision by SAT. Council was requested to reconsider the application based on information previously submitted by the applicant and new information submitted to SAT. All matters before the SAT are confidential.

3. What is ‘confidential report’ in this instance? How can such be publicly and ethically debated without content disclosure?

Response:

The full report was provided to Councillors under separate confidential cover as per Section 5.23(2) of the *Local Government Act 1995*.

4. Are Lots 4 and 5 Transit Road and 6 and 7 Jarrahdale Road still ‘Rural’ zone?

Response:

Lots 4 and 5 Transit Road and 6 and 7 Jarrahdale Road are zoned ‘Rural’ under the Shire’s Town Planning Scheme 2.

Jan Star, 230 Jarrahdale Road, Jarrahdale

Additional question re OCM013/07/13 Confidential Item - Reconsideration of Extractive Industry Licence and Development Approval - Lot 4 Transit Road and Lot 6 Jarrahdale Road, Jarrahdale

1. Is it possible that by doing sand extraction over the summer months trees will not be planted until next winter?

Response:

The applicant would be required to plant the trees in accordance with the landscaping plan within the first winter following granting of approval.

Phil McSwain, 197 Jarrahdale Road, Jarrahdale

Re OCM013/07/13 Confidential Item – Reconsideration of Extractive Industry Licence and Development Application - Lot 4 and 5 Transit Road and Lots 6 and 7 Jarrahdale Road.

When you compare places such as Roleystone, Lesmurdie, Kalamunda and Bedforddale the entrance from Byford into Serpentine Jarrahdale looks terrible. WA Blue Metal, the tip, the brickworks, the old mine on Jarrahdale Road, the petrol station not in use and approval of this mine are setting an undesirable precedent. Do they want to make it the ugliest entrance in the State? Residents would like to protect our land valuations.

Response:

The Shire President advised that Council takes these concerns seriously. The State Government has made it clear that extractive industries will go ahead on the Scarp. We are continually in battle with SAT, sadly at a financial cost to our ratepayers.

4. Public Statement Time:

Keith Whibley, 22 Cranbourne Way, Byford on behalf of Byford Glades Residents Association Inc

Thank you for erecting the child safety sign and traffic classifier device in Mead Street near Percy's Park so quickly after the recent accident in which a young child was hit by a car.

Merri Harris, 806 South Western Highway, Byford

While it is distressing to see an item regarding the proposed sand excavation on Jarrahdale Road come back before Council, I find it almost more distressing to see the complete lack of awareness by Council and staff of how this item will be read by the general public. There is absolutely no recognition within the resolution item that this proposal has been before SAT or any other procedure. What is the public to think? It may appear that Council has some vested interest in this proposal or perhaps that Council knows not what it is doing. So please, in future, indicate on all items what procedure is taking place, and why, so the public can ascertain what process is being followed. Surely this will not be too much to ask!

I also feel distressed by the fact that, if indeed this item has been subject to a SAT appeal, once again the planning documents that this Shire has in place for the preservation of the landscape and rural uses, has been overruled by a City centric process.

Another major concern is that Council and staff have not applied due diligence in regard to the conditions to be set for management plans for the extractive process, vegetative screening and for the closure of the excavation site. With the observed lack of corporate citizenship by this particular proponent I do not hold out much hope for compliance with conditions, especially post excavation. I trust that there have been appropriate bonds or guarantees put in place to cover the expected cost of the vegetative screening requirements and for rehabilitation of the site post excavation.

These fears are particularly heightened should the extraction of sand take place in a single 'campaign' of a few months. What will be the incentive to rehabilitate the site post closure? What 'stick and carrot' will be in the possession of Council and its officers if there is not a bond or guarantee in place?

A further concern is the management of the dust nuisance from an open excavation site during a period of time when there is not active excavation works in progress. Who will monitor the conditions and who will do the dust suppression after work hours, on weekends and public holidays? Easterly winds for which the Shire is famous do not abide by the weekday schedule!! My personal experience in Byford would have me believe that no construction company cares. It is cheaper for them to pay the fines than pay for the cost of suppression of dust.

I trust that all of these issues have been attended to within the management plans. If not, this item has the chance to be modified by our Councillors tonight to ensure that all of these issues are adequately dealt with. For the sake of the local residents I trust that this will be the case.

Public Question / Statement Time ended at 7.37pm.

5. Petitions and Deputations:

Nil

6. President's Report:

The State Government is close to announcing its plans for reforms to metropolitan local governments and has stated new Councillors to be elected in October will help shape local government during this process.

Serpentine Jarrahdale has nine elected members and is currently working with a depleted Council of only six due to the resignation of three members.

Nomination for all of the Western Australian Councils opens on 5 September 2013 and must be lodged by the 12 September which is only seven days. The elections will be run under the auspice of the WA Electoral Commission and will be held on the 19 October 2013.

In Serpentine Jarrahdale we will have five vacancies, namely North Ward (3), Northwest Ward (1) and Southern Ward (1).

Cr David Atwell and Cr Barry Urban's terms of two years expire at that time and on behalf of all Councillors and residents of Serpentine Jarrahdale I thank them for their dedication and endeavours during their term. They will, as with others, have the opportunity to nominate for their respective seats.

The Federal Government Election, when called, will have precedence over local government elections so it is possible that these dates may need to be changed.

The proposed boundary changes are the worst kept secret and it is expected the Minister for Local Government the Hon Tony Simpson, our local MLA, will propose sweeping changes affecting us all and aligning us with the City of Armadale in one foul 'sweep of the pen' on 29 July at Constitutional House in West Perth.*

Our unique lifestyle and rural ambience could be dictated by a more centralised, non-personalised bureaucracy with less representation but more full-time Councillors who would be highly paid politicians run on party lines.

This Council maintains its current policy of 'No to Amalgamation' based on the facts we are one-fifth of the metropolitan area, will have a projected future population of 250,000 and have demographics which can only be harmed by amalgamation.

We as a Council have to sell this to the Premier and the Minister, our own Tony Simpson MLA.

On a brighter note Chief Executive Officer Richard Gorbunow and I had a productive meeting with Mr Tom Perrigo, Chief Executive Officer of the National Trust Western Australia (NTWA) last week. Mr Perrigo has indicated a positive relationship with Council, particularly in relation to the Jarrahdale Heritage Park and the Whitby Falls Project in partnership with Murdoch University.

Cr Dave Atwell and Cr John Kirkpatrick will be taking leave of absence during August and we wish them both a safe and enjoyable trip.

Council Note: *The Shire President and Chief Executive Officer have subsequently been invited to attend a closed briefing on the Government's decision on the recommendations of the Metropolitan Local Government Review and the ongoing reform program. The briefing will be held at the City of Cockburn on Tuesday, 30 July 2013.

7. Declaration of Councillors and Officers Interest:

Cr Moore has declared a financial interest in Confidential Item OCM013/07/13 – Reconsideration of Extractive Industry Licence and Development Approval – Lot 4 Transit Road and Lot 6 Jarrahdale Road, Jarrahdale, in that he is an adjoining landowner.

8. Receipt of Minutes or Reports and consideration for recommendations:

8.1 Special Council Meeting – 4 July 2013

Moved Cr Urban, seconded Cr Kirkpatrick
That the minutes of the Special Council Meeting held on 4 July 2013 be confirmed.
(E13/2620)

CARRIED 6/0

8.2 Ordinary Council Meeting – 8 July 2013

Moved Cr Urban, seconded Cr Wilson
That the minutes of the Ordinary Council Meeting held on 8 July 2013 be confirmed. (E13/2629)

CARRIED 6/0

OCM005/07/13	Review of Council Policy G009 - Recognition of Assets and Depreciation (SJ526)
Author:	Casey Mihovilovich – Manager Finance
Senior Officer:	Alan Hart – Director Corporate and Community
Date of Report:	20 June 2013
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Executive Summary

To adopt a revised Recognition of Assets and Depreciation Policy.

Relevant Previous Decisions of Council

- OCM185/04/13 - Amendment to Council Policy G009 – Recognition of Assets and Depreciation

Community / Stakeholder Consultation

No community consultation is required.

Report

This policy has been reviewed due to changes to the *Local Government Act 1995* and the Local Government (Financial Management) Regulations 1996, whereby it is now mandatory to value assets at fair value. Under the Australian Accounting Standards Board (AASB) 116, it allows entities to choose either the cost or revaluation model to record assets. However, changes to the Act and Regulations, now require the Shire to adopt the revaluation (fair value) model.

Due to the cost and resources required to change the method to fair value the Regulations have suggested a phased in approach. The phased-in approach will be over three years with full implementation by 30 June 2015. The Shire has elected to revalue land and buildings and infrastructure assets in alternative years. The following timeframe has been applied:

Financial Year	Asset Group / Resources
2012/13	Plant and equipment
2013/14	Land and buildings (including specialised and non-specialised buildings valued at component level)
2014/15	Infrastructure and all other assets (including intangible, historical and cultural assets, library books, art collections etc)
Triennially – ongoing	All asset classes revalued on a three-yearly cycle so that plant and equipment is revalued by 30 June 2016 and again by 30 June 2019, and so on, land and buildings by 30 June 2017 and again by 30 June 2020, and so on.

Conclusion

It is recommended that Council adopt the revised Policy G009 - Recognition of Assets and Depreciation.

Attachments

- [OCM005.1/07/13](#) - Current Policy G009 - Recognition of Assets and Depreciation (E13/2402)
- [OCM005.2/07/13](#) - Proposed Policy G009 - Recognition of Assets and Depreciation (E13/2397)

Alignment with our Strategic Community Plan

Council's Strategic Community Plan has placed an emphasis on achieving sustainability by exercising best practice financial and asset management, and ensuring assets and managed adequately.

Statutory Environment

Local Government Act 1995 - Part 6 Financial Management
Local Government (Financial Management) Regulations 1996

Financial Implications

There are no financial implications relating to this report.

Voting Requirements

Absolute Majority

OCM005/07/13 COUNCIL DECISION / Officer Recommendation

Moved Cr Wilson, seconded Cr Urban

That Council adopt revised Policy G009 - Recognition of Assets and Depreciation as per attachment OCM005.1/07/13.

CARRIED by Absolute Majority 6/0

OCM006/07/13	Old Railway Bridge, Millbrace Glen, Byford (RS0104)
Author:	Craig Wansbrough, Project Manager – Water Sensitive Urban Design
Senior Officer:	Gordon Allan, Director Engineering
Date of Report:	8 July 2013
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Executive Summary

The Shire of Serpentine Jarrahdale engaged the services of Intelara Pty Ltd to prepare a design for the restoration of the Old Railway Bridge in Byford. Intelara Pty Ltd provided a report on the underlying assumptions and cost estimates for restoring the Old Railway Bridge. The cost of restoring the bridge is estimated to be \$500,000 with at least fifty percent of the original structure requiring replacement. The purpose of this report is to seek a Council decision on the future of the Old Railway Bridge, Millbrace Glen, Byford.

Relevant Previous Decisions of Council

- CGAM083/06/10 – 28 June 2010 - Council noted its desire to restore and retain the Old Railway Bridge located at Millbrace Glen, Byford. Council also resolved to investigate funding and partnership opportunities and the cost of applying corrective works to the old railway bridge for the purpose of making it safe and stop ongoing decay. Should funds have become available, Council would proceed with the restoration works.

Community / Stakeholder Consultation

A public meeting was held on 10 May 2010 and questionnaires were distributed to the community for comment. A total of 47 survey responses were received, of those 45 supported repair of the bridge, one did not support it and one did not answer the question. Overall, feedback indicated the community would like the bridge to be repaired and maintained for its historic significance and tourism potential.

Report

Background

Maitland Consulting was engaged by the Shire in August 2011 to undertake a Conservation Plan for the Old Railway Bridge at Millbrace Glen, Byford. Initial cost estimates for the restoration work identified in this Conservation Plan was approximately \$200,000. To further progress the restoration works, the Shire of Serpentine Jarrahdale engaged the services of Intelara Pty Ltd in October 2012 to prepare a design for the restoration of the Old Railway Bridge in Byford. Shire officers met with Intelara Pty Ltd and expressed concerns about the condition of the bridge and project viability. However, the project was progressed due to community expectations that the bridge would be restored. An on-site meeting was held with Intelara Pty Ltd and Shire officers to view the bridge structure. The bridge was assessed as being so dilapidated that the Shire took immediate action to install a fence around the perimeter of the bridge to prevent pedestrian access. The joint assessment led to the conclusion that project viability was questionable.

Intelara Pty Ltd proceeded with a design for restoration based on foundation assumptions to avoid the additional cost of a geotechnical investigation. The design would be based on observed local geology for the area. Intelara Pty Ltd completed the design work and sought quotations for the restoration works.

The initial assessment by Intelara Pty Ltd indicated that at least 50% of the existing timber structure would require replacement. However this assessment was based on visible timber within the structure. It is possible the hidden deck timbers may also require replacement. With the likely percentage of timbers requiring replacement exceeding 50%, the cultural and heritage significance of the bridge is likely to be reduced.

Heritage

The Old Railway Bridge is included in the Shire's Municipal Heritage Inventory (2000). The bridge is listed as a Management Category 3 Asset, with conservation encouraged. The condition of the bridge in 2000 was identified as poor/fair.

Financial Considerations

Intelara Pty Ltd sought quotations from Jomar Construction and Jonor Construction. The quotations included demolition and earthworks, rebuild abutments and pier footings, timber works, balustrade and concrete footpath overlay. The total cost of repair was \$496,500 (+GST) and \$490,000 (+GST) from Jomar Construction and Jonor Construction respectively. The two estimates are very close and we can therefore say that a reasonable estimate of the construction cost of repairing the bridge would be in the order of \$500,000 (+GST). This is a significant increase of more than twice the cost estimated by Ian Maitland Consulting Structural Engineers in November 2011. Further, this price does not include consultants' fees at this time. The increase in cost is mainly due to the requirement to replace a significant portion of the existing timbers to ensure the bridge remains structurally sound for the anticipated approximate 25 year design life of the bridge after this work is completed.

To recognise and celebrate the history of the Old Railway Bridge it recommended that interpretive signage be installed at the site. Funding of up to \$15,000 will need to be considered for this purpose and could potentially be sourced through grant funding.

A new pedestrian crossing will need to be installed at the site to maintain connectivity across the Beenyp Brook. Funding of up to \$30,000 will need to be considered for installing a typical pedestrian crossing comprised of culverts and a timber balustrade. Alternatively, funding of up to \$50,000 would be required for a steel truss pedestrian bridge.

Conclusion

There is a substantial cost to restore the Old Railway Bridge at Millbrace Glen in Byford. Restoration will require the replacement of at least 50% of the original bridge structure (this is a conservative estimate) which will further reduce the cultural and heritage significance.

Attachments

- [OCM006.1/07/13](#) – Summary of Questionnaire Responses (E10/2701)
- [OCM006.2/07/13](#) – Summary of Current Position by Intelara Pty Ltd (IN13/11599)

Alignment with our Strategic Community Plan

Council's Strategic Community Plan has placed an emphasis on the built environment, tourism and financial sustainability. This proposal is consistent with the Shire's Strategic Community Plan.

Statutory Environment

There are no statute requirements other than Community Safety and Risk.

Financial Implications

A reasonable estimate of the construction cost of repairing the bridge is in the order of \$500,000 (+GST).

Funding of up to \$15,000 will need to be considered for the purpose of constructing and installing interpretive signage and this could potentially be sourced through grant funding.

Funding of up to \$50,000 will need to be considered by Council for installing a new pedestrian crossing or bridge.

Voting Requirements

Simple Majority

OCM006/07/13 COUNCIL DECISION / Officer Recommendation**Moved Cr Wilson, seconded Cr Piipponen****That Council:**

- 1. Seek to engage a suitably qualified historian to undertake a comprehensive historical analysis for the Old Railway Bridge, Millbrace Glen, Byford.**
- 2. Undertake demolition works for the Old Railway Bridge after the historical analysis is completed.**
- 3. Salvage any viable timber materials from the Old Railway Bridge for other uses that are of a public benefit.**
- 4. Consider funding opportunities to construct and erect signage to recognise and celebrate the history of the Old Railway Bridge.**
- 5. Consider funding opportunities for a new pedestrian crossing to replace the Old Railway Bridge.**
- 6. Notify the local residents of Council's decision.**

CARRIED 6/0

OCM007/07/13	Write off of Sundry Debtors (A0877)
Author:	Casey Mihovilovich – Manager Finance
Senior Officers:	Alan Hart – Director Corporate and Community
Date of Report:	20 June 2013
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Executive Summary

It is recommended that Council write-off a bad debt of an amount of \$2,716.23. The Shire's external debt collectors cannot locate the debtor after unsuccessful attempts.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this issue.

Community / Stakeholder Consultation

No community consultation was required.

Report

As part of the normal business activity of the Shire, debtor invoices are issued to individuals/corporations where in the opinion of the Shire a debt is owed to the Shire.

It is prudent financial management that the Shire review monies owed and if the debt is considered uncollectable, the amount is written off by Council as a bad debt.

Debtor Code	Invoice Number	Date of Invoice	Amount (GST exclusive)	Reason
776	5232 5757	15/04/2010 14/04/2011	\$2,416.09 \$300.14	Invoice 5232 was for damages caused to Briggs Park Oval on 12 July 2009. Could not contact the debtor and contracted debt collector to trace and attempt to recover debt. Debt collector could not find debtor and the Shire was charged by the debt collector for this service (refer to invoice 5757 for \$300.14).
Total			\$2,716.23	

Attachments

There are no attachments to this report.

Alignment with our Strategic Community Plan

Regularly reviewing monies owed to the Shire, helps the Shire to exercise best practice financial and asset management in line with the Strategic Community Plan.

Statutory Environment

Section 6.12(1)(c) of the *Local Government Act 1995*.

Financial Implications

The financial implications to Council will result in a write off of \$2,716.23. The Shire has an annual budget allocation of \$4,000.

Voting Requirements

Absolute Majority

OCM007/07/13 COUNCIL DECISION / Officer Recommendation

Moved Cr Wilson, seconded Cr Urban

That Council write off debt from Sundry Debtor 776 for the amount of \$2,716.23 (excluding GST).

CARRIED by Absolute Majority 6/0

10. Information Reports:

OCM008/07/13	Confirmation of Payment of Creditors (SJ514)
Author:	Erin Noble - Finance Officer
Senior Officer:	Alan Hart - Director Corporate and Community
Date of Report:	1 July 2013
Disclosure of Officers Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Executive Summary

The *Local Government (Financial Management) Regulations 1996* requires the local government to prepare a list of accounts paid by the Chief Executive Officer each month.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this issue.

Community / Stakeholder Consultation

No community consultation was required.

Report

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

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

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

It is recommended that Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 21 May 2013 to 30 June 2013, as per the attachment.

Attachment

- [OCM008.1/07/13](#) - Vouchers numbered Cheque 43429 - Cheque 43571 and EFT30724 - EFT31357 totalling \$4,677,705.80 for the period 21 May - 30 June 2013 (E13/2540).

Alignment with our Community Strategic Plan

Council's Strategic Community Plan has placed an emphasis on exercising responsible financial management.

Statutory Environment

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

Financial Implications

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

Voting Requirements Simple Majority

OCM008/07/13 COUNCIL DECISION / Officer Recommendation

Moved Cr Urban, seconded Cr Piipponen

That Council receive the payments authorised under delegated authority and detailed in the list of invoices for period of 21 May 2013 to 30 June 2013, as per attachment OCM008.1/07/13 - Creditor List of Accounts 21 May 2013 to 30 June 2013 including Creditors that have been paid and in accordance with the *Local Government (Financial Management) Regulations 1996*.

CARRIED 6/0

OCM009/07/13	Chief Executive Officer - Information Report (SJ514)
Author:	Linda Jones – Executive Assistant to Chief Executive Officer
Senior Officer:	Richard Gorbunow - Chief Executive Officer
Date of Report:	27 June 2013
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Summary

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

Attachments

- [OCM009.1/07/13](#) - Councillor Information Day, July 2013 (E13/1842)
- [OCM009.2/07/13](#) - Common Seal Register Report, May 2013 (E02/5614)
- [OCM009.3/07/13](#) – Minutes of Tonkin Highway Community Working Group Meeting No 6, 21 May 2013 (IN13/9139)
- [OCM009.4/07/13](#) - Minutes of Outer Metro Growth Council Meeting, 20 June 2013 (IN13/10826)
- [OCM009.5/07/13](#) - Minutes of the WALGA Peel Zone Meeting, 26 June 2013 (IN13/11226)
- [OCM009.6/07/13](#) – Minutes of WALGA State Council Meeting, 3 July 2013 (IN13/11629)
- [OCM009.7/07/13](#) – Agenda for WALGA State Council Annual General Meeting, 7 August 2013 (IN13/11629)

Voting Requirements Simple Majority

OCM009/07/13 COUNCIL DECISION / Officer Recommendation

Moved Cr Wilson, seconded Cr Urban
That Council accept the Chief Executive Officer Information Report to July 2013.
CARRIED 6/0

OCM010/07/13	Development Services Information Report (SJ537)
Author:	Jodie Evans - Personal Assistant to the Director Planning
Senior Officers:	Tony Turner - Manager Health, Rangers and Compliance Louise Hughes - Manager Statutory Planning Brad Gleeson - Director Planning
Date of Report:	21 June 2013
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Summary

The purpose of this report and associated attachments is to provide information to Councillors relating to recent activity regarding operational matters that need to be reported to Council either through a statutory mechanism or as information. The following details are provided to Councillors for information only.

Attachments

- [OCM010.1/07/13](#) – Building / Health, Rangers and Development Compliance / Planning - Delegated Authority Information Report (E13/2412)
- [OCM010.2/07/13](#) – Scheme Amendment, Local Planning Policies and Local Structure Plans (E12/3985)

Voting Requirements

Simple Majority

OCM010/07/13 COUNCIL DECISION / Officer Recommendation

Moved Cr Kirkpatrick, seconded Cr Urban

That Council accept the Development Services Information Report for July 2013.

CARRIED 6/0

OCM011/07/13 Engineering Services Information Report	
Author:	Karen Cornish - Personal Assistant to Director Corporate and Community
Senior Officers:	Gordon Allan - Director Engineering
Date of Report:	4 July 2013
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Summary

The purpose of this report and associated attachments is to provide information to Councillors relating to various committees and working groups. The following details are provided to Councillors for information only.

Attachments

- [OCM011.1/07/13](#) – Minutes of Landcare Board Meeting 24 April 2013 (IN13/10395)
- [OCM011.2/07/13](#) – Minutes of Landcare Board Meeting 19 June 2013 (IN13/11407)
- [OCM011.3/07/13](#) – Serpentine Jarrahdale Trails Special General Meeting - Minutes 12 March 2013 (E13/2596)
- [OCM011.4/07/13](#) - Reserves Working Group - Minutes of Meeting 21 March 2013 (E13/2597)
- [OCM011.5/07/13](#) - Reserves Advisory Group - Minutes of Meeting 27 March 2013 (E13/2598)
- [OCM011.6/07/13](#) - Reserves Working Group - Minutes of Meeting 2 May 2013 (E13/2599)
- [OCM011.7/07/13](#) - Local Emergency Management Committee (LEMC) - Minutes – 28 May 2013 (E13/2089)

Voting Requirements

Simple Majority

OCM011/07/13 COUNCIL DECISION / Officer Recommendation

**Moved Cr Urban, seconded Cr Kirkpatrick
That Council accept the Engineering Information Report for July 2013.**

CARRIED 6/0

11. Confidential Items

COUNCIL DECISION

Moved Cr Wilson, seconded Cr Kirkpatrick

That the meeting be closed to members of the public at 7.58pm to allow Council to discuss Item OCM012/07/13 as per section 5.23(2)(3) of the *Local Government Act 1995*.

CARRIED 6/0

OCM012/07/13	Confidential Item - Sale of Lot 196 (No 40) Atkins Street, Jarrahdale (SJ1388 / P03019)
Author:	Karen Cornish – Personal Assistant to Director Corporate and Community
Senior Officer:	Alan Hart - Director Corporate and Community
Date of Report:	18 June 2013
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

OCM012/07/13 COUNCIL DECISION / Amended Officer Recommendation

That Council:

1. Dispose of Lot 196 Atkins Street, Jarrahdale by public tender.
2. Call for tenders from a suitably qualified real estate agent or company, to coordinate and market the sale of the property.
3. Obtain a current valuation on the property prior to advertising the tender for the sale of the property.
4. Allocate the proceeds of the sale to be transferred to the Community Facilities reserve to be utilised for Council's contribution of the construction of the Jarrahdale Skate Park, as indicated in the 2013/2014 Budget.

CARRIED by Absolute Majority 6/0

Council Note: Council changed Point 4 of the recommendation to ensure that the funds are transferred into reserve to fund Council's contribution towards the construction of the Skate Park in Jarrahdale.

COUNCIL DECISION

Moved Cr Urban, seconded Cr Kirkpatrick

That the meeting proceed with open doors, the time being 8.01pm.

CARRIED 6/0

Council Note: Eight members of the public and one member of the press returned to the Chamber and the Shire President read aloud the motion that was passed behind closed doors.

COUNCIL DECISION

Moved Cr Piipponen, seconded Cr Urban

That the meeting be closed to members of the public at 8.02pm to allow Council to discuss Item OCM013/07/13 as per section 5.23(2)(3) of the *Local Government Act 1995*.

CARRIED 6/0

Cr Moore (Presiding Member) has declared a financial interest in Confidential Item OCM013/07/13 in that he is an adjoining landowner. Cr Moore withdrew from the meeting at this point, the time being 8.02pm.

In the absence of the Presiding Member Cr Wilson assumed the position of Presiding Member for the duration of Confidential Item OCM013/07/13.

COUNCIL DECISION

Moved Cr Urban, seconded Cr Piipponen

That Standing Orders 9.5, 9.6, 10.7 and 10.13 be suspended at 8.03pm.

CARRIED 5/0

OCM013/07/13	Confidential Item - Reconsideration of Extractive Industry Licence and Development Approval - Lot 4 Transit Road and Lot 6 Jarrahdale Road, Jarrahdale (P03386/01)
Author:	Louise Hughes - Manager Statutory Planning
Senior Officer:	Brad Gleeson - Director Planning
Date of Report:	1 July 2013
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

OCM013/07/13 COUNCIL DECISION / New Motion

Moved Cr Urban, seconded Cr Kirkpatrick

That Council:

1. Refuse the application for the following reasons:

a) *The proposed development does not meet the objectives of the Serpentine Jarrahdale Shire Landscape Protection Policy (LPP8) because it does not, and cannot:*

- i. Preserve the amenity deriving from the scenic value of the Darling Scarp.***
- ii. Maintain the integrity of the Landscape Protection Area.***
- iii. Protect and enhance the landscape.***
- iv. Maintain the integrity of the landscapes in the line of sight view along the South Western Highway.***
- v. Meet the community expectations of the management of the site.***
- vi. Preserve and enhance the natural features and vegetation of the area.***

b) *The proposed development does not meet the criteria under 6.4.2 of Town Planning Scheme 2 because it does not:*

Council Note: Eight members of the public and one member of the press returned to the Chamber and the Shire President read aloud the motion that was passed behind closed doors.

Council Note: Cr Kirkpatrick thanked the Chief Executive Officer and Director Engineering for their prompt action to install the child safety signage and traffic classifier device in Mead Street following his request at the Ordinary Council Meeting on 8 July 2013 – Item OCM004/07/13 refers.

12. Urgent Business:

Nil

13. Councillor Questions of which notice has been given:

Nil

14. Closure:

There being no further business the meeting closed at 8.46pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 12 August 2013.

.....
Presiding Member

.....
Date