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Minutes of the Ordinary Council Meeting held in the Council Chambers, 6 Paterson Street, Mundijong on Monday, 23 September 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
Mrs Debra Baldwin Executive Services Support Officer

APOLOGIES: Nil

OBSERVERS: Nil

Members of the Public: 13

Members of the Press: 1

2. Response to previous public questions taken on notice:

David Houseman, 17 Clifton Street, Byford

I have called the Planning Department and forwarded emails seeking information regarding progress in naming of the laneways in Byford. I first called and emailed the department in July and I have not had a response. I am frustrated by this inaction.

The Shire stated the naming process was a priority and would be completed by the end of the last financial year.

1. What progress has been made?
2. Why has the department not responded?

Response:

The Director Planning apologised to Mr Houseman and undertook to ensure that he is provided with an update immediately in relation to timeline and ownership of that particular section.

The Director advised that the Shire did engage a consultant in the last financial year to research the history and outline practical options for the Shire in dealing with laneways (rights of way) within Byford. This is a very complex process and the Shire is currently in discussion with the State Department of Lands with respect to transferring laneways still in private ownership to Crown land.

The Shire President requested that feedback is provided to Mr Houseman as a matter of priority and a full briefing on this matter provided to the Councillor Information Day in October 2013.

A formal written response has been forwarded to Mr Houseman.

Margaret Cala, SJ for PEEL Committee, 49 Phillips Road, Karrakup

The Examiner 29 August 2013 in their front page article 'Merger Motions Differ' reported that the City of Armadale has resolved in a confidential item at their last meeting to make a submission to the Local Government Advisory Board foreshadowing the southern part of Serpentine Jarrahdale by ceded to the Shire of Murray.

The same article also made reference to a resolution that the CEO Mr Ray Tame would make an application for grant funding from the Department of Local Government and Communities to fund the submission, set up an implementation committee and fund preliminary planning.

The article went on to say that Mayor Henry Zelones would initiate discussions with the Department and Shire as a sign of good faith and good governance by the City in its approach to reform.

1. In light of the above, has the Council considered the implications these actions and mindset may have already had on the impartiality of the joint study being conducted by the Shire of Serpentine Jarrahdale and City of Armadale on the positives and negatives of amalgamation? Hasn't the City of Armadale in fact pre-empted the outcome of this study and denied any good faith there may have been at the outset? Are the ratepayers of Serpentine Jarrahdale contributing to this now tarnished study?
2. Given the above, will the Shire now either discontinue this submission or request an extension in order to clarify Armadale's apparently hostile attitude?

Response:

The Shire President advised that the consultant's preliminary report is due this week and that the consultant is independent, highly renowned and respected in the local government industry. Upon receipt of the consultant's report officers will be a position to formulate an in-depth report to the Ordinary Council Meeting on 23 September 2013. It is acknowledged that the City of Armadale and Shire of Serpentine Jarrahdale may go our separate ways in submissions to the Local Government Advisory Board because of our totally different views.

The Chief Executive Officer added that he and the Directors are currently undertaking research and preparation for what will be a very detailed report to Council on 23 September and submission to the Local Government Advisory Board by 4 October 2013.

A formal written response has been forwarded to Ms Cala.

Peter Hector, 39 Randell Road, Mundijong

I have a letter from the Minister for Transport and Treasurer saying there is no funding and no intention to change the alignment of the rail line so why has the Shire changed the Rural Strategy Review Plan?

Response:

The Director Planning advised that the Officer Recommendation before Council tonight is for the purpose of advertising the Strategy for public consultation. It is acknowledged that not all issues may be dealt with in the draft document but that it provides a clear direction and guidance for future proposals.

The Shire President acknowledged that although there is no government funding currently available for realignment of the rail line, the situation could very well be different in five years' time.

A formal written response has been forwarded to Mr Hector.

3. Public question time:

Public Question / Statement Time commenced at 7.02pm.

Jan Star, 230 Jarrahdale Road, Jarrahdale

Q1 As many years have elapsed since the original needs studies were done and we are talking of a narrow age range, does the Council have any recent figures for the demand for the skate park?

The aesthetics of the townscape in Jarrahdale have been acknowledged in the townscape study (which is/was policy) and while the removal of trees is to be kept to a minimum it is the ongoing removal of low level native vegetation that will also affect the integrity of the vegetation and aesthetics, as we have already seen since the establishment of the Fire Brigade despite assurances at the time that the bush would be retained.

Q2 Would you please confirm the location as behind the Fire Brigade building?

I note the Premier in announcing the successful funding for the skate park at Jarrahdale referred to its benefits to the youth of Peel which was very interesting.

The original skate park targeted people from outside the area and became a huge problem. It was resolved not to build a skate park that is too good as we do not want young people from miles around using it.

Response:

The Shire President responded that this long-term project will be a draw card for the Jarrahdale area, attracting youth and parents who will utilise the commercial facilities in Jarrahdale.

The skate park is proposed to be located to the north of the Emergency Services building towards Jarrahdale Road and has been very carefully planned with as few trees as possible to be removed.

The benefits of the proposed skate park far outweigh the negatives and a lot of motivated people are keen to see the project succeed at full pace.

These questions have been taken on notice and a formal response will be provided in due course.

4. Public statement time:

Colleen Rankin, 33 South Crescent, Byford

We are very happy to hear from Cr Kirkpatrick that he has the same concerns as we do about a couple of points in Council's submission to the Local Government Advisory Board on Metropolitan Local Government Reform and will be addressing those tonight. We share his view that any point conceding defeat should be removed. It would be a shame if Council's strong stand was diluted by just one sentence in Council's submission, ie *"There will be a strong focus on achieving a seamless service delivery should the changeover to the new planned local government occur in 2015"*. The same applies to point 5.a), b), c) and d) of the recommended resolution.

We would also like to congratulate the CEO on the excellence of the submission.

Response:

The Shire President thanked Ms Rankin for her comments and advised of his conversation earlier today with the Mayor of one of the G4 Councils. In hindsight that Council now regrets that their submission to the Local Government Advisory Board agreed to Option B for amalgamation.

Public Question / Statement Time concluded at 7.07pm.

5. Petitions and deputations:

Nil

6. President's report:

The growing momentum across the Metropolitan area and stemming into the country with Upper House Members threatening to cross the floor must make the Premier take heed and take a back step and admit change to Dadour (Poll) provision is democratically immoral and certain political suicide.

The Council position now available on the web page spells out in no uncertain terms **"No to Amalgamation"**. This comprehensive and thorough report ably compiled by Council's executive staff can't be refuted on sane grounds and on behalf of all Elected Members I complement our committed executive team under the guidance of our CEO Mr Richard Gorbunow.

Concurrent to this is the public submission put forward by those against amalgamation. This municipality is indeed fortunate to have people of such high calibre to be able to undertake such a well-researched and factual document which goes hand in hand with Council's submission.

The new gardens beds out the front of Council Chambers are a credit to the Operations staff as is their forward thinking of the appropriate purple plume of colour prior to the 'Dockers' first ever grand final play and hopeful win. Who knows maybe the southern move to Cockburn can continue down south and eventually be part of the sporting precinct bounded by Keenan Street, Southwest Highway and Watkins Road? There is 316 hectares of land currently under vestige of various State Government departments and some owned by Council. Forward 50 to 100 year thinking and planning starts now for a legacy for the future generations.

Go the **Dockers for 2013**

7. Declaration of Councillors and officers interest:

Nil

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

8.1 Ordinary Council Meeting – 9 September 2013

Moved Cr Wilson, seconded Cr Urban

That the minutes of the Ordinary Council Meeting held on 9 September 2013 be confirmed (E13/3712).

CARRIED 6/0

9. Motions of which notice has been given:

OCM038/09/13	Metropolitan Local Government Reform - Submission to the Local Government Advisory Board (SJ130)
Author:	Chief Executive Officer – Richard Gorbunow
Date of Report:	16 September 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>

Introduction:

The purpose of this report is to seek Council resolution and submit a proposal to the Local Government Advisory Board with justifiable reasons why the Shire of Serpentine Jarrahdale does not support any major boundary adjustment change or merger with the City of Armadale or any other Local Government.

On 30 July 2013 the Premier, Hon Colin Barnett MLA and the Minister for Local Government, Hon Tony Simpson MLA, announced the State Government's response to the Metropolitan Local Government Review Panel's final report. The announcement centred on a plan to reduce the number of Local Governments in the Perth Metropolitan Region from 30 to 14. The model includes that the Shire of Serpentine Jarrahdale (the whole district) merge with the City of Armadale. Reform submissions with the announced merger proposals in mind are required to be submitted to the Local Government Advisory Board (LGAB) by 4 October 2013. If the Shire of Serpentine Jarrahdale, either together with the City of Armadale or alone, has not by 4 October 2013 lodged a merger proposal, or has lodged a proposal that is inconsistent with the government model, the Minister may lodge a proposal on behalf of the Local Government.

The State Government informed the sector that the LGAB process will be used to facilitate boundary changes and amalgamations. The Minister advised that only 'minor adjustments to the Government's proposed model would be considered. The Minister also advised that he would use his power under the *Local Government Act 1995* (LGA) to make proposals in line with the Government's proposed model if necessary. Also under the newly proposed government's model to enable proposals to the LGAB to be developed, each amalgamating group of Local Governments has been allocated financial assistance of \$200,000. Implementation of Metropolitan Local Government Reform will be overseen by the Metropolitan Reform Implementation Committee (MetRIC), to be administered by the Department of Local Government and Communities (DLGC) and chaired by the DLGC Director General. MetRIC will also include representation from the Western Australian Local Government Association (WALGA) and the Local Government Managers Association (LGMA).

The Minister for Local Government and the Department of Local Government and Communities has indicated a number of legislative changes to be introduced into Parliament during September 2013. Most significantly, the Government has indicated that legislation will be introduced to remove in perpetuity the application of the poll provisions contained in Schedule 2.1 of the LGA 1995 in the Metropolitan area. The Shire's position is to oppose any plan to remove or amend the poll provisions. WALGA and many other Local Authorities are also opposing to remove or amend the poll provision. The Government has also announced plans to change the membership and operation of the LGAB. The Government's Amendment Bill will add two new members to the five-member LGAB, all positions are appointed by the Minister for Local Government. The Government has not explained the inadequacy of the current LGAB membership structure, nor has the Government explained whether an objective criteria and transparent process will be used to appoint the two new members. It is also unclear what criteria, if any, the Government will use to appoint

members to the new positions, also there is no indication that the Government will be consulting with the Local Government sector regarding such a significant structural change to the membership of the LGAB. Also in consideration of its preferred model the Government is proposing to amend Clause 11(4) of Schedule 2.1 and the intent is to clarify that a maximum payout of one year's remuneration will apply for any agreed compensation in the case of Orders made under Section 2.1 of the Act.

The State Government's preferred model would see the new Local Governments come into being on 1 July 2015. Commissioners will be put in place from this date and elections for the new Councils will be held in October 2015. It is therefore recommended that the Council support the poll provisions of the Act and that they should continue to apply and should not be altered or removed by the State Government through the Local Government Reform Process.

Relevant Previous Decisions of Council / Stakeholders:

- SCM006/09/09 - Special Council Meeting - 29 September 2009 - Council endorsed the Shire's formal Local Government Submission to the Department of Local Government
- OCM033/02/10 - Ordinary Council Meeting - 22 February 2010 - Council resolved that the information report be received
- SCM014/12/11 - Special Council Meeting - 20 December 2011 - Council endorsed the Shire's submission to the Metropolitan Local Government Review Panel
- OCM081/02/12 - Ordinary Council Meeting - 27 February 2012 - Council resolved to uphold and not dilute our constituents' right to self-determination as embodied in clause 8, 9 and 10(20) of Schedule 2.1 of the Local Government Act
- SCM016/05/12 - Special Council Meeting - 24 May 2012 - Council endorsed the response to the Metropolitan Local Government Review Panel Draft Findings 2012
- In February 2013 the Peel Zone of WALGA resolved that Peel Zone strongly endorses that the Shire of Serpentine Jarrahdale remain as a Shire in the Peel Region
- OCM170/03/13 - Ordinary Council Meeting - 25 March 2013 - Council resolved to advise the Minister for Local Government that this Council has paid serious respect to the Metropolitan Local Government Review of the Final Report October 2012 and made these resolutions based on community feedback, considerable research and dedicated thought. The Council finds that the data and evidence contained within the report does not indicate a need for amalgamation within the City of Armadale
- OCM216/06/13 - Ordinary Council Meeting - 10 June 2013 - Council resolved not to support any major boundary change or merger with the City of Armadale or any other local government
- In July 2013 the Peel Harvey Catchment Council wrote to the Minister for Local Government advising the Minister that the Shire of Serpentine Jarrahdale forms an integral part of the Peel area, not of the Metropolitan area
- OCM26/08/13 - Ordinary Council Meeting - 26 August 2013 - Council resolved not to support any major boundary change or merger with the City of Armadale or any other local government with supporting reasons not to amalgamate; receive the petition from SJ for Peel Committee containing 3100 signatures against amalgamation of the Shire of Serpentine Jarrahdale with the City of Armadale; and forward the petition to the Shadow Minister for Local Government, David Templeman MLA and request that the petition be presented to Parliament on behalf of the listed signatories
- In September 2013 the Peel Regional Leaders Forum resolved that its preference is for the Shire of Serpentine Jarrahdale to remain part of the Peel Region in its entirety

Background:

In general terms, the function of Local Government is to represent their local communities; to be a responsible and accountable sphere of democratic governance; to be a focus for community identity and civic spirit; to provide appropriate services to meet community needs in an efficient and effective manner; and to facilitate and coordinate local efforts and resources in pursuit of community goals.

In order to maximise efficiency and effectiveness, the future function of Local Government should be defined before structural reform is undertaken. Currently, the two core functions of Local Government are efficient and effective service delivery and local decision making. To create economies of scale for service delivery, larger Local Governments are not necessarily the best option. When deciding the structure of Local Government, the significance placed on the economic versus the democratic must be determined.

The Minister has stated that he wants larger Local Governments, inferring a priority weighting toward the economic. How economic, social and environmental sustainability is rationalised against each other must have clear and documented principles and defensible criteria for their triple bottom line assessment established 'upfront' in order to consistently evaluate the Reform Submissions.

What is Sustainability?

Sustainability requires that economic, social, environmental and governance factors be integrated by simultaneous application of these principles, seeking mutually supportive benefits with minimal trade-offs.

Precaution:

Sustainability requires caution, avoiding poorly understood risks of serious or irreversible damage to environmental, economic or social capital, designing for surprise and managing for adaptation.

Hope, vision, symbolic and iterative change:

Sustainability recognises that applying these principles as part of a broad strategic vision for the earth can generate hope in the future, and thus it will involve symbolic change that is part of many successive steps over generations

Accountability, transparency and engagement:

Sustainability recognises that people should have access to information on sustainability issues, that institutions should have triple bottom line accountability, those regular sustainability audits of programs and policies should be conducted and that public engagement lies at the heart of all sustainability principles.

Local Government's main role is to ensure the sustainable development of current and future communities. In order to assess the sustainability of communities it is essential to have a sound understanding of the principles of sustainability and a decision making framework that has due regard for the process principles outlined in the State Sustainability Strategy.

The assessment of Reform Submissions should not be based on purely economic arguments, no one aspect of sustainability has greater weight than another and there should be minimal trade-offs. Structural reform of local governments will not be a panacea for the sustainability issues faced by local government and communities. This would take perhaps a combination of managerial, functional, jurisdictional and financial reform.

Is the Shire of Serpentine Jarrahdale Sustainable?

The environmental, social, economic and organisational sustainability of local government in Western Australia was subject to rigorous assessment as part of the Local Government Reform Sustainability Checklist process in April 2009. The Shire of Serpentine Jarrahdale was deemed sustainable and received a Category One rating.

Category One: evidence indicates that there is existing organisational and financial capacity to meet current and future community needs. Local governments should still consider reform opportunities which enhance service provision to local and regional communities. The assessment went on to identify the key strengths of the Shire, which included commendation for the Shire's best practice approach to strategic, community and financial planning.

Addressing the Local Government Advisory Board Criteria:

Many of the LGAB criteria were comprehensively addressed in the April 2009 Sustainability Checklist for which the Shire achieved a Category One status. Rather than replicate the checklist submission, the Reform submission considered these factors again but with a greater emphasis on the regional context in which the assessment of the sustainability of the Shire is being determined. The Minister's process has required the Shire to consider voluntary amalgamation with adjoining local governments and/or boundary adjustments, so it is essential that any reform proposals address the impacts on regional sustainability.

Given the Shire's greater social, environmental and economic alignment with the Peel Region and its legal recognition through the *Regional Development Commission Act 1993*, the submission has primarily considered the impacts of reform proposals on the sustainability of the Peel Region.

The submission demonstrates that the Shire of Serpentine Jarrahdale has defined communities of interest within its local government boundary with a distinct identity, long held community values and a high level of volunteerism. There is alignment between the community's vision and values at the local and regional level and plans and strategies are complementary.

The Shire's predominantly rural based employment profile will become increasingly population driven as the Byford and Mundijong District Centres are developed. The development of the West Mundijong Industrial Centre area and Cardup Industrial area are critical, as is a targeted and well managed approach to economic development.

The Shire is part of the Peel Harvey Catchment and contains public drinking water resources for Perth. The Shire and the Peel Region is host to precious, internationally recognised, environmental assets. Much of the Shire is identified in long term sub regional structure planning as being protected from urban development because of its agricultural and environmental importance.

There seems to be some agreement by the State Government that populations in order of 100,000 provide the optimum size for economies of scale for metropolitan authorities. When considering the future population growth of neighbouring Local Governments, it is apparent that if a long term view to 2031 or beyond is taken, which is what we should be recognising, then the neighbouring Local Government and the Shire would have exceeded the optimum size by 2031. All of the Shire's neighbouring Local Governments in the Peel Region believe that forced amalgamation is not in the best interests of the respective communities.

The Shire of Serpentine Jarrahdale was not identified for amalgamation or boundary review in the 1974 Royal Commission on Metropolitan Municipal boundaries. Nor was it identified for amalgamation in the 1996 Structural Reform Advisory Committee Report. Similarly, the Shire of Serpentine Jarrahdale was not identified for amalgamation or boundary adjustment in the 2006 LGAB Report.

Given the Minister has requested local governments consider a 20, 30 even 50 year timeframe as part of this structural reform process, then any recommendations made by the Steering Committee regarding structural reform should consider the forecast populations and ultimate size of a local government, as there is no sense making a structure that will fit today's numbers if it is also going to be irrelevant in 20 years' time. It would be a waste of public money and the Steering Committee should build in some longevity or future proofing in to any solution.

Boundary Adjustment:

Council has previously considered the possibility of boundary adjustments. The extension of the Shire boundary westward to the Kwinana Freeway would see the inclusion of the proposed East Rockingham industrial area into the Shire of Serpentine Jarrahdale. The Mundijong Road exit off the Freeway is an important gateway into the Shire and Mundijong, which will house between 35,000 and 45,000 people. It is important that the Shire has management of this area so that this new 'industrial entrance' to Serpentine Jarrahdale is developed as a landmark site. In addition there are sound emergency management reasons for this extension. The Freeway forms an excellent barrier for the prevention of threats such as bushfire and a readily identifiable boundary for the clean transfer between jurisdictions in an emergency incident. The current and planned land uses between the Shire of Serpentine Jarrahdale boundary and the Freeway are predominantly rural. This proposal is unlikely to affect the long term sustainability of the City of Rockingham.

Regional Grouping:

The Shire of Serpentine Jarrahdale is, without doubt, recognised as being an integral part of the Peel Region from a statutory, local government association, natural resource management and strategic planning perspective. This is evidenced by the following examples:

Peel WALGA Zone

The Shire of Serpentine Jarrahdale is a member of the Peel WALGA Zone.

Peel Regional Development Commission

The Shire has received statutory recognition from the State Government as being part of the Peel through the *Regional Development Commission Act 1993*.

Peel Regional Development Australia

Similarly the Federal Government has included the Shire of Serpentine Jarrahdale as part of the Peel Regional Development Australia boundary.

Peel Harvey Catchment

The Shire of Serpentine Jarrahdale is part of the Peel Harvey Catchment and as such is covered by relevant planning and environmental legislation and policy such as State Planning Policy 2.1 Peel-Harvey Coastal Plain Catchment Policy and the Environmental Protection Policy (Peel Harvey Estuarine System) 1992.

The reform proposal is not a solution for the Shire of Serpentine Jarrahdale. With such rapid growth the Shire is economically viable and in an excellent position moving forward.

The Shire of Serpentine Jarrahdale would cease to exist if we become a part of Armadale. The control over our collective destiny will have to rely on other decision makers to recognise our priorities. We would not be able to control what happens at the local level and key local area decision making responsibility would be taken away and we would have to rely on a single voice to represent our needs. It puts our unique environment at risk; others may not value what we have as we do. There will be many competing priorities and we

would surrender control to others, a good example would be diminishing emergency services capability of which we may no longer have a locally based service and the services may become centralised in Armadale. The drivers for this initiative are incomplete and the focus of the review is solely on economies of scale and ignores social capital and environmental value.

The State Government's inconsistent messages of amalgamation have not been proposed in earlier reviews in 1974, 1996 or 2006. In 2009 the Serpentine Jarrahdale received a category one commendation for sustainable Local Government practices from the Department of Local Government. Now the report states that we are too small. If the Minister's model of reform is adopted by the LGAB, our community will lose its identity and function as part of the Peel Region. The Shire is already a voting member of the WALGA Peel Zone. The Shire is more directly aligned with the Peel Region in regard to tourism and environmental issues such as the Peel Harvey Catchment.

The Shire attends meetings and has a strong relationship with the following groups:

- Peel Development Commission;
- Peel Harvey Catchment Council; and
- Peel Regional Leaders Forum.

The Minister's model on merger has no evidence there would be a major benefit for Perth from 14 Councils instead of the current 30.

In general, the model to reduce the number of Councils is unsubstantiated by evidence and fails to articulate what social, environmental, economic and governance challenges face the Metropolitan area.

Community / Stakeholder Consultation:

As of last month the Executive Team, President and Deputy President have been meeting with the City of Armadale Executive Team, Mayor and Deputy Mayor and with officers of DLGC. It was agreed that staff could meet and share data to commence preparation of response to the Government's proposed merger. Executive staff have regular meetings to explore some of the opportunities and understand the challenges that lie ahead for the two Local Governments.

The first extensive community consultation was undertaken as part of preparing the Shire's Local Government Reform submission and in 2009 the community response was 95% consultation in accordance with the Minister's Reform Process. Of the 135 responses received, 129 people or 95% did not favour amalgamation and only 5% were in support.

In February 2013 the Shire launched campaign awareness with regard to amalgamation via a series of community newspaper advertisements. Editorial material was also prepared by the Shire and submitted to local community newspapers to assist in the awareness raising process. Advertisements were placed in the Comment News newspaper and Examiner Newspaper. Letters of invitation to participate were sent to Local Government Authorities including the Shire of Murray, City of Rockingham, City of Mandurah, Shire of Waroona and Shire of Boddington. Similar letters were sent to:

- Federal Member for Canning – Hon Don Randall;
- State MLA for Darling Range – Tony Simpson;
- State MLCs;
- Candidates standing for the March State election; and
- Recognised community leaders.

An on-line Community Forum registration was established to enable interested stakeholders to record their intention to participate in the public forum meeting which was held on the 20 February 2013 at the Byford Recreational Centre. The outcome of that consultation was:

- The community response was 87% opposed to amalgamation with another LGA;
- There is no financial or community benefit in amalgamation;
- Local Government amalgamation in other states of Australia has not given any better governance or financial benefits to communities and residents; and
- The City of Armadale does not understand our rural lifestyle.

Forum participants were asked to identify their support for the State's Proposed Reform or identify the major concerns they have with proposed reform:

- 82% of respondents felt that the resultant impacts for emergency services were a major concern;
- 80% of respondents felt that the resultant loss of identity was a major concern;
- 79% of respondents felt that the resultant risk to our environment was a major concern;
- 77% of respondents felt that the resultant lack of benefits was a major concern;
- 76% of respondents felt that the resultant limited representation was a major concern; and
- 4% of the respondents supported the proposed changes.

Environment, local history and being able to enjoy the benefits of being in a community like Serpentine Jarrahdale is also a main concern for the residents of Serpentine Jarrahdale. Facts demonstrate that Eastern States amalgamations have destroyed communities.

Biological diversity hotspots need recognition and protection and the State Government fails in this area. The real issues facing Local Governments are inadequate funding and resourcing (cost shifting evidence) and State Government taking control of Local Government planning.

Report:

On 30 July 2013, the State Government announced its plans to amalgamate a majority of Local Governments across Metropolitan Perth. The plan includes that the City of Armadale be fully amalgamated with the Shire of Serpentine Jarrahdale. The Minister for Local Government has stated that the State Government will fund transition costs in establishing new Councils. It is estimated by WALGA that the transition process to create new entities could cost in excess of \$50 million. There is no evidence in the State's budget that commits that type of funding.

In addition to the announcement on the proposed new structure, the Minister also announced the State Government's response to the other 29 recommendations of the Robson Review of Metropolitan Councils. As part of the announcement on Metropolitan Local Government Reform, it was revealed that the current poll provisions under the Act were suspended during this process. The poll provisions allow for communities to trigger a poll and deny a merger with another Council or a group of Councils should they achieve a majority participation and majority 'No' vote within their Council area. The removal of the poll provision is a concern to most Local Governments.

The Shire of Serpentine Jarrahdale should not be amalgamated with the City of Armadale as it is absolutely unacceptable to the residents of the Shire of Serpentine Jarrahdale and that was confirmed by a petition containing 3100 presented to Council on 26 August 2013. The petition was forwarded to the Shadow Minister for Local Government and was tabled in Parliament on behalf of the residents.

Reasons for this proposal are supported by the following facts:

Social / Community

Community surveys within the Shire and greater Peel region have determined that the residents of Serpentine Jarrahdale share community values which are similar to those of the greater Peel, with respect to: a rural lifestyle, protecting waterways and the Peel Catchment, conservation of the natural environment, a long standing culture of volunteering, a mix of age groups, with young people active in the community – not just a single demographic found in the many developed areas.

Living in a Safe Community

Residents of Serpentine Jarrahdale have a significantly higher level of social advantage than our neighbours in the City of Armadale indicating that our residents do not share similar characteristics with the population of Armadale; as demonstrated by Socio-Economic Indexes for Areas, an Australian Bureau of Statistics figure, (SEIFA) indexes. The residents of the Shire of Serpentine Jarrahdale share a common history of development and community interests with the Peel region. The original Peel homestead and farmland is situated within the Shire on a property that is the largest remaining, intact, coastal vegetation complex.

Economic

Agriculture production in the Shire has a high level of support, with the value being twice that of the Shire of Murray. The equine industry within the Shire of Serpentine Jarrahdale and greater Peel is a valuable asset involving and employing many local residents.

The Shire of Serpentine Jarrahdale maintains an important role within the mining and extractive industries (sand, shale/clay, hard rock and mineral sands) to the economic history and future of the Peel region. The Shire has a shared vision for the development of industrial areas within the Peel region that will support the local rural and agribusiness communities and provide the appropriate levels of employment self-sufficiency.

The continued growth and development of the chicken meat industry (50% of the State total) and forward thinking/innovative approaches to the treatment of agricultural wastes, green wastes, re-use of waste water and development of intense agricultural processes continue to contribute greatly to the local economy. These attributes are shared with the Peel region but not the City of Armadale. Residents of the Shire are responsive to the development of the tourism industry within the greater Peel region.

Transport

The Shire has an important relationship with both the Peel region and the south metropolitan region. Major east west roads include Thomas Road linking the South Western Highway at Byford, to the Kwinana Freeway and the major industrial centre of Kwinana, Mundijong Road linking the South Western Highway at Mundijong to the Kwinana Freeway and Rockingham via the new Mundijong Road extension; and Karnup Road linking Serpentine and the Kwinana Freeway. The South Western Highway provides access between Bunbury and the south west to the Perth Metropolitan area.

Passenger rail transport is provided by the Australind rail line, which links Bunbury and Perth via the Shire and the South Western Freight Railway linking the State's south west region with Perth, via Kwinana.

Future transport routes include the extension of the Tonkin Highway south of Byford to Mundijong and extension of the electrified rail from Armadale to Byford and ultimately Mundijong, to serve the new urban areas in the Shire.

Industrial Areas

Regional industrial centres are primarily focused on providing industrial products and services to the Metropolitan region and its hinterland. They cater for a broad range of manufacturing, fabrication, processing, warehousing and bulk goods handling activities. Given the nature of their customer base and catchment, these centres rely heavily on the efficient movement of goods and services throughout the Metropolitan region. It is therefore important that there is a balanced distribution of centres across the city to reduce freight handling and improve the provision of products and services to the broader community. Directions 2031 has identified ten existing and three planned regional industrial centres. The areas identified in the Shire are:

West Mundijong industrial area

A 540 hectare regional Industrial Centre at West Mundijong was identified by the State Government as a future industrial area. This land is considered strategically important to support the future growth of Byford and Mundijong, providing access to industrial goods, services and jobs. The industrial precinct will provide for light manufacturing and transport/logistics handling. The site is located adjacent to the future Tonkin Highway and abuts the South West railway line that connects with the Kwinana industrial area and marshalling yards.

The Shire has commenced extensive planning for the West Mundijong industrial area with the preparation of a district level structure plan. Council has requested the Western Australian Planning Commission to rezone the land in the Metropolitan Region Scheme from Rural to Industrial.

Cardup Industrial area

Land has recently been rezoned in the Metropolitan Region Scheme in the Cardup area to Industrial. This large area of land is bounded by South Western Highway, Cardup Siding Road, South West Railway and Norman Road. The land is currently being rezoned in the Council's Town Planning Scheme and will facilitate the preparation of a local structure plan. The land is strategically located between Byford and Mundijong / Whitby and will provide employment for the large population that is projected in these urban areas.

District Centres

District centres have a greater focus on servicing the daily and weekly needs of residents. The composition and diversity of activity in a district centre varies throughout Perth and Peel according to the size and maturity of its catchment. However, their relatively smaller scale enables them to have a greater local community focus and provide services, facilities and employment opportunities that reflect the particular needs of their catchments. The continued development of this tier of centres is essential to ensure local communities have good access to a minimum range of services. The district centres in Byford and Mundijong will be based around future rail stations and connected by electric rail to Perth.

Byford District Centre: The Byford District Structure Plan has identified growth capacity for a future population of 38,000 residents, which is anticipated to be sufficient to accommodate demand beyond 2031. Planning has been finalised for this district centre, with development approval recently granted for a shopping centre, incorporating a major supermarket.

Mundijong District Centre: Structure planning for the area has been finalised for Mundijong and has identified a population of over 35,000 residents. It is expected that development in Mundijong will follow Byford, and is therefore considered a medium to long term growth opportunity (ie beyond 2031).

Jobs

Gross land requirements for activity centres are estimated at approximately 80 hectares by 2021. The majority of jobs and land requirements will be located at Byford (around 48 hectares with 2,590 jobs) and Mundijong town centres (approximately 20 hectares and 1,000 jobs). An expected 2,390 jobs will be located at industrial complexes throughout the Shire by 2021 and will comprise around 150 hectares of land. Jobs will predominantly be distributed between manufacturing, transport and storage and service trades.

Environment

The Shire of Serpentine Jarrahdale falls entirely within the Peel Harvey Water Catchment area (except for about 5% of land within the north eastern State Forest). It is well understood by all related State agencies that all drainage and water conservation issues are determined by the constraints applied by that relationship with the Peel Harvey Catchment area. The Shire shares landscape, physical and topographical features with the Peel region especially the Palusplain and rivers.

Peel Harvey Estuary Catchment Management has recognised the Serpentine, Murray and Harvey Catchment Basins as discreet units. Nutrient reduction into the Peel Harvey Estuary has occurred historically through the State Government's Peel Harvey Environmental Review and Management Program and the recognition of a Peel Region as a Western Australian Planning Commission planning area.

The Peel Group of Councils work in collaboration with Community Landcare Centres and the Peel Harvey Catchment Council such that development of sub-catchment management plans under the State's Quality Water Improvement Plan for the lower Serpentine Basin sub-catchments have been possible. Important District Urban Water Management Strategies have also been developed for both the Murray and Serpentine Catchment Areas in collaboration with the Department of Water. Coordination of the implementation of associated initiatives is being undertaken by the Peel Harvey Catchment Council for the Peel Group of Councils.

The Shire of Serpentine Jarrahdale supports the protection of the environment. The Shire is well recognised for innovative and award winning approaches taken for many years in the development of Biodiversity programs and the protection of biodiversity on private lands. A Peel Recognised Biosecurity Group is being established to share resources for weed control in the Peel Region. The Shire of Serpentine Jarrahdale supports the collaborative approach to climate change mitigation and adaptation plans.

Organisation

The Shire of Serpentine Jarrahdale is one of five local governments that form Peel Regional Leaders Forum Inc, the Peel Regional Development Authority (Federal regional funding body), the Peel Harvey Catchment Council, the Peel Development Commission and the Peel Community Development Group (social development), which act for the strategic development of the Peel region. The Shire of Serpentine Jarrahdale was given Category 1 status for organisational capacity in the 2009 evaluation of Local Governments. The Shire of Serpentine Jarrahdale has received international recognition in each of the past two years for its innovative strategic planning and treatment of drainage and biodiversity plans (International Livecom Awards).

The Shire of Serpentine Jarrahdale falls within the Peel area jurisdictions for State agencies such as the Department of Local Government, Department of Regional Development and Lands, Department of Sport and Recreation, Landcorp, Police, Department of Housing, Department of Health and Department of Water.

It is respectfully requested that the Department of Local Government and the LGAB consider the will of the people of the Shire of Serpentine Jarrahdale to have the whole Shire area remain as its own entity.

An independent consultant group (Conway Highbury) who know the Local Government industry very well have been engaged to undertake consultancy work for both the Shire of Serpentine Jarrahdale and the City of Armadale. Essentially the report looks at the impacts on both Local Governments including potential increases in rates, financial viability, governance issues and how all would fit into the proposed new entity over the next 20 years. The level of detail required is very high because the State Government has given us a short time in which to prepare a report to both Councils and to the Local Government Advisory Board by the deadline of 4 October 2013. The extent permitted by the time available only attempts to predict potential outcomes if merged.

Financial

The consultant's report does not provide a recommendation as to whether the Local Authorities should remain the same or merge, it only reports the outcomes of the findings should a merger occur. It is up to each Local Authority to form their own views as to whether a merger will benefit the community or not.

In addition to this, the Shire has extended its 10-year forward financial plan by adding a further 10 years onto it. This additional 10-year plan is for the period 2023 - 2033 and provides summarised data on the finances on the Shire during this period.

The table below includes the Shires projections made about the two local authorities as at 1 July 2013:

	Armadale	Serpentine Jarrahdale	Combined/ Average
Population (ex ID Profiles 2013)	71,238	21,502	92,740
Population (projected 2031)	138,126	49,497	187,623
Area (sq kms)	560	905	1,465
Employees - full time	298	90	388
Employees - part time	61	24	85
Employees - casual	116		116
Employees - FTE		105.6	106
Rateable properties	28,931	8,261	37,192
Elected members	14	9	23
Population per elected member	5088	2389	4032
Dwellings	24,263	6,028	30,291
Sealed road length (km)	626	545	1,171
Unsealed road length (km)	12	130	142

The Shire's long term financial plan details the Shire's income and expenditure to 2033 and has made using the following projections

OPERATING REVENUES

Rates - Annual Increases	7.0%
Rates - Growth in Rate Base	10.0%
Operating Grants, Subsidies and Contributions	4.0%
Non-operating Grants, Subsidies, Contributions	4.0%
Fees and Charges	4.0%
Service Charges	
Interest Earnings	3.0%
Other revenue	3.0%

OPERATING EXPENSES

Employee Costs	4.0%
Materials and Contracts	4.0%
Utility Charges	10.0%
Depreciation on Non-current Assets (see below)	
Interest Expense (based on estimated borrowings)	3.9%
Insurance Expense	4.0%
Other Expenditure	4.0%

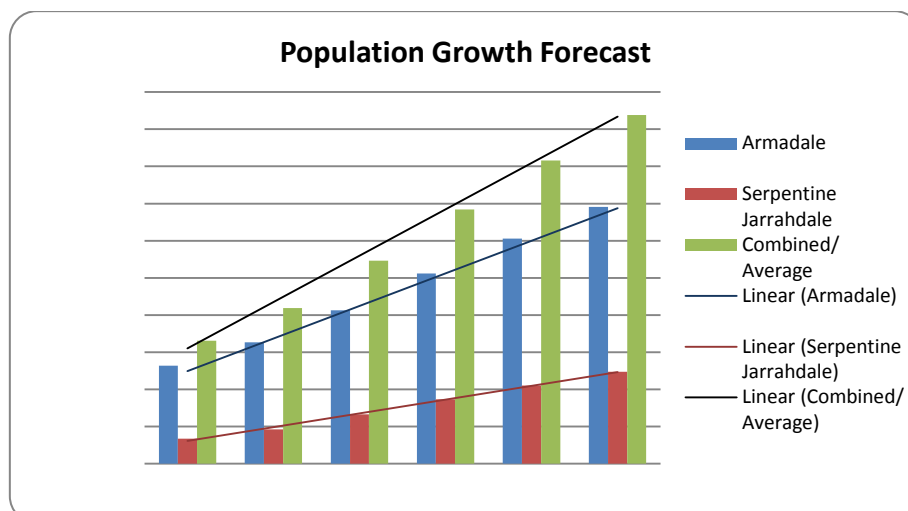
CAPITAL ASSETS

Average Depreciation - Buildings	2.5%
Average Depreciation - Other	10.0%
Average Depreciation - Infrastructure Roads	2.9%
Average Depreciation - Infrastructure Other	2.0%

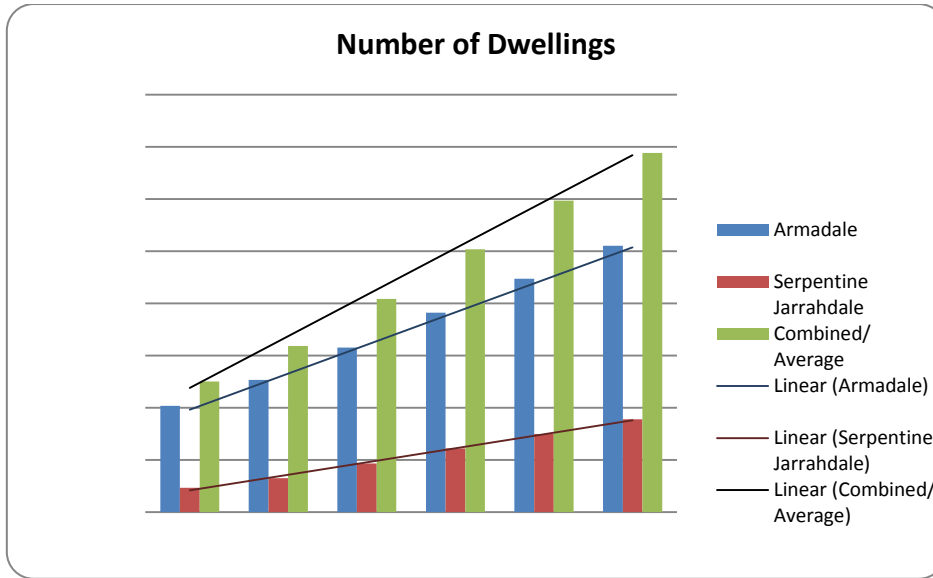
Population Growth:

When considering the financial sustainability of the Shire, population growth predictions are an important indicator. The State Government in their reform presentation to Mayors/Presidents and CEOs in July 2013, quoted a 2026 population if Serpentine Jarrahdale and Armadale were merged would be 132,000. The Shire (together with the City of Armadale) use ID forecast to predict population growth and according to ID Forecast the estimated population at 2026 will be 163,178.

Below is a graph detailing population growth estimates to 2031:

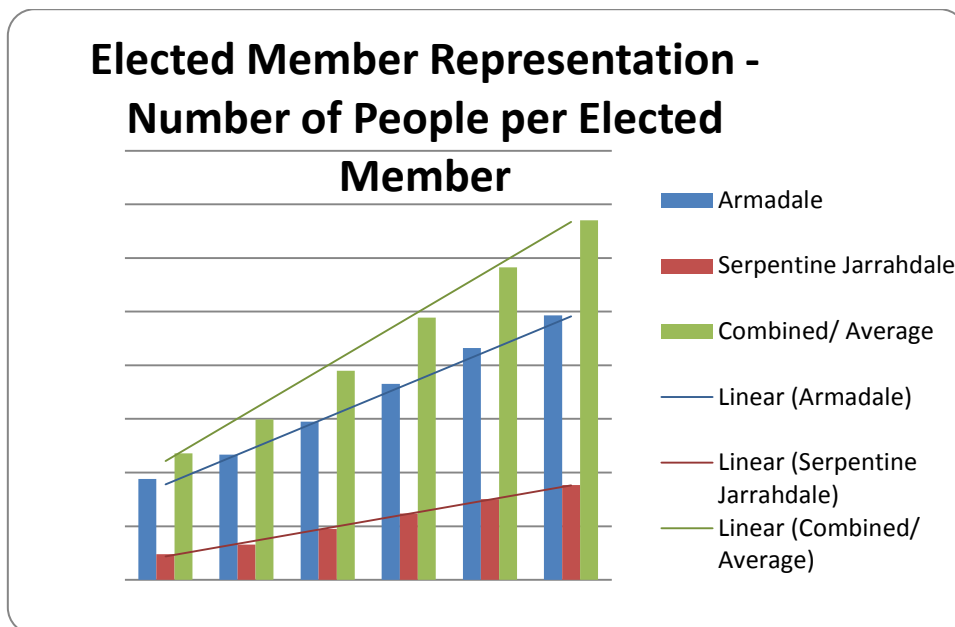


Another indicator for Local Government is the number of dwellings within Local Authorities. The following graph indicates the projected number of dwellings to 2031:



Elected Member Representation:

Both Serpentine Jarrahdale and Armadale are high growth Council areas and, with significant population growth, elected member representation is a key consideration into the future. It is important that during the growth phase of Local Authorities, the elected members keep in touch with the local community. Based on population growth, elected member representation per head of population would be as follows:



Financial Sustainability:

The Shire of Serpentine Jarrahdale was only 1 of 5 Local Authorities that adopted all of the required documents under the State Government’s Integrated Planning Framework by 30 June 2013. These documents were:

1. Strategic Community Plan 2013 - 2022
2. Long Term Financial Plan 2013 - 2023
3. Workforce Management Plan 2013 - 2018
4. Corporate Business Plan 2013 - 2018
5. Asset Management Plan 2013 - 2018
6. Forward Capital Works Plan 2013 - 2018

In addition to the above a draft Long Term Financial Plan has been prepared to 2033.

The discussion and information paper analysed the Shire's Income and Expenditure statement (2013/14 Annual Budget) and compared it to the City of Armadale. The findings were that the amount to be raised from rates for the Shire was \$670 per person, compared to \$637 for Armadale.

The long term financial plan for the Shire estimates that rate revenue in 2026 would be \$32.13 million. Based on our predicted population at that period of time the rates raised per head of population would be \$763 per person. This indicates that as the Shire grows in population the operating cost of the Shire reduce significantly. This is illustrated by comparing the current cost (\$670) indexed to 2026, which would be \$1,160 per person.

Rate Setting Statement:

The analysis compared the rates from each Local Authority in order to determine if a merger were to occur, what benefits would be achieved and found the following:

“..In detail, if applied as above this would mean that **on average**:

1. Armadale Gross Rental Value rated properties would increase by \$26 pa (or +1.7%) – this affects some 28,774 properties out of a combined Armadale/Serpentine Jarrahdale total of 33,728 GRV rated properties;
2. Serpentine Jarrahdale Gross Rental Value rated properties reduce by \$154 pa (or - 9.7%) – this affects some 4,954 properties out of a combined Armadale/Serpentine Jarrahdale total of 33,728 Gross Rental Value rated properties;
3. Armadale Unimproved Value rated properties reduce by \$884 pa (or – 17.4%) – note that there are only 157 properties in this category out of a total of 3,464 UV rated properties in a combined Armadale/Serpentine Jarrahdale; and
4. Serpentine Jarrahdale Unimproved Value rated properties increase by \$42 pa (or +2.1%) – this affects 3,307 properties out of a total of 3,464 UV rated properties in a combined Armadale/Serpentine Jarrahdale ...”

This is looking at overall rate categories, not individual properties so there will be variations within this. It is also important to note that the majority of the properties from the City of Armadale are on Gross Rental Value and the Shire has a more even split between the number properties on Gross Rental Value and Unimproved Value.

Statement of Financial Position:

The analysis of both Local Authority's Statement of Financial Position as at 2012 is shown in the table below:

Summary	Armadale				Serpentine Jarrahdale			
	2010-11 (\$000)	2011-12 (\$000)	Change from previous year	Per head Popn for 2012	2010-11 (\$000)	2011-12 (\$000)	Change from previous year	Per head Popn for 2012
Current assets	61,212	65,705	7.3%	\$922	10,787	14,291	32.5%	\$665
Non current assets	240,248	252,190	5.0%	\$3,540	71,740	73,465	2.4%	\$3,417
Total assets	301,460	317,895	5.5%	\$4,462	82,527	87,756	6.3%	\$4,081
Current liabilities	12,651	10,224	-19.2%	\$144	2,874	3,528	22.8%	\$164
Non current liabilities	18,379	19,569	6.5%	\$275	3,887	3,591	-7.6%	\$167
Total liabilities	31,030	29,793	-4.0%	\$418	6,761	7,119	5.3%	\$331
Net Assets	270,430	288,102	6.5%	\$4,044	75,766	80,636	6.4%	\$3,750

The table above compares the Statement of Financial positions of both Local Authorities. The value of net assets per head of population is very similar for each organisation with the City of Armadale worth \$4,044 per person and Serpentine Jarrahdale worth \$3,750 per person.

The table below takes the financial position for the Shire at the 2011/12 year and compares it to the projected financial position in the Draft Long Term Financial Plan for the 2025/26 year:

Summary	2010-11 (\$000)	2011-12 (\$000)	Change from previous year	Per head Popn for 2012	FV Per head popn for 2012 (to 2026)	2025/2026 (\$000)	Per head Popn for 2026
Current assets	10,787	14,291	32.50%	\$665	\$1,152	\$43,963	\$1,044
Non current assets	71,740	73,465	2.40%	\$3,417	\$5,917	\$231,631	\$5,502
Total assets	82,527	87,756	6.30%	\$4,081	\$7,067	\$275,594	\$6,546
Current liabilities	2,874	3,528	22.80%	\$164	\$284	\$5,800	\$138
Non current liabilities	3,887	3,591	-7.60%	\$167	\$289	\$1,000	\$24
Total liabilities	6,761	7,119	5.30%	\$331	\$573	\$6,800	\$162
Net Assets	75,766	80,636	6.40%	\$3,750	\$6,494	\$268,794	\$6,385

As the table indicates there is little movement in the value per head of population in 2012 to 2026. This indicates the Shire's sustainability over the long term by maintaining asset value during a period of significant population growth. Whilst there is a slight decline over this period, it is only \$109 per person, which represents a 1.6% decline in net value and is not considered significant. This indicates that over the 14 years, which for the Shire will be a period of significant growth, the net asset value this period remains relatively stable. The

main reason for this stability is the significant decrease in liabilities over this period due to the Shire paying down long term debt.

Conclusion:

There will be a strong focus on achieving a seamless service delivery should the changeover to the planned new Local Government occur in 2015. There is only one option for the Shire of Serpentine Jarrahdale, for all of the research and data presented, and the detailed assessment against the financial report prepared by the Conway/Highbury consultant engaged by both Councils to give a comprehensive financial status on the merger of the City of Armadale and the Shire of Serpentine Jarrahdale, and measured against LGAB criteria, set within a sustainability framework, this Council finds there is insufficient evidence to support a need for amalgamation of the Shire of Serpentine Jarrahdale and the City of Armadale.

Council is opposed to the Government's proposal to amalgamate the Shire with the City of Armadale. The Shire also disagrees with the City of Armadale proposal to split the Shire of Serpentine Jarrahdale between the City and the Shire of Murray. These scenarios are not in the best interest of our community, as evidence suggests that the ratepayers will not benefit from a merger with the City of Armadale through decrease rates, increase service delivery and increase in a net asset base of a merged entity as the table above demonstrates that the value of the net asset per head of population is similar for both entities. Our individual proposal to the LGAB will be in opposition to both the Government's and City of Armadale's submission. Our proposal does not comply with the State Government reform model or with the provisions of Clause 2(2) of Schedule 2.1 of the *Local Government Act 1995*. However Council's resolution and strong supportive evidence against merging the Shire of Serpentine Jarrahdale with the City of Armadale will be submitted to the LGAB prior to the deadline of 4 October 2013.

Attachments:

- **Confidential OCM038.1/09.13** – Conway Highbury Report, September 2013 (IN13/16303)
- [OCM038.2/09/13](#) – Letter of Support - Peel Regional Leaders Forum (IN13/16307)
- [OCM038.3/09/13](#) – Letter of Support - Peel Harvey Catchment Council (IN13/16308)
- [OCM038.4/09/13](#) – Planning Maps (E13/3786)
- [OCM038.5/09/13](#) – Long Term Financial Documents (E13/3787)

Alignment with our Strategic Community Plan:

The Shire's Plan for the Future is all about our community having self-determination by defining who we are as a community and how we want our community to develop and grow. The Plan for the Future encourages community input into all major decisions that affect the Shire's development and growth. This affects all aspects of the Shire including policy development, growth in population and commercial development.

Statutory Environment:

Division I of the *Local Government Act 1995* as amended – District and Wards

Schedule 2.1 of the *Local Government Act 1995* contains provisions relating to the creation and abolition of district boundaries and the changing of boundaries. The Schedule 2.1 also outlines the circumstances and procedures for holding a poll of electors of districts directly affected by a recommendation from the LGAB regarding an amalgamation. The Government is proposing to amend the Act to remove the provisions concerning the holding of a poll in the metropolitan area. The *Local Government Act* also talks about the good governance and leadership.

Financial Implications:

The total transitional cost of the amalgamation process is not known; however grant funding of \$200,000 per merger is available from State Government for Local Governments to develop a proposal to the LGAB, subject to conditions, ie collect data and develop proposals to the LGAB and form governance and management structure. The condition of this grant is:

- The proposal to the LGAB needs to be in accordance with State Government model;
- The proposal must be received by the LGAB by 4 October 2013; and
- A local implementation committee is to be established.

There are some Local Government Authorities claiming transitional cost would be in the order of \$5 – 7 million. If these costs are correct then the shortfall is enormous and that means the ratepayers of Armadale and Serpentine Jarrahdale will have to pick up the gap.

If amalgamation costs were \$5 million then it would be 8.27% of rates, if they were \$7 million then it is 11.58%.

Voting Requirements: Simple Majority

Officer Recommendation:

Moved Cr Urban, seconded Cr Wilson
That Council:

1. Advise the Local Government Advisory Board that the Shire of Serpentine Jarrahdale does not support the Minister for Local Government's amalgamation proposal for the Councils of the City of Armadale and the Shire of Serpentine Jarrahdale.
2. Endorse the following reasons for not supporting amalgamation:
 - a) The Shire is of the view that both authorities will grow to an optimum size of population without a merger;
 - b) The Shire achieved a Category 1 classification in the assessment that the Department of Local Government undertook for overall sustainability of Local Governments within Western Australia;
 - c) The Shire was identified as a leader in Strategic Planning by the Department of Local Government and the Minister for Local Government acknowledged this during the assessment process;
 - d) The Shire was one of the few Local Governments in Western Australia that approved all of the strategic documents the State Government required to be approved by 30 June 2013 and submitted to the Department of Local Government which make up the 'Integrated Planning Framework';
 - e) There is no demonstrated financial benefit to the ratepayers of both Councils through decreased rates, increased service level by a larger combined entity or an increase in value per ratepayer in the net assets;
 - f) The Serpentine Jarrahdale and Armadale districts are both identified as growth regions experiencing hyper growth;
 - g) The Shire is the fastest growing Local Authority in Australia in the 2012 year;
 - h) Elected member representation will decrease from 1 in 2,000 to 1 in 8,000 in 2016 which will be at a level that will be impossible for the local community to have a say in the running of their Local Authority;

- i) The potential cost of amalgamation will be imposed on the ratepayers by the State Government as there is no commitment for funding resulting in approximately 8.27 – 11.58% increase in rates;
 - j) The proposed new local authority area would equate to approximately one-third of the entire Perth Metropolitan area and this is out of proportion with the other Local Authorities proposed by the State Government's preferred model;
 - k) The Shire of Serpentine Jarrahdale should not be amalgamated with the City of Armadale as it is absolutely unacceptable to the residents of Serpentine Jarrahdale Shire; and
 - l) The Minister defers amalgamation with the Shire of Serpentine Jarrahdale and the City of Armadale until such time as reform in the Peel Region is investigated.
3. Advise the Minister for Local Government that this Council has paid serious respect to the proposed Metropolitan Local Government Review and made these resolutions based on community feedback, considerable research and dedicated thought. The Council finds that the data and evidence contained within the report does not indicate a need for amalgamation with the City of Armadale.
 4. Council continue to publicly oppose the Government's foreshadowed removal of the 'Dadour provisions' from Schedule 2.1 of the Local Government Act (1995). The removal of this clause silences the communities' say in how they want their Local Government to develop over time by not allowing the community to have the opportunity to hold a referendum on whether the Shire is to be amalgamated or not.
 5. In the event of the State Government determining the need for an amalgamation of the Shire of Serpentine Jarrahdale and the City of Armadale, that the Shire negotiate to receive the best possible outcome in relation to:
 - a) Representation on the new Council that will protect the interests of the Serpentine Jarrahdale community for a minimum period of two terms;
 - b) The name of the new Local Authority reflect the communities of Serpentine Jarrahdale and Armadale;
 - c) The method of election of the Mayor; and
 - d) Location of the new Local Authority (Administrative Centre).
 6. The Chief Executive Officer continue preliminary discussions with the Chief Executive Officer of the City of Armadale on the State Government's position on Local Government Reform.

Amendment:

Cr Kirkpatrick gave notice of his intention to move an amendment to the substantive motion currently under debate.

Council Note: Cr Urban and Cr Wilson agreed to debate the amendment to the substantive motion. Following debate and rescission of Council's previous decision in Point 3 of Item 11.1 – Local Government Reform at the Ordinary Council Meeting on 26 August 2013, the amendment became the substantive motion and was carried unanimously.

Moved Cr Urban, seconded Cr Kirkpatrick

That Standing Orders 9.5, 9.6, 10.7 and 10.13 be suspended at 7.15pm.

CARRIED 6/0

Moved Cr Piipponen, seconded Cr Atwell

That Standing Orders 9.5, 9.6, 10.7 and 10.13 be reinstated at 7.22pm.

CARRIED 6/0

Moved Cr Wilson, seconded Cr Piipponen

That Standing Orders 9.5, 9.6, 10.7 and 10.13 be suspended at 7.24pm.

CARRIED 6/0

Moved Cr Wilson, seconded Cr Kirkpatrick

That Standing Orders 9.5, 9.6, 10.7 and 10.13 be reinstated at 7.26pm.

CARRIED 6/0

COUNCIL DECISION:

Moved Cr Kirkpatrick, seconded Cr Moore

That Council resolve, pursuant to Section 5.25(3) of the *Local Government Act Regulations 1996*, to consider rescinding its previous decision in Point 3 of Item 11.1 – Local Government Reform at the Ordinary Council Meeting on 26 August 2013, as follows:

“3. In the event of the State Government determining the need for an amalgamation of the Shire of Serpentine Jarrahdale and the City of Armadale, that the Shire negotiate to receive the best possible outcome in relation to:

- a) representation on the new Council that will protect the interests of the Serpentine Jarrahdale community for a minimum period of two terms;***
- b) the name of the new Local Authority reflect the communities of Serpentine Jarrahdale and Armadale;***
- c) the method of election of the Mayor;***
- d) location of the new Local Authority (Administrative Centre).”***

CARRIED 6/0

COUNCIL DECISION:

Moved Cr Kirkpatrick, 1st support Cr Moore, 2nd support Cr Wilson, 3rd support Cr Urban

That Council resolve, pursuant to Section 5.25(3) of the *Local Government Act Regulations 1996*, to RESCIND Point 3 of Item 11.1 – Local Government Reform at the Ordinary Council Meeting on 26 August 2013, as follows:

“3. In the event of the State Government determining the need for an amalgamation of the Shire of Serpentine Jarrahdale and the City of Armadale, that the Shire negotiate to receive the best possible outcome in relation to:

- a) representation on the new Council that will protect the interests of the Serpentine Jarrahdale community for a minimum period of two terms;***
- b) the name of the new Local Authority reflect the communities of Serpentine Jarrahdale and Armadale;***
- c) the method of election of the Mayor;***
- d) location of the new Local Authority (Administrative Centre).”***

CARRIED 6/0 by Absolute Majority

OCM038/09/13 COUNCIL DECISION:

**Moved Cr Wilson, seconded Cr Kirkpatrick
That Council:**

- 1. Advise the Local Government Advisory Board that the Shire of Serpentine Jarrahdale does not support the Minister for Local Government's amalgamation proposal for the Councils of the City of Armadale and the Shire of Serpentine Jarrahdale and forward a copy of this report to the Local Government Advisory Board and the Minister for Local Government.**
- 2. Endorse the following reasons for not supporting amalgamation:**
 - a) The Shire is of the view that both authorities will grow to an optimum size of population without a merger;**
 - b) The Shire achieved a Category 1 classification in the assessment that the Department of Local Government undertook for overall sustainability of Local Governments within Western Australia;**
 - c) The Shire was identified as a leader in Strategic Planning by the Department of Local Government and the Minister for Local Government acknowledged this during the assessment process;**
 - d) The Shire was one of the few Local Governments in Western Australia that approved all of the strategic documents the State Government required to be approved by 30 June 2013 and submitted to the Department of Local Government which make up the 'Integrated Planning Framework';**
 - e) There is no demonstrated financial benefit to the ratepayers of both Councils through decreased rates, increased service level by a larger combined entity or an increase in value per ratepayer in the net assets;**
 - f) The Serpentine Jarrahdale and Armadale districts are both identified as growth regions experiencing hyper growth;**
 - g) The Shire is the fastest growing Local Authority in Australia in the 2012 year;**
 - h) Elected member representation will decrease from 1 in 2,000 to 1 in 8,000 in 2016 which will be at a level that will be impossible for the local community to have a say in the running of their Local Authority;**
 - i) The potential cost of amalgamation will be imposed on the ratepayers by the State Government as there is no commitment for funding resulting in approximately 8.27 – 11.58% increase in rates;**
 - j) The proposed new local authority area would equate to approximately one-third of the entire Perth Metropolitan area and this is out of proportion with the other Local Authorities proposed by the State Government's preferred model;**
 - k) The Shire of Serpentine Jarrahdale should not be amalgamated with the City of Armadale as it is absolutely unacceptable to the residents of Serpentine Jarrahdale Shire; and**
 - l) The Minister defers amalgamation with the Shire of Serpentine Jarrahdale and the City of Armadale until such time as reform in the Peel Region is investigated.**

3. Advise the Minister for Local Government that this Council has paid serious respect to the proposed Metropolitan Local Government Review and made these resolutions based on community feedback, considerable research and dedicated thought. The Council finds that the data and evidence contained within the report does not indicate a need for amalgamation with the City of Armadale.
4. Council continue to publicly oppose the Government's foreshadowed removal of the 'Dadour provisions' from Schedule 2.1 of the *Local Government Act (1995)*. The removal of this clause silences the communities' say in how they want their Local Government to develop over time by not allowing the community to have the opportunity to hold a referendum on whether the Shire is to be amalgamated or not.
5. The Chief Executive Officer continue preliminary discussions with the Chief Executive Officer of the City of Armadale on the State Government's position on Local Government Reform.

CARRIED 6/0

Council Note: Council changed the Officer's Recommendation in Item OCM038/09/13 in Point 1 by: adding the words, "*and forward a copy of this report to the Local Government Advisory Board and the Minister for Local Government*"; and by deleting Point 5 of the recommendation.

It was felt that these changes clarified the situation for the majority of residents and ratepayers who are not prepared to concede defeat by considering any option to amalgamate the Shire of Serpentine Jarrahdale.

Councillors congratulated the Chief Executive Officer on his excellent report and reiterated their request for a copy of the report to be forwarded to both the Local Government Advisory Board and the Minister for Local Government.

OCM039/09/13	Council Meetings and Services over Christmas / New Year Period (SJ513)
Author:	Linda Jones – Executive Assistant to Chief Executive Officer
Senior Officer:	Richard Gorbunow - Chief Executive Officer
Date of Report:	23 August 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>

Introduction:

The purpose of this report is to seek Council's endorsement of proposed Council meetings and services for the Shire Administration Centre, Operations Centre and the Mundijong Library during the Christmas 2013 / New Year 2014 period.

Council is also requested to endorse the Ordinary Council Meeting agenda schedule for 2014, as per attachment OCM039.1/09/13.

Background:

The following dates have previously been advertised for Council meetings for the month of December 2013:

- 9 December 2013; and
- 16 December 2013.

It is proposed that Council advertise the date for only one Council meeting to be held on 9 December 2013 to accommodate the Christmas / New Year period.

Office Hours over the Christmas / New Year Period

This year the Christmas and New Year Public Holidays will be Wednesday 25 December 2013, Thursday 26 December 2013 and Wednesday 1 January 2014.

With regard to the Shire Administration Centre, Operations Centre and the Mundijong Library, in 2012 all offices were closed from Monday 24 December 2012 to Tuesday 1 January 2013, inclusive.

It is suggested that this year the office close over the Christmas and New Year period from 12.00 noon on Tuesday 24 December 2013 to Friday 3 January 2014, inclusive, with staff taking accrued leave entitlements for the three days and that Council advertise the closure of the office for this period.

Relevant Previous Decision of Council:

- OCM046/09/12 – Council agreed to Council meetings and services over the Christmas 2012 / New Year 2013 period

Community / Stakeholder Consultation:

Dates are to be advertised in accordance with the *Local Government Act* at the Shire Administration Centre, Library and in a local newspaper. The office closure dates and meeting dates will also be advertised on the Shire's website.

Comment:Ordinary Council Meetings

The December 2013 Ordinary Council Meeting date will be advertised as Monday 9 December 2013.

No Ordinary Council Meeting will be held in January 2014.

Christmas / New Year Period

The Shire of Serpentine Jarrahdale normally closes over the Christmas / New Year period with staff accessing accrued rostered days off, annual leave or leave without pay for those days other than the specified public holidays. It is not anticipated that customer service will be unduly impacted by the proposed closure as this period has been very quiet historically. The Shire of Serpentine Jarrahdale closure calendar would be as follows:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Dec 16 Open	Dec 17 Open	Dec 18 Open	Dec 19 Open	Dec 20 Open	Dec 21	Dec 22
Dec 23 Open	Dec 24 Christmas Eve Open til 12.00 noon	Dec 25 Christmas Day Public Holiday	Dec 26 Boxing Day Public Holiday	Dec 27 Closed	Dec 28	Dec 29
Dec 30 Closed	Dec 31 Closed	Jan 1 New Year's Day Public Holiday	Jan 2 Closed	Jan 3 Closed	Jan 4	Jan 5

With the office open until Tuesday, 24 December 2013, this will allow residents to complete any last minute business prior to the Christmas break. It is believed that this closure will be an active demonstration to staff of the family friendly workplace and recognition of their efforts during another year of hyper-growth.

It is intended that the variations to opening hours for the Shire Administration Centre, Operations Centre and Mundijong Library will be advertised and the offices will be well signed to indicate the closure over this period.

Over the Christmas period, as per previous years, it will be the responsibility of the Chief Executive Officer to ensure that staff coverage is in place over this period in the case of an emergency.

Attachment:

- [OCM039.1/09/13](#) - Ordinary Council Meeting Agenda Schedule 2014 (E13/3582)

Alignment with our Strategic Community Plan

Objective 1.1	Strong Leadership
Key Action 1.1.2	Facilitate cooperation between the Shire and its stakeholders while also considering community values
Objective 1.2	Progressive Organisation
Key Action 1.2.6	Comply with all legislative and statutory requirements

Statutory Environment:

- *Local Government Act 1995*

Financial Implications:

Staff leave has been included in the 2013/2014 budget.

Voting Requirements: Simple Majority

OCM039/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Wilson, seconded Cr Urban
That Council:

1. Agree to the following meeting and administrative arrangements over the months of December 2013 and January 2014 and that they be advertised to the public accordingly:
 - a) the Ordinary Council Meeting for December will be held on Monday 9 December 2013; and
 - b) the Shire Administration Centre, Operations Centre and Mundijong Library to be closed from 12.00 noon on Tuesday 24 December 2013 to Saturday 4 January 2014, inclusive.
2. Note that over the Christmas / New Year period it will be the responsibility of the Chief Executive Officer to ensure that staff coverage is in place in the case of an emergency.
3. Endorse the Ordinary Council Meeting agenda schedule 2014, as per attachment OCM039.1/09/13.

CARRIED 6/0

Council Note: The Chief Executive Officer noted a minor change to Point 1.b) of the recommendation in that the Shire Administration Centre, Operations Centre and Mundijong Library will be closed from 12.00 noon on Tuesday 24 December 2013 to Saturday 4 January 2014 inclusive. This is to accommodate the Mundijong Library, which is normally open for business on Saturday.

OCM040/09/13	Development Application for Proposed Dam – Lot 10 Lowlands Road, Mardella (P02582/02)
Author:	Tom Hockley – Senior Planner
Senior Officer:	Brad Gleeson – Director Planning
Date of Report:	19 August 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>

Proponent: Ms Karen Barnes
 Owner: As above
 Date of Receipt: 10 April 2013
 Lot Area: 5.4ha
 Town Planning Scheme No 2 Zoning: Rural
 Metropolitan Region Scheme Zoning: Rural

Introduction

Council is requested to consider an application for a dam at Lot 10 Lowlands Road, Mardella. A site visit has been undertaken by relevant officers and the dam is considered to be generally consistent with the provisions of draft Local Planning Policy (LPP 33) – Construction of Dams.

The matter is presented to Council for consideration as a number of the construction elements fall within the ‘high impact’ category of the LPP 33 and this therefore requires determination by Council. It is considered that the proposal is acceptable with regard to design and construction, environmental and amenity impacts and is supported.

Background:

The original application was received on 10 April 2013 and originally proposed a dam and soak. It was proposed that the dam would be constructed on the northern side of the site adjacent to Lowlands Road, while the soak would be constructed on the southern side of the site adjacent to the Medulla Brook Drain. The intention of the proposal was to direct excess winter water from the site into the Serpentine River via the Medulla Brook Drain to the south of the site. The proposed dam was intended to draw surface water from the site into a low lying area to the north to facilitate a wetland for wildlife in the area.

As part of the public notification process the application was referred to the Department of Water (DoW), Department of Environment and Conservation (DEC) and Water Corporation. Based on the feedback received from the government agencies, the proposed soak to the south of the site was removed from the application.

This report therefore considers the proposed dam only adjacent to Lowlands Road. This report has been presented to Council as a number of the construction elements fall within the ‘high impact’ category of the LPP 33. These include dam size, as the proposed dam exceeds a storage capacity of 500 kilolitres and dam location, as the proposed dam is located within 100m of the primary setback and within 200m of a road.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application.

Community / Stakeholder Consultation:

The application was referred to relevant government agencies and adjoining landowners in accordance with LPP 33. No submissions were received from adjoining landowners. The comments have been summarised as follows:

Department of Water:

- The property is located within the *Serpentine River System Surface Water Area and Serpentine Groundwater Area* as proclaimed under the *Rights in Water Irrigation Act 1914*. As such, should the applicant intend to fill the dam or soak from the abstraction of groundwater or the taking of water from the adjacent Medulla Brook Drain, a licence will be required from the Department.
- Should this not be the intention, the DoW has no objections to this proposal.

Department of Environment and Conservation:

- The proposed southern soak is located within 50m of the boundary of a mapped conservation category wetland as shown on DEC's Geomorphic Wetlands (Swan Coastal Plain) dataset.
- The Environmental Protection Authority's (EPA) *Guidance Statement No. 33 "Environmental Guidance for Planning and Development (May 2008)"* urges that all conservation category wetlands and their buffers are fully protected and advises that a wetland buffer is to be a minimum of 50 metres wide.
- It is recommended that the proposed southern soak be relocated to a location outside of a minimum 50 metres buffer as recommended by EPA.

Water Corporation:

- The subject area falls within the Serpentine River Drainage Catchment in the Mundijong Drainage District, which is a rural drainage system. The Mardella Main Drain traverses the subject area along the southern boundary. No development can occur within 10m from the top of the bank of the Mardella Main Drain.
- The developer is required to fund the full cost of protecting or modifying any of the existing Water Corporation drainage facilities or infrastructure which may be affected by the development. Rural drains are not designed to give flood protection at all times and some inundation of land can be expected.
- Developments within rural catchments are required to contain the flows from a one in one hundred year storm event on site. Discharge to the Water Corporation drains must be compensated to pre-development levels.

Comment:Proposal

An application was submitted to the Shire for approval of a dam and soak at the subject site. Following the public notification process, the applicant decided to withdraw from the application the soak in the southern side of the site. The report therefore considers the proposed dam to the north of the site. The intent of the dam is to remove surface water from the site, as well as providing for wetlands for fauna. The location of the dam has been chosen as it reflects a naturally low lying area of the site.

Town Planning Scheme No 2 (TPS 2)

The property is zoned 'Rural', the objective of which is set out in Clause 5.10.1 of TPS 2:

"5.10.1 The purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area."

It is considered that the dam is consistent with the objectives of the Rural Zone as it will result in the removal of surface water thereby enabling the landowners to utilise a larger area of their site for rural pursuits.

Draft LPP 33 – Construction of Dams

In accordance with the provisions of Schedule 1 of LPP 33, dams in the 'Rural' zone for lots of 4ha in area or greater are permitted. For the purposes of this assessment the proposed dam has been assessed against the Impact Significant Guidelines as contained within Schedule 2 of LPP 33. The aspects which fall within the 'high impact' category of the policy and thereby require determination by Council have been identified below.

Dam Size

The area of land proposed for excavation forms a 'T' shape with a total surface area of 508m². The dam will have a depth of 3m and a slope of 2:1. Based on these measurements a total of approximately 1,300 cubic metres of soil will be extracted from the land providing for a dam capacity of approximately 1,300 kilolitres. Under Schedule 2 of LPP 33, a dam with a storage capacity exceeding 500 kilolitres is deemed to fall within the high impact category. The proposed dam therefore falls within the high impact category for storage capacity under LPP 33. The excavated soil will be distributed throughout the site to raise low lying areas.

It is considered that given the size of the lot, the size of the dam is not excessive. While it is located in close proximity to the northern boundary, it will not have a significant adverse impact on the amenity of the adjoining landowners to the east, west and south.

Location

The dam is proposed to be constructed 6m from the northern property boundary. This falls within the high impact dam characteristics for location as it is within 100m of a property boundary and within 200m of a road. While the dam is will be within close proximity to Lowlands Road, the applicant has identified the area as a naturally occurring low wet area of the site. The proposed dam could therefore be constructed independently without the need for significant site works and drainage.

Dam Use

It is intended that the dam will be used for the removal of surface water from the site. The dam will therefore result in a larger area of the subject site to be utilised for rural land uses. The proposal is therefore considered to fall within the low impact characteristics with regard to this element.

Vegetation Clearing

The proposed dam does not require the removal of vegetation. The proposal is therefore considered to fall within the low impact characteristics with regard to this element.

Watercourses

The proposed dam is located approximately 200m to the north of the Medulla Brook Drain which traverses the southern property boundary. The proposed drain will therefore have no impact on the nearby watercourses. The proposal dam will fall within the low impact characteristics with regard to this element.

Waterway Buffers

The proposed dam is located beyond the 100m separation distance to waterways and therefore meets the low impact characteristics of this element.

Impacts on Wetlands

The excavation and widening of an effective groundwater dam will increase the level of evaporative loss to the groundwater in the immediate area with possible lowering of local groundwater level in dry periods. This could be considered as having moderate impact on surrounding wetland systems. The locality is however understood to be affected by poor surface water drainage during periods of high rainfall. It is therefore considered that should groundwater levels be affected by the excavated area, the impact would be minimal and localised. The excavated dam will also function to improve the site conditions during wet periods.

It is noted also that the proposed dam will be located in excess of the 50m requirement for conservation category wetland buffers as required by DEC. The proposal is considered to address the low impact characteristics with regard to this element.

Visual Impacts

The proposed dam will essentially appear as a low lying soak area when viewed Lowlands Road. It is therefore considered that the visual appearance of the proposed dam will be consistent with the rural area in which it is located, particularly in relation to the extent of perched water that occurs on sites in the area during winter. The proposal is considered to fall within the low impact characteristics with regard to this element.

Risks to Health and Safety

While the dam is located in close proximity to the site's frontage and Lowlands Road, the locality is rural in nature and therefore does not draw pedestrian traffic to the area. The proposal is considered to address the low impact characteristics with regard to this element.

Conclusion

While the proposed dam will fall within the high impact category for a number of elements in LPP33, it is considered that the risk elements can be effectively addressed by permit conditions. The size and purpose of the dam is considered to be generally consistent with the land uses in the area and will function to manage water levels across the site throughout winter.

Attachments:

- [OCM040.1/09/13](#) – Locality Plan (E13/3368)
- [OCM040.2/09/13](#) – Site Plan (IN13/14538)
- [OCM040.3/09/13](#) – Cross Sections (IN13/14539)

Alignment with our Strategic Community Plan:

This proposal aligns with the following objectives as outlined in the Strategic Community Plan as it seeks to promote attractive landscapes and biodiversity:

Objective 5.2	Excellence in Environmental Management
Key Action 5.2.1	Protect, restore and manage our landscapes and biodiversity

Statutory Environment:

- TPS No 2
- Draft LPP No 33 – Construction of Dams

Financial Implications:

Nil

Voting Requirements: Simple Majority

OCM040/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Wilson, seconded Cr Atwell

That Council grant approval pursuant to the provisions of Town Planning Scheme No 2 for the construction of a dam on Lot 10 Lowlands Road, Mardella, subject to the following conditions:

- 1. Engineering drawings shall be submitted to the Director Engineering and approved within 60 days of the date of approval of the development application. Drawings are to include details of how the excavated clay material is to be used to widen the bund surrounding the dam.**
- 2. The site shall be graded and stabilised to prevent erosion and run-off impacts from the property to the satisfaction of the Director Engineering in accordance with the approved engineering drawings.**
- 3. All additional work, including batters to be completed within 12 months of the date of approval.**
- 4. Within 60 days of the date of completion, a structural certification report shall be prepared by a suitably qualified engineering consultant and approved by the Director Engineering.**

Advice Note:

- 1. Any further increase to the size of the dam requires the written consent of the Shire.**

CARRIED 6/0

OCM041/09/13	Proposed Modification to Marri Park Estate Local Structure Plan (SJ1051-02)
Author:	Tom Hockley – Senior Planner
Senior Officer:	Brad Gleeson – Director Planning
Date of Report:	21 August 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>

Proponent: Dynamic Planning and Developments
 Owner: Goldtune Investments Pty Ltd
 Date of Receipt: 2 August 2013
 Town Planning Scheme No 2 Zoning: Urban Development
 Metropolitan Region Scheme Zoning: Urban Deferred

Introduction

Council is requested to consider a modification to the Marri Park Estate Local Structure Plan (LSP). The modification is sought to update the internal road layout and remove the requirement for a Detailed Area Plan (DAP) to be prepared for the site prior to subdivision. In its current form, the LSP would result in the creation of square shaped lots. The road layout has therefore been modified to facilitate the creation of conventional rectangular shaped lots. The modified LSP road layout is consistent with the current subdivision application being considered for approval by the Western Australian Planning Commission (WAPC). Given the pending subdivision approval, the need for a DAP is now considered to be redundant. The proposed modification is considered to not alter the material intent of the LSP. Accordingly, it is recommended that Council adopt the proposed modification and advise the WAPC.

Background:

The LSP was adopted by Council at its meeting on 26 November 2012. The subject land was approved at a Residential R20 coding with two linear street blocks in north-south alignment parallel to San Simeon Boulevard. The street network terminated at a cul-de-sac to the north of the development area.

The proposed modification creates an east-west street block orientation. A new east-west road through the centre of the development area will intersect with San Simeon Boulevard. The intersection will be controlled by a left in-left out design. The full movement entry point to the south and the cul-de-sac to the north will remain unchanged.

The rationale for the modification to the road and street block alignment is considered acceptable as it will standardise the lot design resulting in a traditional rectangular shape. Under the previous road layout, the resulting lots would have been square in shape.

It is understood that DAPs were originally required for the Residential R20 land to the west of San Simeon Boulevard to ensure a greater level of design was achieved for this land adjacent to public open space. This included additional passive surveillance and the capitalisation of the amenity values for dwellings overlooking public open space.

The removal of the DAP provisions are supported in this instance as there is sufficient control within subdivision conditions to require DAPs as needed.

Relevant Previous Decisions of Council:

There is no previous Council decision relating to this application.

Community / Stakeholder Consultation:

The LSP was advertised extensively during its original progression, prior to adoption by Council and approval by the WAPC. It is open to Council to determine that the proposed modification 'alters the material intent' of the LSP and therefore requires the modification to be progressed as a 'major modification', including a requirement for public advertising, adoption by Council and approval by the WAPC. Advertising is not recommended for this proposal.

Comment:Proposal

This report provides Council with the opportunity to consider a modification to the adopted LSP. The proposed modification seeks to modify the road layout and delete reference to the requirement for DAPs. The proponent has provided the following description of the proposed minor modification:

"The proposed modification includes the removal of the north to south internal road and replaced with an east to west running road. This road will intersect with the existing Structure Plan road 'Sansimeon Boulevard' and be restricted to a 'left in - left out entry and exit. Full movement in and out of the southern entry point is to remain unchanged."

This modification was required due to site area restrictions at the subdivision design stage. It was found that the east to west orientation of the street blocks would enable an adequate lot depth to be achieved. This achieved greater consistency in lot design throughout the subdivision and provided for the more traditional rectangular shaped lot design.

The Shire's Engineering Department support the additional vehicular entry point from the subject site onto San Simeon Boulevard. An assessment was done for the separation distance between the proposed left in-left out intersection in relation to the existing access street connecting San Simeon Boulevard to Padra Turn to the north. Liveable Neighbourhoods requires a minimum separation distance of 40m from the centreline of the intersecting streets. In this instance a separation distance of 50m has been provided. The proposed separation distance is acceptable and the proposed left-in left-out arrangement onto San Simeon Boulevard was also supported.

"The amendment also proposes the removal of the LSP requirement for a DAP to be prepared for the subject site prior to subdivision. It is noted that the proposed LSP amendment is consistent with the current subdivision application (WAPC Ref: 148270 submitted on 26 June 2013), which proposes conventional lot shapes and sizes, consistent with the 'R20' density coding. On the basis that subdivision will remove the large balance lot which makes up the subject site, the need for a DAP is considered to be redundant and removal of this requirement is therefore warranted."

The Shire supports the removal of the DAP provisions from the LSP. The Shire considers that there is sufficient control at subdivision stage to request that DAPs are prepared for lots adjacent to public open space.

The LSP modification is an acceptable method for correcting road layout and lot design discrepancies revealed at subdivision design stage. No change to the R20 density coding will occur and sufficient planning controls to implement DAPs at subdivision stage will ensure positive design outcomes.

The Shire's Town Planning Scheme No. 2 (TPS 2) allows for minor changes of this nature as discussed in the following sections.

TPS 2

The power for Council to adopt a minor modification to a LSP is conferred in clause 5.18.4.1 of TPS 2 as follows:

"The local government may adopt a minor change to or departure from a Structure Plan if, in the opinion of the local government, the change or departure does not materially alter the intent of the Structure Plan".

A key consideration for Council is whether the modifications proposed to the LSP are deemed to be minor or major in nature. The WAPC's 'Structure Plan Preparation Guidelines' (the guidelines) provides guidance in this matter.

Structure Plan Guidelines

In terms of what constitutes a minor or major modification, the guidelines state the following:

"A 'minor' modification to a structure plan is a change or departure that does not materially alter the intent of the structure plan.

A major modification to a structure plan is any change or departure not defined as a minor modification.

A modification designated 'major' or 'minor' depends on whether the proposed modification adversely impacts on the amenity of adjoining landowner's and occupiers, restricts the use and development of adjoining land or impacts upon environmental areas."

The guidelines provide examples as to what may be considered to be a minor modification. Two examples are provided as follows:

"An increase in residential density that retains residential banding, ie 'low', 'medium' or 'high' density."

"Realignment of neighbourhood connector roads (or below in the road hierarchy) that do not negatively affect the connectivity of the movement network or accessibility to activity areas."

In the opinion of officers, the proposed modification does not alter the material intent of the original LSP. Accordingly, adoption of the proposed modification is recommended. The WAPC may subsequently determine that the modification does materially alter the intent of the LSP and require the modification to be advertised.

Options and Implications

There are two primary options available to Council, as follows:

- Option 1 Resolve to adopt the proposed modification as a 'minor modification'.
- Option 2 Resolve that the proposed modification alters the material intent of the LSP and require the proposed modification to be progressed as a 'major modification' including formal advertising, adoption by Council and approval by the WAPC.

Option 1 is recommended.

Conclusion

The proposed modification is considered to not alter the material intent of the LSP. It is recommended that Council adopt the proposed modification.

Attachments:

- [OCM041.1/09/13](#) – Proposed Modification to LSP (IN13/14834)
- [OCM041.2/09/13](#) – Proposed Plan of Subdivision (IN13/14836)

Alignment with our Strategic Community Plan:

Objective 3.1	Urban Design with Rural Charm
Key Action 3.1.1	Maintain the area's distinct rural character, create village environments and provide facilities that serve the community's needs and encourage social interaction

Statutory Environment:

- TPS 2
- *Planning and Development Act 2005*

Financial Implications:

There are no direct financial implications associated with the progression of the proposed modification to the LSP.

Voting Requirements: Simple Majority

OCM041/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Moore
That Council:

1. Adopt the proposed modification to the Marri Park Estate Local Structure Plan as shown on attachment OCM041.1/09/13, pursuant to Clause 5.18.4.1 of Town Planning Scheme No 2.
2. Forward the proposed modification to the Western Australian Planning Commission for consideration in accordance with Clause 5.18.4.2 of Town Planning Scheme No 2.

CARRIED 6/0

Council Note: Council expressed concern that the Western Australian Planning Commission has pre-empted Council's decision and recently granted approval for subdivision. Council has no option but to adopt the proposed modification but is of the view that the statutory planning process has not been followed.

OCM042/09/13	Tourism and Small Business Development within the Shire (SJ935)
Author:	Alan Hart - Director Corporate and Community
Senior Officer:	Richard Gorbunow – Chief Executive Officer
Date of Report:	27 August 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>

Introduction:

The purpose of this report is to seek Council endorsement and a Memorandum of Understanding between Serpentine Jarrahdale Community Resource Centre (SJCRC) and Shire Serpentine Jarrahdale (SSJ) for the purpose of tourism and small business development within the Shire.

Background:

The proposed Memorandum of Understanding (MOU) with the Serpentine Jarrahdale Community Resource Centre (SJCRC) for 12 months from 1 July 2013 to run a tourism and small business section.

The SJCRC has informally been operating the tourism and small business centre for a number of years and has been absorbing the costs of undertaking this very important community service. It is proposed that the Shire make a \$40,000 contribution towards this service. This financial year, the SJCRC has commenced utilising the proposed contribution by making changes to the website <http://www.serpentinevalley.com.au/> and updating the business and tourism databases.

It is recommended that Council authorise the Chief Executive Officer and Shire President to sign the MOU for the 2013/14 financial year.

Relevant Previous Decisions of Council:

- OCM192/05/13 - Tourism and small business development within the Shire

Community / Stakeholder Consultation:

No community consultation was undertaken / required

Report:

Tourism is a major strategic focus of the Shire with a considerable section dedicated towards attracting tourists to the area. Serpentine Jarrahdale is identified as a tourism destination as it is within close proximity to the Perth CBD and Mandurah.

As a growth industry it is appropriate that dedicated resources be allocated to the task of promotion of Serpentine Jarrahdale within the Peel Region and as the SJCRC is currently undertaking this task, boosting their resources will enable them to focus on the clear objective of increasing visitor numbers.

The SJCRC has been operating this service since 1 July 2013 and it is recommended that the Shire endorse the MOU and authorise the Chief Executive Officer and Shire President to sign the document.

Attachments:

- [OCM042.1/09/13](#) – Memorandum of Understanding (IN13/15009)

Alignment with our Strategic Community Plan:

Objective 4.2	Tourism
Key Action 4.2.1	Encourage the development of tourist attractions and accommodation

Statutory Environment:

Section 6.2 of the *Local Government Act* requires the Shire to budget for expenditure as part of the annual budget process.

Financial Implications:

Funds are provided in the 2013/14 Annual Budget for this purpose.

Voting Requirements: Simple Majority

OCM042/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Kirkpatrick
That Council:

1. Endorse the Memorandum of Understanding between the Serpentine Jarrahdale Community Resource Centre and the Shire of Serpentine Jarrahdale for the purpose of funding Community Tourism and Small Business Support Services.
2. Authorise the Chief Executive Officer and Shire President to sign the Memorandum of Understanding, as per attachment *OCM042.1/09/13*.
3. Receive a work plan to 30 June 2013 from the Serpentine Jarrahdale Community Resource Centre, agreed to by the Chief Executive Officer, detailing how the funds will be utilised and providing a quarterly report to Council outlining the achievements against the work plan.

CARRIED 6/0

OCM043/09/13	Proposed Sale of Lot 87 Mundijong Road, Mundijong (SJ151)
Author:	Kristen Cooper – Leasing and Property Officer
Senior Officer/s:	Alan Hart – Director Corporate and Community
Date of Report:	2 September 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>

Introduction:

Council considered a proposal from the Western Australian Police (WA Police) to purchase Lot 87 Mundijong Road, Mundijong at the Ordinary Council Meeting held on 16 August 2013. Council resolved to advertise the disposal of the land for a period of 14 days in a locally circulated newspaper.

Background:

The WA Police wish to proceed with purchasing the land at Lot 87 Mundijong Road, Mundijong in order to commence construction of its new facility. The high profile location of the station will present a civic presence within the town of Mundijong.

Relevant Previous Decisions of Council:

- OCM016/08/13 – resolved to advertise the disposal of Lot 87 Mundijong Road, Mundijong for a period of 14 days in a locally circulated newspaper.

Community / Stakeholder Consultation:

The intended disposal was advertised to the public for a period of 14 days in the Examiner Newspaper in accordance with 3.58 (3) of the *Local Government Act*. At the time of writing this report no submissions were received (submissions close 13 September 2013).

Comment:

The WA Police need to prepare a formal cover letter and offer to purchase for Council's consideration and approval. In order for this to occur, the WA Police require confirmation from the Shire, following the close of the advertising period, that the Shire wishes to proceed with the sale of the property.

Conclusion

It is recommended that Council advise the WA Police that no submissions were received on the proposal to dispose of Lot 87 Mundijong Road, Mundijong.

Attachments:

- **Confidential OCM043.1/09/13** – Certificate of Title (E13/2910)
- [OCM043.2/09/13](#) - Location plan (E13/3068)

Alignment with our Strategic Community Plan:

Objective 3.1	Urban Design with Rural Charm
Key Action 3.1.1	Maintain the area's distinct rural character, create village environments and provide facilities that serve the community's needs, and encourage social interaction

Statutory Environment:

Local Government Act 1995 (as amended) – Section 3.58 (3) Disposing of Property

Financial Implications:

There are no financial implications resulting from the sale of this property. It is proposed that the proceeds from the sale of the land be placed in a Reserve Account to be set aside for the specific purpose of 'Providing Recreational and Sporting Facilities within the District of Serpentine Jarrahdale' as these funds can be utilised to provide seed funding for grants for projects within Shire.

Voting Requirements: Absolute Majority

Officer Recommendation:

That Council:

1. Accept the offer to purchase Lot 87 Mundijong Road, Mundijong from the Western Australian Police for \$290,000.
2. Authorise the Chief Executive Officer and Shire President to sign the Contract of Sale to the Western Australian Police and any other land transfer documents.
3. Determine the settlement period be no longer than ninety (90) days.
4. The proceeds from the sale of the land shall be placed in a Special Purpose Reserve for the specific purpose of 'Providing Recreational and Sporting Facilities within the District of Serpentine Jarrahdale'.

OCM043/09/13 COUNCIL DECISION:

Moved Cr Urban, seconded Cr Atwell

That Council:

1. **Accept the offer to purchase Lot 87 Mundijong Road, Mundijong from the Western Australian Police for \$290,000.**
2. **Authorise the Chief Executive Officer and Shire President to sign the Contract of Sale to the Western Australian Police and any other land transfer documents.**
3. **Determine the settlement period be no longer than ninety (90) days.**
4. **The proceeds from the sale of the land shall be placed in a Special Purpose Reserve for the specific purpose of provision of funds for the Serpentine Jarrahdale Regional Sporting Precinct when grant applications require contribution funding.**

CARRIED 6/0 by Absolute Majority

Council Note: Council changed the Officer’s Recommendation in Point 4. by deleting the words, *“Providing Recreational and Sporting Facilities within the District of Serpentine Jarrahdale”* and replacing with the words, *“provision of funds for the Serpentine Jarrahdale Regional Sporting Precinct when grant applications require contribution funding”*. This is to provide access to seed funding for the Serpentine Jarrahdale Regional Sporting Precinct, which is one of Council’s priority projects.

OCM044/09/13 Community Sport and Recreation Facilities Fund Submission (SJ1346)	
Author:	Alan Hart - Director Corporate and Community
Senior Officer:	Richard Gorbunow - Chief Executive Officer
Date of Report:	26 August 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>

Introduction:

The purpose of this report is for Council to endorse and prioritise two Community Sport and Recreation Facilities Fund (CSRFF) Annual Grants applications to be submitted to the Department of Sport and Recreation (DSR) by 30 September 2013.

Background:

The DSR CSRFF aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, high quality, well-designed and well-utilised facilities.

There are a variety of grants available as part of the program to suit different scales of projects, these are:

- Small Grants, given out bi-annually, with the grant rounds opening in February and July, for projects costing between \$7,500 and \$150,000;
- Annual Grants for projects between \$150,001 and \$500,000 (which is an increase from \$300,000);
- Forward Planning Grants for projects worth \$500,001 or more.

The CSRFF program operates on a reimbursement system. Strict funding conditions apply and applicants need to ensure they are able to carry the full cost of the project for the period between project completion and CSRFF grant payment.

Officers have identified the CSRFF Annual Grants round which closes on 30 September 2013, as an opportunity to seek a funding contribution towards two projects: Jarrahdale Skatepark and Byford and Districts Country Club relocation.

CSRFF guidelines require Councils to endorse and prioritise applications. Two applications have been received for submission in this funding round.

In order for this project to comply with the guidelines for CSRFF two-thirds of the project must be funded from other sources.

Community / Stakeholder Consultation:

Consultation that has already taken place includes mini forums, and workshops with relevant stakeholders.

Comment:

The Shire has limited capacity to fund major infrastructure projects without grants. This was highlighted through the findings of the Community Facilities and Services Plan which recognises the need to obtain other sources of funding to be able to meet the need of the community. The Shire is increasingly under pressure to provide quality facilities for the community to promote physical activity, social inclusion and a higher quality of life.

The projects for consideration/endorsement are as follows:

Jarrahdale Skate Park Project

The relocation of the Jarrahdale Skate Park has been an ongoing project for a number of years. The project has broad support from the Jarrahdale community and the Shire, with financial assistance from the Lotteries Commission and DSR. A specialist consultant was engaged and has overseen the development of the Skate Park from facilitation of the public consultation to concept designs, in consultation with the local Jarrahdale community. To support the grant application, technical and engineering designs have also been prepared. All relevant environmental studies/audits have also been undertaken.

It is proposed that funding sources include the Shire, DSR and the Lotteries Commission.

In order to allow for this development within a Shire forested reserve, which has a purpose for recreation, the Department of Parks and Wildlife was consulted and an exemption from requiring a clearing permit was secured based on a design to allow for the minimal removal of trees to accommodate the footprint of the Jarrahdale Skate Park. The type of grant that will be applied for is an Annual Grant as the project cost is less than \$500,000.

Byford and Districts Country Club Relocation

The Byford and Districts Country Club (BDCC) has been in its present location for over 56 years and in February 2013 the committee established a relocation committee for the purpose of relocating the club facilities onto a new site. In consultation with a specialist consultant, it was agreed that relocation of the facility was feasible and the club sought the Shire's support for the project.

The proposed location for the club will be on reserve land vested in the Shire with the existing facility to be sold and the proceeds used to partially fund the new facility, with the balance of the funds from the Lotteries Commission and DSR.

The new facility will be a multipurpose facility catering for a number of community groups with the 1st stage of the project being lawn bowls and 5 a-side football.

The Shire is currently seeking approval from the Minister of Lands to lease the property to the BDCC and expect this approval prior to the grant being announced. The type of grant that will be applied for is a Forward Planning Grant as the project cost is greater than \$500,000.

Conclusion

It is a DSR requirement for Council to prioritise these applications. Both applications are of high importance; however it is recommended that the first priority project be the Jarrahdale Skate Park with the Byford and Districts County Club Relocation as second priority. It must be noted that this is not a reflection of the importance of the projects as each project is equally important for each community. It reflects the timeframe that these projects have been in the pipeline and that the Skate Park project is included in the Shire's Forward Capital and Financial Plans.

Attachments:

- [OCM044.1/09/13](#) – CSRFF Grant Application from Byford and District Country Club for Bowling Green plus Facilities and Five a Side Football Pitch (IN13/15166)
- [OCM044.2/09/13](#) - CSRFF Grant Application from the Shire of Serpentine and Jarrahdale for Jarrahdale Skate Park Construction (IN13/15167)

Alignment with our Strategic Community Plan:

Objective 6.1	Engaged Community
Key Action 6.1.1	Provide a range of facilities that can accommodate different lifestyles and cultures

Statutory Environment:

Nil

Financial Implications:

Council has budgeted this year for the Jarrahdale Skate Park an amount of \$110,000 which, with Lotterywest and DSR one-third contribution, will cover the \$315,000 Construction Award Proposal. There are no specific funds allocated in the budget for the Byford and Districts Country Club relocation, a budget adjustment will be undertaken if the grant application is successful.

Voting Requirements: Simple Majority**Officer Recommendation:**

That Council:

1. Acknowledge that two submissions for Community Sport and Recreation Facilities Fund (CSRFF) for the Annual Grants September 2013 round were received.
2. Endorse the submission of the grant applications and prioritise them as follows:

Priority	Project	Estimated Project Cost	CSRFF Amount	Level of Support
1 st	Jarrahdale Skate Park	\$330,000	\$110,000	High (well planned and needed by municipality)
2 nd	Byford and Districts Country Club Relocation	\$1,291,396	\$430,466	High (well planned and needed by municipality)

OCM044/09/13 COUNCIL DECISION:**Moved Cr Kirkpatrick, seconded Cr Wilson****That Council:**

3. Acknowledge that two submissions for Community Sport and Recreation Facilities Fund (CSRFF) for the Annual Grants September 2013 round were received.
4. Endorse the submission of the grant applications and prioritise them as follows:

Priority	Project	Estimated Project Cost	CSRFF Amount	Level of Support
1 st	Jarrahdale Skate Park	\$330,000	\$110,000	High (well planned and needed by municipality)
2 nd	Byford and Districts Country Club Relocation	\$1,318,792	\$483,557	High (well planned and needed by municipality)

CARRIED 6/0

Council Note: In response to advice from the Director Corporate and Community Council changed the 2nd Priority figures for estimated project cost and CSRFF amount to reflect a slight increase in the project cost.

10. Information reports:

OCM045/09/13	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:	26 August 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

- [OCM045.1/09/13](#) - Minutes - WALGA State Council Annual General Meeting, 7 August 2013 (IN13/14535)
- [OCM045.2/09/13](#) – Minutes – Outer Metro Growth Councils Meeting, 15 August 2013 (IN13/15447)
- [OCM045.3/09/13](#) - Minutes – WALGA Peel Zone Meeting, 29 August 2013 (IN13/15443)
- [OCM045.4/09/13](#) – Summary Minutes - WALGA State Council Meeting, 4 September 2013 (IN13/15943)

Voting Requirements Simple Majority

OCM045/09/13 COUNCIL DECISION / Officer Recommendation:

**Moved Cr Wilson, seconded Cr Urban
That Council accept the Chief Executive Officer Information Report for
September 2013.**

CARRIED 6/0

OCM046/09/13	Darwin International Engineering Conference August 2013 (SJ359)
Author:	Chief Executive Officer – Richard Gorbunow
Date of Report:	6 September 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>

Introduction:

This provides details of information presented at the recent Darwin International Engineering Conference which I attended from 11 - 15 August 2013. The theme for this bi-annual International Conference was 'Explore New Territory'.

Background:

The conference was designed to promote the importance of public works engineering in Australasia and its best engineering practices including the latest technological advances that are available.

High value technical program speakers from the United States of America, New Zealand, along with prominent speakers from throughout Australia, presented papers addressing the latest management, leadership and technical aspects of public works and Local Government Engineering. Hot topics in Local Government Engineering were focused on asset management, water management, capacity building, sustainable communities, waste management and urban renewal.

Community / Stakeholder Consultation:

Not applicable

Comment:

Approximately 600 delegates attended the conference coming from every State and Territory of Australia, and overseas. A complete listing of the conference program is shown in attachment OCM046.1/09/13. The major sessions I attended covered the following topics:

- Sustainable infrastructure systems
- Recruitment and staff retention
- Capacity building
- Waste management
- Urban renewal

The conference provided a refreshing review of current innovative trends in public works engineering management and practices. Our challenge is to cost effectively implement systems that benefit the optimum management of our costly local government infrastructure. The debate on the future of public works engineering was interesting leaving challenges for all practitioners to implement change through a greater promotion of engineering profession, to encourage increased tertiary training and skill development. Creating incentives for innovation through research and development programs and leadership in local government. Also the information provided by presenters on innovations in management operational issues was valuable resource information.

Conclusion

The ability to attend the conference not only provided an update on new and innovated practices, but allowed the opportunity to network with other practitioners on activities within local government operations. Thank you to Council for the opportunity to attend this extremely well organised and valuable information gaining experience.

Attachments:

- [OCM046.1/09/13](#) – Conference Program

Alignment with our Strategic Community Plan:

Objective 1.2	Progressive Organisation
Key Action 1.2.1	Attract, develop and retain the best people to work in the Shire

Statutory Environment:

There are no Statutory Implications with respect to this item.

Financial Implications:

The cost is met from training budget account CEO508.

Voting Requirements: Simple Majority

OCM046/09/13 COUNCIL DECISION / Officer Recommendation:

**Moved Cr Wilson, seconded Cr Urban
That Council receive the Chief Executive Officer's report on his attendance at the International Public Works Conference in Darwin in August 2013.**

CARRIED 6/0

OCM047/09/13	Corporate and Community Information Report (SJ514-02)
Author:	Gillian Carr – Personal Assistant to Director Corporate and Community
Senior Officer:	Alan Hart - Director Corporate and Community
Date of Report:	23 August 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>

Introduction

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.

Attachment:

- [OCM047.1/09/13](#) – Authorisations made from investment, municipal, trust and reserve funds, as per delegations, for the period 21 July – 20 August 2013 (E13/3366)

Voting Requirements: Simple Majority

OCM047/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Kirkpatrick, seconded Cr Wilson
That Council accept the Corporate and Community Services Information Report for September 2013.

CARRIED 6/0

OCM048/09/13	Monthly Financial Report – August 2013 (SJ801)
Author:	Megan Hodgson – Financial Accountant
Senior Officer:	Alan Hart – Director Corporate and Community
Date of Report:	26 August 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>

Introduction

The monthly financial report includes rating, investment, reserve, debtor, and general financial information and is required to be presented to Council under the Local Government Act 1995.

Background:

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

Relevant Previous Decisions of Council:

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

Community / Stakeholder Consultation:

No community consultation was undertaken / required.

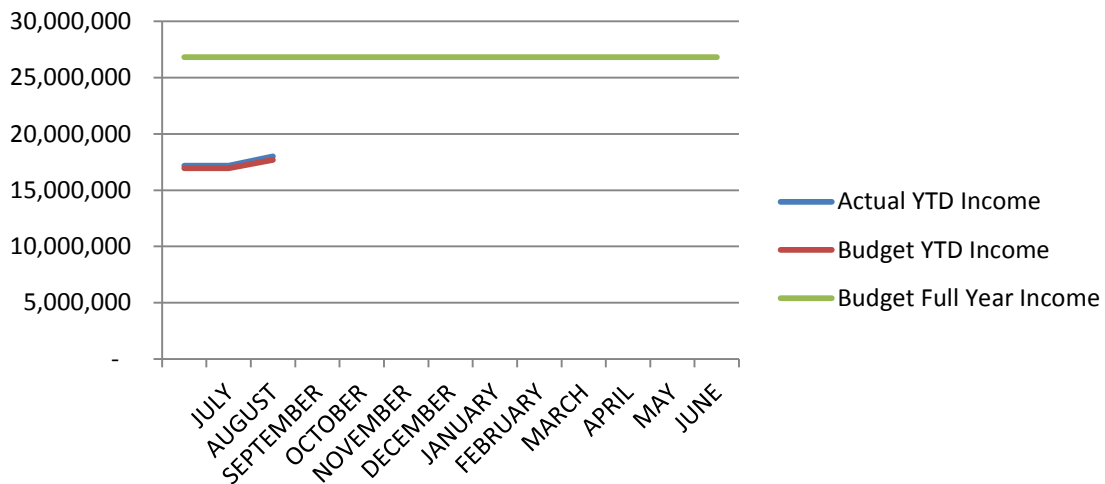
Comment:

The period of review is August 2013. The municipal surplus for this period is \$16,333,425 compared to a budget position of \$14,892,816. This is considered a satisfactory result for the Shire for this time of the year.

Income for the August 2013 period, year-to-date is \$17,997,982. The budget estimated \$17,697,105 would be received for the same period. The variance to budget is \$300,877.

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

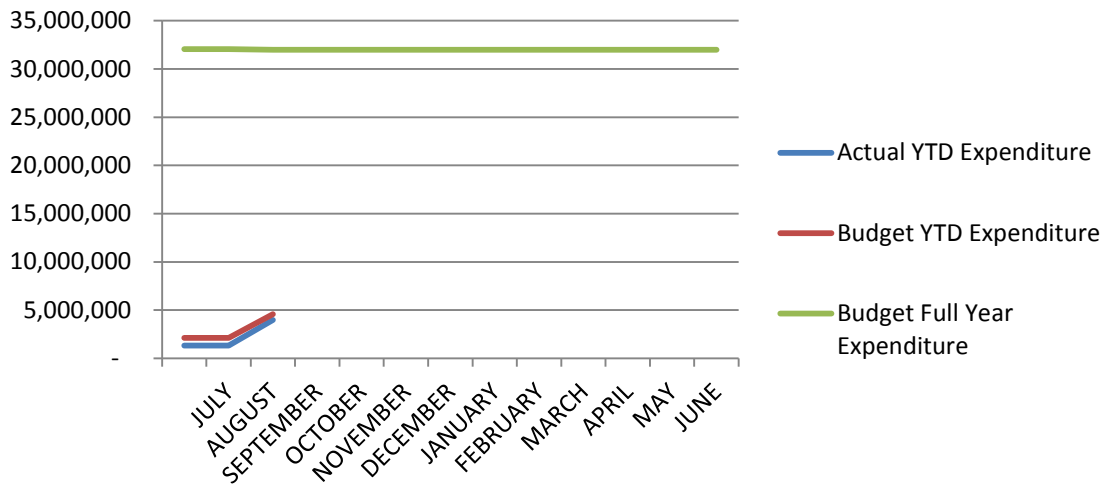
Total Income



Expenditure for the August 2013 period, year-to-date is \$3,982,903. The budget estimated \$4,582,658 would be spent for the same period. The variance to budget is \$599,755. Details of all significant variances are provided in the notes to the Statement of Financial Activity by Directorate.

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

Total Expenditure



Attachments:

- [OCM048.1/09/13](#) - August Monthly Financial Report (TRIM E13/3410)

Alignment with our Strategic Community Plan:

Objective 2.1	Responsible Management
Key Action 2.1.1	This report is a tool for evaluating performance against service delivery to ensure efficiency, effectiveness and meets the needs of the community, elected members, management and staff

Statutory Environment:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial statement for the preceding year and other financial reports as are prescribed.

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

Financial Implications:

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

Voting Requirements: Simple Majority

OCM048/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Atwell, seconded Cr Wilson

That Council receive the Monthly Financial Report for September 2013, in accordance with Section 6.4 of the *Local Government Act 1995*.

CARRIED 6/0

OCM049/09/13	Confirmation of Payment of Creditors (SJ514)
Author:	Erin Macek - Finance Officer
Senior Officer:	Alan Hart - Director Corporate and Community
Date of Report:	21 August 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>

Introduction:

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.

Comment:

In accordance with the *Local Government (Financial Management) Regulations 1996* 13(1), schedules of all payments made through Council bank accounts are presented to Council for 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, is attached and relevant invoices are available for inspection.

It is recommended that Council receives the payments authorised under delegated authority and detailed in the list of invoices for period of 21 July to 20 August 2013, as per the attachment.

Attachments:

- [OCM049.1/09/13](#) - Creditors List of Accounts 21 July to 20 August 2013 (E13/3362)

Alignment with our Strategic Community Plan:

Objective 2.1	Responsible Management
Key Action 2.1.1	This report is a tool for evaluating performance against service delivery to ensure efficiency, effectiveness and meets the needs of the community, elected members, management and staff

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

OCM049/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Kirkpatrick

That Council receive the payments authorised under delegated authority and detailed in the list of invoices for the period 21 July to 20 August 2013, as per attachment OCM049.1/09/13 - Creditor List of Accounts 21 July to 20 August 2013 including Creditors that have been paid and in accordance with the *Local Government (Financial Management) Regulations 1996*.

CARRIED 6/0

OCM050/09/13	Planning Information Report (SJ537)
Author:	Jodie Evans - Personal Assistant to Director Planning
Senior Officer:	Brad Gleeson - Director Planning
Date of Report:	23 August 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>

Introduction:

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:

- [OCM050.1/09/13](#) – Planning, Building, Health, Rangers and Development Compliance - Delegated Authority Information Report (E13/3393)
- [OCM050.2/09/13](#) – Scheme Amendment, Local Planning Policies and Local Structure Plans (E12/3985)

Voting Requirements: Simple Majority

OCM050/09/13 COUNCIL DECISION / Officer Recommendation:

Moved Cr Urban, seconded Cr Moore

That Council accept the Planning Information Report for September 2013.

CARRIED 6/0

OCM051/09/13	Engineering Services Information Report (SJ514)
Author:	Jill Jennings – Personal Assistant to Director Engineering
Senior Officer:	Gordon Allan – Director Engineering
Date of Report:	11 September 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>

Introduction:

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:

- [OCM051.1/09/13](#) – Cemetery Committee Meeting Minutes – 15 May 2013 (IN13/15061)
- [OCM051.2/09/13](#) – Minutes of Rivers Regional Technical Advisory Committee, 4 July 2013 (IN13/14411)
- [OCM051.3/09/13](#) – Peel Trails Group General Meeting Minutes, 5 July 2013 (IN13/15063)
- [OCM051.4/09/13](#) – Serpentine Jarrahdale Trails Inc Meeting Minutes, 30 July 2013 (IN13/15062)
- [OCM051.5/09/13](#) – Minutes of Rivers Regional Ordinary Council Meeting, 15 August 2013 (IN13/14809)

Voting Requirements: Simple Majority

OCM051/09/13 COUNCIL DECISION / Officer Recommendation:

**Moved Cr Kirkpatrick, seconded Cr Piipponen
That Council accept the Engineering Services Information Report for September 2013.
CARRIED 6/0**

11. Urgent business:

Nil

12. Councillor questions of which notice has been given:

Nil

13. Closure:

There being no further business the Presiding Member declared the meeting closed at 8.04pm.

I certify that these minutes were confirmed at the
Ordinary Council Meeting held on 14 October 2013

.....
Presiding Member

.....
Date