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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG ON MONDAY 24TH MAY, 2004. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

1. ATTENDANCES & APOLOGIES

PRESENT: Crs DL Needham.....Presiding Member
KR Murphy
AW Wigg
JA Scott
WJ Kirkpatrick
THJ Hoyer
JE Price
JC Star

APOLOGIES: Crs AJ Simpson..... Leave of Absence
IJ Richards

IN ATTENDANCE: Mr D Price Chief Executive Officer
Ms J Abbiss Director Sustainable Development
Mr M Beaverstock Director Asset Services
Mr G Dougall Director Corporate Services
Mrs S Langmair Minute Secretary

GALLERY: 3

2. PUBLIC QUESTION TIME:

3. PUBLIC STATEMENT TIME:

4. PETITIONS & DEPUTATIONS:

5. PRESIDENT'S REPORT:

Cr Needham, Cr Hoyer and Cr Price attended Dialogue with the City Conference on 20th May, 2004 at the City of Cambridge focusing on Perth and Peel.

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

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

7.1 Ordinary Council Meeting – 27th April, 2004

COUNCIL DECISION

Moved Cr Wigg seconded Cr Star
In item SM045/04/04 Council Decision be amended to read "Cr Simpson be granted leave of absence for six (6) consecutive ordinary meetings of Council".
CARRIED 8/0

COUNCIL DECISION

Moved Cr Star seconded Cr Wigg
That the amended minutes of the Ordinary Council Meeting held on 27th April, 2004 be confirmed.
CARRIED 8/0

REPORTS OF COMMITTEES:

AS067/05/04 OVERSIZE VEHICLE APPLICATION – ELLIOTT ROAD, KEYSBROOK (A0512-03)		
Proponent:	M & L Furfaro & Sons	In Brief Council is requested to consider an oversize vehicle permit application for access of long vehicle on Elliott Road and Wescott Road South, Keysbrook. It is recommended that conditional consent be granted.
Owner:	M & L Furfaro & Sons	
Officer:	Bryce Coelho – Manager Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	28 April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Furfaro and Sons have submitted an application seeking Council consent to the use of oversize permit vehicles (Truck & Trailer combinations) under 27.5 metres in length to transport required grain seed products for dairy farming and soil treatments such as crushed limestone.

The applicant requests approval for the issuance of a permit for Elliott Road (from South Western Highway to Wescott Road South, Keysbrook) and Wescott Road (South of Elliott Road to property). Entrances to the properties are from Elliott Road and Wescott Road South.

Derrick Murray Transport and Matthews Transport have been engaged to provide the transport services of these products from the north and south to the properties. The number of truck movements expected is not more than 5 (five) per month April to June inclusive and 2 (twice) monthly for the remainder of the year with the intended permanent permit duration.

Elliott Road is classified as a Local Distributor road, is sealed to a width which will allow access of large vehicles with minimal impact on other traffic. Wescott Road south of Elliott Road is unsealed and is classified as an access road. While it is not desirable for these long vehicles to travel on local access roads, the number of trucks and potential conflicts with other vehicles would be doubled if the application is not approved and “as of right” vehicles are utilised. It should be noted that Council is not able to apply conditions on operating times or routes for “as of right” vehicles.

The proposed route does not result in these vehicles passing through major townsites within the Shire which is preferable.

Subject to Council consent, Main Roads will assess the capacity of these roads and intersections to accommodate the vehicle movements.

Given the ability of Council to apply conditions to the operation of the vehicles, officers recommend that consent be provided in this instance with a bond.

Sustainability Statement

Effect on Environment: The proposal would reduce Greenhouse Gas Emissions by allowing oversize vehicles to carry out this transport service. The use of medium size trucks would be minimized resulting in less vehicle trips.

Resource Implications: Properly managed permit vehicle operations would result in minimal road and land resource usage.

Use of Local, renewable or recycled Resources: The proposal utilizes regionally available resources.

Economic Viability: The proposal will not incur any ongoing costs or requirement of funding in the future for the council above routine maintenance.

Economic Benefits: Properly managed permit vehicle operations have potential sustainability benefits in reduced transport and road maintenance costs.

Social – Quality of Life: The use of Elliott Road with oversized vehicles will have an impact on 3 residents of Elliott Road and one on Atkins Road.

Social and Environmental Responsibility: Properly managed permit vehicle operations have potential sustainability benefits in reduced social impact from transport vehicles and reduced environmental emissions.

Statutory Environment: Motor Vehicle Act and Regulations.

Policy/Work Procedure Implications: In accordance with Council Policy AS-3 B-Double and Long Vehicle Permits.

Financial Implications: A bond of \$5,000 being submitted to the Shire for the repair of any damage caused to the proposed roads.

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

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.
2. Identify value-adding opportunities for primary production.

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

Strategies:

1. Improved freight, private and public transport networks.

Community Consultation:

Required: No

Comment:

This application is based on providing a current primary producer with necessary products. Even though the existing road widths are suitable for heavy vehicle operations, Council has a clear position that it does not encourage the use of local distributor and access roads as heavy haulage routes. It is however the shortest and most viable route to the properties. It is recommended that, if approval is given, this initially be for a period of one year with subsequent periods requiring individual applications. This will allow Council to assess the performance of the applicant and, if found unsatisfactory, refuse future requests.

Given the ability of Council to apply conditions to the operation of the vehicles, officers recommend that consent be provided for access to these properties with a bond of \$5,000. This bond being submitted to the Shire prior to commencing operations, which will be utilised for the repair of any damage caused to the roads by, in the opinion of the Director Asset Services, these vehicles.

Voting Requirements: Normal

CRAS067/05/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Murphy (proforma) seconded Cr Hoyer (proforma)

1. Council approves the application by M & L Furfaro and Sons for the operation of oversized vehicles on Elliott Road (from South Western Highway to Wescott Road) and Wescott Road (South of Elliott Road), Keysbrook for a period of twelve (12) months.
2. Consent being subject to the following conditions:
 - (i) Verification by Main Roads Western Australia as to the suitability of the proposed route and issue of permits;
 - (ii) Vehicle speeds on Elliott Road to not exceed 60km/h
 - (iii) Vehicles are to operate during daylight hours only between Monday and Saturday;
 - (iv) Vehicles are not to operate during school bus travel times;
 - (v) Copies of permits, including truck and trailer registration numbers, as issued by Main Roads Western Australia are to be submitted to Council prior to the commencement of operations.
 - (vi) Any application for extension to the permit(s) being referred to Council;
 - (vii) A bond of \$5,000 being submitted to the Shire prior to commencing operations, which will be utilised for the repair of any damage caused to the roads by, in the opinion of the Director Asset Services, these vehicles.

LOST 0/8

Committee Note: As this road is in poor condition and a workshop with Main Roads WA is planned on the issuing of vehicle permits within the shire it is preferable that the workshop occurs prior to consideration of this application.

SM046/05/04 REVIEW OF DELEGATED AUTHORITY (A1047)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Review of adopted Delegated Authorities for 2004/2005.
Owner:	Not applicable	
Officer:	D.E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously	SM054/05/03	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The current 00 list has been reviewed and Council is now asked to approve delegated authority to the Chief Executive Officer in accordance with the Local Government Act 1995.

Council is also requested to appoint the Chief Executive Officer and other nominated officers under the provisions of the Local Government (Miscellaneous Provisions) Act 1960, Health Act 1911, Strata Titles Act 1985, Caravan Parks and Camping Grounds Regulations 1987 and the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2. The delegation will enable the officers to attend to specific matters for which delegation is possible in those Acts and the Town Planning Scheme.

Sustainability Statement

Council delegated authorities are in place to assist the day to day management of Council in the delivery of its Strategic Plan and Vision.

Statutory Environment:

The annual review of delegations is a requirement under the Local Government Act 1995

Policy/Work Procedure Implications:

As the result of the review of the delegations in 2003 some policies have been reviewed and some new policies developed.

Financial Implications:

There are no financial implications to Council related to this review process.

Strategic Implications:

The requested ongoing delegations assist in administering the strategic direction of Council.

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

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

- 4. Balance resource allocation to support sustainable outcomes.

Objective 2: Formation of Active Partnerships to progress key programs and projects

Strategies

1. Improve coordination between Shire, community and other partners.
2. Improve customer relations service.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: No

Comment:

Delegations are in accordance with the requirements of the Act to which the delegation applies, and consequently in some cases the delegation will be made not to the Chief Executive Officer, but to another officer.

Any proposed amendments to the existing delegations are shown with a line striking through the words to be deleted and with the words that are to be inserted shown in italics.

A number of delegations have also been removed as they are no longer required, policies have been developed or policies or local laws need to be developed.

ENSURING DISCRETION IS APPLIED IN USE OF DELEGATION

"If an officer is authorised to exercise delegated authority on a matter, which in the opinion of that officer, may potentially have an adverse effect on the wider community, and/or the officer is not adequately satisfied with what they are being asked to deal with under delegation, in the same manner the Council would act if the matter were dealt with by Council, then the officer should feel comfortable with referring the matter to Council for further assistance in making a final decision."

Corporate Services

AF-1. Signing of Prosecution Complaint Forms

The Chief Executive Officer be delegated authority to sign all prosecution complaint forms in relation to prosecutions under the Local Government Act 1995 on behalf of the Council. (s.5.42 Local Government Act 1995).

AF-2 Minor Variations to Tender Contract

The Chief Executive Officer is delegated authority to approve minor variations of not more than 10% (GST Excl) of the contract sum subject to compliance with contract conditions and sufficient funds being available within the approved expenditure budget. (s.5.42 Local Government Act 1995 and Regulation 20 Local Government (Functions & General) Regulations 1996).

AF-3 Authorised Persons – Regulations and Local Laws

The Chief Executive Officer is delegated authority to appoint Shire of Serpentine Jarrahdale officers as authorised persons to enforce regulations and local laws of the Shire of Serpentine Jarrahdale made in accordance with the Local Government Act 1995
- Bush Fires Act 1954

(s.9.10 Local Government Act 1995).

AF-4. Derelict Vehicles

The Chief Executive Officer be delegated authority to dispose of any derelict vehicles in accordance with the Local Government Act 1995 local law relating to removal and disposal of obstructing animals and vehicles (s.3.47 & 3.58 Local Government Act 1995 and Regulation 11 Local Government (Functions and General) Regulations 1996).

AF-5 Impounded Vehicle Tender Acceptance

The Chief Executive Officer be delegated authority to accept tenders for impounded vehicles up to the value of \$1,000 pursuant to s.5.43(b) of the Act and the local law relating to removal and disposal of obstructing animals and vehicles and the local law relating to removal of refuse, rubbish, litter, vehicle bodies, disused material and unsightly items or objects from land. (S.3.47 & 3.58 Local Government Act 1995 and Regulation 11 Local Government (Functions and General) Regulations 1996).

AF-6 Infringement Notices – Follow-up Proceedings

The Chief Executive Officer is authorised to institute proceedings without reference to Council:

- (i) for non payment of infringement notices issued for offences under the Local Government Act 1995, Dog Act 1976, Bush Fires Act 1954, Control of Vehicles (Off Road Areas) Act 1978, Litter Act 1979 and associated local laws by referring the unpaid infringements to the Fines Enforcement Registry for collection.

AF-7 Acting Chief Executive Officer

That when it is considered necessary by the Chief Executive Officer, as the result of his absence from the District, to appoint an officer to the role of Acting Chief Executive Officer the role be offered on a rotational basis to the following Directors:

- Glen Dougall – Director Corporate Services
- Joanne Abbiss – Director Sustainable Development
- Michael Beaverstock – Director Asset Services

AF-8 Payments from the Municipal Fund and Trust Fund

That by virtue of section 6.10 of the Local Government Act 1995 and Regulations 12 and 13 of the Local Government (Financial Management) Regulations 1996, the Chief Executive Officer be granted delegated authority to make payments from the municipal fund and trust fund.

AF-9 Investments

- (i) That the Chief Executive Officer be given delegated authority to invest surplus Council funds *in accordance with Council Policy CSP27 – Investment Policy.*
- (ii) That ~~Council invest with the~~ *this delegation only apply to the* following financial institutions ~~only:~~
 - ANZ Bank
 - BankWest
 - Commonwealth Bank
 - Challenge Bank
 - National Bank
 - Bendigo Bank
- (iii) ~~That the maximum investment with any one institution be in accordance with Council's Investment Policy.~~

AF-10 Approval of Councillors' Travelling and Other Expenses

Delegated authority be granted to the Chief Executive Officer to pay claims for travelling and other approved expenses incurred by Councillors in carrying out their duties or performing their functions as a councillor in accordance with guidelines as may be set out by Council. (s.5.98 Local Government Act 1995 and Regulations 30-33 Local Government (Administration) Regulations).

AF-11 Issue of Notice on Private Land

Delegated authority be granted to the Chief Executive Officer to give a person who is the owner or, unless Section 3.25, Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that ensures that overgrown vegetation, rubbish or disused material (which includes disused motor vehicles, old motor vehicle bodies and old machinery), is removed from the land that the Chief Executive Officer considers to be untidy.

The delegation to the Chief Executive Officer is extended to enable him to take whatever action he believes is appropriate, in the terms of Section 3.26 of the Local Government Act 1995, if the person to whom the notice is given does not comply with its requirements, within the time nominated in the notice.

AF-12 Refreshments – Councillors Lounge

The Chief Executive Officer is authorised to provide refreshments from the Councillors Lounge for employees, visitors to the Shire when considered appropriate, as well as on special occasions.

AF-13 Staff Matters

Delegated authority be granted to the Chief Executive Officer to re-appraise, re-categorise, remunerate and employ permanent and casual staff within appropriate awards and budget constraints (s 5.41 (g) Local Government Act 1995).

The exception being designated senior staff on contract, which will require Chief Executive Officer and Council input (s5.37 (2) Local Government Act 1995).

Note: Any additional positions, other than those endorsed in the ~~"EQUAL 2002-2005 People Plan"~~ by Council *current adopted People Plan*, which are unable to be accommodated within budget constraints, are to be referred to Council for approval. (SM040/01/02)

AF-14 Special Arrangements for Payment of Rates & Charges

See policy CSP274

- a) The Chief Executive Officer may vary Rates Collection procedure dependent upon the prevailing economic situation.
- b) The Chief Executive Officer is given delegated authority to make arrangements with ratepayers wishing to make application for alternative installment arrangements and extensions which will be completed within the current financial year.
- c) The Chief Executive Officer has delegated authority to allow extended installment arrangements, which will be finalised outside the current financial year.

AF-15 Existing Leases & Rents – Review & Renewal

Delegated authority be granted to the Chief Executive Officer in accordance with the Local Government Act 1995 to review and renew all existing leases and rents for Council properties where no significant change is proposed. (OCM C087/02/03)

AF-16 Use of Council Halls and Ovals by Community Groups

Delegated authority be granted to the Chief Executive Officer to determine the appropriate response to requests received from non-profit community groups for the donation of the use of Council facilities such as halls and ovals for functions where no admittance is charged. (OCM A96 13.12.99)

AF-17 Telecentre Photocopier

Delegated authority to be granted to the Chief Executive Officer to negotiate any future variations or amendments to the agreement for the provision of use of the copier with the Telecentre Committee. (OCM A98 13.12.99)

~~AF-18 Fire Levy Equivalent Payments~~

~~Delegated authority be granted to the Chief Executive Officer to deal with individual cases regarding the payment of the equivalent of one fire levy per eligible assessment to individual registered members of Bush Fire Brigades who have recorded 20 hours of active services (i.e. actual fire fighting duties) in that financial year as recorded in Brigade Log Books and verified by the Brigade Captain. (OCM A170/05/00 22.05.00)~~

AF-19 Seed Collection on Council Vested Lands – Commercial Licences (Local Government (Uniform Local Provisions) Regulations 1996 - Reg. 5)

The Chief Executive Officer has delegated authority to renew authorisation to licensed collectors and consider new applications to take plant material from Council vested land. (E14 OCM 22.11.99)

AF-20 Legal Representation and Cost Indemnification

The Chief Executive Officer has delegated authority to invoke clause 3(e) of Policy CSP 203 – “Legal representation and cost indemnification”. (C089 OCM 27.11.00)

AF-21 Jarrahdale Communications Mast

- a) As the matter relates to associated infrastructure and future use of the Communication Mast by eligible service providers the Chief Executive Officer is authorised to obtain legal and professional advice whenever he believes it is necessary prior to any documentation associated with the Jarrahdale Mast being executed.
- b) ~~Future Potential~~ users of the mast must demonstrate to the satisfaction of the Chief Executive Officer that what they are proposing is in line with the overall Mast Master Plan and the User Guidelines and that it will not interfere with existing users of the mast. (SM13 OCM 27.11.00)
- c) The Chief Executive Officer has delegated authority to negotiate and approve terms and conditions for access to sites on the mast, in accordance with the Master Plan and the User Guidelines, and together with the Shire President execute leases for sites on the mast.
- d) Any community service providers who wish to access the mast for communication facilities under any other arrangement than that demonstrated in the Master Plan or the User Guidelines must be referred to Council for approval prior to any arrangement being entered into.
- e) Granting access to sites on the mast will be dependent on the provisions of the Local Government Act 1995 relating to the disposition of property being satisfied.

~~AF-22 Gerald Van Rongen & Longaline Pty Ltd and the Shire of Serpentine Jarrahdale~~

~~Council delegates authority to the Chief Executive Officer to swear on the Shire's behalf documentation such as any affidavits necessary for the conduct of this litigation between Gerald Van Rongen and Longaline Pty Ltd and the Shire of Serpentine Jarrahdale, taking into account point 2 of Council's decision in April 2001 – "Council advises Phillips Fox to keep Council informed at all times and that no acceptance of liability is to be made without reference to this Council". (SM015 OCM 27/08/04)~~

AF-2321 Gerald Van Rongen & Longaline Pty Ltd and the Shire of Serpentine-Jarrahdale

~~If requested by Council Insurers, Municipal Liability Scheme or Phillips Fox acting on their behalf, the Chief Executive Officer, subject to consultation and agreement by the Shire President and Deputy Shire President, is given delegated authority to agree to the matter being closed, provided Council accepts no liability in any way in relation to this matter. (SM033/11/01 OCM 26.11.01)~~

That in substitution for the delegation of authority in this matter given by Council initially in November 2001 and renewed in May 2003, the Council delegates authority to the Chief Executive Officer to resolve this matter in the manner he considers appropriate after consultation with the President and Deputy President. (SM009/08/03 OCM 25.08.03)

AF-2422 Delegation, Powers and Duties of Committees

Council delegates its full powers and duties to the following committees in accordance with Section 5.16. "Delegation of some powers and duties to certain committees" and subject to the provisions of Section 5.17. (1), (a), (i), (ii) "Limits on delegation of powers and duties to certain committees" of the Local Government Act 1995.

Corporate Services Committee
Asset Services Committee
Community Recreation and Development Committee
Planning, Development and Environment Committee
(SM049 OCM 28.05.01)

AF-2523 Chief Executive Officer Performance Review and Directors Remuneration Review

The Chief Executive Officer is delegated authority to re-negotiate an extension to each Directors contract conditions of employment, including an extension to their current contract term, up to the maximum number of years (5 years) permitted under the Local Government Act for a senior employee. (STM/02/02)

AF-2624 Cattle Trespass etc. - Rangers and Poundkeepers

The Chief Executive Officer is delegated authority to appoint fit and proper persons to be poundkeepers and rangers under the provisions of Part XX of the Local Government (Miscellaneous Provisions) Act 1960.

AF-2725 Use of Shire of Serpentine Jarrahdale Common Seal

The Council of the Shire of Serpentine Jarrahdale hereby delegates authority to the President and Chief Executive Officer to sign and affix the Common Seal to documents requiring same as shown on the "sealing clause". (C131/05/02)

AF-2826 Legal Matter (Workers Compensation Act)

1. Council receives and notes the information relating to the Workers Compensation matter in regard to the incidents that occurred on 12 March 2001 and 28 February 2002, and agrees to undertake action recommended by Council's solicitors.
2. Subject to agreement between the Shire President and Deputy Shire President, the Chief Executive Officer be delegated authority to settle this matter. (SM003/07/03)

AF-2927 Authority to Call Tenders

- (a) The Chief Executive Officer be delegated authority to invite tenders for works and services in the *relevant financial year adopted* statutory 2003/2004 budget, where required in accordance with the provisions of the Local Government Act 1995 and Council's Purchasing Policy CSP2.
- (b) The Chief Executive Officer be delegated authority to specify selection criteria for all tenders called in accordance with (a) above. (SM005/07/03)

AF-3028 Disposition of Council Property – JARRAHDALÉ HERITAGE PARK

(SM007/08/03-OCM 25.08.03)

- ~~1) Council delegates authority to the Chief Executive Officer to dispose of any of the following properties – Woodlot Subdivision, Cnr Jarrahdale and Kingsbury Drive, Jarrahdale; Karbro Drive (Lees Pit), Cardup; Millars Road Cottages, Jarrahdale, which Council is unable to dispose of the property by either public auction or tender.~~
- ~~2) The delegated amount to which the Chief Executive Officer can act on each occasion is to be equal to or above market valuation or not more than 10% below the Market valuation as established by a licensed valuer. (SM007/08/03-OCM 25.08.03)~~

(OCM 22.09.03)

- ~~a) Council delegates authority to the Chief Executive Officer to accept tenders on behalf of Council in accordance with s5.43 "Limits on Delegations to the Chief Executive Officer" for each lot agreed to be disposed of (SM014/09/02) in the property known as the Woodlot Sub division located on the corner of Jarrahdale Road and Kingsbury Drive, Jarrahdale for tendered amounts equal to or above the market valuation, as determined by a licensed valuer for the same lot.~~
- ~~b) The listing price for any remaining Council woodlot properties on the corner of Jarrahdale Road and Kingsbury Drive, or Cottages in Millar's Road, Jarrahdale (SM007/08/03) not sold by public auction or tender are to be set by the Chief Executive Officer, in consultation with Council's appointed agent at equal to or above the market valuation as determined by a licensed valuer and disposed of in accordance with Council delegation AF30.~~

Council in accordance with s5.43 "Limits on delegation to the Chief Executive Officers" delegates authority to the Chief Executive Officer to:

- a) appoint a property agent to undertake the disposition on each occasion of Council owned property in Staff Street, Jarrahdale in accordance with the provisions of the Local Government Act and Councils policy for the purchase of goods and services.*
- b) appoint a suitable settlement agent to undertake arrangements on each occasion of Council owned property in Staff Street, Jarrahdale in accordance with the provisions of the Local Government Act and Councils policy for the purchase of goods and services, with costs being met from the proceeds of the sale.*
- c) set the reserve price for Council owned properties in Staff Street, Jarrahdale, of not less than the market valuation as established by a licensed valuer.*

- d) *to accept tenders or “offers” ~~at auction~~ on behalf of Council for each of the Council owned properties in Staff Street, Jarrahdale if disposed of either by tender or auction in accordance with s3.58 “Disposing of Property”. On each occasion the delegation may be applied if the offer is equal to or above the market valuation as established by a licensed valuer.*
- e) *to dispose of the Council properties in Staff Street, Jarrahdale in accordance with the “Jarrahdale Heritage Park Development and Disposition” Business Plan which Council is not able to dispose in accordance with s3.58 “Disposing of Property” provided on each occasion the “offer” is equal to or above the market valuation or not more than 10% below the market valuation. The market valuation on each property is to be established by a licensed valuer. (SM037/04/04)*

AF-3429 Write Off of Rates or rate interest

The Chief Executive Officer be given delegated authority to write-off up to the amount of \$200 of rates *or rate interest per financial year per property*.
(C020/10/03 – OCM 27.10.03)

Asset Services

AS-1 Street Lighting

The Chief Executive Officer be granted delegated authority *to approve for* the installation of additional street lighting by Western Power at any one location not exceeding \$2,000 capital cost with such approvals being reported in the bulletin.

AS-2 Protection of Council Property

The Chief Executive Officer be granted delegated authority to issue an infringement notice or to lay a complaint in a Court of Petty Sessions against any person who takes down, removes, damages or defaces any structure from a street way, footpath, public place, reserve or land under the care, control and management of Council.

AS-3 B-double and Long Vehicle Permits

The Chief Executive Officer be granted delegated authority to grant or refuse Shire of Serpentine-Jarrahdale approval for B-double and long vehicle permits for roads in the district where current permits are in place.

AS-4 Road Closures

(Local Government Act 1995 Sections 3.50 and 3.50A)

The Chief Executive Officer be granted delegated authority to wholly or partially close a thoroughfare to all traffic or certain classes of traffic for the purposes of undertaking works or to protect roads subject to compliance with Section 3.50 *or Section 3.50A* of the Local Government Act 1995. (AS010/07/00 OCM 31/7/00)

AS-5 Heavy Haulage Infringement Notices

The Chief Executive Officer be granted delegated authority to authorise payment of heavy haulage infringements when the offence was not the fault of the Council employee.

AS-6 Removal of Dangerous Trees

(Local Government Act 1995, Sections 3.25(1) and 3.26, Clause 9 of Schedule 3.1)

The Chief Executive Officer be granted delegated authority to require any tree which, in his opinion, constitutes a danger to persons or property to be rendered safe.

AS-7 Sand Drift

(Local Government Act 1995, Sections 3.25(1) and 3.26, Clause 6 of Schedule 3.1)

The Chief Executive Officer be granted delegated authority to serve notice on owners/occupiers of land to require the prevention of sand drift from land within Council's district.

AS-8 Works in Drainage Easements

The Chief Executive Officer be granted delegated authority to authorise works in a drainage easement by other than Council workmen, officer, servants, agents or contractors.

AS-9 Gates Across Public Thoroughfares

(Local Government (Uniform Local Provisions) Regulation 9)

The Chief Executive Officer be granted delegated authority to approve/refuse gates across public thoroughfares as follows —

- i) at his discretion he may require the applicant to publish notice of the application in such manner as he thinks fit;
- ii) shall specify the period for which a permit is granted and the permit may be renewed from time to time;
- iii) may impose such conditions as he thinks fit on the construction placement and maintenance of the gate or other device across the public thoroughfare and may, when renewing the permission or at any other time, vary any condition;
- iv) may at any time withdraw permission granted and request the person responsible for the gate or other device to remove it within a time specified in the request;
- v) that remnant vegetation be protected.

AS-10 Disturbing Local Government Land and anything On It

Sch 9.1, cl.2, LG (Uniform Local Provisions) Regulations 1996 (r5)

The Chief Executive Officer be granted delegated authority for the giving of notice in writing to any person who, without lawful authority;

- (a) interferes with the soil of, or anything on, land that is the property of the Shire of Serpentine-Jarrahdale; or
- (b) takes anything from land that is the property of the Shire of Serpentine-Jarrahdale;

and may commence proceedings against the offender in the terms of Regulation 5 of the Local Government (Uniform Local Provisions) Regulations 1996 if the offender does not satisfy the requirements of the notice given by the Chief Executive Officer in the period of time nominated in the notice.

AS-11 Obstructing Public Thoroughfare

Sch 9.1, cl.3(1) LG (Uniform Local Provisions) Regulations 1996 (r6)

The Chief Executive Officer be granted delegated authority for:

- (a) The giving of notice in writing under Section 3.25(1)(b) of the Local Government Act 1995, requiring any person who, without lawful authority; places on a public thoroughfare anything that obstructs it, to remove the obstruction.
- (b) The giving of notice in writing under Section 3.25(1)(b) of the Local Government Act 1995, to any person, who is the owner or occupier of the land, requiring the removal of anything that falls from the land, or from anything on the land, onto a public thoroughfare and obstructs it.

This delegation to the Chief Executive Officer includes the authority for action to be taken under the provisions of Section 3.26 of the Local Government Act 1996 if a person to whom a notice is given fails to comply with the requirements of the notice within the period of time nominated in the notice.

AS-12 Encroaching on Public Thoroughfare

Sch 9.1, cl.3(2) LG (Uniform Local Provisions) Regulations 1996 (r7)

The Chief Executive Officer be granted delegated authority for the giving of notice in writing under Section 3.25(1)(b) of the Local Government Act to any person who is the owner or occupier of the land who, without lawful authority;

- (a) erects on the land a structure that encroaches upon a public thoroughfare; or
- (b) permits a tree or other plant growing on the land to encroach upon a public thoroughfare;

to remove the structure or plant to the extent that it is encroaching.

This delegation to the Chief Executive Officer includes the authority for action to be taken under the provisions of Section 3.26 of the Local Government Act 1996 if a person to whom a notice is given fails to comply with the requirements of the notice within the period of time nominated in the notice.

AS-13 Separating Land from Public Thoroughfare

Sch 9.1, cl.4 LG (Uniform Local Provisions) Regulations 1996 (r8)

The Chief Executive Officer be granted delegated authority for the giving of notice in writing under Section 3.25 of the Local Government Act to any person who is the owner or occupier of the land, who fails to keep in good repair any fence or gate that separates the land from a public thoroughfare, requiring that the person do anything specified in the notice to bring any fence or gate that separates the land from a public thoroughfare, into good repair.

This delegation to the Chief Executive Officer includes the authority for action to be taken under the provisions of Section 3.26 of the Local Government Act 1996 if a person to whom a notice is given fails to comply with the requirements of the notice within the period of time nominated in the notice.

AS-14 Dangerous Excavation in or Near Public Thoroughfare

Sch 9.1, cl.6 LG (Uniform Local Provisions) Regulations 1996 (r11)

The Chief Executive Officer be granted delegated authority:

- (i) To fill in or fence any excavation in a public thoroughfare or land adjoining a public thoroughfare, that the Chief Executive Officer considers to be dangerous.
- (ii) To give a notice in writing under Section 3.25(1)(b) of the Local Government Act, to any person who is the owner or occupier of the land, requiring the owner or occupier to fill in or securely fence any excavation in a public thoroughfare or land adjoining a public thoroughfare, that the Chief Executive Officer considers to be dangerous.

This delegation to the Chief Executive Officer includes the authority for action to be taken under the provisions of Section 3.26 of the Local Government Act 1996 if a person to whom a notice is given fails to comply with the requirements of the notice within the period of time nominated in the notice.

AS-15 Crossing From Public Thoroughfare to Private Land or Private Thoroughfare

Sch 9.1, cl.7(2) LG (Uniform Local Provisions) Regulations 1996 (r12)

The Chief Executive Officer be granted delegated authority:

- (i) To approve, (subject to r14.2 of the LG (Uniform Local Provisions) Regulations 1996), upon the application of the sole owner, or a majority of the owners, the construction of a crossing giving access from a public thoroughfare to-
 - (a) the land; or
 - (b) a private thoroughfare serving the land.
- (ii) The Chief Executive Officer may agree, (subject to r14.2 of the LG (Uniform Local Provisions) Regulations 1996), to construct for the applicant a crossing giving access from a public thoroughfare to-
 - (a) the land; or
 - (b) a private thoroughfare serving the land.

AS-16 Requirement to Construct or Repair Crossing

Sch 9.1, cl.7(3) LG (Uniform Local Provisions) Regulations 1996 (r13)

The Chief Executive Officer be granted delegated authority for the giving of notice in writing under Section 3.25 of the Local Government Act, (subject to r14.2 of the LG (Uniform Local Provisions) Regulations 1996), to any person who is the owner or occupier of the land, requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land.

AS-17 Private Works on, Over or Under Public Places

Sch 9.1, cl.8 LG (Uniform Local Provisions) Regulations 1996 (r17)

The Chief Executive Officer be granted delegated authority for:

- (i) The giving of notice in writing under Section 3.25(1)(b) of the Local Government Act, to any person who, without first obtaining written permission from the Shire of Serpentine-Jarrahdale constructs anything on, over, or under a public thoroughfare or other public place that is the property of the Shire of Serpentine-Jarrahdale; requiring the person to do anything specified in the notice that-
 - (a) is prescribed in Schedule 3.1, Division 1 of the Act; or
 - (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2 of the Act.

This delegation to the Chief Executive Officer includes the authority for action to be taken under the provisions of Section 3.26 of the Local Government Act 1996 if a person to whom a notice is given fails to comply with the requirements of the notice within the period of time nominated in the notice.

- (ii) The Chief Executive Officer may grant permission to construct anything on, over, or under a public thoroughfare or other public place that is the property of the Shire of Serpentine-Jarrahdale and impose conditions in respect of the permission, which may include a condition imposing a charge for any damage to the public thoroughfare or other public place resulting from the construction.

AS-18 Protection of Watercourses, Drains, Tunnels and Bridges

Sch 9.1, cl.9 LG (Uniform Local Provisions) Regulations 1996 (r18)

The Chief Executive Officer be granted delegated authority for the giving of notice in writing under section 3.25(1)(b) of the Local Government Act, to any person who without lawful authority;

- (a) alters, obstructs, or interferes with, any watercourse drain, tunnel or bridge that is the property of the Shire of Serpentine-Jarrahdale; or

(b) wilfully or negligently, causes or permits tree material that is, or has been, growing on land occupied by that person, to fall into a watercourse that is the property of the Shire of Serpentine-Jarrahdale;
requiring the person to do anything specified in the notice that is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2 of the Act.

This delegation to the Chief Executive Officer includes the authority for action to be taken under the provisions of Section 3.26 of the Local Government Act 1996 if a person to whom a notice is given fails to comply with the requirements of the notice within the period of time nominated in the notice.

AS-19 Protection of Thoroughfares from Water Damage

Sch 9.1, cl.10 LG (Uniform Local Provisions) Regulations 1996 (r19)

The Chief Executive Officer be granted delegated authority for the giving of notice in writing under section 3.25(1)(b) of the Local Government Act, to any person who without lawful authority; alters, obstructs, or interferes with the natural flow of surface water across any thoroughfare or other land in such a way as is likely to damage any thoroughfare that is the property of the Shire of Serpentine-Jarrahdale - requiring the person to do anything specified in the notice that is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2 of the Act.

This delegation to the Chief Executive Officer includes the authority for action to be taken under the provisions of Section 3.26 of the Local Government Act 1996 if a person to whom a notice is given fails to comply with the requirements of the notice within the period of time nominated in the notice.

AS-20 Main Roads WA - Oversize Load Permits

The Chief Executive Officer be granted delegated authority for:

- (i) The Granting of local government approval on Main Roads WA oversize load permits where the council officer is satisfied that the issue of such a permit is not likely to have a detrimental effect on the road pavement or ease of traffic movements and alternative Main Roads routes are not available.
- (ii) The Chief Executive Officer may also negotiate a suitable bond with the truck operator, that can be used in the event of the oversize load operation damaging the road pavement, where considered necessary.

AS-21 Reciprocal Works

1. The Chief Executive Officer is authorised to enter into an agreement with local landowners to complete reciprocal or private works in exchange for material or other works, whilst undertaking council or private works.
2. The Chief Executive Officer will ensure that reciprocal works completed in exchange for material or works will be a lesser cost than alternative arrangements.
3. Reciprocal works should not affect scheduled works.
4. An exchange of letters indicating clearly the extent of the reciprocal works and services be signed by the Chief Executive Officer and the landowner concerned (AS010/07/00 OCM 31.07.2000)

AS-22 Light Vehicle Changeovers – Tender Acceptance Delegation

The Chief Executive Officer be authorized to accept tenders for Council light vehicles replacement or disposal where provision has been included in the budget for the vehicle changeover including where the disposal value of a vehicle exceeds \$20,000 or the aggregate of the purchase price and disposal value exceeds \$50,000 (plus

GST) but is less than \$100,000 (GST inc). In the case where a “package” of vehicles has been tendered the Chief Executive Officer is authorised to purchase each vehicle on an individual budget basis using the above methodology. (AS064/04/01 Asset Services Committee under Delegation as per C061/10/00 – 09.04.2001)

AS-23 Five Year Plant & Light Vehicle Replacement Strategy

The Chief Executive Officer be given delegated authority to determine and act when it is appropriate to replace Council vehicles taking into consideration, any statutory obligations, the market and Council obtaining the most economical management of its fleet at the time of any decision. (AS008/07/00 OCM 31.07.2000)

AS-24 - Bush Fires Act 1954 – Prohibited Burning Time Variations

In Accordance with the delegation opportunity provided in Section 17(10) of the Bush Fires Act 1954, the Council of the Shire of Serpentine Jarrahdale hereby delegates to the Shire President and the chief Bush Fire Control Officer, jointly, the powers and duties of the local government, under the provisions of Section 17 (7) and (8), to vary the prohibited burning times.

Council delegates to the Chief Executive Officer the performance of the functions of section 33 of the bush fires act (as amended). (AS035/12/03 OCM 22.12.03)

AS-25 – Relocation To Peel Region Of Australian Fine China

- ~~1. Council endorses the report, prepared by the Peel Development Commission, supporting the case for relocation of Australian Fine China into the Peel Region.~~
- ~~2. Council supports in principle, the provision of incentives in accordance with Council Planning Policy PP12 – Council incentives to attract economic and employment development, to seek to attract Australian Fine China to the Shire of Serpentine Jarrahdale.~~
- ~~3. Council supports in principle, its acquisition of a suitable land parcel in the district to facilitate the relocation of Australian Fine China and to establish a Shire industrial service business park subject to a State Government contribution of not less than 50% of the land cost and a Council land contribution not exceeding \$400,000.~~
- ~~4. The Shire President, Deputy Shire President and Chief Executive Officer be delegated authority to liaise with the Peel Development Commission on a Peel Development Commission proposal for relocation of Australian Fine China to the Shire, incorporating potential incentives and assistance within the parameters of Points 2 and 3 above.~~
- ~~5. Any Peel Development Commission proposal for relocation of Australian Fine China to the Shire, incorporating Council incentives and assistance, be subject to Council final endorsement of a Business Plan in accordance with the major land transaction regulations. (SM037/01/03)~~

AS-26~~25~~ Gravel Reserve Access

The Chief Executive Officer be given delegated authority to enter into a Memorandum Of Understanding between the Shire of Serpentine Jarrahdale and the Department of Conservation and Land Management for access to the site identified in Admiral Road, Byford for the purposes of gravel extraction and obtain all other necessary agreements and approvals. (OCM CRAS065/05/03)

Building

B-1 Damage to Streets

Local Government (Miscellaneous Provision) Act 1960 Part XV, Section 379.

The Principal Building Surveyor be granted delegated authority to serve notice on persons to remove works constructed or repair damage in a street carried out without the permission of Council and to make good the street. (AS010/07/00 OCM 31.07.2000)

B-2 Local Government (Miscellaneous Provisions) Act 1960 - Notices

The Chief Executive Officer be granted delegated authority to issue notices, when necessary, under Part XV – Buildings, of the Local Government (Miscellaneous Provisions) Act 1960 for the purposes prescribed in the following sections of the Act.

- 1.1 401 Notice of required alteration
- 1.2 401A Unlawful works (stop work order)
- 1.3 407 Dilapidated, neglected and incomplete buildings
- 1.4 408 Dilapidated, neglected and incomplete buildings
- 1.5 409 Dilapidated, neglected and incomplete buildings
- 1.6 409A Dilapidated, neglected and incomplete buildings

B-3 Single Residential Development - Setback Requirements

The ~~Principal Building Surveyor~~ *Director Sustainable Development* be granted delegated authority to determine setback variations under the Residential ~~Planning Design~~ Codes 1994 (*as amended*) subject to comments and no objections being received from adjoining property owners that are affected by any reduction in setback requirements and to refuse any application for setback variations in accordance with Town Planning Scheme No. 2, the Residential ~~Planning Design~~ Codes 1994 (*as amended*) and Council policy.

B-4 Outbuilding Setback Variations

The ~~Principal Building Surveyor~~ *Director Sustainable Development* be granted delegated authority to determine setback variations to outbuildings subject to comments and no objections being received from adjoining property owners that are affected by any reduction in setback requirements.

B-5 Building Applications and Licences

The Principal Building Surveyor be granted delegated authority to determine building applications and issue building licences in accordance with the requirements section 374 of the Local Government (Miscellaneous Provisions) Act 1960, the Building Regulations 1989, other relevant legislation and Council policy.

B-6 Strata Title Certificates

The Principal Building Surveyor be granted delegated authority to issue strata title certificates for properties complying with the provisions of the Strata Titles Act 1985 but noting that the delegation specifically excludes the functions of the local government conferred by section 23(3) and section 24 of the Act.

B-7 Classification Certificates

The Principal Building Surveyor be granted delegated authority to sign and issue classification certificates.

B-8 Special Residential Zone - Minor Second Storey Construction

The Principal Building Surveyor be granted delegated authority to determine applications for minor second storey non-masonry or non-stone construction of residences in the Special Residential zone.

~~**B-9 Rural Zone - Single House**~~

~~The Principal Building Surveyor be granted delegated authority to determine applications for single house in a Rural zone subject to lot size minimum under the requirements of the Scheme.~~

B-409 Commercial Zones - Verandahs

The Principal Building Surveyor be granted delegated authority to determine applications for verandahs and uprights covering footpaths within local road reserves, adjacent to Commercial zones, in accordance with the provisions of section 400 (2) of the Local Government (Miscellaneous Provisions) Act 1960 and only if the landowner indemnifies Council against liability claims.

B-4410 Industrial and Commercial Zones - Setbacks

The Chief Executive Officer be granted delegated authority to determine applications for variations to setbacks in the Industrial and Commercial zones where variations may be granted provided that all the relevant Scheme clauses are satisfied.

~~**B-12 Building Envelopes – Location Variation (NOTE – MOVED TO PLANNING)**~~

~~The Chief Executive Officer be granted delegated authority to determine applications for the relocation of building envelopes, taking into account the requirements of the Shire's Town Planning Scheme No. 2, as amended, Health, Building, Environment, Technical Services and Fire Protection/ Management requirements. Comments from adjoining property owners, where it is considered by the Principal Building Surveyor *Assessing Officer* that they may be affected by any change in the location of a building envelope, are to be sought and considered prior to making a decision on a building envelope relocation request.~~

B-4311 Local Law - Fences

The Chief Executive Officer be granted delegated authority to approve or reject applications for fences in accordance with the local law – Fences—including applications for over height fences.

B-4412 Swimming Pools – Authorised Persons

The Chief Executive Officer be granted delegated authority to appoint persons with appropriate experience or qualifications for the purpose of Section 245A of the Local Government (Miscellaneous Provisions) Act, conditionally that the authority given to any person is limited to actions that will not result in any damage to a swimming pool.

B-4513 Legal Proceedings – Non-Compliant Swimming Pool Enclosures

~~1. The Chief Executive Officer be granted delegated authority to initiate legal proceedings against the owner of Lot 250 Fisher Road, Serpentine for a non-compliant swimming pool enclosure.~~

The Chief Executive Officer be granted delegated authority to initiate legal proceedings against owners of properties with non-compliant swimming pool enclosures without the need for a prior report to Council. (OCM 25.11.02)

Community Services

CS-1 Health Act - Section 26 Delegations

Pursuant to the provisions of section 26 of the Health Act 1911, Council appoints and authorises the Director Sustainable Development as the Principal Environmental Health Officer and any person in that position from time to time, as its deputy for the purpose of discharging its powers and functions under:

Part IV - Division 4 (Sanitary Convenience)
Part IV - Division 7 (Pollution of Water)
Part V - Division 1 (Houses Unfit for Habitation)
Part VI - Public Buildings
Part VII - Division 1 (Nuisances)
Part VIII - Food (Generally) of the Act and the following Regulations under the Act:
Health (Air Handling & Water Systems) Regulations 1994
Health (Asbestos) Regulations 1992
Health (Cloth Materials) 1985
Construction Camps Regulations 1988
Health (Construction Work) Regulations 1973
Notification of Disease Regulations
Health (Food Standards) Regulations 1986
Health (Food Hygiene) Regulations 1993
Health (Adoption of Food Standard Code) 1992
Health (Food Standards) (Administration) Regulations 1986
Health (ANZ Food Standards Code Adoption) Regulations 2001
Health (Game Meat) Regulations 1992
Infectious Diseases (Infection of Persons) Regulations 1991
Health (Prescribed Insect Pests) Regulations 1991
Health (Laundries & Bathroom) Regulations
Sewerage (Lighting, Ventilation & Construction) Regulations 1971
Serpentine-Jarrahdale Health Local Laws 1999 (as amended)
Meat Transport Regulations 1969
Health (Meat Hygiene) Regulations 2001
Offensive Trades (Fees) Regulations 1976
Health (Pesticides) Regulations 1956
Health (Pet Meat) Regulations 1990
Piggeries Regulations 1952
Poultry Processing Regulations 1973
Health (Public Buildings) Regulations 1992
Health (Treatment of Sewage & Disposal of Effluent & Liquid Waste) Regulations 1974
Health (Temporary Sanitary Conveniences) Regulations 1997
Health (Skin Penetration Procedure) Regulations 1998 87
Health (Swimming Pools) Regulations 1964
Health (Underground Water Supply) Regulations 1959
Health (Liquid Waste) Regulations 1993

and any associated amendments and amendment regulations as gazetted from time to time.

Delegations with respect to the Health Act itself are subject to the following limitations:

- a) With respect to Part IV Divisions 4 and 7 - Authority is limited to the forming of opinion and issuing notices, requisitions, directions and orders and does not include the carrying out or causing to be carried out, of works in default of duly served notices, the undertaking or contracting or works, the provision of sanitary conveniences.

- b) With respect to Part V Division 1 - Authority is limited to the forming of opinions and issuing notices and directions and does not include the carrying out, or the arranging for the carrying out, of works in default of duly served notices.
- c) With respect to Part VII Division 1 - Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done.

CS-2 Health Act – Effluent Disposal Approvals

Pursuant to the provision of Section 26 of the Health Act 1911 Council appoints and authorises Environmental Health Officers to approve applications for effluent disposal systems and issue permits to use effluent disposal systems in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.

CS-3 Health Act - Prosecutions

Council appoints and authorises the ~~Director Sustainable Development~~ as the Principal Environmental Health Officer to commence legal proceedings under the Health Act 1911 and associated regulations and local laws. (S.26 Health Act 1911)

CS-4 Sewer Mains Connection

Council appoints and authorises the ~~Director Sustainable Development~~ as the Principal Environmental Health Officer to order premises within the Shire of Serpentine-Jarrahdale to be connected to sewer mains when such mains are completed and ready for use. (S.72 Health Act 1911)

CS-5 Health Orders

Council appoints and authorises the ~~Director Sustainable Development~~ as the Principal Environmental Officer and Environmental Health Officers to serve health orders in connection with requirements and repairs to businesses, shops and dwellings in accordance with the provisions of s.354 of the Health Act 1911. (S.26 Health Act 1911)

CS-6 Licences and Registrations

Council appoints and authorises the ~~Director Sustainable Development~~ as the Principal Environmental Health Officer to sign and issue licences and registrations issued under the Health Act 1911. (S.26 Health Act 1911)

CS-7 Hire of Community Bus

1. Council endorses the use of the Community Bus by the Fire Cadet Units, free of charge, for the transportation of cadets to relevant meetings. (The use of the bus replaces the use of two fire vehicles, which would be at council's cost).
2. The Chief Executive Officer be given delegated authority to determine future use of the community bus for groups similar to the Fire Cadet Units. (OCM A140.27.03.00)

CS-8 Proposed Byford Sport, Leisure & Recreation Centre – Execute Grant Applications

1. Council agrees to the establishment of a reference group comprising the members of the Community and Recreation Development Committee and the Chief Executive Officer, or his nominated representative, to provide guidance

to consultants and staff and to report back to Council on the progressing of this facility.

2. The reference group will be able to make decisions associated with the project only if the matter being considered has been included in the Council budget or Council has previously delegated authority to the Chief Executive Officer to deal with it, otherwise the matter/s should be referred to Council. (CRD01 OCM 23/7/01)
3. Council delegates authority to the Chief Executive Officer to execute any grant applications which are either made and also successful, provided they remain within the parameters outlined in point one (1) of this above decision. (SM055/05/01)

CS-9 Internal & External Funding Applications Seeking Council Endorsement

Council delegates authority to the Chief Executive Officer to assess applications and, when considered appropriate, provide letters of support for grants where such projects are:

1. Aligned to planned Council activities and/or
 2. Consistent with Council's Strategic Plan
- (CRD041/05/01)

CS-10 Jarrahdale Heritage Park Partnership Agreement/Land Management Agreement

Council delegates authority to the Shire President and Chief Executive Officer to accept ~~the currently proposed, and~~ any future amendments to the Partnership Agreement ~~and/or the Land Management Agreement~~ provided that the Council representatives on the Jarrahdale Heritage Park Management Committee unanimously agree with any amendment proposed. (C016/07/00)

~~CS-11 Serpentine Dam Tearoom Lease~~

- ~~1. The Chief Executive Officer and Shire President are delegated authority to finalise and sign a lease between the Shire of Serpentine Jarrahdale and Water Corporation as per Council Decision C010/07/02. (SM009/08/02)~~
- ~~2. Authorise the Shire President and Chief Executive Officer to execute the draft sub lease between the Serpentine Jarrahdale Shire and Interwall for the Serpentine Dam Tearooms as included with the attachments and marked C096.2/03/03 of this report.~~
- ~~3. Authorise the Shire President and Chief Executive Officer to:-~~
 - ~~a) finalise all tenancy matters relating to the accommodation associated with the Tearooms with the Water Corporation and Interwall.~~
 - ~~b) sign documents relating to this matter. (C096/03/02)~~

CS-4211 Temporary Accommodation

Council appoints and authorises the ~~Director Sustainable Development~~ *Principal Environmental Health Officer* to determine any application for temporary accommodation in accordance with Council policy. (Caravan Parks & Camping Grounds Regulations 1987 (as amended), Regulations 6 and 11(2)(c)) (CS C01 09.08.99)

Planning

PS-1 Town Planning Scheme No 2 – Use and Development

The Director Sustainable Development be granted delegated authority for the uses, developments and Scheme variations for which delegated power of approval, refusal and approval to vary Scheme requirements, are as follows and no other uses or variations may be approved/refused under the terms of this delegation.

Uses/Development —

- 5.1 All advertising for SA and AA uses in Town Planning Scheme No. 2.
- 5.2 All "X" uses (refusals) in accordance with Town Planning Scheme No. 2 (uses that are not permitted and would require rezoning to be supported).
- 5.3 All permitted "P Uses" in the subject to compliance with the Scheme requirements.
- 5.4 Caretakers house/flat where such use is incidental to the predominant use.
- 5.5 Car park - in all zones.
- 5.6 Consulting rooms - in the Commercial and Light Industry zones.
- 5.7 Fish shop.
- 5.8 Funeral parlour.
- 5.9 Health studio.
- 5.10 Home occupation/Home Business subject to adjoining land owners consent in writing.
- 5.11 Laundry.
- 5.12 Local shop.
- 5.13 Lodging house.
- 5.14 Office - in the Light Industry zone where such use is incidental to the predominant use.
- 5.15 Open air display.
- 5.16 Satellite dishes.
- 5.17 Trade display.
- 5.18 Warehouse.
- 5.19 Fish Farming
- 5.20 Bed & Breakfast Accommodation
(P184/12/02)

PS-2 Ancillary Accommodation

The Chief Executive Officer be granted delegated authority to determine planning applications for ancillary accommodation in accordance with Council's policy on ancillary accommodation. (BP 1) (P180 15.02.99)

PS-3 Stables and Keeping of Horses

The Chief Executive Officer be granted delegated authority to determine any application for stables and/or keeping of horses. (P184/12/02)

PS-4 Development Issues Within the Urban Development Zone

Delegated authority be given to the Director Sustainable Development to determine applications for the following developments within the Urban Development zone:-

1. Single Dwellings and extensions to existing dwellings
2. Sheds, Outbuildings, Patios, Pergola
3. Swimming Pools
4. Granny Flats and Ancillary Accommodation
5. Car Park
6. Signs
7. Commercial Vehicle Parking where no objections from adjoining landowners have been received.
8. Retaining Walls
(P184/12/02)

PS-5 Two Dwelling Houses on a Rural Lot

The Chief Executive Officer be granted delegated authority to determine planning applications for more than one dwelling house on a rural lot in accordance with clause 5.4.3 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.

PS-6 Memorial Grove in Serpentine Jarrahdale

Should no objections be received, the Chief Executive Officer be delegated authority to finalise an agreement with the Men of the Trees in respect to the planting of a memorial grove at the Old Rifle Range Reserve, Byford.
(E023/01/02)

PS-7 Extensions/additions to use/development approvals

The Chief Executive Officer be granted delegated authority to determine amendments or extensions of use/development approvals previously granted.

PS-8 Residential Zone - Grouped Dwelling

The Chief Executive Officer be granted delegated authority to determine applications for grouped dwelling - in the Residential zone provided such applications are in accordance with the R Codes.

PS-9 Making Recommendations to the Western Australian Planning Commission with Respect to Subdivision/Amalgamation Referrals

The Chief Executive Officer under the Local Government Act 1995 (as amended) be granted the authority to make recommendations to the WA Planning Commission in respect to subdivisions and amalgamations of land where:

- a) A subdivision guide plan has been previously approved by Council as part of a rezoning;
- b) In the Urban Development zone where a Detailed Area Plan has been approved by Council;
- c) Involving minor modifications to subdivision plans previously considered by Council not involving the creation of additional lots. Any opportunity to protect or further develop riparian corridors will be promoted.
- d) Minor subdivisions/amalgamations (up to three lots) in any zone.

Conditions/Guidelines

- a) Rural Strategy - Where a subdivision/amalgamation referral is subject to Council's Rural Strategy (as amended), including the 2001 Rural Strategy Review, any objection or recommendations provided to Western Australian Planning Commission under this policy will be consistent with the Rural Strategy.
- b) Local Planning Policies - Compliance with any Local Planning Policy applicable to the subdivision/amalgamation.
- c) Wetland Protection - For subdivision/amalgamation referrals relating to land within or adjacent to, or which drain into wetlands identified in Bush Forever, Council shall request the Western Australian Planning Commission to refer such applications to the Department of Environment Water and Catchment Protection for assessment.
- d) Bushland Protection
 - i) Council shall request the Western Australian Planning Commission to impose appropriate conditions of subdivision on all development which could impact on significant vegetation.
 - ii) Council shall not support subdivision of any rural area identified as being a linkage corridor between protected bushland complexes unless it can be demonstrated to the satisfaction of the Council and the Department of Environment Water and Catchment Protection that the proposal minimises disruption to ecological linkage corridors.
- e) Designated Scenic Drives and Entry Roads - The following roads which are designated high conservation value under Council's Rural Strategy or which fall

predominantly within the Landscape Protection Policy Area are hereafter described as 'Scenic Drives' and are to be the subject of special consideration in respect to subdivision proposals which are received for land near to them. The basic aim shall be to protect and enhance the rural landscape character of land which is readily visible from those roads.

Designated Scenic Drives and Entry Roads:

South Western Highway

Nettleton Road

Jarrahdale Road

Kingsbury Drive

Thomas Road

Mundijong Road

Karnup Road

Kargotich Road

Nicholson Road

- f) Bushfire Protection
- i) Council shall recommend to the Western Australian Planning Commission that any subdivision adjacent to an area of conservation bushland has a strategic fire break between any development and the bushland.
 - ii) Council shall take account of the principles contained in the publication "Planning for Bushfire Protection 2001" in considering any application for subdivision approval.
 - iii) Where bushfires are a potential hazard, subdivision proposals should demonstrate, to the satisfaction of the Council, that proper bushfire protection measures will be implemented and maintained, including:
 - escape routes from bushfires;
 - firebreaks or strategic firebreaks accessible to give fighting vehicles;
 - water supplies for fire fighting;
 - low fuel areas around dwelling homes having regard to local wind and topographical conditions;
 - fire resistant buildings (AS3959).
- g) Requirement to Amalgamate Lots - Council shall request the Western Australian Planning Commission to impose as a condition of approval the requirement to amalgamate abutting land parcels under the same ownership where proposed development encroaches over a common lot boundary, where setback or other Town Planning Scheme requirements cannot be met, or when one or more lots does not abut a public road reserve.
- h) General - Council shall request the Western Australian Planning Commission to impose appropriate conditions on all subdivision/amalgamation referrals to ensure adequate servicing and infrastructure provision relative to the zone within which the application relates.

(P184/12/02)

PS-10 Dealing with Subdivision Clearances

The Chief Executive Officer under the *Local Government Act 1995* (as amended) be granted the authority to endorse Plans or Diagrams of Survey to certify the clearance of conditions of subdivision approval.

Conditions/Guidelines

- a) All of the Local Authority (LA) conditions are satisfied.
- b) Receipt of advice from Health Services, Building Services, Asset Services, Fire and Emergency Services, Ranger Services and Environment.

- c) All use of this delegation is to be included in the Delegations Register and reported to Council through the Planning Development and Environment Committee Information Report.
(P184/12/02)

PS-11 Proposed Scheme Amendments & Local Planning Policy Relating to Landscape Protection

Council grants delegated authority to the Chief Executive Officer to approve/refuse developments within the Landscape Protection Policy area in accordance with Local Planning Policy No 8 – Landscape Protection. (P014/07/02)

PS-12 Building Envelopes – Location Variation

The Chief Executive Officer be granted delegated authority to determine applications for the relocation of building envelopes, taking into account the requirements of the Shire's Town Planning Scheme No. 2, as amended, Health, Building, Environment, Technical Services and Fire Protection/ Management requirements. Comments from adjoining property owners, where it is considered by the ~~Principal Building Surveyor~~ *Assessing Officer* that they may be affected by any change in the location of a building envelope, are to be sought and considered prior to making a decision on a building envelope relocation request.

~~**PS-12 Subdivision Proposal for the Former Wood Lot (Lot 813) Corner Jarrahdale Road and Kingsbury Drive, Jarrahdale**~~

~~Council seeks quotations and marketing proposals from suitably qualified real estate professionals for disposal of the wood lot subdivision in accordance with section 3.58 of the Local Government Act 1995 and delegated authority be granted to the Chief Executive Officer to appoint marketing agents upon consideration of marketing proposals in consultation with the Executive Team. (SM014/09/02)~~

PS-13 Amendment to Retrospective Development Approval – Inert Landfilling – Lot 12 Bird Road, Oldbury and Lot 1 Jackson Road, Oldbury

The Chief Executive Officer be granted delegated authority to initiate legal proceedings for non-compliance with conditions of development approval without further reference to Council. (P142/09/02 & P 143/09/02)

PS-14 Commercial Vehicle Parking

Council grants delegated authority to the Director Sustainable Development to approve/refuse Commercial Vehicle Parking where no objections from adjoining landowners have been received.
(P184/12/02)

PS-15 Town Planning Scheme No 2 – Nuisance

The Director Sustainable Development be granted delegated authority to issue notices pursuant to Part 7 of Town Planning Scheme No. 2 where a use or activity is likely to contribute or is contributing to dust pollution or soil erosion, requiring the appropriate remedial action.
(P184/12/02)

PS-16 Town Planning Scheme No 2 – Amending a Planning Approval

The Director Sustainable Development be granted delegated authority to amend a planning approval, on application in writing from the owner of the land in respect of which planning approval has been granted where:

- a) commencement of the use or development subject of the planning approval has not occurred;
- b) the planning approval was originally granted under delegated authority to the Chief Executive Officer; and
- c) the amendment of the planning approval would not significantly affect any person who made a submission in respect of the proposed use/development during public notification (if any) of the use or development.

(P184/12/02)

PS-17 Residential Design Codes – Neighbour Consultation

The Director Sustainable Development be granted delegated authority to initiate neighbour consultation in accordance with clause 2.5 of the Residential Design Codes of Western Australia where:

- a) the proposed development requires the exercise of a discretion by Council under the Codes; and
- b) where the exercise of that discretion may adversely affect the amenity of an adjoining property.

In all cases where an acceptable development provision is proposed to be varied by more than 10% neighbour consultation is to be carried out in accordance with Clause 2.5.2 of the Residential Design Codes.

(P184/12/02)

PS-18 Residential Design Codes – Exercise of Discretion

The Director Sustainable Development and Principal Building Surveyor be granted delegated authority, when considering applications for Codes Approval, to exercise discretion in relation to considerations, standards and requirements set out in the Residential Design Codes provided no adverse comments were received from owners of adjoining property notified of the proposed development in accordance with clause 2.5.2 of the Codes.

(P184/12/02)

PS-19 Extractive Industry Licence Renewals

The Chief Executive Officer be granted delegated authority to approve extractive industry licence renewals under the Shire of Serpentine-Jarrahdale Extractive Industries Local Law for a period not exceeding twelve months where:

- a) the application complies with the requirements of the Shire of Serpentine-Jarrahdale Extractive Industries Local Law;
- b) a half yearly compliance inspection has been carried out and no compliance issues have been identified or, where compliance issues were identified, they were rectified by the time of the annual compliance inspection;
- c) a report on annual on-site performance has been prepared by the applicant and submitted with the renewal application;
- d) the extractive industry has a valid planning approval under the Metropolitan Region Scheme and local planning scheme as appropriate; and
- e) no written complaints have been received about the operation of the extractive industry during the current license year.

(P184/12/02)

PS-20 Proposed Caretakers Dwelling – Lot 19 Blair Road, Oakford

Subject to Council receiving and subsequently approving an application for retrospective development approval of the 'Stables' business at Lot 19 Blair Road, Oakford, Council grants delegated authority to the Director Sustainable Development

to approve an application dated 20 January 2003 for a Caretakers Dwelling on Lot 19 Blair Road, Oakford subject the conditions set out in Item P258/05/03 Ordinary Council Meeting Minutes 26th May, 2003 (Trim Ref E03/2655) (OCM P258/05/03)

PS-21 Proposed Temporary Telstra Rally Australia Service Park – Pt Loc 663 Jarrahdale Road, Jarrahdale

Council grants the Chief Executive Officer delegated authority to enter into a lease arrangement and further negotiations on conditions with Telstra Rally Australia/Western Australian Tourism Commission for a service park at Pt Location 663 Jarrahdale Road, Jarrahdale.

That there be a bond of \$50,000 which can be reduced by the Chief Executive Officer, subject to negotiations undertaken in accordance to Part C of resolution CRP266/05/03. (OCM P266/05/03)

**PS-22 ~~Introduction Of Planning Development And Environment Portfolio System~~
CONCEPT FORUM MEETINGS**

1. The following delegation to the Chief Executive Officer under the Local Government Act 1995, as amended, be adopted by Council:-
 - Subdivisions involving more than 3 lots
 - Naming of roads
 - Extractive industry licence applications and renewals
2. The following delegation to the Director Sustainable Development under the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 be adopted by Council:-
 - Approval of SA, AA and IP uses
 - Consideration of objections received after public consultation and authority to dismiss objections that are deemed no valid or are not planning related
 - Amending conditions of a planning approval that has been granted by Council, where development has not commenced
 - Retrospective planning approval
 - Oversized outbuildings
 - Variation to Residential Planning Codes
 - All development in the Urban Development zone
 - Prosecution for breaches of TPS 2
 - To initiate rezonings for land identified in the Rural Strategy
 - To carry out development on reserved land in accordance with the intended purpose of the reserve
 - To approve developments and impose conditions on developments in the Special Use zone where the development is consistent with TPS 2
 - To determine a particular use or purpose of a development where it is not mentioned in the use class table and determine whether it should be carried out in a particular zone

~~Note: The Planning and Regulatory Services portfolio group would only deal with matters which were referred for consideration under the newly agreed delegations referred to in this decision. These delegations are only to be exercised after reference to the portfolio group. Existing delegations (Ordinary Council Meeting May 2003) would remain in place and continue to be dealt with as is currently the case (by the officers, not the group). (P002/07/03)~~

Voting Requirements: ABSOLUTE MAJORITY

Officer Recommended Resolution

Council adopts the delegations in accordance with the Local Government Act 1995, as amended and these are to be numbered accordingly:

- AF-1 Signing of Prosecution Complaint Forms
- AF-2 Minor Variations to Tender Contract
- AF-3 Authorised Persons – Regulations and Local Laws
- AF-4 Derelict Vehicles
- AF-5 Impounded Vehicle Tender Acceptance
- AF-6 Infringement Notices – Follow-up Proceedings
- AF-7 Acting Chief Executive Officer
- AF-8 Payments from the Municipal Fund and Trust Fund
- AF-9 Investments
- AF-10 Approval of Councillors' Travelling and Other Expenses
- AF-11 Issue of Notice on Private Land
- AF-12 Refreshments – Councillors Lounge
- AF-13 Staff Matters
- AF-14 Special Arrangements for Payment of Rates & Charges
- AF-15 Existing Leases & Rents – Review and Renewal
- AF-16 Use of Council Halls and Ovals by Community Groups
- AF-17 Telecentre Photocopier
- ~~AF-18 Fire Levy Equivalent – Payments~~
- AF-19~~18~~ Seed Collection on Council Vested Lands – Commercial Licences
- AF-20~~19~~ Legal Representation and Cost Indemnification
- AF-21~~20~~ Jarrahdale Communications Mast
- ~~AF-22 Gerald Van Rongen and Longaline Pty Ltd and the Shire of Serpentine Jarrahdale~~
- AF-23~~21~~ Gerald Van Rongen and Longaline Pty Ltd and the Shire of Serpentine Jarrahdale
- AF-24~~22~~ Delegation, Powers and Duties of Committees
- AF-25~~23~~ Chief Executive Officer Performance Review and Directors Remunerations Review
- AF-26~~24~~ Cattle Trespass etc – Rangers and Poundkeepers
- AF-27~~25~~ Use of Shire of Serpentine Jarrahdale Common Seal
- AF-28~~26~~ Legal Matter (Workers Compensation Act)
- AF-29~~27~~ Authority to Call Tenders
- AF-30~~28~~ Disposition of Council Property – *Jarrahdale Heritage Park*
- AF-31~~29~~ Write Off of Rate ~~Interest~~ *or Rate Interest*
- AS-1 Street Lighting
- AS-2 Protection of Council Property
- AS-3 B-double and Long Vehicle Permits
- AS-4 Road Closure
- AS-5 Heavy Haulage Infringement Notices
- AS-6 Removal of Dangerous Trees
- AS-7 Sand Drift
- AS-8 Works in Drainage Easements
- AS-9 Gates Across Public Thoroughfares
- AS-10 Disturbing Local Government Land and Anything On It
- AS-11 Obstructing Public Thoroughfares
- AS-12 Encroaching on Public Thoroughfares
- AS-13 Separating Land from Public Thoroughfares
- AS-14 Dangerous Excavation in or Near Public Thoroughfare
- AS-15 Crossing from Public Thoroughfare to Private Land or Private Thoroughfare
- AS-16 Requirement to Construct or Repair Crossing
- AS-17 Private Works on, Over or Under Public Places
- AS-18 Protection of Watercourses, Drains, Tunnels and Bridges
- AS-19 Protection of Thoroughfares from Water Damage
- AS-20 Main Roads WA – Oversize Load Permits
- AS-21 Reciprocal Works
- AS-22 Light Vehicle Changeovers – Tender Acceptance Delegation
- AS-23 ~~Five Year~~ Plant and Light Vehicle Replacement Strategy
- AS-24 Bush Fire Act 1954 – Prohibited Burning Time Variations
- ~~AS-25 Relocation to Peel Region of Australian Fine China~~

- AS-~~26~~²⁵ Gravel Reserve Access
- B-1 Damage to Street Signs
- B-2 Local Government (Miscellaneous Provisions) Act 1960 – Notices
- B-3 Single Residential Development – Setback Requirements
- B-4 Outbuildings Setback Variations
- B-5 Building Applications and Licences
- B-6 Strata Title Certificates
- B-7 Classification Certificates
- B-8 Special Residential Zone – Minor Second Storey Construction
- ~~B-9 Rural Zone – Single House~~
- ~~B-109 Commercial Zones – Verandahs~~
- ~~B-110 Industrial and Commercial Zones – Setbacks~~
- ~~B-12 Building Envelopes – Location Variation~~
- ~~B-1311 Local Law – Fences~~
- ~~B-1412 Swimming Pools – Authorised Persons~~
- ~~B-1513 Legal Proceedings – Non-Compliant Swimming Pool Enclosures~~
- CS-1 Health Act – Section 26 Delegations
- CS-2 Health Act – Effluent Disposal Approvals
- CS-3 Health Act – Prosecutions
- CS-4 Sewer Mains Connection
- CS-5 Health Orders
- CS-6 Licences and Registrations
- CS-7 Hire of Community Bus
- CS-8 Proposed Byford Sport, Leisure and Recreation Centre – Execute Grant Applications
- CS-9 Internal and External Funding Applications Seeking Council Endorsement
- CS-10 Jarrahdale Heritage Park Partnership Agreement/Land Management Agreement
- ~~CS-11 Serpentine Dam Tearoom Lease~~
- ~~CS-1211 Temporary Accommodation~~
- PS-1 Town Planning Scheme No 2 – Use and Development
- PS-2 Ancillary Accommodation
- PS-3 Stables and Keeping of Horses
- PS-4 Development Issues Within the Urban Development
- PS-5 Two Dwelling Houses on a Rural Lot
- PS-6 Memorial Grove in Serpentine Jarrahdale
- PS-7 Extensions/additions to use/development approvals
- PS-8 Residential Zone – Grouped Dwelling
- PS-9 Making Recommendations to the Western Australian Planning Commission with Respect to Subdivision/Amalgamation Referrals
- PS-10 Dealing with Subdivision Clearances
- PS-11 Proposed Scheme Amendments and Local Planning Policy Relating to Landscape Protection
- ~~PS-12 Building Envelopes – Location Variation~~
- ~~PS-12 Subdivision Proposal for the Former Wood Lot (Lot 813) Corner Jarrahdale Road and Kinsbury Drive, Jarrahdale~~
- PS-13 Amendment to Retrospective Development Approval – Inert Landfilling – Lot 12 Bird Road, Oldbury and Lot 1 Jackson Road, Oldbury
- PS-14 Commercial Vehicle Parking
- PS-15 Town Planning Scheme No 2 – Nuisance
- PS-16 Town Planning Scheme No 2 – Amending a Planning Approval
- PS-17 Residential Design Codes – Neighbour Consultation
- PS-18 Residential Design Codes – Exercise of Discretion
- PS-19 Extractive Industry Licence Renewals
- PS-20 Proposed Caretakers Dwelling – Lot 19 Blair Road, Oakford
- PS-21 Proposed Temporary Telstra Rally Australia Service Park – Pt Lot 663 Jarrahdale Road, Jarrahdale
- PS-22 ~~Introduction of Planning Development and Environment Portfolio System~~
Concept Forum Meetings

NOTE FOR PURPOSE OF REVIEW – DELEGATED AUTHORITY NUMBERS WILL BE ALTERED AND RUN CONSECUTIVELY

SM046/05/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Kirkpatrick
Council adopts the delegations in accordance with the Local Government Act 1995, as amended and these are to be numbered accordingly:

- AF-1 Signing of Prosecution Complaint Forms
- AF-2 Minor Variations to Tender Contract
- AF-3 Authorised Persons – Regulations and Local Laws
- AF-4 Derelict Vehicles
- AF-5 Impounded Vehicle Tender Acceptance
- AF-6 Infringement Notices – Follow-up Proceedings
- AF-7 Acting Chief Executive Officer
- AF-8 Payments from the Municipal Fund and Trust Fund
- AF-9 Investments
- AF-10 Approval of Councillors' Travelling and Other Expenses
- AF-11 Issue of Notice on Private Land
- AF-12 Refreshments – Councillors Lounge
- AF-13 Staff Matters
- AF-14 Special Arrangements for Payment of Rates & Charges
- AF-15 Existing Leases & Rents – Review and Renewal
- AF-16 Use of Council Halls and Ovals by Community Groups
- AF-17 Telecentre Photocopier
- ~~AF-18 Fire Levy Equivalent – Payments~~
- AF-1918 Seed Collection on Council Vested Lands – Commercial Licences
- AF-2019 Legal Representation and Cost Indemnification
- AF-2120 Jarrahdale Communications Mast
- ~~AF-22 Gerald Van Rongen and Longaline Pty Ltd and the Shire of Serpentine Jarrahdale~~
- AF-2321 Gerald Van Rongen and Longaline Pty Ltd and the Shire of Serpentine Jarrahdale
- AF-2422 Delegation, Powers and Duties of Committees
- AF-2523 Chief Executive Officer Performance Review and Directors Remunerations Review
- AF-2624 Cattle Trespass etc – Rangers and Poundkeepers
- AF-2725 Use of Shire of Serpentine Jarrahdale Common Seal
- AF-2826 Legal Matter (Workers Compensation Act)
- AF-2927 Authority to Call Tenders
- AF-3028 Disposition of Council Property – *Jarrahdale Heritage Park*
- AF-3129 Write Off of Rate Interest *or Rate Interest*
- AS-1 Street Lighting
- AS-2 Protection of Council Property
- AS-3 B-double and Long Vehicle Permits
- AS-4 Road Closure
- AS-5 Heavy Haulage Infringement Notices
- AS-6 Removal of Dangerous Trees
- AS-7 Sand Drift
- AS-8 Works in Drainage Easements
- AS-9 Gates Across Public Thoroughfares
- AS-10 Disturbing Local Government Land and Anything On It
- AS-11 Obstructing Public Thoroughfares
- AS-12 Encroaching on Public Thoroughfares
- AS-13 Separating Land from Public Thoroughfares
- AS-14 Dangerous Excavation in or Near Public Thoroughfare
- AS-15 Crossing from Public Thoroughfare to Private Land or Private Thoroughfare
- AS-16 Requirement to Construct or Repair Crossing

- AS-17 Private Works on, Over or Under Public Places
- AS-18 Protection of Watercourses, Drains, Tunnels and Bridges
- AS-19 Protection of Thoroughfares from Water Damage
- AS-20 Main Roads WA – Oversize Load Permits
- AS-21 Reciprocal Works
- AS-22 Light Vehicle Changeovers – Tender Acceptance Delegation
- AS-23 ~~Five Year~~ Plant and Light Vehicle Replacement Strategy
- AS-24 Bush Fire Act 1954 – Prohibited Burning Time Variations
- AS-25 ~~Relocation to Peel Region of Australian Fine China~~
- AS-26~~25~~ Gravel Reserve Access
- B-1 Damage to Street Signs
- B-2 Local Government (Miscellaneous Provisions) Act 1960 – Notices
- B-3 Single Residential Development – Setback Requirements
- B-4 Outbuildings Setback Variations
- B-5 Building Applications and Licences
- B-6 Strata Title Certificates
- B-7 Classification Certificates
- B-8 Special Residential Zone – Minor Second Storey Construction
- ~~B-9 Rural Zone – Single House~~
- B-40~~9~~ Commercial Zones – Verandahs
- B-44~~10~~ Industrial and Commercial Zones – Setbacks
- ~~B-42 Building Envelopes – Location Variation~~
- B-43~~11~~ Local Law – Fences
- B-44~~12~~ Swimming Pools – Authorised Persons
- B-45~~13~~ Legal Proceedings – Non-Compliant Swimming Pool Enclosures
- CS-1 Health Act – Section 26 Delegations
- CS-2 Health Act – Effluent Disposal Approvals
- CS-3 Health Act – Prosecutions
- CS-4 Sewer Mains Connection
- CS-5 Health Orders
- CS-6 Licences and Registrations
- CS-7 Hire of Community Bus
- CS-8 Proposed Byford Sport, Leisure and Recreation Centre – Execute Grant Applications
- CS-9 Internal and External Funding Applications Seeking Council Endorsement
- CS-10 Jarrahdale Heritage Park Partnership Agreement/Land Management Agreement
- ~~CS-11 Serpentine Dam Tearoom Lease~~
- CS-42~~11~~ Temporary Accommodation
- PS-1 Town Planning Scheme No 2 – Use and Development
- PS-2 Ancillary Accommodation
- PS-3 Stables and Keeping of Horses
- PS-4 Development Issues Within the Urban Development
- PS-5 Two Dwelling Houses on a Rural Lot
- PS-6 Memorial Grove in Serpentine Jarrahdale
- PS-7 Extensions/additions to use/development approvals
- PS-8 Residential Zone – Grouped Dwelling
- PS-9 Making Recommendations to the Western Australian Planning Commission with Respect to Subdivision/Amalgamation Referrals
- PS-10 Dealing with Subdivision Clearances
- PS-11 Proposed Scheme Amendments and Local Planning Policy Relating to Landscape Protection
- ~~PS-12 Building Envelopes – Location Variation~~
- ~~PS-12 Subdivision Proposal for the Former Wood Lot (Lot 813) Corner Jarrahdale Road and Kinsbury Drive, Jarrahdale~~
- PS-13 Amendment to Retrospective Development Approval – Inert Landfilling – Lot 12 Bird Road, Oldbury and Lot 1 Jackson Road, Oldbury
- PS-14 Commercial Vehicle Parking
- PS-15 Town Planning Scheme No 2 – Nuisance
- PS-16 Town Planning Scheme No 2 – Amending a Planning Approval

PS-17 Residential Design Codes – Neighbour Consultation
PS-18 Residential Design Codes – Exercise of Discretion
PS-19 Extractive Industry Licence Renewals
PS-20 Proposed Caretakers Dwelling – Lot 19 Blair Road, Oakford
~~**PS-21 Proposed Temporary Telstra Rally Australia Service Park – Pt Lot 663 Jarrahdale Road, Jarrahdale**~~
~~**PS-22 Introduction of Planning Development and Environment Portfolio System**~~
Concept Forum Meetings
CARRIED 8/0 ABSOLUTE MAJORITY

Committee Note: The Officer Recommended Resolution was altered by deleting PS-21 as advice has been received from Events Corp indicating that the service park will not be hosted in Jarrahdale in the future.

Council Note: Correction to AF28 d) delete “at auction” as the matter is adequately described in the delegation.

SM047/05/04 REVIEW OF COUNCIL POLICIES AND WORK PROCEDURES (A1048)		
Proponent:	Chief Executive Officer	In Brief Undertake the Annual review of, and endorse Councils Policies and Work Procedures
Owner:	Not applicable	
Officer:	D E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	30 th April, 2004	
Previously	SM057/06/03, SM077/06/02	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Officers undertake a review of Council Policies and Work Procedures at least annually. The Council Policies are only able to be amended by resolution of Council, whereas the Council Work Procedures are considered as operational “work procedures” and may be reviewed and/or amended by the Executive Team via the weekly Executive meeting.

Sustainability Statement

Council’s Policies and Work Procedures are used in the day to day management of Council in the delivery of its Strategic Plan and Vision.

Statutory Environment: Policies and Procedures are reviewed at least annually and are in place to assist in the day to day management of the Council.

Policy/Work Procedure Implications: Annual Review of Policies and Procedures

Financial Implications: No financial Implications are anticipated.

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

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
4. Balance resource allocation to support sustainable outcomes.

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.
3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation:

Required: No

Comment:

Council Policies were merged into a single set of Council Policies in 2003 and printed on white paper, with a single index, which are delineated by the Policy number and the responsible officer should be included on each policy for future reviews.

Under this arrangement a policy relating to:

Corporate Services commence with the letters **CSP**

Asset Services commence with the letters **AP**

Sustainable Development Planning Policies commence with the letters **PP**

Sustainable Development Health Policies commence with the letters **HSP**

Sustainable Development Building Policies commence with the letters **BP**

Sustainable Development Environment Policies commence with the letters **EP**

Proposed amendments to the Policies and Procedures are shown in italics and strikethrough format. ***A copy of the amended Council Policy and Work Procedures are with the attachments marked SM047.1/05/04 & SM047.2/05/04.***

Voting Requirements:

ABSOLUTE MAJORITY

Note: Voting Requirements altered from Normal to Absolute Majority as Part 2 of the Council Decision/Alternative Motion gives Delegated Authority to the Chief Executive Officer

Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Murphy

1. Council adopts the Policies as presented including any amendments as shown and provided for Council information at *Attachment SM047.1/05/04.*

Council endorses the Work Procedures as presented for Council information at *Attachment SM047.2/05/04*

LOST 0/8

SM047/05/04 COUNCIL DECISION/FORESHADOWED MOTION

Moved Cr Hoyer seconded Cr Wigg

1. Council adopts the Policies as presented including any amendments as shown and provided for Council information at *Attachment SM047.1/05/04*.
2. Amendments to Policy PP7 – “Objections Against Mineral Sand Mining in the Shire of Serpentine Jarrahdale” Part 1 to read “Council delegates authority to the Chief Executive Officer to lodge objections with the Mining Warden at the Department of Industry and Resources (DOIR) against exploration licences and mining leases for mineral sand mining within the Shire” New Part 2 to read “Council’s objections are related to the public interest and include a range of community concerns encompassed within social, economic and environmental grounds”.
3. Council endorses the Work Procedures as presented for Council information at *Attachment SM047.2/05/04*

CARRIED 8/0 ABSOLUTE MAJORITY

Council Note: The Committee/Officer Recommended Resolution was changed by adding point 2 as an amendment to Policy PP7 to correct the name change of the Department of Industry and Resources and part 2 by enhancing the policy.

SM048/05/04 INFORMATION REPORT		
Proponent	Chief Executive Officer	In Brief Information Report.
Officer	D E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	3 May 2004	
Previously		
Disclosure of Interest		
Delegation	Council	

SM048.1/05/04 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – STATE COUNCIL APRIL 2004 (A1164)

In the attachments marked SM048.1/05/04, SM048.1a/05/04 & SM048.1b/05/04 is a summary of the WALGA State Council Minutes for the meeting held on the 7th April 2004 together with reports from the WALGA Chief Executive Officer and President.

SM048.2/05/04 COMMON SEAL REGISTER REPORT – APRIL 2004 (A1128)

The Common Seal Register Report for the month of April 2004 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked SM048.2/05/04.

SM048.3/05/04 ECONOMIC & TOURISM DEVELOPMENT OFFICER REPORT – MAY 2004 (A0436-05)

The Economic and Tourism Development Officer report of priorities for May 2004 are with the attachments marked SM048.3/05/04.

SM048.4/05/04 PEEL ECONOMIC DEVELOPMENT UNIT EXECUTIVE GROUP MINUTES – 15 APRIL 2004 (A0839-06)

The Peel Economic Development Unit Executive Group Minutes of the meeting held on 15th April 2004 are with the attachments marked SM048.4/05/04 .

SM048/05/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

**Moved Cr Price seconded Cr Scott
 The Information Report to 10 May 2004 be received.
 CARRIED 8/0**

SM049/05/04 REVIEW OF PORTFOLIO GROUP, COMMITTEE AND COUNCIL MEETINGS (A0039)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to workshop a review of the Portfolio group, Committee and Council Meetings as a result of the April item review not being accepted by Council at the Ordinary meeting held on 27 April 2004.
Owner:	Not applicable	
Officer:	D E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	12 May, 2004	
Previously	P002/07/03, SM038/04/04	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

In view of the Council decision on 27 April 2004 not to accept the outcome of the review of the committee and portfolio group meetings, it is suggested that a further workshop be conducted on 24 May 2004 prior to the Council meeting to work through the issues that are of concern to councillors.

Sustainability Statement Not Applicable

Statutory Environment: Local Government Act 1995

Policy/Work Procedure Implications: The Department of Local Government and Regional Development “Operational Guidelines No 5” - Council Forums, has been referenced to assist in developing the attachment associated with this item.

Financial Implications: There appears to be no negative financial implications to Council in relation to this item.

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
4. Governance
Objective 1: An effective continuous improvement program
Strategies:
 1. Identify and implement best practice in all areas of operation.

2. Promote best practice through demonstration and innovation.
4. Balance resource allocation to support sustainable outcomes.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

No

Comment:

A proposal was presented to Council in April for a trial change to the committee and portfolio group structures prior to sign off at the May 2005 meeting. The change did propose conducting committee meetings on a Tuesday and leaving the Ordinary meeting to Monday at the current timeslot.

It is suggested that a further workshop will assist in ensuring councillor concerns of the suggested changes are resolved so that the item may be reconsidered.

Voting Requirements: Normal

SM049/05/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Star

A workshop be held at 4.30pm on Monday, 24 May 2004 to review the portfolio group, committee and Council meeting structure for trial prior to the May 2005 ordinary elections.

CARRIED 8/0

P081/05/04 REQUEST TO WAIVE BUILDING AND PLANNING FEES FOR PROPOSED HORSE RIDING AND STABLE FACILITY ON LOT 281 (RESERVE 46398) GOSSAGE ROAD, CARDUP (RS0177)		
Proponent	Riding for the Disabled	In Brief Council to consider an application from the Riding for the Disabled organisation to waive building and planning application fees for the development of a permanent horse-riding and stable facility on a Shire reserve. It is recommended that Council waive the building licence and planning application fees.
Owner	Shire of Serpentine-Jarrahdale	
Officer	Meredith Kenny - Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	22 April 2004	
Previously	C002/08/03	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

In August 2003 the Riding for the Disabled organisation obtained in-principle support from the Council to lease Reserve 46398 to set up a permanent horse riding facility (Minute CRC002, Item C002/08/03). The in-principle support was given on the basis of the organisation obtaining the necessary development and health approvals and public liability insurance.

The organisation recently advised that they are now ready to make application to the Shire for the necessary Planning and Building approvals. A request has now been made for the Council to consider waiving the Planning and Building application fees.

Sustainability Statement

Social – Quality of Life: There is wide scope for this development to enhance the quality of life for the people with disabilities who use the facilities, the volunteers who run the organisation and the families of the riders. These kinds of activities, particularly the element of interaction with animals, have been proven to have significant physiological, social and psychological benefits for the people who participate in them.

Social Diversity: The proposed development achieves social diversity by providing recreational opportunities for people with disabilities and interaction between non-disabled people and people with disabilities through their volunteer programs.

Statutory Environment: Building Regulations 1989 Part 6 – Fees; Town Planning (Local Government Planning Fees) Regulations 2000

Policy Implications: No applicable policies

Financial Implications: Loss of income of \$230.00 for planning application fee and loss of income of \$181.81 for building licence application fee

Strategic Implications: Key Sustainability Result Areas
1 People and Community
Objective 1: Good quality of life for all residents
Strategies:

1. Provide recreational opportunities.
5. Develop towns and communities based on principles of sustainability

Strategies:

2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
4. Foster a strong sense of community, place and belonging.

Objective 3: High level of social commitment

Strategies:

1. Encourage social commitment and self determination by the SJ community.
2. Build key community partnerships.

4 Governance

Objective 1: An effective continuous improvement program

Strategies:

5. Harness community resources to build social capital within the Shire.

Objective 2: Formation of Active Partnerships to progress key programs and projects

Strategies:

1. Improve coordination between Shire, community and other partners.

Community Consultation: Not applicable at this time.

Comments

Riding for the Disabled is an incorporated, voluntary, not for profit organisation that provides riding introduction and other activities associated with horse riding for people with disabilities. The activities provide both physiological and psychological benefits for the participants.

The development includes the construction of a small administration building (including offices, meeting space, kitchen, storeroom and toilets), stables, a feed store, a parking area, fencing for seven paddocks, an arena and a round yard. The organisation intends to obtain Lotteries Commission funding for the capital works. The works are estimated to cost \$100 000. Based on this estimate the planning application fee would be approximately \$230.00 and the building fee would be \$181.81.

Should Council consent to waive these application fees, the organisation will still be required to pay a fee of \$30 to the Builders' Registration Board and the Building and Construction Industry Training Levy at the time of lodgement of the building licence application.

The applicant and councillors should be aware that the waiving of fees does not constitute an indication of approval of the development in any way as every application must be assessed on its merits and the outcome of this process remains to be determined.

Voting Requirements: ABSOLUTE MAJORITY

P081/05/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

**Moved Cr Murphy seconded Cr Wigg
Council resolves to waive the planning application and building licence application fees for the development of a Riding for the Disabled facility on Reserve 46398, Lot 281 Gossage Road, Cardup.
CARRIED 8/0 ABSOLUTE MAJORITY**

P082/05/04 PROPOSED HOME BUSINESS - SPA POOL ASSEMBLY, LOT 309 (NO. 95) PONY PLACE, OAKFORD (P04892/01)		In Brief Application to operate business from home assembling portable spa pools. Objection received from neighbour. Recommendation that the application be refused.
Proponent:	B Williamson	
Owner:	B Williamson	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	3 May 2004	
Previously	Nil	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Date of Receipt: 16 March 2004
 Advertised: Yes
 Submissions: 1 - Objection
 Lot Area: 2 hectares
 L.A Zoning: Special Rural (12)
 MRS Zoning: Rural
 Byford Structure Plan: N/A
 Rural Strategy Policy Area: Special Rural
 Rural Strategy Overlay: Nil
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: No
 Date of Inspection: 7 April 2004

Background

The subject site is located within Special Rural zone 12 and currently contains a dwelling and a shed.

The details of the proposal are as follows:

Nature of Business: Assembly of spa pools. Spa shell and cabinet are picked up by the assembler using trailer or 1 tonne utility (depending on size of spa). Assembler drills the holes for the jets, silicones the jets in, connects all hoses, screws the shell to the cabinet and installs heater and pump. Then spa pool is delivered by the assembler to either the spa showroom or to a purchaser's property using a trailer attached to a 1 tonne utility.

No fibre-glassing or wood machining will be carried out at the Pony Place property - this is all done at the manufacturers.

All work will be carried out in existing shed. The owner/operators will continue to reside in the house on the property.

Customers: No customers will come to the Pony Place property.
 Signs: No signage will be erected.
 Waste: Waste will comprise wood shavings and empty silicone tubes.

No. of Staff: 1 (the owner of 95 Pony Place only)
Hours of Operation: 9am to 5pm Monday to Friday
Tools/equipment: Drill, glue gun, pvc pipe cutter, hacksaw, caulking gun

A copy of the site plan are with the attachments marked P082.1/05/04.

Sustainability Statement

Effect on Environment: The development will not involve any clearing of existing vegetation or the construction of any new structures. There is minimal chance of chemicals used in the assembly process (glues, solvents etc.) having the potential to contaminate soils or groundwater providing they are stored in an enclosed shed with a hardstand floor. Additionally, the quantities of such chemicals stored on the property would be relatively small.

There is a potential environmental impact from noise caused by the equipment used in the assembly process. This issue is discussed in detail in the Comment section of the report.

Resource Implications: Home based businesses have the potential to reduce emissions from transport as the need to travel to and from work is removed or reduced. However, this proposal involves the proponent driving to the manufacturers each day to pick up spas for assembly and then returning the completed spas back to the manufacturers. Accordingly, the potential for minimisation of resource use will not occur with this proposal.

Use of Local, renewable or recycled Resources: The spa components are not produced within the Shire or the Region and no renewable or recycled products are used in the construction of the spas.

Economic Viability: The proposal will not be economically viable in a way that incorporates its external costs for the following reasons:

1. There is little potential to reduce transport or car dependence as the spa components need to be transported to the site and then the assembled product returned to the manufacturer.
2. There is the potential for noise pollution as a result of the activities involved in the business with a flow-on reduction in the quality of life for nearby residents.

Economic Benefits: The proposed business would provide a home-based employment opportunity for the proponent.

Social – Quality of Life: Home-based businesses do have the potential to enhance the quality of life of the operator as travel time to work is minimised and opportunities for more time with the family may be provided as a result. Working from home can also provide greater security for both the proprietor's property and other properties in the street, as there would be someone home during working hours (a time when many neighbourhoods are almost deserted and vulnerable to break-ins and other crime).

Alternatively, a home-based business of an industrial nature may have disadvantages such as:

1. Noise pollution.
2. Odours.
3. Unsightly, industrial appearance of the site.
4. Potential contamination of soils and groundwater.
5. The processes carried out and chemicals and equipment used in the home-based business may provide hazards for children that aren't normally expected in residential areas.

Social and Environmental Responsibility: N/A

Social Diversity: N/A

Statutory Environment: Town Planning Scheme No. 2

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

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

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

1. People and Community
Objective 1: Good quality of life for all residents
Strategies:
 6. Ensure a safe and secure community.

Objective 2: Plan and develop towns and communities based on principles of sustainability
Strategies:
 2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
 3. Design and develop clustered neighbourhoods in order to minimise car dependency.

3. Economic
Objective 1: A vibrant local community
Strategies:
 1. Attract and facilitate appropriate industries, commercial activities and employment.

4. Governance
Objective 3: Compliance to necessary legislation
Strategies:
 1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

Required: Not specifically required by TPS No. 2. However, given the nature of the business and the potential for impact on the amenity of adjacent properties it was considered appropriate that adjacent landowners be given the opportunity to comment on the proposal. Support/Object: One letter of objection received.

Affected Property	Summary of Submission	Support/ Object	Officer's Comment	Action (Condition/ Support/ Dismiss)
L307 Pony Place	Objects to the proposal as they purchased their property to have a quiet rural lifestyle with their daughter's pony and their alpacas. Noise from the business would be intrusive. The business would most likely grow and employ more	Object	The objection related to potential noise and the possible impact on the quiet rural character of the area is supported. If the business was approved conditions	Support Condition/ Dismiss

Affected Property	Summary of Submission	Support/ Object	Officer's Comment	Action (Condition/ Support/ Dismiss)
	<p>than just the owner.</p> <p>On-selling of the property in the future would lead to new owners expanding the already approved business.</p> <p>This special rural area is in danger of becoming the poor man's Canning Vale as more and more industrial type uses (truck parking, transport depots etc.) are allowed into the area. Any approval of such a business would be the thin edge of the wedge and would set a precedent for the future approval of other similar businesses in the area.</p>		<p>could be put in place to restrict the number of employees to the landowner only. Also, Home Occupation permits are issued to an individual only and do not run with the land (ie any future owners would need to apply again if they wanted to continue this type of use on the property.</p> <p>It is considered that this point is valid as more and more industrial type businesses are appearing in Special Rural areas. This is particularly prevalent in Oakford where access to the Freeway and Nicholson Road is in close proximity. The lots provide large cheap (relative to the price of industrial or commercial land) sites for transport depots, builders yards and light industries.</p> <p>There are adequate light industrial premises standing vacant in surrounding urban areas that would be more appropriate for this type of use than a rural-residential area.</p>	<p>Support</p>

Comment:

Town Planning Scheme No. 2 (TPS 2) defines a *Home Business* as follows:

Home Business - means a business, service or profession carried out in a dwelling or on land around a dwelling which:

- (a) does not employ more than two people not members of the occupiers household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50m²
- (d) does not entail the retail sale, display or hire of goods of any nature;

- (e) *in relation to vehicles and parking, will not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*
- (f) *does not involve the use of an essential service of greater capacity than normally required in the zone.*

It is considered that the subject development does not fit within the definition of a Home Business as it has the potential to cause injury to or adversely affect the amenity of the neighbourhood. The nature of the business is in fact consistent with the definition of *Industry* contained in TPS 2 as it involves the assembly of a product.

Town Planning Scheme No. 2 defines *Industry* as follows:

Industry - means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

- (i) *the winning, processing or treatment of minerals;*
- (ii) *the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;*
- (iii) *the generation of electricity or the production of gas;*
- (iv) *the manufacture of edible goods;*

The Scheme then further breaks *Industry* down into the various types of industrial uses including *Industry Cottage*, *Industry Light*, *Industry General* etc. Under TPS No. 2 *Industry Light* is defined as follows:

Industry Light - means an *industry*:

- (i) *in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and*
- (ii) *the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any like services.*

Clearly, the proposed home business fails the test of (i) above as it has the ability to affect the amenity of the locality by reason of emission of noise. The noise associated with the assembly of the spa pools means that the proposed business instead falls into the category of *General Industry*.

The basis of town planning is to separate those land uses that do not complement each other. As a general rule, residential and industrial landuses should be buffered from each other. *Industry* (such as cottage, service and light industrial uses) can exist in harmony with residential dwellings (ie as with the Darling Views estate). Additionally, the Department of Planning and Infrastructure recently released a planning bulletin with regard to the development of caretaker's dwelling in industrial areas. This bulletin promotes the controlled development of such residential accommodation in light industrial areas but strongly recommends against the permitting of any type of residence within a *General Industrial* area. This is based on the need to maintain a certain level of amenity for all residential dwellings wherever they may be located. Therefore, in considering whether or not the proposed business is appropriate in a *Special Rural* zone it must first be determined that the business

could comply with the overriding provision contained in the definition of those types of industries – ie that they do not involve any processes that will cause injury or adversely affect the amenity of the locality.

Noise generated during the spa assembly process (particularly from the electric drill does have the potential to affect the amenity of the surrounding neighbourhood by virtue of its regularity (ie every weekday). Even if this only occurred for an hour or two each day, it is considered that this would have a significant impact on the amenity of surrounding properties. The surrounding neighbourhood predominantly consists of two hectare special rural properties. Generally, people reside in these types of neighbourhoods because they offer quiet rural lifestyles as an alternative to dense suburban neighbourhoods with their traffic and other noise.

It is also unlikely that the business would comply with the noise limits for residential areas defined in the Environmental Protection (Noise) Regulations.

Approval of a business which has the definite potential to impact on the amenity of adjacent residents would not be consistent with orderly and proper planning. Accordingly, it is recommended that the application be refused.

Voting Requirements: Normal

P082/05/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Murphy seconded Cr Kirkpatrick

The application for approval to operate a Home Business from Lot 309 (95) Pony Place, Oakford be refused for the following reasons:

1. The proposed use does not fit within the definition of a Home Business, as is contained within Appendix 1 (Interpretations) of the Shire of Serpentine-Jarrahdale's Town Planning Scheme No. 2.
2. The proposed business has been determined to constitute Industry General and, such landuse is prohibited in the Special Rural zone under the provisions of Town Planning Scheme No. 2.
3. The proposed use is contrary to the purpose and intent of the Special Rural zone, which is to depict places within the rural area wherein closer subdivision will be permitted to provide for such uses as hobby farm, horse training and breeding, rural residential retreats and intensive horticulture, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of the selected areas.
4. The development will be detrimental to the residential amenity of the occupiers of the nearby dwelling houses, by reason of the noise resulting from the equipment required to be used to carry out the proposed use.
5. The nature of the proposed use is incompatible with the existing and future character of the area as envisaged by the Shire of Serpentine-Jarrahdale.
6. The industrial nature of the proposed business may adversely affect the streetscape of Pony Place, which is predominantly rural in character.

CARRIED 5/3

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

The following Councillors requested that their names be recorded registering their interest of impartiality relating to item CRD28/05/04: Cr Hoyer (as a member of Rotary), Cr Kirkpatrick (Jarrahdale Community Association), Cr Scott (Byford Progress Association and Byford Volunteer Fire Brigade), Cr Star (Jarrahdale Heritage Society and Jarrahdale Community Association), Cr Wigg (Hopeland Community Association, Serpentine Historical Society), Cr Murphy (Oakford/Oldbury Community Association), Cr Price (Mundijong Heritage Group, Mundijong Community Forum, Jarrahdale Heritage Society), Cr Needham (Serpentine Youth Activity Group, Serpentine PCYC)

CRD28/05/04 COMMUNITY FUNDING PROGRAM 2004/3005 (A1173-02)		
Proponent:	Various Community Groups	In Brief Council is asked to accept the recommendations of the Community Funding Program Working Group
Owner:	Not applicable	
Officer:	Carole McKee, Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	18 May 2004	
Previously	CRD22/05/03, CRD10/01/03, CRD49/05/02, CRD50/06/01, CRD19/01/01	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Thirty eight funding applications, requesting a total of \$41,788, were received for the 2004/2005 Community Funding Program and assessed by the Community Funding Program Working Group in line with the assessment criteria outlined in *Policy CSP8 Requests for Financial Assistance*.

This compares to forty two (42) funding applications, requesting a total of \$50,302 received for the 2003/2004 Community Funding Program.

Council policy CSP8 states:

*that the Community Funding Program Working Group assess all applications and make recommendations to Council as to how the total Community Funding Program budget allocation be divided between the selected groups.
that an amount of up to \$20,000 be allocated for the Community Funding Program in each financial year.*

A copy of the policy CSP8 is with the attachments marked “CRD28.01/05/04”.

Sustainability Statement

Effect on Environment:

The Community Funding Program does not specifically relate to the natural environment but to the environment in which we live.

The Community Funding Program selection criteria rates more highly projects that are:

relevant to Serpentine Jarrahdale
shire (community) facilities
high community benefit
value for money
matched by other funds
urgent in need
material in nature (as opposed to operational)
sustainable in nature.

Resource Implications:

It is proposed that twenty four of the 38 applications be funded through the community funding program allocation of \$20,000. This contribution of \$20,000 will enable approximately \$120,700 worth of projects to be accomplished across the community.

It is proposed that a further eight projects be considered through the general 2004/05 budget deliberations. Some have to be prioritised in consultation with other working groups such as trails and townscape. It is possible that through this process a further \$8900 could be allocated to enable up to an additional \$25,817 worth of projects to be implemented across the community.

Use of Local, renewable or recycled Resources:

The funding program works through a capacity building model that encourages partnerships, use of local & regional resources (including volunteer labour). The community funding program is only available to local groups and many projects use local resources both human and material to achieve their project outcomes.

Economic Viability:

The process encourages the development of business plans to justify funding requests – which should lead to more strategic applications & planning in future.

It also enables Council to identify where groups may be able to work together or share resources to accomplish outcomes.

By contributing potentially \$28,900 towards 32 projects Council will enable approximately \$146,000 worth of projects to be accomplished.

Economic Benefits:

Building the capacity of the community to apply for funding from other sources – through skill development as well as assisting with seeding or matching funds to increase their chances of drawing more funds to this community.

Many of the projects utilise local resources and/or attract visitors to the shire who then spend money locally.

Social – Quality of Life

The program encourages partnerships that enable progress towards achieving sustainability and quality across the triple bottom line for community.

The process has been designed to build the capacity of the community to put together funding applications for this and other programs. The Community Development team work with the groups to this end.

Social and Environmental Responsibility:

This process involves a holistic approach encouraging groups to be socially, environmentally & economically responsible.

Social Diversity:

The program is holistic and inclusive of all social groups and does not disadvantage anyone. If anything it actively includes everyone.

Statutory Environment: Not Applicable

Policy/Work Procedure Implications: CSP8 is the related policy

Financial Implications: \$20,000 to be included in the 2004/2005 budget for the Community Funding Program under CDO528 – Community Funding
\$3285 to be considered under CDO606 (event sponsorship) in the 2004/05 budget deliberations
\$1500 be considered for Leeuwin sponsorship under CDO529 (youth) in the 2004/05 budget deliberations
Up to \$4150 to be considered through building, trails, townscape & reserves budgets in the 2004/05 budget deliberations & in liaison with relevant working groups.

Strategic Implications:

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

1 People and Community

Objective 1: Good quality of life for all residents

Strategies:

- 3 Provide recreational opportunities
- 4 Develop good services for health and well being
- 5 Retain seniors and youth within the community
- 6 Respect diversity within the community
- 7 Value and enhance the heritage character, arts and culture of the Shire
- 8 Ensure a safe and secure community

Objective 2: Plan and develop towns and communities based on principles of sustainability

Strategy:

- 1 Foster a strong sense of community, place and belonging

Objective 3: High level of social commitment

Strategies:

- 1 Encourage social commitment and self-determination by the SJ community
- 2 Build key community partnerships

3 Economic

Objective 3: Effective management of Shire growth

Strategy:

- 1 Enhance economic futures for Shire communities

4 Governance

Objective 1: An effective continuous improvement program

Strategies:

- 4 Balance resource allocation to support sustainable outcomes

5 Harness community resources to build social capital within the Shire

Community Consultation:

The community groups are representing the interest of their membership community.

Comment:

Of the thirty eight applications, it has been recommended to Council that up to thirty two projects be considered for funding.

Twenty four are recommended for approval through the Community Funding Program, with requested funds scaled down in several cases in order to assist all recommended applications within the budget of up to \$20,000. These are detailed in the Officer Recommendation.

Recommendations are also made for a further eight applications to be highly considered during budget deliberations in the appropriate line items in the 2004/05 budget in liaison with the relevant working groups. They are as follows:

ORGANISATION	PROJECT	RECOMMENDATION
Byford Rotary Club	Leeuwin Sponsorship	Recommended \$1500 be allocated under "Youth" in the CDO 529 budget (as in previous years)
Byford Rotary Club	Music in the Park Series	Recommended allocation of \$1000 in CDO606 (reduced from \$2000 in 2003/04) based on four concerts
Mundijong Community Forum	Mundijong Celebration	Recommended allocation of \$1000 in CDO606
Serpentine CWA	International Women's Day	\$1285 as separate item under CDO606 as per previous budgets
Mundijong Heritage Group	Mundijong Railway Park "Diamond Crossing"	Refer group to Townscape fund application process (\$950 grant requested)
Oakford Oldbury Community Association	Fencing Foxton Dve & Peters Way Reserves	Refer \$600 to Reserves fund NNW730 for 03/04
Oakford Trails Management Assoc Inc	"No Motor Vehicles Allowed"	Refer \$1,1000 to Trails Committee for prioritisation from account BRT731
Serpentine Jarrahdale Netball Assoc	Flywire Security Door & Bug Zapper	Refer \$500 building maintenance fund MNC625 for security door

The full list of applicants and recommendations is with the attachments marked CRD28.2/05/04.

Voting Requirements: Normal

CRD28 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Murphy seconded Cr Scott

1. That subject to adoption of the 2004/05 budget, Council endorses the recommendations of the Community Funding Program Working Group as follows:

ORGANISATION	NAME OF PROJECT	RECOMMENDED FUNDING THOUGH 2004/2005	CFP
Byford Progress Assoc	Carols By Candlelight	\$125	
Byford Scout Group	Hot water to ablution Block/ Kitchen	\$1100	
Byford Volunteer Fire Brigade	Emergency Services Trailer	\$500	

ORGANISATION	NAME OF PROJECT	RECOMMENDED FUNDING THOUGH 2004/2005 CFP
Heritage Country Choir	Extension to Sound System	\$600
Hopeland Community Assoc	Tank Replacement & pump	\$1000
Jarrahdale Community Assoc	Jarrahdale Skate Park Shelter & Water Fountain	\$1000
Jarrahdale Heritage Society Inc	Archival Document Reproduction	\$400
Jarrahdale Playgroup	Upgrading equipment	\$552
Lions Club of Serpentine Jarrahdale	Recycling Cans Cages	\$500
Lions Club District 201W1	Children's Film Festival	350
Mardella Ladies Club	Purchase tables	\$944
Mundijong Centrals Junior Football Club Inc	Administration Resources (photocopier)	\$500
Mundijong Playgroup	Play Equipment Acquisition	\$500
Oakford/Oldbury Community Assoc	Fencing Foxton Dve & Peters Way Reserves	\$500
Oakford Playgroup	Safety Fence	\$1000
Oakford Volunteer Bush Fire Brigade	Navigational Support	\$500
Peel Metropolitan Horse & Pony Club Inc.	Riding Arena	\$2500
Riding For Disabled Assoc Oakford	Vegetation and Seeding	\$1300
Serpentine Historical Society	Naming of Keysbrook School Sites	\$375
Serpentine Jarrahdale Toy Library	Membership Drive	\$500
Serpentine Jarrahdale Toy Library	"Focus On Baby"	\$250
Serpentine Jarrahdale Youth Activity Group Inc	Fitting out of New Building, Safety & Voc Education Courses	\$3450
Serpentine PCYC	Anti Graffiti Coating to Tank Mural	\$304
Serpentine Playgroup	Play Equipment Upgrade	\$250
Serpentine Primary School	PATHS-Promoting Alternative Thinking Skills	\$1000
TOTAL		\$20,000

2. That as part of the 2004/05 Budget deliberations Council consider the recommendations contained in the following table:

ORGANISATION	PROJECT	RECOMMENDATION
Byford Rotary Club	Leeuwin Sponsorship	Recommended \$1500 be allocated under "Youth" in the CDO 529 budget (as in previous years)
Byford Rotary Club	Music in the Park Series	Recommended allocation of \$1000 in CDO606 (reduced from \$2000 in 2003/04) based on four concerts
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Serpentine CWA	International Women's Day	\$1285 as separate item under CDO606 as per previous budgets
Mundijong Heritage Group	Mundijong Railway Park "Diamond Crossing"	Refer group to Townscape fund application process (\$950 grant requested)
Oakford Oldbury Community Association	Fencing Foxton Dve & Peters Way Reserves	Refer \$600 to Reserves fund NNW730 for 03/04
Oakford Trails Management Assoc Inc	"No Motor Vehicles Allowed"	Refer \$1,1000 to Trails Committee for prioritisation from account BRT731
Serpentine Jarrahdale Netball Assoc	Flywire Security Door & Bug Zapper	Refer \$500 building maintenance fund MNC625 for security door

CARRIED 8/0

AS077/05/04 TENDER C15/2003-04 DESIGN AND CONSTRUCTION OF THE SERPENTINE JARRAHDAL RECREATION CENTRE (A0900-03)		
Proponent:	Director Asset Services	In Brief Council is requested to award the contract for the Design and Construction of the Serpentine Jarrahdale Community Recreation Centre.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	19 May 2004	
Previously	CRD22/04/04; CRD18/02/04; CRAS034; CRD03/08/03; SM063/06/03; CRD01/07/01	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

At its meeting of 23 July 2001 Council resolved to establish a Community and Recreation Development Committee Reference Group which is empowered to represent Council in directing the successful implementation of the Recreation Centre project. The establishment of the Reference Group was done through the following resolution:

1. *Council agrees to the establishment of a reference group comprising the members of the Community and Recreation Development Committee and the Chief Executive Officer, or his nominated representative, to provide guidance to consultants and staff and report back to Council.*
2. *The reference group will be able to make decisions associated with the project only if the matter being considered has been included in the Council budget or Council has previously delegated authority to the Chief Executive Officer to deal with it, otherwise the matter/s should be referred to Council.*

Tenders for the Design and Construction of the Serpentine Jarrahdale Recreation Centre were initially called on 31 October 2003. Tender prices were significantly higher than the project budget and, on advice from Councils Solicitors, Council resolved to not award the contract and to recall tenders with a modified specification (CRAS034 22 December 2003).

On 28 January 2004 the YMCA gave a presentation to Council in which updated financial modeling indicated the following increases in operating costs were likely:

	YEAR 1	YEAR 2	YEAR 3 (ongoing)
Original	\$109,086	\$50,705	\$26,469
Revised	\$188,547	\$83,299	\$65,504

Council considered the revised financial modeling results and resolved to call tenders for the Management of the Centre following award of the Design and Construct contract (CRD18/02/04).

Following review of the project specification and scope, tenders were recalled on 14 February 2004.

At its meeting of 8 April 2004, under delegated authority, the Community and Recreation Development Committee resolved to nominate Merym Constructions as the preferred tenderer for the design and construction of the Recreation Centre. Committee further

requested the CEO and/or Director Asset Services to enter into negotiations and provide a report to Council recommending award or otherwise of the contract.

The tender submission nominated a base price of \$4,078,287 (excluding GST). In addition an Options Schedule was provided which nominated prices for items including the Climbing Wall, Skate Ramps, Stage Curtains, Lighting and Sound Systems, etc. Review of this Schedule indicates that, for the proposal to meet the Project Brief, these items would cost an additional \$213,928.

The 2004-2014 Forward Financial Plan reflects an allowance for this project of \$4.18 million for capital works and furniture and equipment, officers undertook negotiations with a view to either reducing the project value or determining that Council should be requested to increase the funding. This process indicated that a reduction in cost could only be achieved through major changes to the building layout which would likely impact on the functionality of the Centre and has the risk of negatively effecting operating cost recovery.

At the negotiations a number of issues were raised with officers by the tenderer regarding price increases which may not be able to be absorbed in the original base price sum tendered. This situation has since been confirmed in writing to Councils appointed Project Manager (Thompson Marquis) on Thursday 20 May 2004, whereby a meeting was requested by the preferred tenderer with Thompson Marquis on Friday 21 May 2004 to discuss an increase to the base price due to cost increases now being passed onto them by sub contractors and suppliers due to the length of time since the tenders had closed and the awarding of the tender. The impact of the additional costs to the base price is an increase from \$4,078,287 to \$4,258,287. Therefore inclusive of the \$213,928 of items listed above in the "options schedule" the project cost has now increased to \$4,472,215 (excluding GST). It should be noted that this cost is still below the next lowest tender price submitted.

Section 20 of the Local Government (Functions & General) Regulations 1996 permit Council to make a minor variation without again inviting tenders. This is applicable to variations to the product or services being provided to reduce cost to stated budget or, alternatively, a variation to the budget allowance for the project. Council has previously defined a minor variation under a Delegation to the Chief Executive Officer - AF-2 "Minor Variations to Tender Contract" as *not more than 10% (GST Excl)*. As the original full project price nominated was in excess of the stated budget by only 4.7% it was deemed that any change is within the interpretation of a minor variation. As this situation has now arisen following negotiations the full project price now nominated now will be in excess of the stated budget by 9.7%, if Council accepts the amended tendered sum, inclusive of the \$213,928 of items listed above in the "options schedule".

Council does has the option under the tender to accept only the amended base price of \$4,258,287 which would retain the proposed variation to the original tendered base price tendered to 4.4%, and could be deemed a minor variation. This option still provides Council with the ability under the contract specification to supply goods or services to the contractor during the construction period and engage them to undertake installation. It is however recommended that Council agree to the inclusion of funding of \$213,928 for the items listed above in the "options schedule" to enable the project to be fully completed, but as two separate portions of work. This is explained below;

The item also recommends that Council approve the provision of a \$250,000 contingency allowance for this project, also sourced through loan. This amount will appear separate in the budget with any expenditure to be approved by the Committee responsible for Community and Recreation Development. The Options Schedule included the following items totally \$150,000 - the Climbing Wall, Skate Ramps, Minor sports equipment and a Shade structure to the external crèche area. In accordance with the 2002 "Funding Plan" prepared by the YMCA for Council, the initial approach will be to seek grant funding to provide assistance toward meeting part or all of the costs associated with the purchase and installation of each of these items thus reducing the requirement to draw on the provisional sum. Only if this approach is unsuccessful will Council be required to use funds from the

contingency sum to source this equipment. The other items which are included in the "options schedule" totally \$63,928 has not been included in the re-negotiated base price total sum of \$4,258,287 and is for the supply and installation of electric score boards, rubber flooring to the play area, stage sound and lighting and stage curtains (\$213,928 - \$150,000).

Should Council agree to accept the amended base price of \$4,258,287 plus the "options schedule" totally \$63,928 the project cost now equates to \$4,322,215 or a variation to the original tendered base price tendered (\$4,078,287) of 6.0%.

Merym Constructions have confirmed that the following features / technologies will be incorporated into the Centre:

- * Lighting – except in poor conditions there will be minimal requirement for the use of artificial lighting in daylight hours.
- * Heating – the design will be revised to incorporate underfloor heating technology which uses off-peak power to heat the floor at night with that heat radiating through the center during operating hours.
- * Cooling – the Gymnasium, Fitness Room and offices will utilize reverse cycle airconditioning units. The Foyer / Entrance area will utilize evaporative cooling units. Extreme Sports and Court Stadium will be naturally ventilated with no mechanical systems required. Climate control in the Function Centre is being reviewed to determine the best system for comfort and referred to Recreation Development Committee Reference Group for decision (this will have no impact on project cost).
- * Waste / Resource Minimisation – effluent will be disposed of using technology permitting waste water reuse on garden beds. Hot water supply will be via gas boosted solar hot water system.
- * Wind Turbine – provision is made for connection of the proposed wind turbine into the Centres' electrical system.

A minor change to the floor plan presented by Merym Constructions in their tender will occur being relocation of the café to utilize the reception desk as was specified in the revised Request for Tender document.

Sustainability Statement

Effect on Environment: The tender submitted reflects Councils requirement to incorporate technologies into the Centre which minimize resource use and waste.

Resource Implications: In addition to environmental initiatives, the building design has been reviewed to utilize modern design techniques and technologies to reduce resource demand. The building climate control, lighting and hot water supply takes advantage of the building orientation to minimize use of non-renewable energy.

Use of Local, renewable or recycled Resources: While not confirmed, it is likely that the building construction will utilize local resources.

Economic Viability: The contract price is based on the floor plan approved by Council. A reduced construction price could be achieved by deleting sections of the floor plan however this would impact on operating cost recovery potential and likely result in a higher cost to Council in the long term.

The incorporation of energy efficient design will reduce operating costs in comparison to a traditional building. There will be an ongoing cost to Council for maintenance of the building which should be provided in future budgets. This can be minimized by ensuring maintenance schedules are adhered to and provision of these schedules is a deliverable of the project.

Economic Benefits: Economic benefits are potentially achievable through this project through local employment during construction and operation. In addition it is believed that local business will benefit also.

Social – Quality of Life: The building design and surrounding public areas have given consideration to crime prevention and encourage public activities. Provision of the Centre provides the community with access to recreational opportunities currently not existing within the shire. The facility will provide a central meeting point for all parts of the community.

Social and Environmental Responsibility: The community has had significant involvement in the project to date through a comprehensive consultation process from which the specification of the facility was developed. Additional to the operational function, the project is intended to demonstrate environmental responsibility and provides opportunity for educational displays.

Further opportunities for community participation in areas such as public art will be explored during the design phase of the project.

Social Diversity: The proposal caters for inclusiveness of all social groups and sectors of the community.

Statutory Environment:

The Local Government (Functions & General) Regulations 1996, specifically:

20. (1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.

(3) In subregulation (1) –
“**minor variation**” means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply.

The recommendation of this report is to increase funding by 6.0% to meet the submitted tender price and enter into a contract. It is recommended that Council is satisfied that this variation is minor and in accordance with Section 20 of the Regulations.

Policy/Work Procedure Implications:

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

Financial Implications:

The 2004-2014 Forward Financial Plan shows an allocation of funding for the project of \$4.635 million.

Summary of Financial Position

a) Funds (Income)	\$3,200,000 loan as per Forward Financial Plan
	\$1,000,000 Grant State Government
	\$310,000 Commonwealth Grant
	\$125,000 Gym Equipment (Reserve funds)

	Total \$4,635,000
b) Forecast (Expenditure)	\$4,258,287 Base amended contract sum \$63,928 Options schedule \$250,000 Gym Equipment
	Total \$4,572,215
Shortfall	\$150,000 Options schedule

It is recommended that Council approve the provision of a \$250,000 contingency allowance for this project, sourced through loan. This amount will appear separate in the budget with any expenditure to be approved by the Committee responsible for Community and Recreation Development

The 2004-2014 Forward Financial Plan loan approved by Council of \$3.2 million is proposed to be repaid over a 15 year period. Based on an interest rate of 7.00% the annual payments for this loan are \$348,000.

The recommendations of this report will have the following impact on loan repayments:

P&I Loan Amount @ 7.00% / 15 Years	Annual Repayment
\$3,200,000 (As per 04/014 Forward Financial Plan)	\$348,000
\$250,000 (Contingency)	\$27,000

A Credit Risk Report was provided by Dun and Bradstreet who advise that there is low risk to Council entering into a contract with Merym Constructions.

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

1. Provide recreational opportunities.

2. Environment

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

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
4. Reduce water consumption.
5. Reduce green house gas emissions.

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

Strategies:

1. Implement known best practice sustainable natural resource management.
2. Respond to Greenhouse and Climate change.
3. Reduce waste and improve recycling processes

3. Economic

Objective 1: A vibrant local community

Strategies:

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

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
4. Balance resource allocation to support sustainable outcomes.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: No

Comment:

From negotiations with Merym Constructions, officers are satisfied that no substantial reduction in cost can be achieved without impacting on the functionality of the Centre. While this may save money in the short term it is likely that operating costs would be impacted negatively resulting in greater cost to Council.

Officers are also comfortable that the revised cost submitted by Merym Constructions remain acceptable value for a project of this size and no benefit would be realized by again calling tenders. It is recommended that the contract is awarded.

While the contract is lump sum, it is prudent for Council to allow a contingency for any additional works it may identify as desirable during the construction. It is recommended as discussed earlier in the item that Council provide an additional Provisional Sum of \$250,000 which can only be expended if approved by the Committee responsible for Community and Recreation Development.

Voting Requirements: Normal

CRAS077 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Hoyer

1. Council award Contract C15/2003-04 Design and Construction of the Serpentine Jarrahdale Community Recreation Centre to Merym Constructions for the lump sum price of \$4,322,215
2. That an allowance of \$250,000 be provided in the 2004/05 budget as a contingency fund from which expenditure is to be approved by the Committee responsible for Community and Recreation Development.

CARRIED 8/0

- 9. CHIEF EXECUTIVE OFFICER'S REPORT**
- 10. URGENT BUSINESS:**
- 11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:**
- 12. CLOSURE:**

There being no further business the meeting closed at 7.32pm.

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

C080/05/04 FUTURE LOCAL GOVERNMENT ELECTIONS (A0047-02)		
Proponent:	WA Local Government Association	In Brief
Officer:	G.R. Dougall – Director Corporate Services	Council respond to the Western Australia Local Government Association survey of future dates for local government ordinary elections and advise its preference for the biannual election date to remain unchanged in May.
Signatures Author:		
Senior Officer:		
Date of Report	20/04/04	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995.	
Delegation	Committee in accordance with resolution SM054/05/03	

C080/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

The Shire of Serpentine Jarrahdale response to the Western Australian Local Government Association Survey of future dates for local government elections be that the date remain unchanged, biannual elections to be held in the Month of May.
CARRIED 5/0

C081/05/04 PROPOSED AMENDMENTS TO LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 1997 (A0047-02) (A0163-06)		
Proponent:	WA Local Government Association	In Brief
Officer:	GR Dougall – Director Corporate Services	Council supports changes to the Electoral provisions as proposed by the Western Australia Electoral Commission through the Western Australia Local Government Association to include postal addresses on the electoral roll, amend queries on election procedures from electors, and increase the privacy provisions of the electoral roll
Signatures Author:		
Senior Officer:		
Date of Report	22/04/04	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Committee in accordance with resolution SM054/05/03	

C081/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

1. The Western Australian Local Government Association be advised that the Shire of Serpentine Jarrahdale supports the proposed changes to regulation 20 (1) and form 13 of the Local Government (Elections) Regulations 1997 as proposed in their InfoPage memo dated 22 April 2004; and
2. Supports a change to section 5.96 of the Local Government Act 1995 to restrict access to the Electoral Roll as long as the restriction does not apply to local government candidates during the election period.

CARRIED 5/0

C082/05/04 CHANGE OF LIBRARY HOURS		
Proponent	Principal Librarian	In Brief <i>Report to council on the trial change to the Alcoa Mundijong public library operating hours.</i>
Officer	Principal Librarian	
Signatures - Author:		
Senior Officer:		
Date of Report	27/04/04	
Previously	C039/12/03	
Disclosure of Interest		
Delegation	Committee/Council - In accordance with Resolution SM054/05/03	

C082/05/04 COMMITTEE DECISION/Officer Recommended Resolution

The Alcoa Mundijong Public Library continue with the trialled opening times as follows:

Monday	9:30am	12:30pm	1:00pm	5:30pm
Tuesday	9:30am	12:30pm	1:00pm	7:00pm
Wednesday	9:30am	12:30pm	1:00pm	5:30pm
Thursday	9:30am	12:30pm	1:00pm	5:30pm
Friday	9:30am	12:30pm	1:00pm	5:30pm
Saturday	9:00am	12 noon	Shire of Serpentine Jarrahdale	

MEMORANDUM

TO: _____ :

cc: _____ :

FROM _____ :

REF FILE NO _____ :

DATE _____ : **17 AUGUST 2000** ~~30 JUNE 1998~~

SUBJECT _____ :

Peter Kerp

CARRIED 5/0

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C083/05/04 FEES AND CHARGES REVIEW – 2004/2005 (A1239)		
Proponent	Local Government Act 1995	In Brief
Officer	Cary Green – Manager of Finance	To recommend the fees and charges to

Signatures - Author:		be considered in the 2004/2005 draft budget.
Senior Officer:		
Date of Report	03/05/04	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM054/05/03	

C083/05/04 COMMITTEE DECISION/Officer Recommended Resolution

The proposed list of fees and charges for the 2004/2005 financial year be included with the draft 2004/2005 budget for consideration.

CARRIED 5/0

Shire of Serpentine Jarrahdale

MEMORANDUM

TO: _____ :

cc: _____ :

FROM _____ :

REFFILEFILE N° _____ :

DATE _____ : 17 AUGUST 200030 JUNE 1998

SUBJECT _____ :

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Peter Kerp

C084/05/04 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Director Corporate Services	In Brief
Owner:	N/A	To confirm the creditor payments made during April 2004
Officer:	S. O'Meagher – Finance Officer	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM054/05/03	

C084/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council notes the payments authorised under delegated authority and detailed in the list of invoices for the month of April, presented to the Corporate Services Committee and to Council, per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.
CARRIED 5/0

C085/05/04 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)		
Proponent:	Director Corporate Services	In Brief
Owner:	Not Applicable	To receive the statement of debtors over \$1,000 as at 30 April 2004
Officer:	Lauren Whitsed – Customer Support Officer	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM054/05/03	

C085/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 30 April 2004.
CARRIED 5/0

C086/05/04 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief
Owner:	Not Applicable	
Officer:	Lauren Whitsed – Customer Support Officer	To receive the sundry debtor balances as at 30 April 2004
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM054/05/03	

C086/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

**Council receive and note the report on Sundry Debtor Outstanding Accounts as at 30 April 2004.
 CARRIED 5/0**

C087/05/04 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief
Owner:	Not Applicable	
Officer:	V Delbridge – Finance Officer - Rates	To receive the rates report as at 30 April 2004
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM054/05/03	

C087/05/04 Officer Recommended Resolution:

**Council receive and note the report the Rate Debtors accounts as at 30 April 2004.
 CARRIED 5/0**

C088/05/04 INFORMATION REPORT		
Proponent:	Director Corporate Services	In Brief To receive the information report to 30 April 2004
Owner:	Not Applicable	
Officer:	Various	
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM054/05/03	

C088/05/04 Officer Recommended Resolution:

The information report to 5 May 2004 be received.
CARRIED 5/0

AS068/05/04 TENDER C07/2003-04 SUPPLY AND PLACEMENT OF HOT ASPHALT (A0526/04)		
Proponent	Shire of Serpentine Jarrahdale	In Brief Council is requested to approve the recommended tenderer for the Supply and Placement of Hot Asphalt for the period 1 st July 2004 to 30 th June 2005.
Officer	Jason Elliott, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 th April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS068/05/04 COMMITTEE DECISION/Officer Recommended Resolution

Council accept the offer submitted by Hotmix for the Supply and Placement of Hot Asphalt in accordance with RFT C06/2003-04 for the period of 1st July 2004 to 30th June 2005 at the following prices (GST inclusive):

Job Size 0-25T		(\$/Tonne)	Job Size 101-200T		(\$/Tonne)
Mix Type	Marshall Blow		Mix Type	Marshall Blow	
20mm	50	164.00	20mm	50	97.00
20mm	75	164.00	20mm	75	97.00
14mm	35	165.00	14mm	35	98.00
14mm	50	165.00	14mm	50	98.00
14mm HD GAP	75 3-5 voids	165.00	14mm HD GAP	75 3-5 voids	98.00
14mm HD GAP	75 4-7 voids	133.00	14mm HD GAP	75 4-7 voids	98.00

Job Size 0-25T		(\$/Tonne)	Job Size 101-200T		(\$/Tonne)
Mix Type	Marshall Blow		Mix Type	Marshall Blow	
10mm HD GAP	75 3-5 voids	167.00	10mm HD GAP	75 3-5 voids	100.00
10mm HD GAP	75 4-7 voids	167.00	10mm HD GAP	75 4-7 voids	100.00
10mm HD GAP	35	167.00	10mm HD GAP	35	100.00
10mm HD GAP	50	140.00	10mm HD GAP	50	105.00
10mm HD GAP	75	167.00	10mm HD GAP	75	100.00
7mm	35	168.00	7mm	35	101.00
7mm	50	168.00	7mm	50	101.00

Job Size 26-50T		(\$/Tonne)	Job Size 201-300T		(\$/Tonne)
Mix Type	Marshall Blow		Mix Type	Marshall Blow	
20mm	50	143.00	20mm	50	96.00
20mm	75	143.00	20mm	75	96.00
14mm	35	144.00	14mm	35	97.00
14mm	50	144.00	14mm	50	97.00
14mm HD GAP	75 3-5 voids	144.00	14mm HD GAP	75 3-5 voids	97.00
14mm HD GAP	75 4-7 voids	128.00	14mm HD GAP	75 4-7 voids	97.00
10mm HD GAP	75 3-5 voids	146.00	10mm HD GAP	75 3-5 voids	99.00
10mm HD GAP	75 4-7 voids	146.00	10mm HD GAP	75 4-7 voids	99.00
10mm HD GAP	35	146.00	10mm HD GAP	35	99.00
10mm HD GAP	50	135.00	10mm HD GAP	50	99.00
10mm HD GAP	75	146.00	10mm HD GAP	75	100.00
7mm	35	147.00	7mm	35	100.00
7mm	50	147.00	7mm	50	100.00

Job Size 51-100T		(\$/Tonne)	Job Size 301-400T		(\$/Tonne)
Mix Type	Marshall Blow		Mix Type	Marshall Blow	
20mm	50	103.00	20mm	50	91.00
20mm	75	103.00	20mm	75	91.00
14mm	35	104.00	14mm	35	92.00
14mm	50	104.00	14mm	50	92.00
14mm HD GAP	75 3-5 voids	104.00	14mm HD GAP	75 3-5 voids	92.00
14mm HD GAP	75 4-7 voids	113.00	14mm HD GAP	75 4-7 voids	96.00
10mm HD GAP	75 3-5 voids	106.00	10mm HD GAP	75 3-5 voids	94.00
10mm HD GAP	75 4-7 voids	106.00	10mm HD GAP	75 4-7 voids	94.00
10mm HD GAP	35	106.00	10mm HD GAP	35	94.00
10mm HD GAP	50	120.00	10mm HD GAP	50	103.00
10mm HD GAP	75	106.00	10mm HD GAP	75	94.00
7mm	35	107.00	7mm	35	95.00
7mm	50	107.00	7mm	50	95.00

Job Size 400T+		(\$/Tonne)
Mix Type	Marshall Blow	
20mm	50	86.00
20mm	75	86.00
14mm	35	87.00
14mm	50	87.00
14mm HD GAP	75 3-5 voids	87.00
14mm HD GAP	75 4-7 voids	95.00
10mm HD GAP	75 3-5 voids	89.00
10mm HD GAP	75 4-7 voids	89.00
10mm HD GAP	35	89.00
10mm HD GAP	50	102.00

Job Size 400T+		(\$/Tonne)
Mix Type	Marshall Blow	
10mm HD GAP	75	89.00
7mm	35	90.00
7mm	50	90.00

Job Size (\$/tonnes)								
Mix Type	Marshall Blow	0-25	26-50	51-100	101-200	201-300	301-400	400+
RED ASPHALT LATERITE WITH 1% RED OXIDE								
7mm	35	188.00	167.00	127.00	121.00	120.00	120.00	120.00
7mm	50	188.00	167.00	127.00	121.00	120.00	120.00	120.00
10mm	35	188.00	167.00	127.00	121.00	120.00	120.00	120.00
10mm	50	188.00	167.00	127.00	121.00	120.00	120.00	120.00
14mm	35	188.00	167.00	127.00	121.00	120.00	120.00	120.00
14mm	50	188.00	167.00	127.00	121.00	120.00	120.00	120.00

Job Size (\$/tonnes)								
Mix Type	Marshall Blow	0-25	26-50	51-100	101-200	201-300	301-400	400+
RED ASPHALT – DDG WITH 3% RED OXIDE								
7mm	35	232.00	217.00	177.00	171.00	170.00	170.00	170.00
7mm	50	230.00	217.00	177.00	171.00	170.00	170.00	170.00
10mm	35	232.00	217.00	184.00	171.00	170.00	170.00	170.00
10mm	50	230.00	217.00	177.00	171.00	170.00	170.00	170.00
14mm	35	228.00	217.00	177.00	171.00	170.00	170.00	170.00
14mm	50	228.00	217.00	177.00	171.00	170.00	170.00	170.00

CARRIED 5/0

COMMITTEE DECISION - EN BLOC RESOLUTION NO. 1

Committee adopts en bloc the recommendations in items AS069/05/04 to AS075/05/04 inclusive.

CARRIED 5/0

AS069/05/04 TENDER C10/2003-04 SUPPLY SPRAYING & COVERING OF HOT BITUMEN PRIMER SEALS & RESEALS FINANCIAL YEAR 2004-2005 (A0984/04)		
Proponent	Shire of Serpentine Jarrahdale	In Brief Council is requested to approve the recommended tenderer for the Supply Spraying & Covering of Hot Bitumen Primer Seals and Reseals for the period 1 st July 2004 to 30 th June 2005
Officer	Jason Elliott, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 th April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS069/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the offer submitted by RNR Contracting for the Supply Spraying and Covering of Hot Bitumen Primer Seals & Reseals in accordance with RFTC10/2003-04 for the period of 1st July 2004 to 30th June 2005 at the following rates (GST inclusive).

Item	Description	Quantity	Unit	\$/m ²
1.0	10mm Reseal			
1.1	Supply and Apply 10mm reseal	<1500	m2	4.55
1.2	Supply and Apply 10mm reseal	1500 to 4000	m2	3.18
1.3	Supply and Apply 10mm reseal	4000 to 6000	m2	2.20
1.4	Supply and Apply 10mm reseal	6000 to 10000	m2	2.00
1.5	Supply and Apply 10mm reseal	>10000	m2	1.90
2.0	14mm Reseal			
2.1	Supply and Apply 14mm reseal	<1500	m2	4.70
2.2	Supply and Apply 14mm reseal	1500 to 4000	m2	3.40
2.3	Supply and Apply 14mm reseal	4000 to 6000	m2	2.58
2.4	Supply and Apply 14mm reseal	6000 to 10000	m2	2.50
2.5	Supply and Apply 14mm reseal	>10000	m2	2.50
3.0	14mm Primer-Seal			
3.1	Supply and Apply 14mm Primer-seal	<1500	m2	4.70
3.2	Supply and Apply 14mm Primer-seal	1500 to 4000	m2	3.36
3.3	Supply and Apply 14mm Primer-seal	4000 to 6000	m2	2.45
3.4	Supply and Apply 14mm Primer-seal	6000 to 10000	m2	2.45
3.5	Supply and Apply 14mm Primer-seal	>10000	m2	2.45
4.0	Variations			
4.1	Variation to Binder Application Rate		litres	\$0.60
4.2	Variation of 10mm Aggregate Spread Rate		m3	\$41.47
4.3	Variation of 14mm Aggregate Spread Rate		m3	\$41.47
5.0	Supply & Spray 14mm Primer Seal			
5.1	Supply and Spray only 14mm Primer Seal	<1500	m2	\$1.23
5.2	Supply and Spray only 14mm Primer Seal	1500 to 4000	m2	\$1.12
5.3	Supply and Spray only 14mm Primer Seal	4000 to 6000	m2	\$1.00
5.4	Supply and Spray only 14mm Primer Seal	6000 to 10000	m2	\$1.00
5.5	Supply and Spray only 14mm Primer Seal	>10000	m2	\$1.00

CARRIED BY EN BLOC RESOLUTION NO.1

AS070/05/04 TENDER C08/2003-04 SUPPLY OF CASUAL LABOUR (A0982/04)	
Proponent	Shire of Serpentine Jarrahdale
Officer	Jason Elliott, Technical Officer
Signatures - Author:	In Brief Council is requested to approve the recommended tenderer for the Supply of Casual Labour for the period 1 st July 2004 to 30 th June 2005.
Senior Officer:	
Date of Report	
Previously	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.
Delegation	Committee in accordance with resolution SM054/05/03

CRAS070/05/04 COMMITTEE DECISION/Officer Recommended Resolution

That Council accept the offer submitted by Skilled Engineering for the Supply of Casual Labour in accordance with RFT C08/2003-04 for the period of 1st July 2004 to 30th June 2005 at the following rates (GST inclusive).

Skills	\$/hr/person
Machine Operators	24.58
Motor Grader	23.29
Front End Loader	23.29
Roller Driver	23.29
Truck Driver	23.29
Ride-on Mower	21.70
General	
General Hand	19.94
Work Site Traffic Controller	21.70
Concrete Finisher	23.29
Horticulturist	24.58

CARRIED BY EN BLOC RESOLUTION NO.1

AS071/05/04 TENDER C09/2003-04 SUPPLY OF TREE PRUNING SERVICE (A0528/04)		
Proponent	Shire of Serpentine Jarrahdale	In Brief Council is requested to approve the recommended tenderer for the Supply of General Tree Pruning Services for the period 1 st July 2004 to 30 th June 2005
Officer	Jason Elliott, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 th April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS071/05/04 COMMITTEE DECISION/Officer Recommended Resolution

That Council accepts the offer submitted by Brian's Pruning & Mulching for the Supply of General Tree Pruning Services in accordance with RFT C09/2003-04 for the period of 1st July 2004 to 30th June 2005 at the following rates (GST inclusive):

Company Name	Brian's Pruning & Mulching
Two man team \$/hr	\$115.50
Three man team \$/hr	\$148.50
Elevated Platform \$/hr	\$74.80
Stump grinder \$/hr	\$74.80
Two man call out team \$/hr	\$137.50
Three man call out team \$/hr	\$214.50

CARRIED BY EN BLOC RESOLUTION NO.1

AS072/05/04 TENDER C11/2003-04 SUPPLY & DELIVERY OF CRUSHED LIMESTONE (A1086/04)		
Proponent	Shire of Serpentine Jarrahdale	In Brief Council is requested to approve the recommended tenderer for the Supply and Delivery of Crushed Limestone for the period 1 st July 2004 to 30 th June 2005
Officer	Jason Elliott, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 th April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS072/05/04 COMMITTEE DECISION/Officer Recommended Resolution

That Council accepts the offer submitted by WA Limestone Pty Ltd for the Supply & Delivery of Crushed Limestone in accordance with RFT C09/2002-03 for period of 1st July 2004 to 30th June 2005 at the following rates (GST inclusive):

Quarry	Item Description	Tender Unit	Price Tendered
Abercrombie Rd Postans Quarry	75mm Crushed Limestone	\$/Tonne	\$4.40
	19mm Crushed Limestone	\$/Tonne	\$8.25
Millar Rd Baldvis Quarry	75mm Crushed Limestone	\$/Tonne	\$5.50
	19mm Crushed Limestone	\$/Tonne	\$8.25

Kms	WA Limestone (Postans) (\$/km)	WA Limestone (Baldvis) (\$/km)
0 – 4	0.40	0.40
5 – 9	0.25	0.25
10 – 14	0.19	0.19
15 – 19	0.16	0.16
20 – 24	0.14	0.14
25 – 29	0.13	0.13
30 – 34	0.13	0.13
35 – 39	0.13	0.13
40 – 44	0.13	0.13
45 – 49	0.12	0.12
50+	0.12	0.12

CARRIED BY EN BLOC RESOLUTION NO.1

AS073/05/04 TENDER C12/2003-04 SUPPLY PLACEMENT & FINISHING OF EXTRUDED CONCRETE KERBING (A0527/04)		
Proponent	Shire of Serpentine Jarrahdale	In Brief Council is requested to approve the recommended tenderer for the Supply Placement & Finishing of Extruded Concrete Kerbing for the period 1 st July 2004 to 30 th June 2005
Officer	Jason Elliott, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 th April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS073/05/04 COMMITTEE DECISION/Officer Recommended Resolution

That Council accepts the offer submitted by Glenview Machine Kerbing for the Supply Placement and Finishing of Extruded Concrete Kerbing in accordance with RFT C12/2003-04 for the period of 1st July 2004 to 30th June 2005 at the following rates (GST inclusive).

Mountable \$/m		Semi-mountable \$/m		Barrier \$/m		Handwork + \$/m	Pram Ramp (item)	Island Nose (item)
0-99m	\$18.00	0-99m	\$18.00	0-99m	\$18.00			
100-499m	\$11.00	100-499m	\$11.50	100-499m	\$11.00			
500-999m	\$11.00	500-999m	\$11.50	500-999m	\$11.00			
Over 1000m	\$10.50	Over 1000m	\$11.00	Over 1000m	\$10.50			

CARRIED BY EN BLOC RESOLUTION NO.1

AS074/05/04 TENDER C13/2003-04 DRY HIRE OF SELF PROPELLED COMPACTIVE EQUIPMENT (A1085/04)		
Proponent	Shire of Serpentine Jarrahdale	In Brief Council is requested to approve the recommended tenderer for the Dry Hire of Self Propelled Compactive Equipment for the period 1 st July 2004 to 30 th June 2005.
Officer	Jason Elliott, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 th April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS074/05/04 COMMITTEE DECISION/Officer Recommended Resolution

That the Council accept the offer submitted by Mayday Earthmoving for the Dry Hire of Self Propelled Compactive Equipment in accordance with C13/2003-04 for the period 1st July 2004 to 30th June 2005 at the following rates (GST inclusive):

Vibrating Steel	Static Steel	Static Multi-tyred	Static Multi-tyred	Double Drum Vib.	Deliver/Retrieve
Roller 9-12 tonnes	Roller 8-12 tonnes	Roller 11-15 tonnes	Roller 30 tonnes	Roller 2-4 tonnes	
\$280.50 per day	\$242.00 per day	\$264.00 per day	\$291.50 per day	\$258.50 per day	\$269.50 per mob

CARRIED BY EN BLOC RESOLUTION NO.1

AS075/05/04 TENDER C06/2003-04 FLEET TRUCKS FOR BULK CARTAGE & INDIVIDUAL TRUCKS FOR GENERAL CARTAGE (A0362/04)		
Proponent	Shire of Serpentine Jarrahdale	In Brief Council is requested to approve the recommended tenderers for the supply of Fleet Trucks for Bulk Cartage & Individual Trucks for General Cartage for the period 1 st July 2004 to 30 th June 2005.
Officer	Jason Elliott, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	27 th April 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act.	
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS075/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

That Council accept the offers submitted by Kwinana Hire, Mayday Earthmoving and Deane Contracting for Individual Trucks for General Cartage in accordance with RFT C06/2003-04 for the period of 1st July 2004 to 30th June 2005 at the following rates (GST inclusive):

Company	Type of Truck	Capacity (G.V.M.- Tare)	Hire Rate (\$/hr)	Mobilisation Charges
Kwinana Hire	6 Wheeler Tipper	11 m3	\$63.80	Hourly Rate
	8 Wheel Tipper	14 m3	\$70.40	
	Semi Tipper	18m3	\$95.70	
Mayday Earthmoving	6 Wheeler Tipper	11 m3	\$62.70	Hourly Rate
	8 Wheel Tipper	14 m3	\$71.50	
	Semi Tipper	18m3	\$96.80	
Deane Contracting	6 Wheeler Tipper	11 m3	\$66.00	Hourly Rate
	8 Wheel Tipper	14 m3	\$71.50	
	Semi Tipper	18m3	\$82.50	

CARRIED BY EN BLOC RESOLUTION NO.1

AS076/05/04 INFORMATION REPORT		
Proponent	Director Asset Services	In Brief To receive the information report to the 30 April 2004
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS076/05/04 COMMITTEE DECISION/Officer Recommended Resolution:

**The Director Asset Services' report to the 30 April 2004 be received.
CARRIED 5/0**

CRD26/05/04 PEEL COMMUNITY DEVELOPMENT GROUP (A1123)		
Proponent:	Peel Community Development Group	In Brief Council is asked to consider a population based contribution of \$3,000 (similar to PEDU LGA contribution model) in the 2004/05 budget deliberations toward the Peel Community Development Group
Owner:	N/A	
Officer:	Carole McKee - Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	29.4.04	
Previously	CRD14/11/03; CRD11/10/03; CRD18/04/03	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act if no interest	
Delegation	Committee – in accordance with resolution SM054/05/03	

Officer Recommended Resolution:

- 1 That Council thanks Paddi Creevey (Chairperson) and Cheryl Song Loong (Regional Community Development Coordinator) of the Peel Community Development Group for their presentation and congratulates them on the impact the Peel Community Development Group's work is having on the Peel region.

- 2 Council considers a population based contribution of \$3,000 in the draft 2004/05 budget deliberations.

CRD26/05/04 COMMITTEE DECISION

- 1 That Council thanks Paddi Creevey (Chairperson) and Cheryl Song Loong (Regional Community Development Coordinator) of the Peel Community Development Group for their presentation and congratulates them on the impact the Peel Community Development Group's work is having on the Peel region.
- 2 Council considers a population based contribution of \$3,000 to the Peel Community Development Group in the draft 2004/05 budget deliberations.

CARRIED 5/0

Committee Note: The Presiding Officer considered the change to the Officer recommendation was for clarification only and does not require the item to be referred to the Ordinary Council Meeting.

CRD27/05/04 INFORMATION REPORT		
Proponent:	Not applicable	In Brief
Owner:	Not applicable	
Officer:	Carole McKee – Community Development Officer and Brian Owston – Senior Ranger	Information report
Signatures Author:		
Senior Officer:		
Date of Report	3.5.04	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM054/05/03	

CRD27/05/04 COMMITTEE DECISION/Officer Recommended Resolution

Council accepts the April 2004 Information Report.
CARRIED 5/0

B17/05/04 INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Wayne Chant - Principal Building Surveyor	Information report
Signatures Author:		
Senior Officer:		
Date of Report	07.05.04	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	<i>Committee – in accordance with resolution SM054/05/03</i>	

B17/05/04 COMMITTEE DECISION/Officer Recommended Resolution

**Council accepts the April 2004 Information Report.
 CARRIED 5/0**

H13/05/04 INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	Information report
Signatures Author:		
Senior Officer:		
Date of Report	07.05.04	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM054/05/03	

H13/05/04 COMMITTEE DECISION/Officer Recommended Resolution

**Council accepts the information report for April 2004.
 CARRIED 5/0**

Cr Needham and Cr Scott declared an impartial interest in item E012 as they are members of the Regional Energy Group.

E012/05/04 SOUTH EAST REGIONAL ENERGY GROUP BUDGET REQUEST (A0283)		
Proponent:	Not applicable	<p>In Brief</p> <p>The South East Regional Energy Group has been implementing energy efficiency programs and education across the region (Armadale, Gosnells and SJ) under the “switch your thinking” brand.</p> <p>The project is primarily funded through corporate sponsorship and run by the Regional Greenhouse Coordinator. This position is a 12 month contract position requiring successful funding for the position to be gained each year. The Shire and Cities also contribute pro rata to the project.</p> <p>To ensure the ongoing success of the project it has been requested of each council to allow in their budgets a greater funding allocation. The shire is requested to fund \$11,268.06 in their 2004/2005 budget.</p>
Owner:	Not applicable	
Officer:	Carlie Eldridge - Manager Sustainability Unit	
Signatures Author:		
Senior Officer:		
Date of Report	4 May 2004	
Previously	Not applicable	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM054/05/03	

E012/05/04 Committee Decision/Officer Recommended Resolution

**Council considers an allocation of \$11,268.06 in the draft 2004/2005 Budget for the Regional Energy Project.
CARRIED 5/0**

P083/05/04 SELF STORAGE UNITS (STAGE 3) – LOT 12 DOUGALL STREET, BYFORD (P00017/01)		
Proponent:	Omega Architectural Design	<p>In Brief</p> <p>To grant planning approval for self storage units (stage 3) at Lot 12 Dougall Street, Byford.</p> <p>Planning approval was granted by staff for this development (stage 3) on 2 April 2004 under delegated authority. However, the planning approval is invalid, as no delegation existed to staff to approve this type of development in the Urban Development zone.</p>
Owner:	Bulow Pty Ltd	
Officer:	Brad Gleeson, Manager Planning and Regulatory Services	
Signatures Author:		
Senior Officer:		
Date of Report	10 May 2004	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee - In accordance with Resolution SM054/05/03	

P083/05/04 Committee Decision/Officer Recommended Resolution

Council grants planning approval for Self Storage Units (Stage 3) at Lot 12 Dougall Street, Byford subject to the following conditions:

1. **The materials and finish of stage 3 of the development are to match (as closely as possible) the existing development to the satisfaction of the Shire.**
2. **The storage units are not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by Legislation. Please contact Council's Health Services for setbacks and requirements to other systems.**
3. **All driveway surfaces are to be constructed of a suitable material such as paving, road base, or coarse gravel to limit the generation of dust and sediments entering nearby creeks and drainage lines.**
4. **All stormwater to be disposed of within the property. This shall be achieved by either soakwells or spoon drains and the grading of driveways and paved areas onto lawns or landscaped areas preventing direct disposal of stormwater onto the road or neighbouring properties.**
5. **No direct discharge of stormwater into watercourses or drainage lines.**
6. **A building licence is to be obtained prior to commencement of development.**

Advice Notes:

1. **A planning consent is not an approval to commence any works. A building licence must be obtained for all works. An application for a building licence will not be accepted unless proof of payment of all bonds and guarantees accompanies the application documents.**
2. **Your application for a building licence must be accompanied by a photocopy of the Form 2 Approval, and all plans, where appropriate, must satisfy the conditions specified.**
3. **Native vegetation is valued and protected in the Shire of Serpentine-Jarrahdale. You are advised that Council's Town Planning Scheme requires separate approval for the clearing of native trees in most instances if approval for this is not given above.**
4. **Approval does not obviate compliance with any other appropriate legislation in particular, the Environmental Protection (Noise) Regulations 1997.**

CARRIED 5/0

P084/05/04 INFORMATION REPORT			
Proponent	Director Sustainable Development		In Brief Information Report.
Officer	Lisa Fletcher – Support Officer Sustainable Development		
Signatures - Author:			
Senior Officer:			
Date of Report	3 May 2004		
Previously			
Disclosure of Interest			
Delegation	Committee - In accordance with Resolution SM054/05/03		

P084/05/04 Committee Decision/Officer Recommended Resolution

**The Information Report to 10 May 2004 be received.
CARRIED 5/0**