

TABLE OF CONTENTS

1. ATTENDANCES & APOLOGIES.....	1
2. PUBLIC QUESTION TIME:	1
3. PUBLIC STATEMENT TIME:	1
4. PETITIONS & DEPUTATIONS:.....	1
5. PRESIDENT’S REPORT:	1
6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:	1
7. RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION OF ADOPTION OF RECOMMENDATIONS FROM COMMITTEE MEETINGS HELD SINCE THE PREVIOUS COUNCIL MEETINGS:	1
7.1 Ordinary Council Meeting – 22nd March, 2004.....	1
REPORTS OF COMMITTEES:.....	2
C073/04/04 DONATION TO LEUKEMIA FOUNDATION (A0012)	2
AS060/04/04 GREAT SOUTHERN AND CENTRAL WHEATBELT FREIGHT STUDY (A0519) ..	4
AS065/04/04 FUTURE CEMETERY TO SERVICE SOUTH EAST CORRIDOR (A0409).....	9
CRD23/04/04 NEW COUNCIL CRIME PREVENTION COMMITTEE (A0101)	12
SM036/04/04 COUNCIL CONTROL OVER EMPLOYEES DEALING IN LAND AND OTHER BUSINESS ACTIVITY WITHIN THE SERPENTINE JARRAHDAL SHIRE (A0031/A1048)	17
SM037/04/04 JARRAHDAL HERITAGE PARK DEVELOPMENT AND DISPOSITION BUSINESS PLAN (P05576)	20
SM038/04/04 REVIEW OF PORTFOLIO GROUP, COMMITTEE AND COUNCIL MEETINGS (A0039) 29	
SM039/04/04 QUARTERLY FINANCIAL REPORT – MARCH 2004 (A0924/04).....	35
SM040/04/04 FORWARD FINANCIAL PLAN (A0119/03)	44
SM041/04/04 INFORMATION REPORT	49
SM042/04/04 PROPOSED SERPENTINE SPORTS RESERVE PAVILION (RS0180/02).....	52
SM043/04/04 UPDATE ON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (VROC) PROPOSAL FOR PEEL REGION (A0839-06)	56

SM044/04/04	WA LOCAL GOVERNMENT ASSOCIATION SOUTH EAST METROPOLITAN ZONE & STATE COUNCIL (A1164)	62
P077/04/04	JARRAHDAL TOWNSCAPE PLAN (A0806-02)	62
P078/04/04	INITIATION OF SCHEME AMENDMENT TO REZONE LOT 24 BEENYUP ROAD, BYFORD FROM “RURAL” TO “SPECIAL USE - LANDSCAPE PROTECTION”	66
P080/04/04	REVIEW OF TOWN PLANNING SCHEME NO. 2 (A0784-02)	85
8.	MOTIONS OF WHICH NOTICE HAS BEEN GIVEN	92
9.	CHIEF EXECUTIVE OFFICER’S REPORT	92
10.	URGENT BUSINESS:	93
SM045/04/04	CR SIMPSON – LEAVE OF ABSENCE (A0024)	93
CRD24/04/04 (RS0117)	GOORALONG PARK – LETTER FROM MINISTER FOR LAND INFORMATION 93	
CRD25/04/04	ANZAC DAY 2004 – THANK YOU TO ORGANISERS (A0167-02)	94
11.	COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:	94
12.	CLOSURE:	94
13.	INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:	95
C072/04/04	COUNCIL POLICY CSP11 “PAYMENT TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD” (A1048)	95
C074/04/04	BETTER BEGINNINGS (A1077)	95
C075/04/04	CONFIRMATION OF PAYMENT OF CREDITORS (A0917)	96
C076/04/04	DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)	96
C077/04/04	SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)	97
C078/04/04	RATE DEBTORS REPORT (A0917)	97
C079/04/04	INFORMATION REPORT	98
AS058/04/04	2003/2004 RESEAL PROGRAM STAGE 2 (A0477)	98
AS059/04/04	INTERIM REPORT ON 100% WASTE STRATEGY (A1177)	99
AS061/04/04	FEASIBILITY STUDY – ESTABLISHMENT OF A COLLOCATED EMERGENCY SERVICES FACILITY AT MUNDIJONG (A0184)	99

AS062/04/04	ABERNETHY ROAD FOOTPATH CONSTRUCTION (A0477)	100
AS063/04/04 (A0427)	METROPOLITAN REGIONAL ROAD PROGRAM - PROJECT SUBMISSION 100	
AS064/04/04 (A0864)	ROAD SAFETY IMPROVEMENTS – SOUTH WESTERN HIGHWAY, BYFORD 101	
CRD22/04/04	TENDER C15/2003-04 DESIGN AND CONSTRUCTION OF THE SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE (A0900-03)	102
B15/04/04	WITHDRAWAL OF SECTION 401 NOTICE AND APPROVAL OF CARETAKER'S RESIDENCE – LOT 394 JARRAH ROAD, SERPENTINE (P01790)	102
B16/04/04	INFORMATION REPORT	103
H11/04/04	CONFIDENTIAL ITEM LOT 52 #19 BUTCHER STREET, MUNDIJONG – DECLARATION OF HOUSE UNFIT FOR HUMAN HABITATION (P03123)	103
H12/04/04	INFORMATION REPORT	104
E010/04/04	MANAGEMENT OF GORDON BLOCK AND JARRAHDAL BUFFER (A0563).....	104
E011/04/04	CONSERVATION ZONING AND LAND TAX (A0299)	105

- 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 TUESDAY 27TH APRIL, 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
IJ Richards
JE Price
JC Star
AJ Simpson

APOLOGIES: Mr D Price Chief Executive Officer

IN ATTENDANCE: Ms J Abbiss Acting Chief Executive Officer and
..... Director Sustainable Development
Mr M Beaverstock Director Asset Services
Mr G Dougall Director Corporate Services
Mr B Coelho Manager Asset Services
Mrs S Langmair Minute Secretary

GALLERY: 1

2. PUBLIC QUESTION TIME:

No questions received.

3. PUBLIC STATEMENT TIME:

No statements received.

4. PETITIONS & DEPUTATIONS:

No petitions or deputations received.

5. PRESIDENT'S REPORT:

No report.

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Nil.

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 – 22nd March, 2004

COUNCIL DECISION

Moved Cr Hoyer seconded Cr Scott
That the minutes of the Ordinary Council Meeting held on 22nd March, 2004 be confirmed.
CARRIED 10/0

REPORTS OF COMMITTEES:

C073/04/04 DONATION TO LEUKEMIA FOUNDATION (A0012)		
Proponent:	Council	In Brief Council is asked to provide a donation of \$100 to the Leukemia Foundation in honour of the efforts made by Serpentine Jarrahdale residents and staff when they shaved their heads in March 2004 to raise funds for the foundation. It is also recommended that delegated authority be granted to the Chief Executive Officer and Shire President to make donations up to \$100 subject to budget provision.
Owner:	Not applicable	
Officer:	Carole McKee - Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	1.4.04	
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	Council	

Background

Council is asked to provide a donation of \$100 to the Leukemia Foundation in honour of the efforts made by Serpentine Jarrahdale residents and staff when they shaved their heads in March 2004 to raise funds for the foundation.

Sustainability Statement

Economic Benefits:

The donation supports the efforts of community and residents

Social – Quality of Life

The donation aims to provide quality of life for sufferers of leukemia and their families.

Social and Environmental Responsibility:

The initiative is socially responsible through recognising community participation.

Statutory Environment:

None

Policy/Work Procedure Implications:

Nil

Financial Implications:

\$100 from CDO530 which has an allocation of \$1150 for "Other" donations which has not been fully spent. A budget allocation will be considered as part of the draft budget to provide for the delegation.

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:

4 Respect diversity within the community

Objective 3: High level of social commitment

Strategies:

- 1 Encourage social commitment and self determination by the SJ community

Community Consultation:

Required: No

Comment:

Council is asked to provide a donation of \$100 to the Leukemia Foundation in honour of the efforts made by Serpentine Jarrahdale residents and staff when they shaved their heads in March 2004 to raise funds for the foundation.

As several similar requests occur during the year, it is recommended that consideration be given to establish delegated authority to the Chief Executive Officer to approve requests of up to \$100 subject to budget provision and the benefactor being a non profit registered organisation.

Voting Requirements:

ABSOLUTE MAJORITY

Officer Recommended Resolution:

1. Council donate \$100 to the Leukemia Foundation from CDO530 in recognition of the Serpentine Jarrahdale residents and staff who shaved their heads in March 2004 in order to raise funds for the Foundation, and
2. Delegated authority be granted to the Chief Executive Officer and Shire President to approve requests for donations from Western Australian Non Profit registered groups for an amount up to \$100, subject to budget provisions.

C073/04/04 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Hoyer seconded Cr Simpson

1. Council donate \$100 to the Leukemia Foundation from CDO530 in recognition of the Serpentine Jarrahdale residents and staff who shaved their heads in March 2004 in order to raise funds for the Foundation, and
2. Delegated authority be granted to the Chief Executive Officer to approve requests for donations from Western Australian Non Profit registered groups for an amount up to \$100, subject to budget provisions.

CARRIED 10/0 ABSOLUTE MAJORITY

Committee Note: The Shire President was deleted from part two (2) of the motion because Shire President can't receive a continuing delegation.

AS060/04/04 GREAT SOUTHERN AND CENTRAL WHEATBELT FREIGHT STUDY (A0519)		
Proponent:	Department for Planning and Infrastructure	In Brief The Department for Planning and Infrastructure have recommended that further investigation be undertaken into the extension of the Tonkin Highway south of Byford and further examination of possible routes for a connecting road between Albany and South Western Highways. It is recommended that Council formally request that further investigation is undertaken.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	31 March 2004	
Previously	AS014/09/02	
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

Councillor Star, Martin Whitely (Member for Roleystone) Director Asset Services, transport industry and local government representatives have been members of the Great Southern & Central Wheatbelt Freight Study Steering Group to undertake a study coordinated by the Department for Planning and Infrastructure (DPI) on freight transport access to Perth.

The primary aim of this study was to examine current access via Brookton, Albany and South Western Highways and determine if alternate or new routes were feasible which would improve transport efficiency. This was further expanded to consider alternate freight modes such as rail.

The Shire of Serpentine Jarrahdale has a key interest in this study due to the impact on South Western Highway and also the potential impact of alternate freight routes such as a connection to Albany Highway and access to the future expanded Outer Harbour proposed in Kwinana. In addition the extension of the Tonkin Highway to Thomas Road will potentially impact on freight volumes due to the improved access this will provide.

Over the period of the study, four Steering Group Workshops have been held in which consultant reports and studies have been tabled. The outcomes of these workshops have been compiled into a report which will be presented to the Minister.

Recommendations of the report specific to the shire of Serpentine Jarrahdale are summarized as follows:

Investigation of the extension of Tonkin Highway

As Council is aware, a staged extension of the Tonkin Highway along the alignment of Orton Road to South Western Highway was proposed to the Steering Group. Preliminary investigation has been undertaken from which it has been determined that this extension is possible and could likely be completed at a cost of the order of \$12.4 million (at grade with rail crossing) to \$17.8 million (grade separated).

For this option to be progressed it is necessary for resumption of land for the highway reservation and an amendment to the Metropolitan Region Scheme. This process is likely to take 3 years to complete. It was recommended in the Stage 2 Report (December 2003) that the extension should be considered as a short to medium term strategy.

At the Steering Group Meeting of 15 March 2004 the Director Asset Services requested that the priority of the extension be considered as a short term strategy as thinking to date was primarily based on transport efficiency and had not considered the social impact the continuance of freight traffic through Byford had on the community. This request was supported by the Steering Group and is to be included in the final report presented to the Minister.

DPI have requested that Council formally resolve that further investigation of the extension of the Tonkin Highway to South Western Highway via the Orton Road alignment be undertaken. It is recommended that Council make this resolution however it should also include reference to the works being considered as a short term strategy.

Albany Highway – South Western Highway Link Road

The requirement for a connection between Albany and South Western Highways has been examined during this process with the provision of such a link being recognized as a long term (10 years plus) strategy. This is supported by engineering consultants Maunsell stating in their report to DPI that “there is no transport justification for a Southern Link Road in the next 10 years at least”.

DPI also undertook to review previous studies undertaken by Main Roads WA (MRWA) in 1998 and Consultants PPK in June 2000. It was concluded from this review that the justification for a Southern Link Road (SLR) has been based on removing trucks from urban areas of Armadale, Roleystone and Kelmscott. There was very limited assessment of comparative travel times/distances to/from the major freight destinations, most of which are north of Armadale Road and acknowledged in the MRWA study to be better served by the existing routes.

The current study has undertaken this comparison and origin/destination surveys which conclude a SLR would be of limited benefit for the majority of trips hence the volume of freight traffic predicted to transfer to this route in previous studies is unlikely to occur. The current assessment is best summarized as concluding that whilst the SLR would provide some benefit to some users and reduce traffic through urban areas, the previous studies did not prove that construction of the SLR was justified.

A SLR may only be a future consideration of a major freight attractor/generator was to be developed south of Armadale Road. A future Outer Harbour Development at Kwinana is seen as the only likely project of sufficient magnitude in the foreseeable future, however there is no certainty of the project timing, size or transport infrastructure requirements.

Currently there is a commitment by the State Government that access of oversize vehicles through Jarrahdale townsite will not be permitted. It would not be wise for Council to assume that this commitment will be honoured by future governments, particularly as the potential justification for a SLR is some years away. DPI have suggested that further investigation of a SLR alignment to the north of Jarrahdale Road is undertaken.

At its meeting of 26 April 2000 (T090/04/00) Council resolved that a northern route from the Alcoa haul roads to Bishop Road is the only acceptable alignment west of Blue Rock.

Councillor Hoyer requested that Council rescind the resolution as it was felt that it was not advantageous for Council to retain this position. Council considered this request at its meeting of February 2002 (AS062/02/02) and resolved that any change in Council position be undertaken in consultation with stakeholders.

DPI have identified another possible route which utilizes the eastern portion of Jarrahdale Road, connects to Nettleton Road via old haul roads then descends the Darling Scarp to connect to the Tonkin Highway at the Orton Road alignment. It is recommended that Council request further examination of this route however, as occurred with the Jarrahdale Road proposal, this should be undertaken with full public consultation.

A copy of the minutes of the Steering Group meeting of 15 March is with attachments marked AS060/04/04.

Sustainability Statement

Effect on Environment: The proposed alignment of the Tonkin Highway extension along Orton Road is through land currently utilized for grazing purposes. Some native vegetation exists between the railway and South Western Highway. It is not expected that this proposal will have negative effects on the environment, provided environmental issues are addressed during design.

It would be a requirement that investigation into a possible future Southern Link Road alignment would give consideration to environmental impacts and would be a weighted criteria used in the assessment of a preferred route.

Resource Implications: The proposal has the potential to reduce the use of fossil fuels by creating an efficient transport link.

Use of Local, renewable or recycled Resources: Reduced transport costs may be realized through the extension of the Tonkin Highway.

Economic Viability: The proposal is economically viable as it is unlikely the State Government would incur increased maintenance costs in comparison to current expenditure required to South Western Highway. As the Tonkin Highway extension would be purpose built to carry high levels of freight traffic it is likely that overall maintenance costs would reduce.

The proposal also has the potential to reduce road maintenance costs to Council as a direct route to the Metropolitan area will be favoured over local roads.

Economic Benefits: The diversion of freight traffic from the Byford commercial precinct has the potential to invigorate the area and encourage pedestrian access and greater use of local businesses. It is recognized currently that traffic mix and volumes do little to encourage use of this area by residents.

Social – Quality of Life: The diversion of regional traffic, particularly freight vehicles, from Byford will have a positive effect on quality of life. Reduced noise, pollution and traffic will improve general safety and amenity.

Social and Environmental Responsibility: The proposal creates an opportunity to address a feeling of some residents that Byford is currently physically divided by the South Western Highway. Examination of potential Southern Link Road alignments need to give equal consideration to the social impact they may have.

Social Diversity: The proposal does not disadvantage any social groups and is likely to improve accessibility for residents.

Statutory Environment:

Progression of the Tonkin Highway extension would require resumption of land and modification to the Metropolitan Region Scheme. This process will be enacted by the State Government.

Should the Tonkin Highway extension be progressed based on an at grade crossing of the railway it is likely that Soldiers Road would be closed. Council would be required to formally close this section of road.

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 as all works associated with investigation, design and construction of the Tonkin Highway or Southern Link Road would be undertaken by the State Government.

Some officer time will likely be required during the further study of these projects.

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:

3. Design and develop clustered neighbourhoods in order to minimise car dependency.

2. Environment

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

Strategies:

2. Develop partnerships with community, academia and other management agencies to implement projects in line with Shire objectives.
3. Encourage protection and rehabilitation of natural resources.
5. Reduce green house gas emissions.
6. Value, protect and develop biodiversity.

3. Economic

Objective 1: A vibrant local community

Strategies:

2. Identify value-adding opportunities for primary production.
3. Develop tourism potential.

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

Strategies:

1. Improved freight, private and public transport networks.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
2. Represent the interests of the Shire in State and Regional planning processes.
3. Integrate and balance town and rural planning to maximise economic potential.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.

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.
3. Develop specific partnerships to effectively use and leverage additional resources.

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:

As Serpentine Jarrahdale contains a major freight route between the metropolitan area and the south-west of the State, provision of efficient and dedicated freight routes are essential to preserve amenity within the shire and allow effective planning of town growth. Initiatives such as the extension of the Tonkin Highway have numerous benefits for the local community as well as the overall economy through reduced transport costs.

While it is clear that currently no justification exists for the construction of a Southern Link Road in the short term, there is a possibility that it may be required in the future. It is recommended that planning of a route continues from which a level of certainty can be achieved for current and future residents should the requirement for this road eventuate.

Voting Requirements: Normal

Committee/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Simpson

1. Requests the Department for Planning and Infrastructure to undertake detailed investigation of the extension of Tonkin Highway to South Western Highway via the alignment of Orton Road, noting that Council considers this project to be a short term strategy.
2. Requests the Department for Planning and Infrastructure to undertake further investigation of possible routes for a connecting road between Albany Highway and South West Highway, north of Jarrahdale, including the implementation of a comprehensive public consultation program throughout this process.

LOST 0/10

Council Note: During debate Cr Star foreshadowed that she would move changes to Part 2 of the motion as further investigation of possible routes was premature, if the motion under debate was defeated.

CRAS060/04/04 COUNCIL DECISION/FORESHADOWED MOTION

Moved Cr Star seconded Cr Murphy

- 1. Requests the Department for Planning and Infrastructure to undertake detailed investigation of the extension of Tonkin Highway to South Western Highway via the alignment of Orton Road, noting that Council considers this project to be a short term strategy.**
- 2. Request that the Department of Planning and Infrastructure delay further investigation of possible routes for a connecting road between Albany Highway and South West Highway, north of Jarrahdale, until closer to the time of the reporting of the outer harbour development at Kwinana study.**

CARRIED 6/4

Council Note: The Committee/Officer Recommended resolution was changed in Part 2 as it is premature to conduct further investigations of possible routes until the Kwinana outer harbour development study is closer and other freight patterns have been established with the completion of the Tonkin Highway to Thomas Road.

AS065/04/04 FUTURE CEMETERY TO SERVICE SOUTH EAST CORRIDOR (A0409)		
Proponent:	Cemeteries Management Committee	In Brief Serpentine-Jarrahdale Cemeteries Management Committee requests Council support the Regional Cemeteries Working Group regarding the possible location of a regional cemetery within the shire on Crown Reserve 7152 South Western Highway, Whitby
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	8 April 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	

Background

At the Cemeteries Management Committee Meeting of 7 April 2004, the Metropolitan Cemeteries Board conducted a presentation on a strategic overview being undertaken which aims to identify land to be secured within the Perth Metropolitan area for the purposes of future cemeteries. A working group has been established comprised of representatives from the Cemeteries Board, local government (represented by Councillor Jeff Munn, City of Armadale), Department for Planning and Infrastructure, Water & Rivers Commission and the Department of Land Information.

During the strategic review it was identified by the working group that, while a new Memorial Garden cemetery is proposed for Baldivis with sufficient capacity for the southern metropolitan area, the south-eastern corridor does not have close access to a cemetery.

Access is considered as an important feature of cemeteries as some people, particularly the elderly, do not have private vehicles which makes it difficult to visit the graves of loved ones. While there is a general trend towards cremation, consultation by the working group has revealed that there will remain a demand for burial into the future.

Two sites in Armadale were evaluated based on accessibility, ambience and establishment costs and deemed to not be feasible. Evaluation of a site in Whitby Falls has also been

undertaken and it is the opinion of the Cemeteries Board that this site may meet all requirements and be economically viable. The site is on the south eastern corner of South Western Highway and Shale Road and is currently owned by the Health Department. To the rear of the site is an operating quarry which, when exhausted, could also be incorporated into the new cemetery.

At the briefing given to the Serpentine-Jarrahdale Cemeteries Management Committee the Metropolitan Cemeteries Board requested support from the shire in further analysis of this site. This was considered by the Committee who have made the following recommendation to Council:

Committee Recommendation

Moved John Price seconded Ferry Searles-Young that Council receive the information from Mr Jeff Munn and Mr Peter Deague of the Cemeteries Board Regional Cemeteries Working Group regarding the possible location of a Regional Cemeteries Working Group regarding the possible location of a regional cemetery in the Shire on the land east of South Western Highway at Whitby on Crown Reserve 7125

Sustainability Statement

Effect on Environment: The investigation of this site will require analysis of environmental impacts.

Resource Implications: None at this stage – will be determined as part of the investigation.

Use of Local, renewable or recycled Resources: Not known.

Economic Viability: To be determined however the intent of the proposal is partially to improve accessibility and reduce transport costs for residents of the south eastern corridor.

Economic Benefits: Not known however it is likely if the cemetery is developed that it will create employment opportunities for local residents.

Social – Quality of Life: If the cemetery is developed an improvement in quality of life may be realized for residents who currently have difficulty in accessing cemeteries for the purposes of visitation due to transport limitations.

Social and Environmental Responsibility: Not yet identified however the intent of the proposal is to be socially and environmentally responsible.

Social Diversity: The proposal is intended to ensure cemetery access for all social groups within the community.

Statutory Environment:

In relation to the recommendation of this report there are no statutory requirements however there may be planning requirements should the matter be progressed.

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:

4. Respect diversity within the community.

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

Strategies:

4. Foster a strong sense of community, place and belonging.

2. Environment

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

Strategies:

2. Develop partnerships with community, academia and other management agencies to implement projects in line with Shire objectives.

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:

2. Represent the interests of the Shire in State and Regional planning processes.

4. Governance

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

Strategies

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

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

None at this stage however it is envisaged that consultation will be undertaken with the community both locally and regionally as this issue is progressed.

Comment:

The provision of a major cemetery within the shire will provide opportunities for local residents to be buried within close proximity to their origins. Additionally this proposal has the potential to extend the operating life of the Jarrahdale and Serpentine Cemeteries.

Voting Requirements: Normal

Committee/Officer Recommended Resolution:

Moved Cr Kirkpatrick seconded Cr Price

That Council advise the Metropolitan Cemeteries Board that it supports the Regional Cemeteries Working Group regarding the possible location of a regional cemetery in the Shire on Crown Reserve 7125 east of South Western Highway at Whitby.

LOST 0/10

Council Note: During debate Cr Price foreshadowed that he would move a motion advising that Councils endorsement should not be seen to legitimise the mineral sand mining, if the motion under debate was defeated.

CRAS065/04/04 COUNCIL DECISION/FORESHADOWED MOTION

Cr Price seconded Cr Kirkpatrick

1. That Council advise the Metropolitan Cemeteries Board that it supports the Regional Cemeteries Working Group regarding the possible location of a regional cemetery in the Shire on Crown Reserve 7125 east of South Western Highway at Whitby.
2. Councils endorsement of the Regional Cemetery proposal should not be seen to legitimise the mineral sand mining lease application for this land. Council regards the proposal as an appropriate alternative to mining. In response to Council and community opposition Mining Warden Calder recommended to the Minister for Mines in 1999 that mining east of South West Highway not be approved.

CARRIED 10/0

Council Note: The Committee/Officer recommended resolution was changed by adding part 2 stating that Councils endorsement of the Regional Cemetery proposal should not be seen to legitimise the mineral sand mining lease application for this land.

CRD23/04/04 NEW COUNCIL CRIME PREVENTION COMMITTEE (A0101)		
Proponent:	Cr THJ Hoyer	In Brief Council is asked to consider entering into a partnership agreement with the Office of the Premier & Cabinet and the Office of Crime Prevention to progress towards participation in the new Community Safety and Crime Prevention Program
Owner:	N/A	
Officer:	Carole McKee - Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	1.4.04	
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 if no interest	
Delegation	Council	

Background

Invitations from the Minister for Police & Emergency Services, via the Office of Crime Prevention, to participate in the new Structure have been extended to all Local Government Authorities.

In 2003, the State Government reviewed the Safer WA Regional Committee Structure and has selected a new Local Safety and Crime Prevention model which has been trialled in Queensland for 18 months.

Thirty Councils, including Serpentine Jarrahdale, have been selected to participate in the pilot in Western Australia.

An initial grant of \$10,000 would be provided to the proposed Serpentine Jarrahdale Community Safety and Crime Prevention Committee. The Shire is required to auspice this funding to enable the Serpentine Jarrahdale Community Safety and Crime Prevention Committee to engage consultant/s to provide executive support to help them through the initial planning process. The main outcome of this process is the development of a Serpentine Jarrahdale Crime Prevention Strategy and for the Committee to facilitate its implementation with specific agency and community representation. It is anticipated that in

developing the strategy previous studies conducted by Council will be examined and adopted where relevant. A further grant of up to \$40,000 is available for the ongoing projects.

Representatives for the Department of Premier & Cabinet have met with Cr Hoyer and the Community Development Officer to explain the scope and potential of the partnership and the deliberate commitment that agencies and the Department has to this community safety initiative. Agencies will be directed to participate by the Department.

This meeting also provided the opportunity to realize that there is some scope for negotiation within the partnership agreement in terms of the Department's officer resources provided for the setting up of such a committee in Serpentine Jarrahdale.

Cr Hoyer and the Community Development Officer have also attended a one day presentation on the concept and are in agreement that it would be timely and proactive for Serpentine Jarrahdale to proceed along this path. The model being discussed aims to maximize community involvement and minimize the allocation of Council officer resources.

Crime is a community issue that affects all of us if we are disengaged from and unaware of the dynamics of our social and built environments. Prevention, in partnership with our community and others, will serve to promote harmony, wellbeing and security and will go toward denying the harms of crime.

By capturing this moment, we can add value to our community by linking the existing Council initiatives and themes with this new crime prevention initiative.

The draft Community Safety and Crime Prevention Partnership Guide, the Community Safety and Crime Prevention Partnership Fund table for 2003/04, and Comments on Questions from Eastern Suburbs are with the attachments marked CRD23/04/04.

Sustainability Statement

Economic Viability:

Staff Resources:

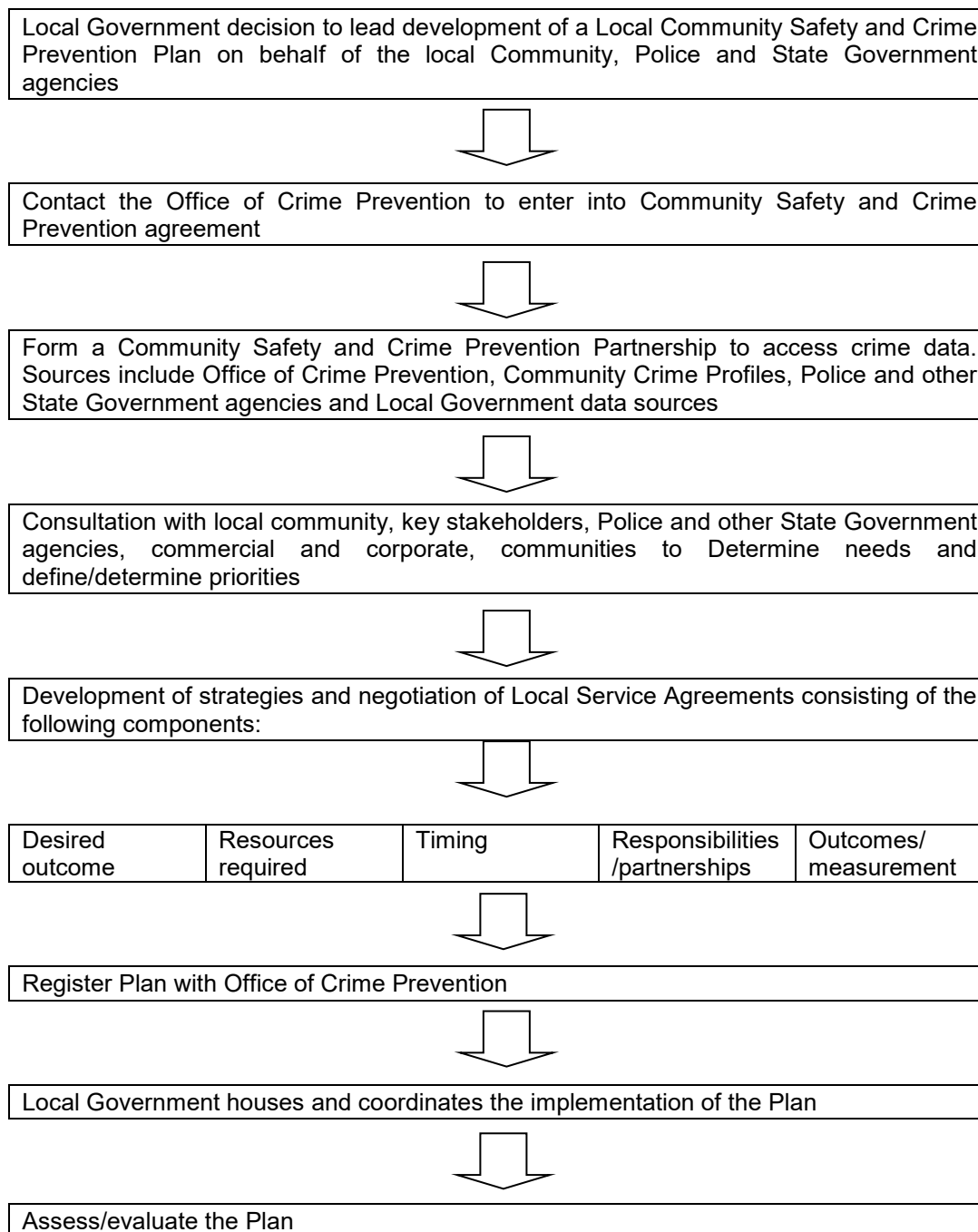
The Community Development Officer's interpretation of the following model is that it aims to have minimum impact on Council Officer time. The initial \$10,000 funding provided by the Department of Premier & Cabinet could be used to cover the Committee's appointment of an executive officer, should this be a requirement, once the Committee has determined its administrative needs and resources. The Committee would initiate and drive the process. Officer time would be required to auspice the funding, to process the acquittal and to provide information on Council initiatives with safety outcomes.

Information is being sourced from the Department of Premier & Cabinet as to whether this has been trialled before, rather than Local Government Officers playing a lead role. This information will be provided to the meeting.

The partnership allows for an exit clause at any time if the project is not viable. Any unspent funds would have to be returned.

The mechanism for monitoring officer involvement can be through monthly evaluations reported as notes to the Crime Prevention Committee's minutes through the appropriate Committee information report.

Process of Developing a Local Community Safety and Crime Prevention Plan:



How Will The New Model Work?

- 1 Office of Crime Prevention invites Local Governments to facilitate local Safer Communities and Crime Prevention Partnership.
- 2 Memorandum of Understanding signed between Office of Crime Prevention and Local Government.

Funding
Planning Manual
Local Crime Profiles
Advice and support for the planning process
- 3 Local Government convenes local partnership comprising agency and community stakeholders.

- 4 Partnership develops plan and submits to Office of Crime Prevention for registration.
- 5 Partnership determines appropriate mechanism to monitor, review, evaluate and report on progress of the local plan.
- 6 Local Government provides a support role for the partnership and manages funds.
- 7 Local Government provides a link between the local community and the Office of Crime Prevention.
- 8 Office of Crime Prevention provides advice and support as requested.

Ongoing Costs/Funding:

Up to \$40,000 potential future funding is available for the implementation stage. This includes an incentive grant of up to \$20,000 as a one-off payment over the period of the approved plan to assist the community address a priority issue identified as part of the plan.

Further funding can be applied for through a number of funding programs as tabled in Community Safety and Crime Prevention Partnership Fund 2003/04 attached. This will allow external funding to be better channelled through to groups for implementation and provides priority status for initiatives covered in the plan.

This has the potential to reduce future costs to Council through reduction in crime and associated costs.

Economic Benefits: The proposal should have economic spin-offs through crime prevention strategies that benefit local businesses and possibly reduced insurance premiums. This is likely to include increases in land value, business retention and investment. A local person may be employed by the committee as the executive officer.

Social – Quality of Life Production of a Crime Prevention Strategy has the potential to improve quality of life by focusing on the promotion of social interaction and healthy activities and by reducing community fears and apprehensions.

Social and Environmental Responsibility: The proposal will promote the capacity and self reliance of our communities and build the resilience and security of our citizens. Fostering partnerships and enabling full participation will be the hall marks of its implementation. Cr Hoyer has already tentatively engaged the following groups: Neighbourhood/Rural Watch; Police; LEMAC; Jarrahdale and Byford Forums.

Social Diversity: The proposal aims to assist all social groups through crime prevention, providing for diversity in our community. Social groups include: youth, seniors, indigenous, ethnic minorities, disabled, families. All aspects of social life will be promoted with the formation of a Serpentine-Jarrahdale Safer Communities WA Crime Prevention Committee.

Statutory Environment: None

**Policy/Work Procedure
Implications:**

The Crime Prevention Strategy may affect a number of policies depending on the outcomes such as the new engineering standards for sub divisions; Crime Prevention Through Environmental Management (CPTM) and Crime Prevention Through Environmental Design (CPTED).

Financial Implications:

There are no initial financial implications to Council related to this application/issue. Funding is provided externally by the State Government, for the development

and administration of the committee and further external funding for project work initiated by the committee.

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:

- 2 Develop good services for health and well being.
- 3 Retain seniors and youth within the community.
- 4 Respect diversity within the community.
- 6 Ensure a safe and secure community.

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

Strategies:

- 1 Increase information and awareness of key activities around the Shire and principles of sustainability.
- 3 Design and develop clustered neighbourhoods in order to minimise car dependency.

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

Strategy

- 3 Develop specific partnerships to effectively use and leverage additional resources.

Community Consultation:

Required: Not at this stage

Comment:

Our Shire population is projected to double in the next 5 – 10 years. In order to prepare for this, progressing a new Community Safety and Crime Prevention initiative will offer elements of detail area planning and related social project opportunities for each locality and for the whole Shire.

Participation will trigger an immediate external funding stream of \$10,000.00 for start-up purposes.

Details of the partnership with the Department of Premier & Cabinet are still to be resolved to enable Serpentine Jarrahdale's community model. Initial discussions suggest this will be possible.

Pilot projects will be the basis for further external funding and will offer direction and purpose for the Serpentine Jarrahdale Safer Communities WA Crime Prevention Committee.

Voting Requirements:

Normal

CRD23/04/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Simpson seconded Cr Scott

Council requests the Director Sustainable Development to negotiate a draft partnership agreement with the Department of the Premier & Cabinet and Office of Crime Prevention to progress towards participation in the new Community Safety and Crime Prevention Program and the establishment of the Serpentine Jarrahdale Community Safety and Crime Prevention Committee. The draft partnership agreement will then be presented to Council for their approval.

CARRIED 9/1

SM036/04/04 COUNCIL CONTROL OVER EMPLOYEES DEALING IN LAND AND OTHER BUSINESS ACTIVITY WITHIN THE SERPENTINE JARRAHDAL SHIRE (A0031/A1048)		
Proponent:	Department of Local Government and Regional Development and Council	In Brief In response to the issues raised in the “Lessons” document Council are requested to consider the following: 1. Adoption of a new policy. 2. Amendments to the Code of Conduct
Owner:	Not applicable.	
Officer:	D E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	18 March 2004	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

The recent inquiry into the City of Belmont reported on a line of inquiry relating to the Chief Executive Officer’s (CEO’s) involvement in land within the City. The following extract has been taken from a recent publication (“lessons document”) (***Refer attachment SM036.1/04/04***) by the Department of Local Government and Regional Development (DLGRD), of the lessons to be learnt arising from the problems identified in the inquiry report.

Comments from the “lessons” document have been included in this report to provide an overview of the reasons why Council should consider implementing strong controls and restrictions over its employees becoming involved in land or other financial dealings within the Serpentine Jarrahdale Shire. It needs to be noted, however, that the main control rests with and relates to the integrity and probity of the individual employee to avoid becoming involved in any activity that may cause even a perception of a conflict of interest.

The lessons document said:

“It is extremely unwise for officers to be involved in land development in the district of the local government that is their employer where the development requires approvals of any kind from council.”

Council needs to ensure that employees are clearly aware that there are boundaries in relation to any business or financial activity within the Serpentine Jarrahdale Shire that has the potential to cause a perception of a conflict of interest. A key issue is the expectation that employees, and particularly senior employees, will be devoting the majority of their time

to the local government's business, and not pursuing their own money making or investment opportunities.

The lessons document said:

"Projects of this kind are always going to be subject to close public scrutiny and members of the public are likely to be suspicious that the employee could gain advantages in terms of cost savings, accelerated approval, a fellow-employee favourable report or even inappropriate approval. Increased levels of suspicion will be generated if the development is perceived to be of a speculative nature which the involved officer is undertaking for a short-term profit motive".

All warnings related to this type of development are magnified many times if the officer involved is the CEO. An employee who chooses to ignore this advice and embarks on a land development project or other business venture in the Serpentine Jarrahdale Shire, must be absolutely scrupulous in their declarations to responsible Directorates within the organisation and to the council. However, the mere act of internal disclosure will not remove the perception or actual opportunity for bias and preferential treatment.

In many cases, the employee will be involved in a residential development that is for their own use. In most cases, such a development would not be an issue with the public; however, an officer must be very careful to ensure that all disclosures, procedures and rules are strictly followed. Any aspect of the process that requires local government involvement or decision can create suspicion and place another employee in an invidious position, albeit only doing his job. The simple solution is, if any employee needs to become involved in land development or other business opportunity, do so outside of the Serpentine Jarrahdale Shire so that there can be no real or imagined opportunity for impropriety.

The lessons document said:

"It may be advisable for local government officers who decide to get involved in the buying and selling of property in their employers district to restrict their interests to those properties that do not require council approval."

This may be a very difficult situation to achieve as almost any property dealing has potential for council involvement; however the intent of the control is not aimed at the principal place of residence, although as already mentioned care needs to be exercised.

Any staff member involved in consideration of a fellow employee's development and regulatory application for approval must be scrupulous in their consideration of the matter also. All issues, no matter how trivial, should be included in a report to the council on the matter and the matter should not be dealt with under any delegation which might ordinarily be applicable to such an application. The recommendation must be thorough and objective.

Statutory Environment:

Local Government Act 1995

Policy/Work Procedure Implications:

This item proposes to establish a new policy in relation to employees dealing in land and other business activities within the Serpentine Jarrahdale Shire.

Financial Implications:

There are no significant financial implications to Council related to this issue. Some cost may be incurred if external assessment is required.

The item does suggest some amendments to the Code of Conduct, and as part of the proposed amendments, it is suggested that Council consider increasing the definition of an "appropriate value of a token gift" from \$20 to \$50.

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.

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

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:

While recognising that staff should not be disadvantaged because of their employment council should consider adopting a policy relating to staff being involved in land or property development in the Serpentine Jarrahdale Shire. It is also suggested that the Councillor/staff code of conduct be amended to incorporate the treatment of development and regulatory approvals submitted by staff. The proposed amended Code of Conduct (*copy provided for Councillors information with changes marked at SM036.2/04/04*) reflects the requirement for an unequivocal disclosure by a staff member that they have a financial or personal involvement in an application (other than their principal place of residence). The ongoing handling of the application would then complement the council policy proposed in this area.

Council may also like to give consideration in future to adopting appropriate policies for treatment of development and building applications from elected members involved in developments in the Serpentine Jarrahdale Shire. This would be over and above disclosures of interest currently the common practices, if such a matter comes before council to remove the perception of accelerated approval, favorable consideration, cost savings or inappropriate approvals.

However, initially, in response to the issues raised in the "Lessons" document council are requested to consider the following mechanisms to improve this area:

1. Adoption of the new policy provided at **attachment SM036.3/04/04**.
2. Amendments to the Code of Conduct as shown in the **attachment SM036.2/04/04**.

Note. Although a case may be mounted for prohibiting or strictly controlling the CEO and employees from land and business dealings in the Serpentine Jarrahdale Shire due to their employment and remuneration by the local government and their special powers and duties and access to information, the elected members are in a totally different situation. They may live and work in the Serpentine Jarrahdale Shire and have a right to pursue their business and personal affairs without undue restriction.

Voting Requirements:

Normal

SM036/04/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Wigg

In response to the issues raised in the “Lessons” document circulated by the Department of Local Government and Regional Development, council agrees to adopt the following:

- 1. A new policy “Council control over employees dealing in land and other business activity within the Serpentine Jarrahdale Shire” as provided at attachment SM036.3/04/04.**
- 2. Amendments to the Code of Conduct as shown in the attachment SM036.2/04/04.**

CARRIED 10/0

Committee Note: A correction was made to the proposed policy under “Application Form” whereby the word “outside” was replaced with the word “within”.

SM037/04/04 JARRAHDALÉ HERITAGE PARK DEVELOPMENT AND DISPOSITION BUSINESS PLAN (P05576)		
Proponent:	Chief Executive Officer	In Brief Council to adopt the “Jarrahdale Heritage Park Development and Disposition” business plan in accordance with Section 3.59 of the Local Government Act 1995 (the Act) for a proposed “major land transaction” following the public comment period.
Owner:	Serpentine Jarrahdale Shire	
Officer:	D.E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	14 April 2004	
Previously	Item 9.3 - 22 November 1999, C059/03/04	
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 November 1999 Council adopted a business plan “Acquisition of Bunnings Land in the Jarrahdale Town Site and Surrounding Areas” in accordance with the provisions of the Local Government Act (1995) for a “major land transaction”.

In accordance with the September 1999 Business Plan, Council has retired the debt of \$605,000 borrowed to enable the original acquisition of land. This has been successfully achieved in 2003/2004 financial year through the subdivision and sale of 6 cottages in Millers Road (formerly part of lot 814 Jarrahdale Road), Jarrahdale and the subdivision and sale of vacant land (formerly lot 813) on the corner of Kingsbury Drive and Jarrahdale Road, Jarrahdale.

Sustainability Statement

Effect on Environment: The Business Plan outlines funding which will provide funds to enhance the environment (built and natural)

Resource Implications: Not applicable

Use of Local, renewable or recycled Resources: The Business Plan deals only with the borrowing of funds and the retirement of debt.

Economic Viability:

This Business Plan is intended to reflect the next stage in the development of the Jarrahdale Heritage Park (JHP).

A Master Plan for the JHP has been approved which promotes and conserves the heritage value and further develops the tourism potential of the area and surrounds. A detailed Management Plan for the Park, including the Concept Plan, preliminary Interpretation Plan, Maintenance Plan and a five year Implementation Plan, have been developed and has been signed off by the partners. The Shire has employed an experienced senior project officer to work with the Management Committee to oversee the developments.

The project will proceed under the guidance of the Management Committee. Critical short-term project work will be prioritised to allow increased access and visitor amenity including :

- establishing signage and interpretation,
- constructing the amphitheatre for community and visitor events,
- improving and completing walk trails which incorporate pedestrian bridges,
- installing picnic decks to provide rest areas for visitors.

This will allow passive recreation and guided tours.

The subsequent milestone projects for the park will be designed to increase the experiential, interpretive and events attraction of the Park, including:

- a safe viewing of the working Mill,
- the aerial walkway
- an artists-in-resident programme in the Mill Managers house,
- Passive and interactive interpretation
- a range of events and activities
- natural heritage projects.

The guidelines for development, including a focus on sustainability are already enshrined in the Plans and the local planning policies and procedures. The Park will have no general entry fee so that it will attract a wide range of visitors. Income generation will be focused on the private sector employment potential throughout the town, such as restaurants, retail outlets, bicycle hire, tours, etc.

Economic Benefits: The JHP concept has been developed to showcase the natural beauty and heritage of this unique eco area. Jarrahdale played a key role in Australia's history as one of the first major timber milling operations. Jarrahdale jarrah has been exported around the world. Jarrahdale is the only whole town in WA that has been declared as a complete heritage town. The finished Park will be a spectacular visitor destination of state and national significance which incorporates many sought after tourist attractions and activities.

This first active implementation stage phase aims to provide the momentum for the Park to become fully operational as a major tourism icon for the state and the region. All project activities will maximise local employment and economic development opportunities during construction activities and in tourism development.

The finished Park will be a spectacular visitor destination of state and national significance which can incorporate niche market attractions in industrial, built and natural heritage, eco-tourism, backpackers and cultural tourism market segments.

Social – Quality of Life: This Business Plan is now intended to reflect the next stage in the development of the Jarrahdale Heritage Park (JHP), which the community has not only

shown support for this project but have been an active partner in real terms. The local community members and historical society have been heavily involved in the planning for the park and have provided valuable input on practical aspects

Social and Environmental Responsibility: The local community members and historical society have been heavily involved in the planning for the park and have provided valuable input on practical aspects.

Social Diversity: One of the key objectives of the project is to create new employment and training opportunities in both the construction and ongoing operation and management phase of the project. The project will also assist the region to socially and economically adjust to industry closures or downsizing that have occurred in recent times eg Jarrahdale Alcoa Bauxite Mine Closure, Timber Mill closures and the Dairy Industry adjustments. The JHP will provide a boost to the morale of the local community which has suffered a severe economic down-turn, as well as providing the practical economic benefits from increased tourism for the entire region. The community has invested considerable interest and time already in JHP.

Statutory Environment:

Section 3.59 of the Local Government Act 1995 (the Act) requires the local government to give state wide and local public notice of any major land transaction that is under consideration. The minimum period of time for comment is 42 days from date of advertising.

Following the advertising period closing, the local government is to consider any submissions made and may decide by absolute majority to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.

Council agreed to advertise the proposed Business Plan (under delegation SM054/05/03) at the Corporate Services Committee meeting in March 2004.

The Business Plan was advertised inviting comments on it in the West Australian statewide newspaper on Wednesday 10 March and the local Examiner newspaper on the 11 March.

Policy/Work Procedure Implications:

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

Financial Implications:

Council has indicated its intention to borrow \$1 million dollars to facilitate the projects identified in the Jarrahdale Heritage Park Implementation Plan adopted in 2003 via the draft 2004-2014 Forward Financial plan, which was adopted for public advertising in February 2004.

The criteria as described in the Act Function and General Regulations 1996 for a major land transaction the total value of the consideration under the transaction; and anything done by the local government for achieving the purpose of the transaction has to be *more or worth more, than either \$500,000 or 10% of the operating expenditure incurred by the shire from its municipal funds in the last financial year.*

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

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

Strategies:

4. Foster a strong sense of community, place and belonging.
5. Protect built and natural heritage for economic and cultural benefits.

Objective 3: High level of social commitment

Strategies:

2. Build key community partnerships.

2. Environment

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

Strategies:

3. Encourage protection and rehabilitation of natural resources.

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

Strategies:

1. Implement known best practice sustainable natural resource management.

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.
3. Develop tourism potential.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.

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

Strategies

1. Improve coordination between Shire, community and other partners.
3. Develop specific partnerships to effectively use and leverage additional resources.

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: Yes

Section 3.59 of the Local Government Act 1995 (the Act) requires the local government to give state wide and local public notice of any major land transaction that is under consideration. The minimum period of time for comment is 42 days from date of advertising. The Business Plan was advertised inviting comments on it in the West Australian statewide newspaper on Wednesday 10 March and the local Examiner newspaper on the 11 March.

Public comment closes on Wed 21 April at 5:00pm. At the time of preparing this agenda item (14th April 2004) no submissions had been received. It is proposed that if any submissions are received between the 14th April and the 21st April, that they will be provided to Councillors with the Council agenda for the Ordinary Council Meeting to be held on Tuesday 27 April 2004.

A presentation was also undertaken by Councillors and Council staff to the Jarrahdale Community Forum on Monday 5th April 2004.

Comment:

The draft business plan “Jarrahdale Heritage Park Development and Disposition of Property” proposes that Council loan amount \$1 million dollars in 2004/2005. ***A copy of the draft business plan adopted by Council for advertising is provided for Council information at attachment SM037.1/04/04.***

The purpose of the loan is to facilitate the commencement of projects identified in the Jarrahdale Heritage Park Implementation Plan adopted in 2003, is indicated in the draft 2004-2014 Forward Financial Plan, which was adopted for public advertising in February 2004. The loan is to be an interest only loan, and repayments based on a rate of 6.5% will be \$65,000 p/a.

The September 1999 Business Plan also highlighted the intention of Council to develop the remaining land. This intent remains valid and servicing/retirement of this loan is to be undertaken by the sale of Council assets within the JHP.

This will be progressed in two stages:

Stage 1 - Finalise subdivision of remaining property (5 cottages and 1 vacant block) located in Staff Street, Jarrahdale (currently part of lot 802 Jarrahdale Road).

Based on the market performance of the cottages Council disposed of in Millars Road, Jarrahdale in 2003/2004, the draft Forward Financial Plan has reflected a conservative income of \$90,000 per cottage and \$50,000 for the vacant land.

In 2004/2005 it is intended to finalise the subdivision of the 5 cottages and 1 vacant block in Staff Street. It is also intended to dispose of one (1) cottage and the vacant block. Proceeds from the sale of these two (2) properties will be used to complete the subdivision requirements and service the interest only loan repayments for this year.

It is then intended that in 2005/2006 another cottage in Staff Street will be disposed of to fund the loan repayments for the years 2005/2006 and 2006/2007.

Stage 2 - Dispose of part of or all Lot 814 Jarrahdale Road (approx 22ha) for the purpose of developing residential living.

The 2004-2014 draft Forward Financial Plan reflects the retirement of the \$1 million interest only loan in 2007-2008. This will be achieved through the disposal of the remaining three (3) cottages in Staff Street and the disposal of Lot 814 Jarrahdale Road.

Again, based on the market performance of the cottages Council disposed of in Millars Road, Jarrahdale in 2003/2004, the draft Forward Financial Plan has reflected a conservative income of \$90,000 per cottage and \$765,000 for the vacant land.

Voting Requirements:

ABSOLUTE MAJORITY

SM037/04/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Star seconded Cr Price

1. Council agrees to commence implementing the land transactions as described in the “Jarrahdale Heritage Park Development and Disposition” Business Plan as provided at attachment SM037.1/04/04 from the 2004/2005 financial year.
2. Council request the Chief Executive Officer to contact the long term tenants currently renting the Council owned cottages in Staff Street and advise them of Council’s intention to dispose of the cottages over the next three (3)years. Council agrees also to offer a reimbursement of up to a \$200.00 to facilitate the seeking of independent legal and financial advice to those tenants that may wish to obtain independent financial advice regarding the purchase the property they currently reside in. (Note – This offer is subject to Council authorization prior to obtaining any financial advice and a written request for re-imbursement which must include a copy of the receipt of costs incurred for such advise being provided to Council).
3. Conservation covenants and/or agreements in perpetuity are entered into with future owners of the cottages, as per the cottages disposed of in Millars Road Jarrahdale.
4. Council in accordance with s5.43 “Limits on delegation to the Chief Executive Office” 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.

CARRIED 10/0 ABSOLUTE MAJORITY

SM037/04/04 SUPPLEMENTARY INFORMATION FOLLOWING CLOSE OF PUBLIC COMMENT PERIOD ON DRAFT BUSINESS PLAN

As at 5.00pm on Wednesday 21 April 2004, which was the closing time for submissions in relation to the business plan which this item deals with, nineteen (19) submissions have been received from residents of Jarrahdale.

Summary of Submissions Received

1. Ms Rachael Tooley and Ian Ottery - This submission raises concerns in relation to the Jarrahdale Heritage Park Master Plan, specifically the proposed "Mixed Use Commercial Precinct". The submission references support for the Heritage Park but makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response.

2. Ms Mary Carter - This submission raises concerns in relation to the Jarrahdale Heritage Park Master Plan, specifically the proposed "Mixed Use Commercial Precinct". The submission references support for the Heritage Park but makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response.

3. Mr and Mrs Ron Iannello - This submission raises concerns in relation to the Implementation Plan for the Jarrahdale Heritage Park Master Plan, specifically it requests that the Jarrahdale Heritage Park Management Committee expedite the weed removal along the creek, and encourages the involvement of "local" business people in the project. The submission makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response.

4. Mr and Mrs John Kirkpatrick - This submission raises a number of concerns in relation to the Implementation Plan for the Jarrahdale Heritage Park Master Plan and various other issues such as traffic management and the future maintenance and associated costs of the park. The submission also raises concerns in relation to fire and emergency service preparedness in the town site of Jarrahdale. This has previously been raised by Mr Kirkpatrick and the matter has been referred to the Serpentine Jarrahdale Bush Fire Advisory Committee and the Local Emergency Management Committee by Council officers. These concerns have also been drawn to the attention of officers based in the Jarrahdale Conservation and Land Management Office by Council officers. This submission references support for the Heritage Park, however makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response.

5. Ms Melissa Matheson - This submission raises concerns regarding the skatepark and need for disabled public toilets. The issue of toilets is addressed in the Implementation Plan for the Jarrahdale Heritage Park Master Plan. The matters raised in relation to the Skatepark are not ones which have not previously been

considered by the Jarrahdale Heritage Park Management Committee. The submission makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response

6. Mr Charles & Ms Vicky Kerfoot – This submission asks to reassess priorities and raises concerns regarding the creek, making it more visible from Jarrahdale Road and the removal of weeds including bamboo, black wattle and blackberries. Once the weeds are under control then such amenities as walkways, amphitheatres, picnic sites and open space can be developed. The submission makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response.

7. Mr Ric Sambell – This submission endorses the following as immediate priorities - the creek and the removal of weeds using appropriate machinery and assistance of labour from Karnet Prison Farm and the open space fronting Jarrahdale Road back to the Mill Managers house be cleared of undergrowth and beautified as a designated BBQ and picnic area incorporating a theme park playground. The submission notes that JHP is a grand vision which will be a wonderful asset to the Shire and in particular to the people of Jarrahdale, however makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response

8. Mr John MacMahon - Whilst Mr McMahons letter is referencing the business plan, it is in fact not objecting to the funding, but rather raising concerns which run much deeper than the current stage in the parks development and refers to employment creation beyond tourism.

Comment: The history behind the park is to try and address the unemployment and longer term sustainability of Jarrahdale.

One of the major reasons in developing the Jarrahdale Heritage Park is to create an icon tourism development capitalizing on the timber heritage of Jarrahdale which will redress the economic situation through tourism.

The injection of \$3-4M into developing the park will create a number of jobs directly associated with the park eg tour guides, commercial tourist orientated businesses including artists, accommodation, maintenance staff, timber mill workers, staff included in facilitation of education and other groups etc.

As the park is established there will be an increase in economic activity and employment in the businesses in the immediate vicinity of the park due to the increased numbers of visitors attracted to the town. Beneficiaries will be the hotel, general stores etc. One of the major opportunities in the town is to improve the availability of accommodation and this is expected to be picked up by the commercial sector as tourism grows in the area. The Council is also starting to receive enquiries from Jarrahdale residents to establish bed and breakfast and unit accommodation in Jarrahdale.

In a general sense, a number of the traveling public who visit the area will make either the decision to invest or move to the area due to its idyllic location and

environment. This will have a snowballing effect on both employment and the economy through building activity and new residents moving in.

Action: The matters raised in relation to employment creation and business expansion for existing and new business have been and continue to be very high on the JHP Management Committee and Council agenda.

9. Ms Debbie Roe on behalf of the Proprietors of the Jarrahdale General Store – this submission indicates the community feels the JHP Management and Implementation plan fails to address the needs of the community.

It suggests an alternative method to finance the project through selling off Council owned assets up front in lieu of borrowing the \$1million. It claims this would save loan interest payments and save on maintenance costs on buildings. It also suggests it would stimulate the building interest in Jarrahdale.

It raises a number of issues concerning the future of the Old Post Office and the Church. It suggests wider community involvement, a reappraisal of project priorities, weed removal, fire risk and the need to work together to get the implementation right.

Action: It is proposed that the Acting CEO write to Ms Debbie Roe and outline the strategic and financial reasons as described in the Business Plan for Council's decision to raise the \$1M loan in lieu of selling off Council owned land to raise the \$1M. It is proposed that the letter also indicate that all other issues raised concerning the park have been referred to the Jarrahdale Heritage Park Working Group and Management Committee for attention.

10. Ms Wendy Watson - this submission supports the concept of the Jarrahdale Heritage Park but suggests that it needs to meet local needs particularly those of children. Suggests the park should include working sculptures and water fountains etc. The submission makes no specific comment on the business plan.

Action: It is proposed that the letter will be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response

11. A standard submission signed by eight (8) Jarrahdale residents (Ric Sambell, W Hughes, undecipherable – 720 Jarrahdale Road, J Geoghegan, L Lovegrove, undecipherable – Lot 24 Hibberton Cr), H Smirk, A Arthurson) – supporting the immediate clearing of the creek area of noxious weeds and plants and expressing their view that the use of work for the dole people was not practical. The submissions makes no specific comment on the business plan.

Action: It is proposed that these letters be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response

12. Jarrahdale Heritage Society (Inc) – the submission outlines the society members priorities which include weed control, uncovering of archaeological/historical sites, public access, parking, toilets and other amenities and position of the indicator pole. Other points of concern to the society are ongoing maintenance, accessibility for all stakeholders and vehicle access. This submission makes no specific comment on the business plan.

Action: It is proposed that these letters be referred to the Jarrahdale Heritage Park Management Committee initially and that the JHP Project Officer will provide a response

Comment on Submissions Received

The submissions received are matters which are associated with the general implementation of the Jarrahdale Heritage Park Management Plan. In the interim it is appropriate that Council respond to the submissions to acknowledge the members of the community who have taken time to provide comment. The submissions should also be referred to the Jarrahdale Heritage Park Management Committee for consideration. This should also be relayed to the people who have made submissions to ensure they feel that Council is prepared to consider their concerns or suggestions on how to further develop the Heritage Park. Seventeen (17) of the nineteen (19) submissions received during the public comment period have not made any comment in relation to the business plan, however, the majority of the submissions have indicated general support for the Heritage Park and therefore no change to the Officer/Committee recommendation is proposed. One of the submissions makes reference to the business plan and the intent of the submission received was to improve the economic potential of Jarrahdale, beyond tourism and whilst it questions the priority of the tourism industry over other small enterprises it does not directly object to the business plan proposal. The second submission making reference to the Business Plan eludes to the opportunity cost of selling the property up front, rather than at the end of the plan.

SM038/04/04 REVIEW OF PORTFOLIO GROUP, COMMITTEE AND COUNCIL MEETINGS (A0039)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council is requested to adopt the recommendations made following a review of the Portfolio group, Committee and Council Meetings in March 2004.
Owner:	Not applicable	
Officer:	D.E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	02 April 2004	
Previously	P002/07/03	
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

Council agreed to trial the Portfolio group in 2003 on the following basis:

“At the six (6) month point the Portfolio group will undertake a review of the success of the concept and decide on what works and what does not work so that the second six (6) months of the trial can be made under set conditions so that when the final review and recommendation about the future of delegations is made, a full and comprehensive trial and evaluation has been made. Alternatively, they may decide to recommend to Council the introduction of more concept forums into other areas of Council.”

A review of the success of the Portfolio group was undertaken at a workshop attended by Councillors (Cr Needham, Cr Price, Cr Hoyer Cr Murphy, Cr Simpson, Cr Scott and Cr Wigg and Staff (Chief Executive Officer, Director Sustainable Development, Director Asset Services, Director Corporate Services, Manager Planning & Regulatory Services, Manager Sustainability Unit & Manager Asset Services) on the 2 March 2004.

At this workshop it was further agreed that a review of the current Council and Committee structure and days would also be undertaken by the Chief Executive Officer (CEO), and that

a draft report would be prepared and referred back to Councillors and staff for discussion. This occurred and was considered at a second workshop held on the 26 March 2004.

A copy of the final report and recommendations are provided is with attachments marked SM038.1/04/04.

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 appear 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:

Required: No

Comment:

Comments are made below under the heading of each area that was reviewed.

A) Portfolio Group

The decision of Council to trial the "Portfolio group" was made for several reasons, however, an important reason was the recognition that a loss of corporate knowledge within the organisation has been a factor particularly in the regulatory areas. It was also felt that the increasing of delegations from Council to staff was one area that significant resource savings in the regulatory areas could be made. The introduction of a Portfolio group has been confirmed as having been successful by staff, and the general consensus from Councillors was that it worked well but could still be further improved.

Areas identified that could enhance the Portfolio group at the 2nd March Workshop included:

1. The portfolio group role should be maintained, however Council needed to take into consideration advice provided within the Local Government Operational Guideline

- No 5 “Council Forums” recently released by the Department of Local Government and Regional Development (DLGRD). One such consideration is that the term “Portfolio group” be amended to “Concept Forums”.
2. Finding a better time/day for the workshop (it is currently held late in the day after a committee and it was felt this was a disadvantage).
 3. Some items being referred to Concept forum should now be dealt with by officers under delegation, without the need for referral. This has since been addressed in a separate item to Council in March 2004.
 4. Councillors and staff need to ensure time is set aside during each Concept forum to offer training and development, particularly in the area of planning
 5. Concept forums could be expanded to include items from other areas of Council’s business.
 6. Concept forums should be opened up to all Councillors to attend

Advice contained in the “Operational Guideline No 5” put out by the Department of Local Government and Regional Development, suggests that the Concept forums should only deal with matters which are in their preliminary stages. Discussions between members is to be limited to those issues which are in the preliminary development stages. Items already listed on a Council meeting agenda are not to be discussed. (It is preferable that matters considered by the Concept forum are referred to a relevant committee initially rather than directly to Council) Therefore, any use of delegations by senior staff, particularly in the planning area, which may be better discussed with Councilors before a final decision under delegation is made, must be referred to the Concept forum in their preliminary stage of consideration.

This will not preclude officers from referring items that by nature should be considered by committee and Council, directly to committee and Council without the matter being initially considered by the Concept forum.

B) Committees

Council currently has six (6) committees. Council has introduced delegated authority to four (4) of these committees. At the workshop it was considered appropriate to review how we can improve this part of our business also.

Of the six (6) committees, currently five (5) are active committees which meet monthly:

- Planning Development and Environment
- Asset Services
- Corporate Services
- Strategic Management
- Community and Recreational Development

The sixth (6th) committee specifically deals with Staff Management matters, however, in recent times this committee has not met as a committee (as this is a recognised committee of Council any formal meeting would have to be advertised with an agenda etc), but rather as a group to make a recommendation to the Strategic Management Committee. It is proposed following the May 2005 elections that Council nominate four (4) delegates to deal with Staff Management matters and that these Councillors undertake the function of CEO recruitment and review, but provide a report to Council via committee for consideration, rather than act as a committee.

It is also proposed that Council introduce only two (2) committees and have them meet once each per month after the May 2005 elections. It has also been suggested that prior to the May 2005 elections, the new committees are “subject to a trial period during the months of March, April and May 2005 to ensure a smooth transition.

The two (2) new committees will replace the current six (6) committees and be broken into the following streams:

- 1 *Sustainable Development Committee*
 Planning
 Environment
 Health
 Building
 Rangers
 Community Development
 Economic Development
 Tourism

- 2 *Corporate and Asset Management Committee*
 Governance
 Finance (including Audit Committee)
 Administration
 Staff Matters
 Roads
 Reserves
 Asset Management

Both committees will be afforded the full delegation of Council, and the membership increased to seven (7) elected members and three (3) elected members as deputies. It is also further suggested that in this proposal, that if the committee voted 6/1 to pass an item that it should be able to be dealt with under delegation, as this would still equate to an absolute majority vote. Council will need to amend the "Terms of reference for use of Delegation by Committee" for this and other changes proposed in this item.

It is also proposed that both committees will be held on the 3rd Tuesday of each month, with Sustainable Development commencing at 9am and Corporate and Asset Management commencing at 1pm following lunch. By having Sustainable Development first the intention is to provide certainty for members of public who may wish to attend this meeting (items on this agenda are generally the ones that community would like to ask questions or make statements on).

At the workshop held on 26 March 2004 it was suggested that with the reduction in Committees that consideration be given to regularly rotating the chairs. S5.12 of the Local Government Act describes the process to be followed to elect chairs and deputy chairs of committees including the requirement of the CEO to conduct the election of a Presiding member and Deputy Presiding member of a committee. The Act appears silent on the length of term a person is required to be the Presiding member and Deputy Presiding member of a committee. It also appears that under s5.44 of the Act, that the CEO may delegate the responsibility to conduct the election of a Presiding member and Deputy Presiding member of a committee. It would be reasonable to delegate this authority to the three (3) Directors so that anyone of the Executive could fulfill this requirement. Therefore it appears that Council could agree to rotate the Presiding member and Deputy Presiding member of a committee on a six (6) monthly basis.

C) Council

No change to Council time of 7pm is proposed, however the Council meeting date will be changed to the 4th Tuesday of each month. The benefits of this are similar to the benefits such a change will bring to the committees:

Changing from the Monday to the Tuesday is that the Council agenda would be provided to Councillors on the Friday, rather than the Thursday, which effectively will provide an additional day administratively, but also provide an additional day for Councillors and the community to read the document.

Voting Requirements:

ABSOLUTE MAJORITY

Officer Recommended Resolution

- A) Council agrees to the introduction of Concept forums effective from May 2005 subject to the following:
1. Council continues to conduct one (1) Concept forum meeting per month.
 2. Council Concept forum is held on the first Tuesday of every month at 9am to 12 noon.
 3. Council Concept forum be conducted based on the eleven (11) procedures recommended by the Department of Local Government and Regional Development as detailed within attachment SM038.1/04/04.
 4.
 - a) Concept forums will only deal with matters which are in their preliminary stages. Therefore, any use of delegations by senior staff, particularly in the Planning area, which may be better discussed with Councillors before a final decision under delegation is made, must only be referred to the Concept Forum in their preliminary stage of consideration.
 - b) Council Concept forum be expanded to include Councillor training and development.
- B) Council agrees that the following become effective immediately after the May 2005 elections subject to a trial period during the months of March, April and May 2005 to ensure a smooth transition.
1. Council move to two (2) Committees each with seven (7) elected members and three (3) elected members as deputies, with the full delegation of Council.
 2. The two (2) committees would replace the current six (6) committees and be broken into the following streams;

Sustainable Development Committee
 Planning
 Environment
 Health
 Building
 Rangers
 Community Development
 Economic Development
 Tourism

Corporate and Asset Management Committee
 Governance
 Finance (including Audit Committee)
 Administration
 Staff Matters
 Roads
 Reserves
 Asset Management
 3. As committees are proposed to retain the full delegation of Council, it suggested also that the "Terms of Reference for Use of Delegation by a Committee" be amended to allow a 6/1 vote in support of an item to be dealt with under delegation, as this would still equate to an absolute majority vote.
 4. Council agree to rotate their Presiding member and Deputy Presiding member of each committee on a six (6) monthly basis.

5. Each Committee (Sustainable Development Committee and Corporate and Asset Management Committee) would meet once per month on the third Tuesday of each month, with Sustainable Development commencing at 9am and Corporate and Asset Management commencing at 1pm.
 6. Council requests the Chief Executive Officer to amend the “Terms of Reference for Use of Delegation by Committee” to reflect the agreed changes contained within this decision of Council at the time the decision becomes effective.
- C) No change to Ordinary Council Meeting time of 7pm is proposed, however, it is proposed that the Council meeting date be changed to the fourth Tuesday of each month.
- D) Council be requested after the May 2005 elections, to nominate four (4) delegates to deal with Staff Management matters and undertake functions such as CEO recruitment and review. These Councillors would be required to provide a report to Council via committee for consideration and Council decision and not act in isolation of Council.

LOST 0/5

Cr Richards left the meeting at 8.00pm.

SM038/04/04 COUNCIL DECISION/Committee Recommended
Resolution/Foreshadowed Motion

Moved Cr Kirkpatrick seconded Cr Price

A) Council agrees to the introduction of Concept forums effective from May 2005 subject to the following:

1. Council continues to conduct one (1) Concept forum meeting per month.
2. Council Concept forum is held on the first Tuesday of every month at 9am to 12 noon.
3. Council Concept forum be conducted based on the eleven (11) procedures recommended by the Department of Local Government and Regional Development as detailed within attachment SM038.1/04/04.
4.
 - a) Concept forums will only deal with matters which are in their preliminary stages. Therefore, any use of delegations by senior staff, particularly in the Planning area, which may be better discussed with Councillors before a final decision under delegation is made, must only be referred to the Concept Forum in their preliminary stage of consideration.
 - b) Council Concept forum be expanded to include Councillor training and development.

B) Council agrees that the following become effective immediately after the May 2005 elections subject to a successful trial period during the months of March, April and May 2005 to ensure a smooth transition.

1. Council move to two (2) Committees each with seven (7) elected members and three (3) elected members as deputies, with the full delegation of Council.

- 2. The two (2) committees would replace the current six (6) committees and be broken into the following streams;**

Sustainable Development Committee

Planning
Environment
Health
Building
Rangers
Community Development
Economic Development
Tourism

Corporate and Asset Management Committee

Governance
Finance (including Audit Committee)
Administration
Staff Matters
Roads
Reserves
Asset Management

- 3. As committees are proposed to retain the full delegation of Council, the “Terms of Reference for Use of Delegation by a Committee” be amended to allow a 6/1 vote in support of an item to be dealt with under delegation, as this would still equate to an absolute majority vote.**
- 4. Council agree to rotate their Presiding member and Deputy Presiding member of each committee on a six (6) monthly basis.**
- 5. Each Committee (Sustainable Development Committee and Corporate and Asset Management Committee) would meet once per month on the third Tuesday of each month, with Sustainable Development commencing at 9am and Corporate and Asset Management commencing at 1pm.**
- 6. Council requests the Chief Executive Officer to amend the “Terms of Reference for Use of Delegation by Committee” to reflect the agreed changes contained within this decision of Council at the time the decision becomes effective.**

C) No change to Ordinary Council Meeting time or day.

D) Council be requested after the May 2005 elections, to nominate four (4) delegates to deal with Staff Management matters and undertake functions such as CEO recruitment and review. These Councillors would be required to provide a report to Council via committee for consideration and Council decision and not act in isolation of Council.

LOST 5/4 - ABSOLUTE MAJORITY NOT ACHIEVED

Committee Note: The Officer Recommended Resolution was changed to include the reference to a successful trial period (Part B) and C where no changes to time or day will occur to Ordinary Council Meetings.

Cr Richards was not present and did not vote.
Cr Richards returned to the meeting at 8.04pm.

Proponent:	Local Government Act 1995	In Brief To receive the March 2004 Quarterly Financial Report and approve the recommended changes to be adopted to the 2003/2004 budget and resolve not to prepare a quarterly financial report for the period ending 30 June, 2004.
Owner:	C Green – Manager Finance	
Signatures Author:		
Senior Officer:		
Date of Report	6 April 2004	
Previously	SM024/01/04 and SM021/11/03	
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 1995	
Delegation	Council	

Background

Regulation 34(1)(b) of the Local Government (Financial Management) Regulations 1996 require that quarterly financial reports be presented to Council for the periods ending 30 September, 31 December, 31 March and 30 June at either the next ordinary meeting after the end of the period, or if not prepared in time to the next ordinary meeting after that meeting.

The format of the report is to be set out providing the following information;

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and

Any other required supporting notes.

Regulation 34 (1a) of the Local Government (Financial Management) Regulations 1996 provide that a “local government need not prepare a quarterly... financial report for the period ending 30 June in any year if, before that date, the council resolves (by absolute majority) that such a report is not necessary.”

The June quarterly report has not been prepared in the past in accordance with the above regulation. Generally this report is prepared after all payments have been included and finalisation of accounts has been prepared for auditors, then passed onto Council for consideration once auditors sign off to the point where they provide their audit certification.

Sustainability Statement

This review provides an indication of current allocation of resources to provide services as adopted in the 2003/2004 budget. It ensures that allocations are undertaken in accordance with the adopted budget and proposes any changes required to maintain the most efficient use of the available resources.

Statutory Environment:

Section 6.4 of the Local Government Act 1995 and Regulation 34(1)(b) of the Local Government (Financial Management) Regulations 1996 require that quarterly financial reports be presented to Council for the periods ending 30 September, 31 December, 31 March and 30 June at either the next ordinary

meeting after the end of the period, or if not prepared in time to the next ordinary meeting after that meeting.

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

Financial Implications: As provided within the report

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

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation: No

Comment:

This review contains all committed purchase orders that have been raised against the budget provisions as well as actual income and expenditure as at 31 March 2004. This simply means that some accounts will have the projected expenditure requirements into the next couple of months included. This provides the most up to date projection.

This report will indicate all significant variations that are considered to affect the end of year result and other budget changes as a result of a review of the budget requirements. Where a variation is not considered to significantly affect the end of year result or is anticipated to correct itself prior to the end of year no comment has been made. Changes to budget allocations from the September quarter review are indicated in italics with the resolution number provided adjacent to the account description.

A copy of the Financial Report is included as a hard copy attachment and marked SM039.1/04/04. The report reflects the period to 31 March 2004.

General Purpose Funding

RAR601 Rate Discount Allowed: This account will be reduced to \$45,000, as the actual rate discounts allowed were less than budgeted.

RAR605 Rate Collection Expenses: This account has reached its budget allocation for the year. The account is offset by income provided under account RAR257. It is anticipated that the additional costs that may occur for the remainder of the year should be offset by this income account as the outstanding rates are collected.

RAR122 Interim Rates: This account is well below anticipated income levels at this stage. However some of this is being offset by greater than expected income being generated from non payment and interest penalty on outstanding rates. It is recommended to decrease this account by approximately \$35,000.

GFI265 Reimbursements: This account is currently indicating significant extra income. The additional income is for Emergency Services Levy Administration fee for the amount of \$10,570 and an unbudgeted income for motor vehicle insurance rebate of \$3,150. The ESL administration payment is offset by expenditure in each of Council's building maintenance accounts for our requirement to pay this levy. A balance of \$2,500 remains in Council's favour. This account will provide an additional \$15,000 by year end that is not offset elsewhere.

Governance

CEO502 Consultant : This account is to be reduced by \$5,000 and reallocated to JHP502 for works associated with the commencement of the implementation plan.

DCS508 Training / Conferences : This account is currently slightly over the budgeted allocation. \$3,000 will be transferred from DCS556 to offset the over expenditure.

Information Technology Services : This area is at 90% of budget and will be carefully monitored for the remaining of the year.

CDO523 Cultural Development : This account will decrease by \$6,000 due to the cultural plan no longer going ahead. This will also affect **CDO101** which was the proposed government grant for the cultural plan.

CDO605 YAC Regional Website : The YAC Regional Website will not be going ahead, so the \$4,500 proposed for this will be deducted from this account. This will also affect **CDO102** which included the \$4,500 grant.

CCS548 Office Rent : This account will require an additional \$5,000 to allow for the remaining 3 months rent at the Byford Office.

ADM626 Building Maintenance: This account provides for maintenance to the administration office. It is anticipated further allocations will be made to this account during the year and that close monitoring of expenditure will be required.

OGC505 Staff Employment Cost : An additional \$3,500 has been allocated.

Law, Order and Public Safety

BFB006, JFB006, KFB006, MFB006, OFB006 & FBS006 Utilities : All utilities accounts for the Volunteer Fire Brigades are over budget. The allocations for these accounts were based on data we received from the brigades, as this expense was previously borne by them. Overall the expenditure within the Volunteer Bush Fire Brigades is within budget and other expenditure will need to be reduced to cover for these costs.

ESD636 Construct Fire Breaks : The expenditure from this account is for the firebreaks on council properties. To minimise damage to native vegetation on reserves, firebreaks are costing more than expected to construct. The budget will need to be increased to \$20,000 to cover expenditure.

ESD637 Firebreaks Inspections : Expenditure in this account is directly offset by the income received from Fines and Penalties ESD410. The budget will need to be increased to \$12,000 to cover expenditure to date.

ESD410 Fines and Penalties : Budget income of \$30,000 is expected for this account.

RAN525 Impounding Vehicles : This account is to be reduced by \$1,000 and the funds transferred to RAN555 to cover for a transfer of funds to ESD.

Health

HIA230 Septic Tank fees : Revenue from this account has exceeded projections and a further \$3,000 has been estimated to come in by the end of the financial year.

Community Amenities

WAS750 Kerbside Junk and Greenwaste Collection : The kerbside junk collection for 2003/04 was 220 tonnes of hardwaste compared to 60 tonnes last year. There was also 170 tonnes of steel collected this year. As a result this account is currently over budget and a portion of this amount will be offset by MOR805 Reseals. This allocation includes the commitment for the greenwaste pick up in April.

TPL550 Vehicle Running Costs : An allocation for vehicle expenses was placed in this account, however the expense was salary related and has been taken from TPP500 Salaries account. As such \$5,000 will be transferred from TPL550 into TPP500.

TPP502 Planning Consultancy : A further \$2,000 is required for planning consultancy and this amount is to be obtained from TPP540 Advertising.

TPL178 Development App Fee : An additional \$40,000 has been identified from development application fees, in accordance with the current income level.

TPP525 Planning Projects : \$15,000 is to be added to this account for the Development Contribution Plan. This will be offset by income recovered from the WA Planning Commission.

Recreation and Culture

BYH625 Byford Hall : \$29,000 is to be added to this account for the re-roofing cost.

TPG799 Townscape Planning – This account is to be reduced by \$5,000 due to savings anticipated to be achieved in consultancy costs for Serpentine Heritage Precinct Guidelines.

TPG 900 Townscape Works : This account is to be reduced by \$15,000 as no projects have been organised for these funds. The remaining funds have either been committed for this year or have been flagged to be carried over in the Forward Financial Plan.

Transport

MOR794 Bitumen Repairs & Maintenance

This account was reduced from \$225,000 to \$200,000 at mid-year review (SM024/01/04) as full expenditure of the allocation was not forecast.

Due to breakdown of the Patchmobile and staff allocation to other tasks, it is again considered that full expenditure will not be achieved by 30 June 2004 as only \$102,000 has been expended to date.

It is requested that the account be further reduced to \$150,000 to reflect actual projected expenditure.

MOR799 Verge Maintenance

This account was reduced from \$75,000 to \$64,000 at mid-year review (SM024/01/04) with the \$11,000 transferred over to BRT730 Bridle Trail Maintenance.

Current expenditure is shown as \$99,600 however \$13,500 of spraying activities that related to drainage maintenance have been incorrectly allocated to this account, making the actual current expenditure \$86,100. This has been higher than anticipated due to increased verge maintenance activities such as waste removal, secondary weed spraying and mowing of Clairemorris Estate reserve. It is noted that the actual expenditure in this activity in 2002/03 was \$105,500.

It is requested that this account allocation be increased by \$30,000 to \$94,000 (sourced from savings in MOR794 Bitumen Repairs and Maintenance) allowing \$7,900 for remaining works.

MOR792 Drainage Maintenance

Current expenditure is shown as \$114,000 against an allocation of \$148,998, however reallocation of spraying works incorrectly allocated to Verge Maintenance will increase the actual expenditure to \$127,500.

In 2002/03 the actual amount spent on Drainage Maintenance was \$193,468. It is not considered wise to assume that the remaining allocation of \$22,500 will be sufficient for the remainder of this year, particularly as there have been no Autumn rains as yet during which maintenance issues are identified.

It is requested that this account allocation is increased by \$20,000 to \$168,998 (sourced from savings in MOR794 Bitumen Repairs and Maintenance) allowing \$41,500 for remaining works.

Other Economic Services

OES700 Gravel Pit : This account has been hit with 2 unbudgeted items, including an \$8,000 consultancy fee for the proposed new gravel pit site and \$7,500 for the protection of the red tailed black cockatoo which was not allowed for in the original budget. These costs will be covered by the reserve funds.

OES600 Loan Interest – This loan #79 was budgeted to be paid at the beginning of the financial year, but it wasn't paid until 25th February 2004 to ensure Reserve funds were signed off at audit, hence the extra interest incurred. This will be covered by reserve funds.

Other Property and Services

EPC500 Parts and Repairs – Extensive unscheduled repairs on the patchmobile have caused this account to go over budget. These funds will be covered by the Plant operating costs.

JHP500 Salaries : An additional \$11,000 will be required in this account for the salaries of the new JHP Project Officer. These funds were previously located in JHP502 for this purpose and have been shifted to provide a clear delineation between wages and operating expenditure in this area.

JHP502 Project Officer : There will be a net reduction of \$6,000 in this account from the \$11 000 being transferred to salaries and \$5 000 being transferred from CEO502.

JHP625 Jarrahdale Heritage Park – This budget is to be increased to \$33,000 to cover the extra maintenance costs for the cottages.

A summary of the recommended changes appears in the matrix below;

ACCOUNT DETAIL	PREVIOUS BUDGET	RECOMMENDED BUDGET AMENDMENT	BALANCE
Balance brought forward from SM021/11/03			206
RAR601 – Rate Discount Allowed	57,000	45,000	12,000
RAR122 – Interim Rates	55,000	20,000	(35,000)
GFI265 – Reimbursements	12,150	27,150	15,000
GFI630 – Interest on Investments	85,000	95,000	10,000
CEO502 – Consultants	30,000	25,000	5,000
JHP502 – Project Officer	27,000	21,000	(6,000)
JHP500 – Salaries	32,628	43,628	(11,000)
DCS508 – Training	15,000	18,000	(3,000)
DCS556 – Risk assessment	10,000	7,000	3,000

ACCOUNT DETAIL	PREVIOUS BUDGET	RECOMMENDED BUDGET AMENDMENT	BALANCE
CDO523 – Cultural development	9,400	3,400	(6,000)
CDO101 – Govt grants	6,000	0	6,000
CDO605 – YAC Regional website	4,500	0	(4,500)
CDO102 – Youth Donations	5,500	1,000	4,500
CCS548 – Byford Office	19,810	24,810	(5,000)
OGC505 – Staff Employment Exps	12,000	15,500	(3,000)
ESD636 – Construct Fire Breaks	14,100	20,000	(5,900)
ESD637 – Firebreak Inspections	5,000	12,000	(7,000)
ESD410 – Fines and Penalties	0	30,000	30,000
RAN525 – Impounding Vehicles	2,000	1,000	1,000
RAN555 – Consumables	1,500	2,500	(1,000)
HIA230 – Septic tank fees	27,000	30,000	3,000
WAS750 – Kerbside Collection	80,000	140,000	(60,000)
MOR805 – Reseals	300,240	260,240	40,000
TPP525 – Planning Projects	140,025	155,025	(15,000)
TPL173 – Contributions	0	15,000	15,000
TPP500 – Salaries	58,757	63,757	(5,000)
TPL550 – Vehicle running exp.	21,000	16,000	5,000
TPP502 – Planning Consultancy	26,500	28,500	(2,000)
TPP540 – Advertising	4,000	2,000	2,000
TPL178 – Development App Fee	35,000	75,000	40,000
TPG799 – Townscape Planning	15,000	10,000	5,000
TPG900 – Townscape Works	52,000	37,000	15,000
BYH625 – Byford Hall	10,165	39,165	(29,000)
MOR792 – Drainage Maintenance	148,998	168,998	(20,000)
MOR799 – Verge Maintenance	64,000	94,000	(30,000)
MOR794 – Bitumen Repairs	200,000	150,000	50,000
JHP625 – Jarrahdale Heritage Park	20,000	33,000	(13,000)
TOTAL			(306)

Voting Requirements: ABSOLUTE MAJORITY

SM039/04/04 Committee/Officer Recommended Resolution

1. Council receives the March 2004 Quarterly Report in accordance with Section 6.4 of the Local Government Act 1995.
2. Council adopts the following budget adjustments to the 2003/2004 statutory budget:-

ACCOUNT DETAIL	PREVIOUS BUDGET	RECOMMEND BUDGET AMENDMENT	BALANCE
Balance brought forward from SM021/11/03			206
RAR601 – Rate Discount Allowed	57,000	45,000	12,000
RAR122 – Interim Rates	55,000	20,000	(35,000)
GFI265 – Reimbursements	12,150	27,150	15,000
GFI630 – Interest on Investments	85,000	95,000	10,000
CEO502 – Consultants	30,000	25,000	5,000
JHP502 – Project Officer	27,000	21,000	(6,000)
JHP500 – Salaries	32,628	43,628	(11,000)
DCS508 – Training	15,000	18,000	(3,000)
DCS556 – Risk assessment	10,000	7,000	3,000
CDO523 – Cultural development	9,400	3,400	(6,000)
CDO101 – Govt grants	6,000	0	6,000

ACCOUNT DETAIL	PREVIOUS BUDGET	RECOMMEND BUDGET AMENDMENT	BALANCE
CDO605 – YAC Regional website	4,500	0	(4,500)
CDO102 – Youth Donations	5,500	1,000	4,500
CCS548 – Byford Office	19,810	24,810	(5,000)
OGC505 – Staff Employment Exps	12,000	15,500	(3,000)
ESD636 – Construct Fire Breaks	14,100	20,000	(5,900)
ESD637 – Firebreak Inspections	5,000	12,000	(7,000)
ESD410 – Fines and Penalties	0	30,000	30,000
RAN525 – Impounding Vehicles	2,000	1,000	1,000
RAN555 – Consumables	1,500	2,500	(1,000)
HIA230 – Septic tank fees	27,000	30,000	3,000
WAS750 – Kerbside Collection	80,000	140,000	(60,000)
MOR805 – Reseals	300,240	260,240	40,000
TPP525 – Planning Projects	140,025	155,025	(15,000)
TPL173 – Contributions	0	15,000	15,000
TPP500 – Salaries	58,757	63,757	(5,000)
TPL550 – Vehicle running exp.	21,000	16,000	5,000
TPP502 – Planning Consultancy	26,500	28,500	(2,000)
TPP540 – Advertising	4,000	2,000	2,000
TPL178 – Development App Fee	35,000	75,000	40,000
TPG799 – Townscape Planning	15,000	10,000	5,000
TPG900 – Townscape Works	52,000	37,000	15,000
BYH625 – Byford Hall	10,165	39,165	(29,000)
MOR792 – Drainage Maintenance	148,998	168,998	(20,000)
MOR799 – Verge Maintenance	64,000	94,000	(30,000)
MOR794 – Bitumen Repairs	200,000	150,000	50,000
JHP625 – Jarrahdale Heritage Park	20,000	33,000	(13,000)
TOTAL			(306)

3. Council resolves not to prepare a quarterly financial report for the period ended 30 June 2004.

SM039/04/04 – SUPPLEMENTARY INFORMATION

Townscape Works

The allocation of new works for the year was \$35,000. It has been suggested in this item that \$15,000 be removed from this budget as the only projects being requested to date are:

\$3,000 for planting to Jarrahdale Road,
\$3,000 towards the memorial in Byford,
\$7,000 recently requested, yet to be approved, for Byford entry statements.

These projects total \$13,000 and would leave \$7,000 remaining after the budget adjustment. It is recommended that \$10,000 be removed from this account leaving \$12,000 for projects for the remainder of the year.

Waste Management

As a result of the change to townscape works it is recommended that up to \$10,000 be drawn from the waste reserve to cover the over expenditure in this area.

Verge Maintenance

Reference was made in this area on the maintenance for Claire Morris Estate. The funds used were to clear several dead trees that had occurred since subdivision. Requests were

made of the developer to contribute, however contribution was only provided for 50% of the cost of removing one (1) tree.

SM039/04/04 COUNCIL DECISION/Amended Officer Recommendation

Moved Cr Simpson seconded Cr Wigg

1. Council receives the March 2004 Quarterly Report in accordance with Section 6.4 of the Local Government Act 1995.
2. Council adopts the following budget adjustments to the 2003/2004 statutory budget:-

ACCOUNT DETAIL	PREVIOUS BUDGET	RECOMMEND BUDGET AMENDMENT	BALANCE
Balance brought forward from SM021/11/03			206
RAR601 – Rate Discount Allowed	57,000	45,000	12,000
RAR122 – Interim Rates	55,000	20,000	(35,000)
GFI265 – Reimbursements	12,150	27,150	15,000
GFI630 – Interest on Investments	85,000	95,000	10,000
CEO502 – Consultants	30,000	25,000	5,000
JHP502 – Project Officer	27,000	21,000	(6,000)
JHP500 – Salaries	32,628	43,628	(11,000)
DCS508 – Training	15,000	18,000	(3,000)
DCS556 – Risk assessment	10,000	7,000	3,000
CDO523 – Cultural development	9,400	3,400	(6,000)
CDO101 – Govt grants	6,000	0	6,000
CDO605 – YAC Regional website	4,500	0	(4,500)
CDO102 – Youth Donations	5,500	1,000	4,500
CCS548 – Byford Office	19,810	24,810	(5,000)
OGC505 – Staff Employment Exps	12,000	15,500	(3,000)
ESD636 – Construct Fire Breaks	14,100	20,000	(5,900)
ESD637 – Firebreak Inspections	5,000	12,000	(7,000)
ESD410 – Fines and Penalties	0	30,000	30,000
RAN525 – Impounding Vehicles	2,000	1,000	1,000
RAN555 – Consumables	1,500	2,500	(1,000)
HIA230 – Septic tank fees	27,000	30,000	3,000
WAS750 – Kerbside Collection	80,000	140,000	(60,000)
Waste Reserve			5,000
MOR805 – Reseals	300,240	260,240	40,000
TPP525 – Planning Projects	140,025	155,025	(15,000)
TPL173 – Contributions	0	15,000	15,000
TPP500 – Salaries	58,757	63,757	(5,000)
TPL550 – Vehicle running exp.	21,000	16,000	5,000
TPP502 – Planning Consultancy	26,500	28,500	(2,000)
TPP540 – Advertising	4,000	2,000	2,000
TPL178 – Development App Fee	35,000	75,000	40,000
TPG799 – Townscape Planning	15,000	10,000	5,000
TPG900 – Townscape Works	52,000	42,000	10,000
BYH625 – Byford Hall	10,165	39,165	(29,000)
MOR792 – Drainage Maintenance	148,998	168,998	(20,000)
MOR799 – Verge Maintenance	64,000	94,000	(30,000)
MOR794 – Bitumen Repairs	200,000	150,000	50,000
JHP625 – Jarrahdale Heritage Park	20,000	33,000	(13,000)
TOTAL			(306)

3. Council resolves not to prepare a quarterly financial report for the period ended 30 June 2004.

CARRIED 10/0 ABSOLUTE MAJORITY

SM040/04/04 FORWARD FINANCIAL PLAN (A0119/03)		
Proponent:	Local Government Act 1995	In Brief To review written comments and submissions made by the public in relation to the proposed Forward Financial Plan 2004-2014 and adopt the revised Plan.
Officer:	G R Dougall – Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	08/04/04	
Previously	SM030/02/04	
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 1995.	
Delegation	Council	

Background

At the Strategic Management meeting held on 16 February 2004 Council agreed to advertise the first five years draft Forward Financial Plan 2004-2014 for public comment.

This Plan is a requirement of section 5.56 of the Local Government Act 1995 and includes;

- The principal activities that are proposed or plan to be proposed,
- Objectives of each principal activity,
- Estimated cost and proposed means of funding,
- How the local government proposes to assess its performance, and
- Estimated income and expenditure for each year of the plan.

This year an advertisement was placed in the Weekend Examiner newspaper to commence the statutory 42 day public submission notice as required under section 5.57 of the Local Government Act 1995, and articles were provided in the examiner newspaper outlining projects during different years of the Plan. A copy was also placed on Council's website and copies were made available from the Byford and Mundijong offices and the library. At the time of writing this item 53 submissions had been received.

Sustainability Statement

Economic Viability: The Forward Financial Plan ensures all anticipated future expenditure and revenue streams are considered and prioritised. Future grant funding needs and resource requirements are predicted to establish the viability of activities being achieved. Whilst this document is only an estimate of future needs and sources of funding it does reduce the risk associated with determining the ability for each activity to be undertaken by Council over the next ten years.

The Plan provides an indication of the priority of Council over the next ten years and is aligned to the Strategic Plan, People Plan, Information Plan, and Tourism Strategy. The Forward Financial Plan is reviewed annually to ensure that these priorities remain current and therefore some of the activities indicated in the plan may change in the level of funding, the year of allocation or may be deleted if no longer deemed a current priority or have been completed.

Economic Benefits: The Forward Financial Plan will provide the certainty of current priorities, subject to annual review, to ensure the continued sustainable development of the community. It will ensure the planning process undertaken by Council in consultation with the community brings the benefits expected from future growth.

Statutory Environment:

Section 5.56 of the Local Government Act 1995 requires local governments to prepare a plan of principal activities for the next four or more financial years. The plan is to include;

The principal activities that are proposed or plan to be proposed:

- Objectives of each principal activity;
- Estimated cost and proposed means of funding;
- How the local government proposes to assess its performance; and
- Estimated income and expenditure for each year of the plan.

Policy/Work Procedure Implications:

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

Financial Implications:

The Forward Financial Plan directly implicates financial resources for the next ten years. Cost and revenue estimates are provided at current day rates, however an inflation rate of 3% is added after year four for each of the remaining years.

The Forward Financial Plan will be used as the template for the development of the 2004/2005 statutory budget.

Strategic Implications:

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

3. Economic

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:

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: Yes. The Local Government Act 1995 requires a 42 day public consultation period prior to final adoption of this plan. This consultation period ended on 14 April 2004.

Comment:

This year an additional five years was added to the Plan. The inclusion of these additional years is to ensure that medium term projects are considered in our future financial planning. Adding these years will reduce the risk associated with their future financial viability and demonstrate Council's ability to pay for these activities.

To date 53 submissions have been received and are identified below. 49 of these submissions relate to a request to withdraw the Oakford Structure Planning allocation in

2007/2008 and reduce any projected rate increase in 2007/2008 by 1%. These submissions were forwarded as part of a standard letter drafted by the Oakford/Oldbury Association.

Below is a schedule of the submissions received and the officer recommended response to these submissions;

SUBMISSION	COMMENT	RECOMMENDATION
35 Pollard Cross, Cardup	Funds for changerooms to Mundijong Pavilion should be moved forward to 2004/2005 given contribution made to youth and health of our community by sporting clubs and the comparative amount involved.	Not supported. The allocation has been placed in the 2005/2006 year for the past two years. It is not considered that any other project could be moved to provide for this project to be moved forward. Council is contributing \$40,000 of general revenue funds to this project. To move it forward would require a further rate increase of approximately 1%. This would be in addition to the current increase proposed.
Various (49 submissions from Oakford/Oldbury area)	<p>Request that the funds for the Oakford Structure Plan be removed from 2007/2008 as it is considered a long term need that is not in the interest of current residents lifestyle.</p> <p>Also concern that the quality of any urban development will consist of lower end market value.</p>	<p>Not supported. It is recommended to keep this item in the Forward Financial Plan.</p> <p>The Oakford village has been identified in the draft Jandakot Structure Plan as future long term urban. This study was prepared by the Western Australian Planning Commission. The structure plan is probably 1-2 years away from being granted final approval the State Government. It only effects the rural land south of Thomas Road and west of Nicholson Road. It also provides an opportunity to determine infrastructure needs in the area prior to development taking place.</p> <p>Once the Jandakot Structure Plan is signed off by the Government, Council will need to complete a structure plan for the Oakford area, similar to what has been done for the Byford area. At this time there has been no determination of lot sizes considered.</p>

SUBMISSION	COMMENT	RECOMMENDATION
640 Kargotich Road	Supports the Oakford Structure Plan as it will ensure no piece-meal or adhoc approach to subdivisions in the area in future.	Agreed.
Shire of Serpentine Jarrahdale	That Council requests an amount of \$33,000 now be considered in the 2004 – 2014 Principal Activities Plan for the replacement of the Mundijong Hall roof.	Not supported. It is recommended that the Director Asset Services review this in the draft 2004/2005 budget document.

As part of the sign off for this plan an allocation is included for new staff appointments in 2004/2005. It is recommended that the funding of \$50,000 as reflected in the Plan be used to increase resources in the Sustainable Development Team in the technical areas of Planning and Health. It is also recommended that Council agree to commence the recruitment process now to enable the additional resources to be in place as soon as practicable in the 2004/2005 financial year.

Council is also requested to authorise the Chief Executive Officer to make an offer for 196 Atkins Street, Jarrahdale, based on the funding reflected in the Plan, subject to budget approval and enter into a lease with the Anglican parish on a peppercorn lease for five (5) years with Council being responsible for the structural maintenance of the building and the day to day wear and tear being the responsibility of the Parish. A valuation has been undertaken by a licensed valuer and the forward financial plan is a reasonable reflection of this value.

The Plan has provided for the decommissioning of the Watkins Road transfer station in 2004. Council is now requested to approve this closure so that suitable arrangements (advertising etc) can be made to progress the issue.

Voting Requirements: Normal

SM040/04/04 Committee/Officer Recommended Resolution

Moved Cr Star seconded Cr Price

- Draft Forward Financial Plan 2004-2014, without amendment, be adopted.**
- The draft Budget 2004/2005 be prepared based on the Forward Financial Plan 2004-2014.**
- The Watkins Road transfer station be closed after 1 July 2004.**
- Council is also requested to authorise the Chief Executive Officer to make an offer for 196 Atkins Street, Jarrahdale, based on the funding reflected in the Forward Financial Plan 2004-2014, subject to budget approval, and enter into a lease with the Anglican parish on a peppercorn lease for five (5) years for the building only with Council being responsible for the structural maintenance of the building and the day to day wear and tear being the responsibility of the Parish.**
- Additional Human Resources be approved as of 1 July 2004, in accordance with the Forward Financial Plan 2004-2014 for the sustainable development team, and the Chief Executive Officer commence recruitment of these positions to enable these appointments to commence as soon as practicable from 1 July 2004.**

AMENDMENT

Moved Cr Wigg seconded Cr Star

That the words “without amendment” be removed from Part 1 of the Committee/Officers Recommended Resolution and substituted with the following “with the amendment that \$110,000 allocated for the sealing of Jarrah Road in 2005-2006 be reallocated for the sealing of Yangedi Road North in 2005-2006”.

**After debate the presiding person then put the amendment which was
CARRIED 9/1**

The presiding person then put the amended motion

COUNCIL DECISION

- 1. Draft Forward Financial Plan 2004-2014, with the amendment that \$110,000 allocated for the sealing of Jarrah Road in 2005-2006 be reallocated for the sealing of Yangedi Road North in 2005-2006, be adopted.**
- 2. The draft Budget 2004/2005 be prepared based on the Forward Financial Plan 2004-2014.**
- 3. The Watkins Road transfer station be closed after 1 July 2004.**
- 4. Council is also requested to authorise the Chief Executive Officer to make an offer for 196 Atkins Street, Jarrahdale, based on the funding reflected in the Forward Financial Plan 2004-2014, subject to budget approval, and enter into a lease with the Anglican parish on a peppercorn lease for five (5) years for the building only with Council being responsible for the structural maintenance of the building and the day to day wear and tear being the responsibility of the Parish.**
- 5. Additional Human Resources be approved as of 1 July 2004, in accordance with the Forward Financial Plan 2004-2014 for the sustainable development team, and the Chief Executive Officer commence recruitment of these positions to enable these appointments to commence as soon as practicable from 1 July 2004.**

CARRIED 8/2

Council note: Cr Murphy voted against the motion.

Council note: During debate Cr Murphy foreshadowed that he would move a motion to include the following words at the end of part 1 “with deletion in 2007/2008 of the Oakford Structure Plan and the forecast rate increase reduced accordingly”, if the motion under debate was defeated.

FORESHADOWED MOTION:

Moved Cr Murphy

- 1. Draft Forward Financial Plan 2004-2014 with deletion in 2007/2008 of the Oakford Structure Plan and the forecast rate increase reduced accordingly.**
- 2. The draft Budget 2004/2005 be prepared based on the Forward Financial Plan 2004-2014.**
- 3. The Watkins Road transfer station be closed after 1 July 2004.**
- 4. Council is also requested to authorise the Chief Executive Officer to make an offer for 196 Atkins Street, Jarrahdale, based on the funding reflected in the Forward Financial Plan 2004-2014, subject to budget approval, and enter into a lease with the Anglican parish on a peppercorn lease for five (5) years for the building only with Council being responsible for the structural maintenance of the building and the day to day wear and tear being the responsibility of the Parish.**

5. Additional Human Resources be approved as of 1 July 2004, in accordance with the Forward Financial Plan 2004-2014 for the sustainable development team, and the Chief Executive Officer commence recruitment of these positions to enable these appointments to commence as soon as practicable from 1 July 2004.

SM041/04/04 INFORMATION REPORT		
Proponent	Chief Executive Officer	In Brief Information Report.
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	6 April 2004	
Previously		
Disclosure of Interest		
Delegation	Council	

SM041.1/04/04 FINAL REPORT – PEEL DELEGATION TO CANBERRA – MARCH, 2004 (A0109-02)

The final report on the Peel Delegation to Canberra 1-3 March 2004 is in the attachments marked SM041.1/04/04.

SM041.2/04/04 ACTING CHIEF EXECUTIVE OFFICER (A0039-02)

In accordance with delegation AF7, the Chief Executive Officer has appointed the Director Sustainable Development as Acting Chief Executive Officer from 22nd April to 2nd May 2004, (inclusive) and the Director Asset Services as Acting Chief Executive Officer from 3rd May to 16th May 2004 (inclusive).

SM041.3/04/04 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – SOUTH EAST METROPOLITAN MINUTES – 31ST MARCH, 2004 (A1164)

The amended minutes of the South East Metro meeting held on 31st March 2004 are in the attachments marked SM041.3/04/04.

SM041.4/04/04 ECONOMIC & TOURISM DEVELOPMENT OFFICER REPORT – APRIL 2004 (A0436-05)

The Economic & Tourism Development Officer report of priorities for April 2004 are with the attachments marked SM041.4/04/04.

SM041.5/04/04 COMMON SEAL REGISTER REPORT – MARCH 2004 (A1128)

The Common Seal Register Report for the month of March 2004 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked SM041.5/04/04.

SM041.6/04/04 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NOTICE OF ANNUAL GENERAL MEETING 2004 (A1164)

The Annual General Meeting for the Western Australian Local Government Association will be held on Sunday 8th August 2004 as part of Local Government Week. The meeting will be held at the Burswood Convention Centre. ***The Notice of the Annual General Meeting is with the attachments marked SM041.6/04/04*** together with general information on the format for the meeting and guidelines for the preparation and submission of motions. Note that closing date for submissions of motions is Friday 11 June 2004.

SM041.7/04/04 AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS (AICD) ONE
DAY PROGRAM - IMPLEMENTING GREAT GOVERNANCE -
PROGRAM 10 JUNE 2004 (H0031-02)

In accordance with Council policy CSP25 "Council Training, Development and Conference Attendance, Council the following has request has been referred to Strategic Management Committee for consideration.

The Shire President and Chief Executive Officer would like to attend the one day training program titled "Implementing Great Governance" on the 10 June 2004. As per policy CSP 25 the cost is in excess of \$500 and therefore requires Committee consideration. Cost is \$825 for AICD members (The CEO is a member) and \$990 for non members. Whilst funds have not specifically been provided for this training in the 2004/2004 budget, there are funds available in the relevant training budget to cover the \$1815 cost.

An extract on the literature provided on the training program is below for Councillors information.

As we enter the 21st century, corporate governance is one of the hottest topics in boardroom circles. Everyone knows about the pressures for conformance - the question is how to make good governance fully effective to produce better performance outcomes.

What will I learn?

Implementing Great Governance will:

- * provide an overview on the role of the modern board
- * provide a comprehensive framework against which directors can evaluate the board's performance
- * supply practical checklists for boards to examine their current practices
- * explain the role of governance manuals and other policy documents and show you how to develop a board charter
- * examine board meeting procedures by reviewing a series of models and examples
- * present a refresher for chairmen, directors, chief executive officers and company secretaries of their roles, responsibilities and duties

Program

Overview of contemporary governance issues:

- * Changes in corporate governance practices, current issues, the Corporate Governance Charter model.
- * Defining Governance roles
- * Defining the role and functions of the board, directors, chairman and CEO.
- * Best practice board meetings
- * Ensuring effective and productive board meetings, including agendas, minutes, board papers and the use of committees.
- * Key board functions and continuing improvement

The strategy, risk, compliance, control and CEO oversight roles of the board. Director protection, board evaluation and director selection, induction and development.

Implementing the Corporate Governance Charter

Each participant will receive a copy of the book "Boards that Work". The seminar elaborates, explains and takes participants down the path of developing their own Corporate Governance Charter as outlined in "Boards that Work".

Implementing Great Governance

Implementing Great Governance can help to steer your board in the right direction. Designed for AICD members who know some of the principles of good governance, but who want new insights into best practice and are struggling with implementation issues, this workshop provides an excellent program for learning and discussion.

Implementing Great Governance:

- * Provides a "one-stop-shop" for understanding the context of corporate governance, discussing the latest thinking on governance issues, and learning from real-life examples.
- * Offers professional guidance by an experienced governance consultant.
- * The workshop format provides opportunities for discussion with peers and the opportunity to learn from their experiences.
- * The course includes comprehensive written materials, including an example of a complete governance charter.

The program aims to deliver:

- * leading edge guidance based on international best practice;
- * useful tips for governance processes that make a difference;
- * easy-to-use guidelines developed from research and based on the combined experience of literally hundreds of Australia's leading directors;
- * a vehicle for discussing the practical aspects of corporate governance with other experienced professionals

SM041/04/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Price

- 1. The Information Report to 8 April 2004 be received.**
- 2. In accordance with Council policy CSP25 - Council Training, Development and Conference Attendance, Council approves the attendance by the Shire President and Chief Executive Officer on the AICD one day training program titled "Implementing Great Governance".**

CARRIED 10/0

SM042/04/04 PROPOSED SERPENTINE SPORTS RESERVE PAVILION (RS0180/02)		
Proponent:	Council in partnership with Serpentine Horse & Pony Club & Serpentine Foothills Polocrosse Club	In Brief Council is asked to endorse the building of the Serpentine Sports Reserve Pavilion commencing in May 2004 based on the plans council commissioned, a contribution of up to \$97,526 from Council, and the borrowing of \$60,000 to cover cash flow for the CSRFF grant until it can be claimed.
Owner:	Serpentine Jarrahdale Shire	
Officer:	C McKee – Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	14 April 2004	
Previously	B23/05/03; CRD08/10/03	
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 May 2003 Council endorsed the commissioning of professional drawings for the Serpentine Sports Reserve Pavilion based on the 8 August 2002 concept plans. These were to be funded from Council's contribution of up to \$113,500. This includes \$3,500 costs for plans.

At the same time Council brought forward into the 2003/04 budget Council's contribution of up to \$113,500 and the Club Self-supporting Loan of up to \$110,000 each originally outlined in the Forward Financial Plan for 2004/05. This was to accommodate the timing of the anticipated world cup show jumping event in September/October 2004.

In October 2003, as per the Forward Financial Plan, Council agreed to borrow up to \$110,000 to cover its own contribution towards the estimated \$292,578 project, as well as acting as guarantor for a self- supporting loan of up to \$110,000 which will be borrowed between the Pony and Polocrosse Clubs. A repayment schedule was drafted and attached to the CSRFF submission.

The CSRFF application submitted requested up to \$97,526 (exclusive of GST) from the Department of Sport and Recreation, with contributions of \$97,526 (exclusive of GST) from Council and a combined contribution of \$97,526 from the Clubs. Council requested to reclaim the grant in 2004/05.

The CSRFF amount granted was \$60,000, with the year of claim being put back a year to 2005/06.

A copy of the Plans for the Serpentine Sports Reserve Pavilion are with attachments marked SM042.1/04/04.

Sustainability Statement

Effect on Environment and Resource Implications:

The building is proposed to be made of rammed earth

Use of Local, renewable or recycled Resources:

Local rammed earth contractor as well as plumber, electrician and other contractors will be used where possible

Economic Viability:

The original estimated cost of \$292,578 for the Pavilion was determined by Council's Principal Building Surveyor. This was based on estimates per square metre, rather than firm quotes. Having now called for some firm quotes it is expected that the building could still be accomplished with the revised budget of \$255,052 with the following amendments.

Having consulted with the Clubs it is proposed that we construct the building to the dimensions in the plans with any exclusions due to the reduced budget being internal fit out/fittings. This aims to still include a basic functional kitchen.

In order to further reduce costs and avoid delays at this stage in calling tenders, it is proposed the Shire undertake the project management of the building at least to plate height, then possibly tender for the completion of the project. This will enable us to use a local rammed earth contractor and carry out works without a builder's margin.

As per the original proposal a joint application to Lotteries and Department of Home and Community Care will pursue the fit-out of a professional kitchen, which, if successful, would extend the extent to which the Pavilion could be used for Armadale Home Help, and the level of catering within the facility by user groups and families who might hire it for functions.

It is anticipated that there will be other funding avenues that can be pursued to complete the project over time. One example is a current application which is being investigated which may draw up to \$10,000 towards the project and enable the meeting room to be fitted out to be used for multiple purposes including first aid, health consultations and a doctor's consulting room.

The revised budget of \$255,052 would be based on \$60,000 from CSRFF, \$97,526 from Council and a combined contribution of \$97,526 from the Clubs.

The Clubs are keen to commence construction in May 2004 to make use of the finer weather and availability of the local rammed earth contractor, in order to have the building ready for the October world championship show jumping event.

In order to overcome the cash flow implications, where the grant may not be able to be claimed until July 2005/06, Council would need to take out a short term loan of \$60,000, the interest of which (up to \$3,500) would be incorporated into the project costs ie. this would be part of and not additional to Council's contribution of \$97,526.

Every effort would be made to make an early claim in 2004/05, and this would be stated in a letter of acceptance and thanks for the \$60,000 grant to the Minister.

Economic Benefits:

The pavilion will enable the equine clubs to attract major events which attract a large number of visitors to the shire who have the potential to spend locally.
The Clubs cater using local produce/suppliers where possible.

Social – Quality of Life

The facility will provide a multipurpose facility which will encourage local residents to come together for a range of activities, functions and potential services for seniors, youth and the general community.

Social and Environmental Responsibility:

The community has been involved in the planning and will be involved through the main user groups in the management of the facility.

Social Diversity:

The pavilion will cater for all sectors of society including youth, seniors, disabled and families

Statutory Environment:

Metropolitan Region Scheme Form 2 approval is required for the proposed pavilion as Serpentine Sports Reserve is identified as a Regional Reserve under the Metropolitan Region Scheme.

Policy/Work Procedure Implications:

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

Financial Implications:

In order to overcome the cash flow implications, where the grant may not be able to be claimed until July 2005/06, Council would need to take out a short term loan of \$60,000, the interest of which (up to \$3,500) would be incorporated into the project costs ie. this would be part of and not additional to Council's contribution of \$97,526. The loan would then be retired when the grant is received.

Linked to the building of the new pavilion are two projects that will require attention but could be undertaken through the traditional operating budget for the derelict Pony Club Rooms. Council is therefore being asked to allocate pony club room operating budget funds (in the 2004/05 budget) to demolish the existing derelict pony clubrooms and tidy up the site to enhance car parking and pedestrian management.

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. Develop good services for health and well being.
3. Retain seniors and youth within the community.
4. Respect diversity within the community.

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 1: A vibrant local community

Strategies:

3. Develop tourism potential.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. 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. 3.Develop specific partnerships to effectively use and leverage additional resources.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Community consultation was carried out as part of the Needs Assessment and Feasibility Study carried out in 2002/03

Voting Requirements:

Normal

SM042/04/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Star seconded Cr Wigg

Council endorses:

1. The proposal to construct the Serpentine Sports Reserve Pavilion to the dimensions in the final plans (dated September 2003) including a basic functional kitchen with any exclusions due to the reduced budget being internal fit out/fittings.
2. Commencement of construction in May 2004, based on a budget of \$255,052 funded by a contribution of up to \$97,526 from Council, a combined contribution of \$97,526 from the Pony/Polocrosse Groups (both through loans in 2003/04 budget) and the borrowing of \$60,000 through a short term loan to cover cash flow for the CSRFF grant until it can be claimed.
3. The consideration of a budget allocation in the 2004/05 budget deliberations to demolish the existing derelict pony clubrooms and tidy up the site to enhance car parking and pedestrian management.
4. That the Serpentine Sports Reserve Pavilion Plans (September 2003) be amended to reflect the proposed use of the "Meeting Room" by renaming it "Meeting/Consulting/First Aid Room."

CARRIED 10/0

Committee Note: The Officer Recommended Resolution was amended by adding Number 4 to ensure the final plans are amended to reflect the portion of the meeting room being used as a possible First Aid/Consulting Room.

SM043/04/04 UPDATE ON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (VROC) PROPOSAL FOR PEEL REGION (A0839-06)		
Proponent:	Peel Local Governments	In Brief This item seeks Council support for: 1) The continuation and expansion of the Peel Economic Development Unit 2) Not to establish a new VROC in the Peel Region at present, but rather improve the focus of the Peel Zone Meeting to address important policy decisions relating to WALGA and the region, as well as other regional cooperation initiatives that would otherwise be dealt with by a VROC.
Owner:	Not applicable	
Officer:	DE Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	15.04.04	
Previously	SM029/02/04	
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	
Delegation	Council	

Background

Peel Economic Development Unit

In 1999 Councils and other stakeholders in the Peel region came together in a voluntary environment to address some of the issues confronting the Peel region including high unemployment, lack of regional competitiveness (losing opportunities to other regions), limited coordinated effort to have significant regional political influence etc. Out of that forum came a commitment from the local authorities to work together to achieve sustainable economic development in the Peel region. This was formalised in a “*Regional Economic Development and Cooperation Agreement*” signed by the elected leaders and Chief Executive Officers (CEOs) from each of the five (5) local authorities in the Peel region. The Peel Development Commission (PDC) has been a significant partner in the Peel Economic Development Unit (PEDU) and has provided considerable support resources to assist PEDU pursue its priorities.

Member councils subsequently endorsed PEDU to become an incorporated body with a constitution. PEDU has been involved in a leadership role on numerous regional economic development initiatives.

A PEDU workshop was held on the 18th March 2004 to discuss both the past effectiveness of the group and if it is achieving its purpose.

A copy of the minutes of this workshop are attached for Councillor information “SM043/04/04”(E04/1905)

Voluntary Regional Organisation of Councils

Late in 2003 Councils in the Peel region considered a report on the concept of establishing a VROC and most resolved in principle support for a VROC. This support was subject to holding a workshop to explore the potential benefits and other relevant issues of establishing a VROC.

This workshop was held on the 11th December 2003 and the Federal Minister for Local Government, Hon Ian Campbell, addressed the attendees on the subject of the Commonwealth Governments perspective on Regional Councils. This was followed by a presentation from Mr Tony Ford, CEO, Town of Port Hedland on the establishment and effectiveness of the Pilbara ROC.

Following this meeting each of the member councils (with the exception of Boddington) resolved:

1. *That Council receives this report and continues its “in principle” support to the concept of establishing a VROC in the Peel Region.*
2. *That the CEO’s coordinate/undertake a more detailed investigation into a Peel Region VROC and submit a final report and recommendation to all councils in the Peel region on the following items (but not limited to):*
 - *Potential costs of entering VROC \$, human resources/time*
 - *Proposed structure for a Peel VROC*
 - *Proposed functions/priorities/projects*
 - *Delegations required*
 - *Communication strategy/the community and other stakeholders*
 - *Proposed terms of reference, code of conduct*
 - *How would VROC/ROC interface with PDC and PEDU*
 - *Examples of actual VROC/ROC outcomes*

Since these two (2) workshops the CEOs have met on the 5th April 2004 to progress the above decision actions.

Statutory Environment:

There are no legal implications relevant to this item.

Policy/Work Procedure Implications:

There are no immediate work procedures/policy implications directly related to this issue, however after the May 2005 elections council representation on the Peel Zone will include the Shire President (currently council has two (2) delegates who rotate attendance to Peel Zone, however Serpentine Jarrahdale does not vote as they are members of the South East Zone).

Financial Implications:

Currently the PDC provides significant support to PEDU and grant funds are made available to assist PEDU employ the Business Development Manager. There is no guarantee that these funds and resources would continue if PEDU were wound up or changed its strategic priorities.

Council contributed \$5,000 toward PEDU in 2003/2004.

Strategic Implications:

The major strategic implications of this item come from the downside of not having any strong regional cooperation in place. The Peel regions significant population growth will not have the strong regional economic growth necessary to create wealth and employment. The Peel region may be less competitive than other regions such as the south west, great southern and mid west.

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. Develop good services for health and well being.

Objective 3: High level of social commitment

Strategies:

2. Build key community partnerships.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.
2. Identify value-adding opportunities for primary production.
3. Develop tourism potential.
4. Promote info-technology and telecommuting opportunities.

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

Strategies:

2. Consider specific sites appropriate for industry /commercial development.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
2. Represent the interests of the Shire in State and Regional planning processes.

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.
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.
3. Develop specific partnerships to effectively use and leverage additional resources.

Community Consultation:

Required: No

Comment:

Peel Economic Development Unit (PEDU)

At the PEDU workshop on the 18th March 2004 attended by Cr Simpson at the CEO, workshop participants agreed that significant progress had been made towards fostering a regional approach to economic development and that the benefits of maintaining the current structure and arrangements (with some modifications) far outweighed the option of either abolishing PEDU or amalgamating it with any VROC that might be formed in the future. The key issue for the workshop participants was to build on the successes to date and to extend the involvement to other parties that had a strong interest or a charter in economic development in the Peel region.

At the workshop there was confirmed support for PEDU continuing with its existing brief and the immediate priorities were to:

- Improve communication and coordination of economic development and tourism within the region.
- Finalise the Strategic Plan/Action Plan which will set out the regional priorities for economic development
- Finalise support resourcing arrangements (including Executive Officer and Business Development Manager).

The participants (both Council and PDC representatives) also believed that there would be benefits gained by extending the membership base to cover other key/lead agencies in economic development. This was further considered at the CEO's meeting on the 5th April where a number of aspects were examined associated with the proposed expansion of the membership base of PEDU, particularly the proposed reduction of local government representatives and the benefits of establishing a VROC as per the decision made by Council following the 11th December 2003 workshop.

The CEOs formed the opinion that the following comment/advice should be referred back to PEDU Executive in relation to some of the outcomes discussed at the workshop:

1. The proposal to create a "peak regional body", including the expansion of the PEDU to include additional stakeholder groups but reduce local government representation should not now be supported as it is likely to:
 - a) Alienate elected members as the level of representation on PEDU is reduced.
 - b) Move PEDU away from its initial reasons for forming – which was improved cooperation between local government in the region to deal with economic and employment issues
 - c) Dilute local government influence and the increased size of PEDU may reduce its effectiveness. The formation of PEDU and its subsequent achievements has been effective and its ongoing role is supported.
2. PEDU should retain an open policy of inviting representatives from other organizations in the Peel region to attend and participate on economic and employment development matters on an as needed basis.

These issues were raised for discussion at the PEDU Executive Meeting held on the 15th April 2004, where it was agreed that each member council and the PDC Board would be asked to support an amended model which:

- a) invited a number of new members onto PEDU,
- b) provided the facility to invite other stakeholders to attend but not necessarily give them a "voting right"
- c) acknowledge that flexibility to also invite other new members on at a later date would be required
- d) the current involvement of elected members from each of the Peel local governments, would continue and ultimate accountability and authority would still rest with the "parent bodies" of PEDU eg member councils, PDC etc.

The proposed PEDU membership base now is as follows with each represented organisation being entitled to one (1) vote:

- An elected member from each Peel local government (5)
- The CEOs of each local government (5)
- CEO and Board representative from PDC (2)
- Mandurah Peel Region Chamber of Commerce (1)
- Manager of Peel Business Enterprise Centre (1)

Examples of the other stakeholders that would be invited to attend as described above, but not necessarily have voting rights may include:

- Peel Marketing Alliance (1)
- Peel Area Consultative Committee (1)
- Business Development Manager (1)
- PEDU Executive Officer (1)

Based on the expanded group and the following proposal in relation to the VROC, the CEO “PEDU working group” would be dissolved and this role fulfilled via another forum.

Voluntary Regional Organisation of Councils (VROC)

A number of issues associated with the establishment of a VROC were raised at the CEO workshop on the 5th April, 2004. The consensus was that given that several local authorities had already indicated limited or no support for a VROC, the outcomes of the PEDU workshop and preliminary assessment of costs and the associated benefits of a VROC it was felt that a better model may be able to be delivered initially which utilised an existing group and resources.

This model would involve using the existing forum known as the WALGA Peel Zone. It already meets bi monthly, has a secretariat service provided by the local governments and is representative of all five (5) Peel local governments. The proposal is that prior to the Peel Zone meeting, a meeting would be convened to cover regional issues (this would also address the Serpentine Jarrahdale Shire no vote issue at the WALGA Peel Zone meeting). An agenda format as follows has been suggested:

- a) Regional cooperation initiatives
- b) Management
- c) Community
- d) Development
- e) Environment
- f) Governance
- g) Transport
- h) Waste management
- i) Economic development issues for referral to PEDU

The CEOs (I am advised including the Shire of Boddington) have agreed to refer the following proposal to their councils for endorsement:

1. The continuation of the Peel Economic Development Unit
2. Not to establish a new VROC in the Peel region at present, but rather improve the focus of the Peel Zone Meeting to address important policy decisions relating to WALGA and the region, as well as other regional cooperation initiatives that would otherwise be dealt with by a VROC.
3. The establishment of VROC at this time may be an unnecessary duplication of “regional committees” and that any of the regional cooperation initiatives proposed by local government could be handled through expanding the role of an existing forum such as PEDU or the Peel Zone meeting of WALGA.
4. It is suggested that the existing Peel Zone meeting of WALGA could be convened for two (2) main purposes:
 - a) Dealing with regional cooperation issues (outside of the conomic and employment development portfolio) and
 - b) The policy issues normally dealt with by the WALGA zone
5. All councils in the Peel region are currently represented by elected members and CEOs and meetings of the Peel Zone can be rotated amongst the member councils to ensure that members familiarise themselves with a broad range of regional issues.
6. It is suggested that the Peel Zone meeting agendas be expanded to focus on the following policy and regional cooperation issues:
 - a) Regional cooperation initiatives
 - b) Management
 - c) Community

- d) Development
 - e) Environment
 - f) Governance
 - g) Transport
 - h) Waste management
 - i) Economic development issues for referral to PEDU
7. That following the May 2005 elections each council be asked to nominate at least the Shire President/Mayor as one (1) of their representatives onto the Peel Zone.
8. All CEOs from within the region should attend the Peel Zone meetings.

Statutory Environment: There are no legal implications relevant to this item.

Voting Requirements: Normal

SM043/04/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Price

1. Council receives this report.
2. Council not support the establishment of or the conduct of further detailed studies into a VROC at this point in time as the cost/benefit does not appear to be justified and the same outcomes can be achieved through an expansion of the role of the Peel Zone meetings format.
3. Council supports the recommendation made by the PEDU Executive contained in this report regarding the expanded and restructured membership base for PEDU.
4. Council supports the continuance of PEDU and any amendments which may be required to the constitution to allow for changes to its membership as proposed.
5. After May 2005, Council agrees to nominate the Shire President as one (1) of two (2) elected representatives and Chief Executive Officer as part of the Serpentine Jarrahdale Shire representation on the Peel Zone.

CARRIED 10/0

Cr Star declared a interest of impartiality in item SM044/04/04 as a nominee for the State Council.

SM044/04/04 WA LOCAL GOVERNMENT ASSOCIATION SOUTH EAST METROPOLITAN ZONE & STATE COUNCIL (A1164)		
Proponent:	Serpentine Jarrahdale Shire	In Brief
Owner:	Not applicable	
Officer:	D E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	19 April 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	
Delegation	Council	

SM044/04/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Scott seconded Cr Richards

Council endorses:-

- 1. Cr Star and Cr Hoyer as the delegates to the South East Metropolitan Zone.**
- 2. Cr Star's nomination for the State Council.**

CARRIED 10/0

P077/04/04 JARRAHDAL TOWNSCAPE PLAN (A0806-02)		
Proponent:	Serpentine Jarrahdale Shire	In Brief
Owner:	Not applicable	
Officer:	Carlie Eldridge - Manager Sustainability Unit	
Signatures Author:		
Senior Officer:		
Date of Report	April1 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	Council	

In 1990 & 1991 the Jarrahdale Townscape project was undertaken and completed producing a Jarrahdale Townscape Plan.

This plan has been used as the formal plan for guiding the Jarrahdale townscape committee and works n Jarrahdale.

The purpose of this report is to formally adopt the Jarrahdale Townscape Project Report as a Townscape Plan.

Background

In 1990 and 1991 the Jarrahdale Townscape Study was undertaken to review and plan for the management and development of the townscape of Jarrahdale to reflect the town's historical significance as a timber town.

The Jarrahdale Heritage Society was also established around this time with the objective of conservation through preserving or restoring the buildings and the ambience of historic

Jarrahdale, setting up a museum and creating an educational environment for future and present generations.

The Jarrahdale Townscape Committee were instrumental in getting the Jarrahdale Townscape study completed and consisted of a broad membership including the Heritage Society, the P&C, Jarrahdale family centre, shire councillors, principal shire planner, ratepayers, Bunnings, CALM and the Axemen's Club.

Background research for the project was undertaken by Curtin University fourth year architecture students. The Jarrahdale Townscape project was undertaken by Hocking Planning and Architecture Pty Ltd in association with Bill James Landscape Architecture and was prepared for the Jarrahdale Townscape Committee on behalf of the Shire of Serpentine Jarrahdale.

The report covers the areas of :

Historical Background

Issues relating to the town, regional setting, character, land use

Analysis of town structure- historical structure, landscape elements

Analysis of Townscape Strategy

Analysis of Public Domain

Analysis of Private Domain

Analysis of Planning Provisions and Policies

Recommendations

Implementation

A copy of the Jarrahdale Townscape Project Report is with attachments marked P077.1/04/04.

The Jarrahdale Townscape Committee has been using the document to guide works since it was completed and have undertaken many of the suggested tasks.

Sustainability Statement

Effect on Environment:

The townscape plan aims to provide guidance to the tasks and projects that would protect and contribute to the historical and natural context of Jarrahdale. The study looks at the topography and character of the environment and aims to enhance this character through best practice urban design and landscape design.

Resource Implications:

The plan looks at the best resource management outcomes for Jarrahdale that will enhance the townscape. It takes a comprehensive look at the towns heritage and natural setting and develops approaches that encompass these which will allow for well managed resource outcomes.

Use of Local, renewable or recycled Resources:

The Plan was prepared for the Jarrahdale townscape committee to guide them in their development of the townscape of Jarrahdale. It allows the local community to harness their resources towards a common vision.

Economic Viability:

The Plan looks at the whole of townscape issues and prioritises them to allow for financial planning. No negative external costs are foreseen for the improvement works proposed in the plan.

The proposed works in the plan have been undertaken with townscape funds and have been applied for based on merit each year. Council contributes funds through townscape and community funding and the community are involved in the projects.

Economic Benefits

The improvement of the Jarrahdale townscape to maintain and restore the heritage character and historical significance will benefit the local community through tourism and with the Jarrahdale Heritage Park being developed the town will attract more visitors.

Social – Quality of Life

The implementation of the plan has and will continue to improve the quality of life for residents in improving the local urban form, increasing access to heritage information and historical buildings. There is also engagement and ownership of works undertaken through the Jarrahdale Townscape Committee and the Jarrahdale Heritage Society.

Social and Environmental Responsibility

The plan aims to provide a vision and implementation guide for the Jarrahdale Townscape Committee and through this builds the capacity of the local community in its implementation.

Social Diversity:

The proposal does not disadvantage any groups and aims to open up the heritage of Jarrahdale to the broad community.

Statutory Environment:

Not applicable

Policy/Work Procedure Implications:

Priority Assessment Criteria for Townscape Projects.

Financial Implications:

There are no financial implications to Council related to this application/issue. Works proposed in the plan apply for townscape funding to be implemented.

Strategic Implications:

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

5. Value and enhance the heritage character, arts and culture of the Shire.
6. Ensure a safe and secure community.

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

Strategies:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
4. Foster a strong sense of community, place and belonging.
5. Protect built and natural heritage for economic and cultural benefits.

Objective 3: High level of social commitment

Strategies:

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

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.

2. Develop partnerships with community, academia and other management agencies to implement projects in line with Shire objectives.
3. Encourage protection and rehabilitation of natural resources.
4. Reduce water consumption.
5. Value, protect and develop biodiversity.

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

Strategies:

1. Implement known best practice sustainable natural resource management.

3. Economic

Objective 1: A vibrant local community

Strategies:

3. Develop tourism potential.

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.

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

Strategies

1. Improve coordination between Shire, community and other partners.
3. Develop specific partnerships to effectively use and leverage additional resources.

Community Consultation:

Required: No

Community consultation was undertaken during the preparation of the Jarrahdale Townscape Project in 1990 and 1991.

Comment:

The formal adoption of this plan facilitates townscape projects in Jarrahdale through the recently adopted planning policy – Priority Assessment Criteria for Townscape Projects. This policy allows for assessment of proposed townscape projects in regards for Council townscape funds and a requirement of funding is that works are in accordance with an approved townscape plan.

The Jarrahdale Townscape Project report was believed to have been previously adopted but record of this could not be located. This report is to get the plan formally endorsed as the Jarrahdale Townscape Plan.

Voting Requirements: Normal

Officer Recommended Resolution

The Jarrahdale Townscape Project Report be formally adopted by Council as the Jarrahdale Townscape Plan.

P077/04/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Star seconded Cr Price

The Jarrahdale Townscape Project Report be formally adopted by Council as the Jarrahdale Townscape Plan with Landscape Plan to be reviewed.

CARRIED 10/0

Committee Note: The Officer Recommended Resolution was amended as the Landscape Plan has since been changed.

P078/04/04 INITIATION OF SCHEME AMENDMENT TO REZONE LOT 24 BEENYUP ROAD, BYFORD FROM "RURAL" TO "SPECIAL USE - LANDSCAPE PROTECTION"		
Proponent:	Dykstra & Associates	In Brief Request for Council to initiate a Scheme Amendment to rezone Lot 24 Beenyup Road Byford from 'Rural' to 'Special Use - Landscape Protection' under the provisions of Shire of Serpentine - Jarrahdale Town Planning Scheme No. 2. Rezoning is required to enable subdivision of Lot 24 into six lots ranging in size from 7814 square metres to 1.5501 hectares.
Owner:	J & P Wieske	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	6 April 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:	4 December 2003
Advertised:	Not Applicable at this stage
Submissions:	N/A
Lot Area:	6.3359 hectares
L.A Zoning:	Rural
MRS Zoning:	Rural
Byford Structure Plan:	N/A
Rural Strategy Policy Area:	Conservation - Private
Rural Strategy Overlay:	N/A
Municipal Inventory:	N/A
Townscape/Heritage Precinct:	N/A
Bush Forever:	Abuts Darling Range Regional Park
Date of Inspection:	January 2004

Background

In July 2003 Dykstra & Associates submitted a preliminary rezoning request to the Shire of Serpentine-Jarrahdale to seek their consensus with the planning philosophy proposed within this report. On the 17 October 2003, following a site meeting with Council technical officers and the applicant, Council prepared a reply with detailed comments relating to environmental health, engineering, fire and emergencies, water and vegetation issues, which this Scheme Amendment submission addresses.

The following information is a summary of the scheme amendment report provided by the applicant in support of the proposal:

Location

Lot 24 Beenyup Road, Byford is located on the south eastern extent of the Byford Townsite. The land is positioned between the residential areas to the west and the Darling Range Regional Park to the east.

Site Description

Lot 24 Beenyup Road, Byford is 6.33 ha in area and obtains its access from Beenyup Road. The site is characterised by a gully along its northern extent, and generally slopes from just under 100 metres to 145 metres in height in a south easterly direction. The subject land accommodates an existing dwelling and shed in the south eastern portion of the site.

Detailed information regarding the physical description of the land in terms of soil types, geomorphology and geology is currently being researched as part of a geotechnical assessment of the site's suitability for effluent disposal. This information is currently still being obtained.

Existing Land Use

Lot 24 is currently used for residential purposes and occasional grazing. Existing vegetation is not dense and occurs mainly along the eastern boundary where it abuts the Parks and Recreation Reserve. There is little understorey present.

Historically, the land has been used for over 100 years for the grazing of cattle and horses.

Zoning

Metropolitan Region Scheme

The subject land is located within the "Rural" zone of the Metropolitan Region Scheme. Lot 24 is very unique as under the Metropolitan Region Scheme it is wedged between the "Urban" zonings to the west and Parks and Recreation (Darling Range Regional Park) to the east.

In view of this and given the subject lands interface between the Byford Urban Area and Parks and Recreation Reserves, Lot 24 has the potential to be developed for rural residential purposes with Landscape Protection zoning controls providing a transition between the two land uses.

Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2

Lot 24 Beenyup Road is currently zoned "Rural" under the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2. Under the Local Scheme, the site adjoins the Byford Urban Development zone to the west and "Rural Living A and B" zonings to the south as well as the aforementioned Parks and Recreation reserve to the east.

The adjoining zonings reflect the unique qualities of the land and the need to protect the conservation qualities of the property via land use controls. Therefore, this application to rezone the subject land to "Special Use – Landscape Protection" takes into account these qualities and in doing so special provisions can then be put in place to ensure the appropriate use and management of the land.

Shire of Serpentine-Jarrahdale Rural Strategy

The subject land is addressed in the Shire of Serpentine-Jarrahdale Rural Strategy (1994) which is Council's adopted strategic vision for the municipality. This strategy has been endorsed by the Western Australian Planning Commission and is used to guide the decision making progress.

Currently, Lot 24 is located within the "Conservation-Private Land" Policy Area under the Rural Strategy. Under this, the subject land is depicted as being surrounded by a "Rural Living B" policy area to the south, Byford Town Centre to the west and "Parks and Recreation" policy areas to the east.

In reference to the “Conservation – Private Land” policy area, this area under the Rural Strategy provides an increased level of protection and management for sites identified as significant for conservation.

In respect of Private Land Conservation, the Rural Strategy states:

“Private lands identified for conservation in the Conservation Policy Area are not intended for acquisition by the Council or State Government. Rather, the general aim is in every possible way to encourage and make it easier for landowners to protect and manage the conservation values present. The lifestyle and rural production derived from these sites by owners must be respected and maintained – the sites are nearly all currently zoned Rural under the Shire’s Town Planning Scheme.

Nor is any denial of development rights intended to be universally applied. Rather, any development or land use proposal will be assessed on its compatibility with the conservation values present on the site and approved or rejected accordingly. The Council considers that the objects of protection and management for conservation sites and those of development are not necessarily in conflict.”

Further, the specific Rural Strategy policies that relate to private land within the Conservation Policy Area include:

To direct all development away from these sites and to prohibit change of land use, except where it clearly demonstrates that development is not in conflict with the objectives of protecting and managing conservation values present;

To ensure that, where permitted, development or material changes in land use do not in any way adversely impact on the conservation values present or the integrity of the site, and that management to protect and enhance conservation values is put in place (including buffer zones around conservation sites);

To develop management plans, with long term guidelines for the management of these sites, to be implemented through co-operative approaches with landowners or as a consequence of development; and

To provide real incentives, where possible for private land owners to pursue conservation management of land, through Council’s direct jurisdiction and through representation to State Government, its departments and authorities.”

Succinctly, the Rural Strategy seeks to protect those areas (including private land) identified as having significant conservation value, whilst also respecting the land use and development rights of the landowner. Part of Council’s vision in this regard is that the objectives of conservation and development are not necessarily in conflict.

A copy of the Subdivision Guide Plan is with attachments marked P078.1/04/04.

Sustainability Statement

Effect on Environment:

Rezoning of the property to "Special Use - Landscape Protection" will enable the preservation, rehabilitation and enhancement of the landscape and biodiversity values of this portion of the scarp. Provisions of the scheme amendment can require the preparation of a conservation and vegetation management plan to both enhance the existing remnant vegetation on the site and to enable revegetation of the site. This will assist in biodiversity and enable the protection of existing animal and bird habitats and the provision of additional habitats.

Revegetation of the property will also assist in reducing nutrient leaching into groundwater sources.

The preparation and implementation of a drainage management plan will enable the modification of existing drainage flow, which currently drains directly into the Beenyup Brook (which abuts the northern boundary of this property). This will assist in reducing the current nutrient input from the property directly into the brook. The current state of the existing drainage on the site is also causing erosion in the north-western portion of the property and potentially affects some residential properties on Beenyup Road and Old Brickworks Road which back onto the western boundary of the subject site.

The proposal will also enable controls to be placed on landuses able to be carried out on the land which will provide additional protection for groundwater sources and the water quality in the Beenyup Brook.

Resource Implications:

Scheme Water is available to the subject site thereby, reducing the demand on groundwater stocks.

Use of Local, renewable or recycled Resources:

Not applicable to rezoning stage of development.

Economic Viability:

The proposal will be economically viable in a way that incorporates its external costs through the preservation and enhancement of biodiversity (through revegetation, weed management) and reduction of land and waterway pollution (through better drainage management, the use of ATU's for effluent disposal and the implementation of landuse controls).

Social – Quality of Life

The rezoning and subdivision of the property will enable the current owners to remain on the property on a smaller more manageable lot and provide them with income.

The subsequent subdivision will enable the upgrading of strategic fire emergency access that will benefit not only the subject site but also the Darling Range Regional Park to the east and north, residential properties on Old Brickworks Road (which back onto the subject site) and Rural property to the south at no cost to the community.

Social Diversity: The large bush character lifestyle lots (approximately 7000 square metres to 1.5 hectares) will provide an alternative to the small to medium size residential lots existing or proposed for the remainder of the Byford townsite. At a minimum the lots will be approximately double to four times the size of the Special Residential lots in the Old Brickworks Road, Bevis Court and Jamieson Place areas of the townsite but provide a smaller alternative to the Rural Living A & B areas to the south.

Statutory Environment:

Town Planning and Development Act 1928;
Town Planning Regulations 1967
Town Planning Scheme No.2
Rural Strategy

Policy/Work Procedure Implications:

LPP4 – Revegetation
LPP6 – Water Sensitive Design

Financial Implications:

Nil

Strategic Implications:

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

2. Environment

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

Strategies:

1. Increase awareness of the value of environmental requirements towards sustainability.
3. Encourage protection and rehabilitation of natural resources.
6. Value, protect and develop biodiversity.

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

Strategies:

1. Implement known best practice sustainable natural resource management.

Community Consultation:

No community consultation has been carried out to date. However, if initiated, the Scheme Amendment will require advertising for a period of not less than 42 days in accordance with the Town Planning and Development Act 1928 (as amended) and the Town Planning Regulations 1967 (as amended).

Environmental Officer's Comment

Water

Water quality of all surface waters on site need to be protected. The steep slopes make this site susceptible to erosion by storm water which would then be laden with sediment causing pollution in the adjacent brook. To prevent this, the soils must be covered at all times with either vegetation, mulch, paving or some other material. To ensure that this occurs, it is recommended that designs be required that minimise earth works and that anyone developing the land be required to prepare a water quality management plan explaining how they will protect water quality during the building process until all soil areas are covered and stabilised. It will also be important that developers are required to cover their driveways with a material which prevents the pick up of soil materials and preferably allows absorption of water into the soil beneath.

The proposed compensation basin is a good design feature to allow for sediment settlement prior to entry into the brook. However, it would be appropriate to ensure that the capacity of this basin is sufficient to allow for settlement. It should be ensured that the land did drain into this basin, not onto the proposed road which would bypass the basin.

There is some concern regarding nutrients from sewage as the soils in this area are very porous and are unlikely to retain nutrients from effluent systems effectively.

It is recommended that planning permission be required for the keeping of any stock on these blocks. The land, being steep is susceptible to erosion and if the pastures become denuded, storm water runoff will be polluted. The soils also have a high risk of phosphorus export.

Any surface water features to remain should also be buffered appropriately from any source of nutrients. This is best achieved through fenced vegetation. However, fencing will not be required if stock are not present.

The property is not within a drinking water protection area.

Design of buildings will need to be non intrusive on landscape ie not high or non blending colours and not cut and fill (refer to Council's Landscape Protection Policy).

Vegetation

The vegetation consists of remnant and naturally regrown indigenous trees with a small number of bushes. The priority conservation area zone is supported and to assist with the implementation of this zone it is recommended that consideration be given to varying fire breaks to be relocated south of the conservation area. There will need to be some serious consideration given to the extent of firebreaks required and their best locations. The preference would be to reinstate the northern portion of the conservation priority area with native bushes and ground covers. If there needs to be a large fire break between this area and any buildings, perhaps the envelopes could be moved south. It would not make sense to have stock in a priority conservation area because they prevent the regrowth of native shrubs and ground covers. However, there will also need to be some thought given to the control of weeds in this area.

Any compensation basins should be designed to allow plants to absorb nutrients. Water plants within the basin and the reinstatement of riparian vegetation will assist with this.

Pets

Provisions should include controls requiring cats to be restrained on the property and not permitted to wander into the conservation priority area.

Environmental Health Officer's Comment

Clay was present, if there is a high clay content, then water inundation of leach drains is an issue, the Government Sewerage Policy states 1.2 metres clearance from impervious soils and bedrock.

Other issues include:

1. the slope looked like it was on the border of 1:5, need to ensure effluent disposal areas are located in the flattest areas; and
2. should be working on at least 30 metres from drains and drainage pond.

Generally, the above matters will be addressed at either the subdivision or development stage. However, the geotechnical analysis currently being prepared by the applicant's consultant will also address these matters.

Engineering Comment

1. A 20m road reserve shall be created along the western boundary of the subdivision;
2. The road shall be 5.5m pavement width with 1.2m shoulder width and is to be constructed from Beenyup Road to the start of the last property boundary with the cul-de-sac head;
3. Street lighting shall be provided in accordance with Australian Standard;
4. The developer submitting a drainage plan showing a flood flow escape route, designed to accommodate a 1 in 100 year ARI storm, to ensure the development is protected from flooding. The route shall ensure that floodwaters do not encroach on adjoining private land and are directed towards the road reserve;
5. All engineering works must be in accordance with the Shire of Serpentine-Jarrahdale Engineering Design Guidelines; and
6. Calculations of proposed drainage design shall be submitted.

Generally, the above requirements will be addressed at the subdivision stage of development although the road reserve width should be delineated on the subdivision guide plan.

Fire and Emergency Services Officer's Comments

1. Access Road along western boundary to be bitumised and include a turn around sufficient for major fire appliances.

2. A hydrant and 20 000 litres maintained water supply c/w couplings and fittings to be installed at the top of the access road. The specification of this supply will be equivalent to that which was recently constructed in Orton Road.
3. Strategic fire breaks along all boundaries. These fire breaks will be constructed in accordance with Shire Fire Break Requirements and also in a manner that minimises soil erosion and environmental/landscape impact. Strategic fire breaks are to contain emergency access gates to allow appliances to be able to access adjoining properties.
4. Fire breaks surrounding all assets and linked to the strategic fire breaks.

Generally, these matters will be addressed at subdivision stage. However, the location of strategic fire breaks should be identified on the subdivision guide plan.

Comment:

Land Use and Development Controls

Town Planning Scheme No. 2 states that the purpose and intent of the *Special Use Zone* is to:

"permit the use of land for any specific use not considered appropriate or desirable in any other zone and being a use which Council considers may satisfy a specific need in the locality where the use is proposed".

Through the use of a "Special Use" zoning and associated specific zoning provisions, it would be possible to introduce land use and development controls that are responsive to development on the subject land. Such control provisions include the following:-

- a) prohibition of all development, fencing and internal firebreaks within the Priority Conservation Area;
- b) limiting the size and controlling the location of the Building Envelopes;
- c) tree preservation provisions;
- d) stock control, including prohibition of horse keeping;
- e) limit the level of cut and fill for construction;
- f) building design performance standards including: solar design; fire sensitive design; and natural external colour tones;
- g) fire management requirements; and
- h) drainage and nutrient management standards.

An example of where the Special Use zoning has been used to achieve these controls in the past in this Shire is the Special Use - Conservation Living zone over the northern portion of Old Dairy Court in Oakford.

The proponent's rationale for the rezoning is summarised below:

The proposal outlined in this submission has been prepared on the basis of the physical, environmental and strategic opportunities and constraints relative to the subject land and support for this proposal could be based on the following rationale:

The subject land is part of a "Rural" zoned area under the Metropolitan Region Scheme and as in many other instances throughout the metropolitan region, the "Rural" zone can accommodate the type of subdivision proposed.

The proposed rezoning from "Rural" to "Special Use – Landscape Protection" under the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 does not present a radical change in terms of the adjacent zonings, namely, the surrounding "Parks and Recreation" to the east which highlights the conservation value in the locality and the land holdings to the south of the subject site which are designated Rural Living A and B under the Rural Strategy.

In terms of the subject land's allocation under the "Conservation – Private Land" Policy Area of the Shire's Rural Strategy, this is evidence that there is scope for limited subdivision in the manner proposed as long as there are conservation benefits.

Consistent with the intent of the Rural Strategy, this proposal for a Landscape Protection Precinct will encourage and make it easier for individual landowners to protect, manage and enhance the conservation values of the land.

The philosophy that supports this proposal is the recognition that under the current zoning and subdivision pattern it is very difficult to achieve a productive rural use for the land, and at the same time protect and manage the conservation values of the land. It is somewhat unrealistic and impractical to expect or to assume that the current or any future owner of Lot 24 could retain the lot as a rural property and maintain the conservation expectations of the area.

The positioning of Building Envelopes will result in them being well situated, providing privacy for residents as well as the surrounding area, taking into account the subject lands position within the Landscape Protection Policy Area. The Building Envelopes are also well located to achieve passive solar design benefits.

The location of the subject land between the Parks and Recreation area to the east and the residential interface to the west provides an excellent opportunity for the lot to be subdivided in such a manner, resulting in "Rural Living" type lot sizes whilst still maintaining the conservation values of the area.

Conversely, if the subject land is left as it is, it is highly conceivable that a permitted "Rural" land use could be developed upon Lot 24 as it is, which is more contrary to the conservation values of the land than the proposal subject of this application. Even a large rural shed could impair the landscape values of the site. Therefore, the reduction in the overall lot size will in fact add to the conservation values of the site as it will discourage the potential for the land to be used for more intensive agricultural commercial type activities.

The current large rural holding affords very little specific protection to the existing flora and fauna habitat on the land. This proposal provides controls to protect flora and fauna, in keeping with the conservation values of the Shire of Serpentine-Jarrahdale.

In addition, the rural zone does not offer much in the way of providing for residential amenity. The above mentioned building controls would help address this.

Under the current land use and subdivision pattern there is very minimal fire management and control in terms of strategic/emergency access. This proposal provides the community, Council and various government agencies with an opportunity to substantially improve the current fire safety and management within this area. The proposed Subdivision Guide Plan incorporates a comprehensive fire access system providing connectivity both internal and external to the subdivision.

In terms of hydrology, any additional water run-off resulting from the marginal increase of development on the subject land can be catered for on site. Furthermore, the proposed internal access road will act as a diversion through the subject land, preventing erosion.

The proposed subdivision will be serviced with telecommunications, power, water, sealed internal access, as well as appropriate drainage management, and on-site effluent disposal methods.

The proposed “Special Use” zoning provides the avenue for site specific land use and management controls to be enforced particularly in respect of land use, subdivision, servicing, land clearing and vegetation protection, building envelopes, earthworks, site coverage and other development matters to provide for a sustainable form and nature of development.

Roads

Currently, the subject land is located at the eastern end of Beenyup Road, deriving its access from its 20 metre frontage to the southern side of Beenyup Road, which is constructed to a sealed standard. A marginal intensification of development (ie. 6 lot subdivision) is unlikely to require any upgrading of Beenyup Road.

Power/Telecommunications

Power and telecommunications are supplied in the vicinity of the subject land and Lot 24 is serviced adequately in this regard to accommodate further development.

Drainage/Sewer/Water

The lot is already serviced with reticulated water supply. Opportunity for drainage outlets exist with the adjoining natural creekline. A landscaped detention feature could be constructed to contain property and internal roadway run off prior to discharge. Sewer, whilst available to some of the nearby urban areas, is not in reasonable proximity to the subject land and would only be required for more intense urban density of development.

The Proposal

Design Attributes

The proposed Subdivision Guide Plan depicts the proposal to subdivide the existing lot into six (6) lots ranging from 7814m² to 15501m² in size. In addition, the Special Use zoning would outline the various controls over development, land management and land use. Both of these controls reflect the unique environmental opportunities and constraints outlined for this site.

The design also includes giving up a portion of the land into Public Open Space to enable an appropriate corridor width and access adjacent to the nearby seasonal creekline. Further, the design identifies a 65 metre wide margin along the eastern elevated part of the land as a Priority Conservation Area. Within this area development, fencing and internal firebreaks will be prohibited.

The proposal envisages the development of cul-de-sac access from Beenyup Road to the lots, which will follow the western (least vegetated) boundary of the site on the alignment of the existing constructed driveway, thereby negating any impact on the subject land. The cul-de-sac will comprise a 20 metre road reserve containing both the internal road (constructed off-set from the reserve centreline, to 5.5 metre pavement width with kerbs and piped drains) and a vegetation buffer along the western side of the road reserve, which will provide benefits by:-

- i) moving the proposed cul-de-sac further away from existing residences;
- ii) providing a visual screen to the existing residential lots to the west; and
- iii) minimising the any possibility of the existing residences considering using this road as a secondary access.

In addition, the proponent advises that the positioning of building envelopes has been carefully designed from both site visits and aerial photography to allow dwellings to be constructed in locations that do not require removal of vegetation, where existing vegetation offers visual screening, in the flattest areas possible for effluent disposal, and achieving maximum separation from drains and the drainage pond. These have been verified by officers as being the best location for a building envelope.

Servicing

The development of the constructed accessway will mean that all of the proposed lots will have direct road frontage to the internal road. The management of road and property drainage is to be designed to comply with the drainage strategy prepared by Van der Meer Consulting.

Once constructed (to the Shire's satisfaction) the road will become a public road under management of the Shire.

The proposed subdivision will be serviced by reticulated water, power and telecommunications, as well as on-site effluent disposal. The location of suitable effluent disposal areas is currently being determined by geotechnical work, and a detailed report on such locations will be provided shortly for inclusion in the Scheme Amendment documentation.

A 20 000 litre water tank is required to be established at the cul-de-sac head for fire fighting purposes.

The proposed internal road will serve as a strategic firebreak within the development, and can ultimately form a strategic link to the south. Additional strategic firebreaks are also shown around the perimeter of the entire subdivision.

Conclusion

This scheme amendment will enable optimization of the use, management and visual attributes of the land, and will also provide for the introduction of improved services and fire management, particularly in terms of strategic access.

On the basis of the supporting town planning and environmental rationale detailed in the preceding report, it is recommended that a scheme amendment to rezone Lot 24 Beenypup Road, Byford from "Rural" to "Special Use – Landscape Protection" be initiated by the Council. The Scheme Amendment can include the zoning, planning and environmental controls detailed in this report, and other general statutory measures.

Statutory Procedures

The procedural requirements for initiating Scheme Amendments are provided within the Town Planning and Development Act 1928 (as amended) and the Town Planning Regulations 1967 (as amended). At this stage of the amendment it is the provisions relating to advertising and referral requirements for Scheme Amendments that must be adhered to as per Section 7 of the Town Planning and Development Act 1928 (as amended) as is detailed below:

"7. Preparation of schemes

- (2) Subject to subsection (2aa), a town planning scheme prepared or adopted, or an amendment to a town planning scheme prepared, by a local government shall --*
 - (a) After compliance with sections 7A1 and 7A2 in respect of that town planning scheme or amendment, be advertised for public inspection in accordance with the regulations; and*
 - (b) After advertisement under this subsection and compliance with sections 7A3 and 7A4 in respect of that town planning scheme or amendment, be submitted to the Minister for his approval.*
- (2aa) A local government shall, before submitting a town planning scheme or amendment to the Minister under subsection (2)(b), make reasonable endeavours to consult in respect of the town planning scheme or amendment such public authorities and persons as appear to the local government to be likely to be affected by the town planning scheme or amendment.*

7A1. Reference of proposed town planning schemes, and proposed amendments to town planning schemes, to Environmental Protection Authority.

When a local government resolves to prepare or adopt a town planning scheme, or to prepare an amendment to a town planning scheme, under section 7, the local government shall forthwith refer the proposed town planning scheme or amendment to the EPA by giving to the EPA --

- (a) written notice of that resolution; and*
- (b) such written information about the town planning scheme or amendment as is sufficient to enable the EPA to comply with section 48A of the EP Act in relation to the town planning scheme or amendment”.*

The fee for the amendment has not been provided yet. Therefore, initiation should be subject to:

1. The payment of a minimum fee of \$2200 (the amount estimated by the Local Government (Fees) Regulations as the minimum cost of a Council dealing with a scheme amendment);
2. Submission of five copies of the amendment documentation to the satisfaction of the Council; and
3. Submission of a geotechnical analysis for the site.

With reference to the fee, the \$2200 constitutes a deposit for the work to be done by the Shire in assessing the amendment. Time Sheets are required to be kept by the Shire, detailing the actual time and additional costs (advertising fees etc.). At the end of the process it is determined whether the applicant need to be invoiced for additional fees or refunded any unexpended costs.

At the October 2003 Council meeting a motion (CRP034) was carried providing the Shire President and the Chief Executive Officer to endorse all Scheme Amendment documentation subject to the compliance of that documentation with the relevant resolution of the Council. This enables the documentation to be forwarded to the Environmental Protection Authority and to be advertised without recommittal to the Council.

Voting Requirements: Normal

Officer Recommended Resolution

Council resolves that subject to the applicant:-

- i) modifying the Subdivision Guide Plan to indicate the location of Strategic Firebreaks to the satisfaction of Council;
 - ii) modifying building and effluent disposal envelopes to prevent any loss of vegetation and achieve satisfactory separation from drainage areas with the notation amended to refer to the envelopes as “indicative only”;
 - iii) ensuring revegetation within the Priority Conservation Area to at least 25% of each lot in accordance with the Council's drainage and nutrient management guidelines;
 - iv) submitting five copies of scheme amendment documentation;
 - v) submitting a geotechnical analysis for the site to the satisfaction of Council;
 - vi) paying a deposit for fees of \$2 200 prior to referral of the documentation to the Environmental Protection Authority:
- A. Pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 be amended as described below:

1. Rezoning Lot 24 Beenyup Road, Byford, from “Rural” to “Special Use – Landscape Protection”.
2. Amending the Scheme Map accordingly
3. Including Lot 24 Beenyup Road, Byford in Appendix 2 – Special Use Zones and including the appropriate details in Appendix 2 of the Scheme as follows:

DESCRIPTION OF LAND	PERMITTED USE
8. Lot 24 Beenyup Road Byford.	<p>Intent/Objective of zoning: Landscape Protection</p> <p>Permitted (P) uses:</p> <p>a) Single House;</p> <p>and the following land uses at Council’s discretion (AA);</p> <p>a) Home Occupation</p> <p>b) Home Business</p> <p>All other uses are prohibited.</p> <ol style="list-style-type: none">1 Subdivision and Development shall generally be in accordance with the Subdivision Guide Plan for this location as endorsed by Council.2 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.3 The subdivider shall prepare a Stormwater Management Plan to address erosion, nutrient and drainage issues during and post construction.4 The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.5 No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest

known water table.

- 6 All buildings and effluent disposal systems to be located within the building envelopes defined on the Subdivision Guide Plan unless otherwise approved in writing by the Council.
- 7 All new buildings and structures to be constructed in accordance with the “extreme” rating requirements as specified in AS 3959-1999 “Construction of buildings in bushfire-prone areas”.
- 8 Notwithstanding the obligations of the subdivider under Clause 5.12.9e) of the Scheme, the subdivider shall drain the land and provide drainage detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easement and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.
- 9 Planning consent is required for the construction of any dwelling, outbuilding, cut and fill and driveway prior to the commencement of such work, and will include a plan to the satisfaction of Council which shall show site contours, existing trees and strands of vegetation and a water quality management plan. Such consent will only be granted where Council is satisfied that such construction accords with the landscape and conservation objectives of the locality and achieves erosion control, low visual impact, passive solar design and bushfire protection.
- 10 The subdivider providing a reticulated water supply to each lot to the satisfaction of the Water Corporation.
- 11 The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
- 12 The subdivider shall either maintain the trees and shrubs planted until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the

satisfaction of the Council.

- 13 In the Priority Conservation Area, delineated on the approved subdivision guide plan, no planting of non indigenous species is permitted.
- 14 Keeping of cats shall be prohibited unless they are kept at all times within the confines of a dwelling or a cat run which has been approved by the Shire.
- 15 Keeping of dogs shall be prohibited except where the building envelope is appropriately fenced to contain the dog(s).
- 16 Building Envelopes shall be defined at the time of subdivision and be of a size sufficient to include all buildings and the required fuel reduction zone around buildings. The location and area of building envelopes shall be to the satisfaction of the Council and may be varied at the discretion of Council.
- 17 The keeping of horses, sheep, goats or other grazing animals is not permitted.
- 18 Delineation of lot boundaries within the Priority Conservation Area shall not comprise fencing, however, pegs and/or cairns or other similar measures are acceptable.
19. The finish and materials of any structure shall comply with the provisions of the Shire's Landscape Protection Policy (as amended) and the use of zincalume is prohibited unless adequately screened from view to the satisfaction of the Shire.
20. The final boundaries of the new lots and building envelopes are to be determined by survey in order to provide the least disturbance of existing vegetation.
21. An environmental management plan being developed and implemented by the subdivider for the priority conservation area to the satisfaction of Council. This must include vegetation management: identification of areas of value, weed control and revegetation; fire management and strategies to manage other threatening processes identified in the planning process.
22. No activity is to be undertaken that will adversely impact the quality of surface or ground waters.
23. No activities are to be undertaken or permitted to occur that damage the bushland values within the priority

- conservation area or the adjacent watercourse (Beenyup Brook).
24. Weed control and revegetation works be undertaken by the subdivider in accordance with the environmental management plan.
 25. Vegetation within the Priority Conservation Area is to be rehabilitated to reinstate the locally native bushland within the general area depicted on the subdivision guide plan.
 26. The subdivider preparing a deed and caveat to be placed over all lots requiring subsequent owners to comply with the environmental management plan for the Priority Conservation Area.
- B. Subject to satisfactory compliance with the requirements of A. above, a copy of the amendment documentation be forwarded to the Environmental Protection Authority in accordance with Section 7A(1) of the Act; and
- C. Subject to the advice of the Environmental Protection Authority under section 48A of the Environmental Protection Act that the amendment not be assessed, advertise the amendment in accordance with the requirements of the Town Planning Regulations 1967 (as amended) for not less than 42 days.

P078/04/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Richards seconded Cr Hoyer

Council resolves that subject to the applicant:-

- i) modifying the Subdivision Guide Plan to indicate the location of Strategic Firebreaks to the satisfaction of Council;
 - ii) modifying building and effluent disposal envelopes to prevent any loss of vegetation and achieve satisfactory separation from drainage areas with the notation amended to refer to the envelopes as “indicative only”;
 - iii) ensuring revegetation within the Priority Conservation Area to at least 25% of each lot in accordance with the Council’s drainage and nutrient management guidelines;
 - iv) submitting five copies of scheme amendment documentation;
 - v) submitting a geotechnical analysis for the site to the satisfaction of Council;
 - vi) paying a deposit for fees of \$2,200 prior to referral of the documentation to the Environmental Protection Authority:
- A. Pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 be amended as described below:
1. Rezoning Lot 24 Beenyup Road, Byford, from “Rural” to “Special Use – Landscape Protection”.
 2. Amending the Scheme Map accordingly
 3. Including Lot 24 Beenyup Road, Byford in Appendix 2 – Special Use Zones and including the appropriate details in Appendix 2 of the Scheme as follows:

DESCRIPTION OF LAND	PERMITTED USE
8. Lot 24 Beenyup Road	Intent/Objective of zoning: Landscape

Byford.	Protection
	Permitted (P) uses: a) Single House;
	and the following land uses at Council's discretion (AA); a) Home Occupation b) Home Business
	All other uses are prohibited.
	1 Subdivision and Development shall generally be in accordance with the Subdivision Guide Plan for this location as endorsed by Council.
	2 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.
	3 The subdivider shall prepare a Stormwater Management Plan to address erosion, nutrient and drainage issues during and post construction.
	4 The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.
	5 No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
	6 All buildings and effluent disposal systems to be located within the building envelopes defined on the Subdivision Guide Plan unless otherwise approved in writing by the Council.

- 7 All new buildings and structures to be constructed in accordance with the “extreme” rating requirements as specified in AS 3959-1999 “Construction of buildings in bushfire-prone areas”.**
- 8 Notwithstanding the obligations of the subdivider under Clause 5.12.9e) of the Scheme, the subdivider shall drain the land and provide drainage detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easement and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.**
- 9 Planning consent is required for the construction of any dwelling, outbuilding, cut and fill and driveway prior to the commencement of such work, and will include a plan to the satisfaction of Council which shall show site contours, existing trees and strands of vegetation and a water quality management plan. Such consent will only be granted where Council is satisfied that such construction accords with the landscape and conservation objectives of the locality and achieves erosion control, low visual impact, passive solar design and bushfire protection.**
- 10 The subdivider providing a reticulated water supply to each lot to the satisfaction of the Water Corporation.**
- 11 The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.**
- 12 The subdivider shall either maintain the trees and shrubs planted until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.**
- 13 In the Priority Conservation Area, delineated on the approved subdivision guide plan, no planting of non**

indigenous species is permitted.

- 14 Keeping of cats shall be prohibited unless they are kept at all times within the confines of a dwelling or a cat run which has been approved by the Shire.**
- 15 Keeping of dogs shall be prohibited except where the building envelope is appropriately fenced to contain the dog(s).**
- 16 Building Envelopes shall be defined at the time of subdivision and be of a size sufficient to include all buildings and the required fuel reduction zone around buildings. The location and area of building envelopes shall be to the satisfaction of the Council and may be varied at the discretion of Council.**
- 17 The keeping of horses, sheep, goats or other grazing animals is not permitted.**
- 18 Delineation of lot boundaries within the Priority Conservation Area shall not comprise fencing, however, pegs and/or cairns or other similar measures are acceptable.**
- 19. The finish and materials of any structure shall comply with the provisions of the Shire's Landscape Protection Policy (as amended) and the use of zincalume is prohibited unless adequately screened from view to the satisfaction of the Shire.**
- 20. The final boundaries of the new lots and building envelopes are to be determined by survey in order to provide the least disturbance of existing vegetation.**
- 21. An environmental management plan being developed and implemented by the subdivider for the priority conservation area to the satisfaction of Council. This must include vegetation management: identification of areas of value, weed control and revegetation; fire management and strategies to manage other threatening processes identified in the planning process.**
- 22. No activity is to be undertaken that will adversely impact the quality of surface or ground waters.**
- 23. No activities are to be undertaken or permitted to occur that damage the bushland values within the priority conservation area or the adjacent watercourse.**

24. Weed control and revegetation works be undertaken by the subdivider in accordance with the environmental management plan.

25. Vegetation within the Priority Conservation Area is to be rehabilitated to reinstate the locally native bushland within the general area depicted on the subdivision guide plan.

26. The subdivider preparing a deed and caveat to be placed over all lots requiring subsequent owners to comply with the environmental management plan for the Priority Conservation Area.

27. The developer shall ensure that any offer and acceptance form for the sale of any land in the subdivision shall include special conditions as follows:-

a) The vendor advises and the purchaser acknowledges that special conditions apply to the building of houses and other buildings on the land. The conditions include but are not limited to the following:-

- i) prohibition of all development, fencing and internal firebreaks within the Priority Conservation Area**
- ii) limiting the size and controlling the location of the building envelopes**
- iii) tree preservation provisions**
- iv) prohibition of stock including horses**
- v) limit the level of cut and fill for construction**
- vi) building design performance standards including: solar design, fire sensitive design and natural external colour tones**
- vii) fire management requirements; and**
- viii) drainage and nutrient management standards**

28. Street lighting to be low level due to landscape and amenity protection for adjoining landowners.

- B. Subject to satisfactory compliance with the requirements of A. above, a copy of the amendment documentation be forwarded to the Environmental Protection Authority in accordance with Section 7A(1) of the Act; and**
- C. Subject to the advice of the Environmental Protection Authority under section 48A of the Environmental Protection Act that the amendment not be assessed, advertise the amendment in accordance with the requirements of the Town Planning Regulations 1967 (as amended) for not less than 42 days.**
- CARRIED 10/0**

Committee Note: The Officer Recommended Resolution was altered by adding condition 27 which was added to ensure prospective purchasers are aware of land use restrictions at the time of offer. Condition 28 was added to ensure amenity of the area was not impacted by high street lighting and condition 23 was altered by the removal of 'Beenyup Brook' as this is not its name.

P080/04/04 REVIEW OF TOWN PLANNING SCHEME NO. 2 (A0784-02)		
Proponent:	Serpentine Jarrahdale Shire	In Brief To consider alternative methodologies to undertake the review of the town planning scheme and preparation of a local planning strategy.
Owner:	Not applicable	
Officer:	Brad Gleeson, Manager Planning and Regulatory Services	
Signatures Author:		
Senior Officer:		
Date of Report	7 April 2004	
Previously	P282/06/03	
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

Council at its meeting held on 28 January 2003 resolved:

“CRP222 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Hoyer seconded Cr Price that

- Council adopts the following objectives for review of Town Planning Scheme No. 2 and preparation of a local planning strategy:*

The overall goal of the project is to provide a statutory planning framework which reflects the vision and expectations of the community within the constraints of the Model Scheme Text.

The secondary objectives for the scheme review are:

- to introduce scheme objectives based on sustainable development;*
- to introduce a decision making framework for development based on a triple bottom line approach;*

- to provide an innovative statutory instrument for proactive, coherent and comprehensive planning which the future development of the Shire requires;
 - to facilitate where possible practical and measurable reduction of greenhouse gas emissions;
 - to include provision relating to water use and reuse and use of renewable energy;
 - to provide a forward planning framework addressing the pressures for development and contemporary and emerging planning issues;
 - to provide for development which is more ecologically sustainable and integrated with natural resource management;
 - to involve the community in the review process providing a foundation of shared values for the new scheme;
 - to provide an opportunity for a more comprehensive, systematic and integrated examination of the role of statutory controls and the planning framework for achieving the goals and aspirations of the community underpinned by the philosophies of sustainable development;
 - to review issues arising from current structure planning, including the need to allow for interim development within the Mundijong urban cell;
 - to ensure a land bank of commercial and industrial land to facilitate the establishment of new and innovative enterprises;
 - to provide greater flexibility of uses in zoning by such means as flexible/mixed use zones;
 - to provide clearly stated objectives for zones based on sustainable development;
 - to provide performance based criteria for land use within zones based on **land** capability;
 - to provide for urban development which meets the criteria for “urban villages” in the Green Towns Study and the settlement strategy reflected in the Rural Strategy.
2. Council adopts the consultancy brief for review of Town Planning Scheme No. 2 and preparation of a local planning strategy which is with the attachments marked P222.1/02/03.
3. Council calls for expressions of interest to carry out the review of Town Planning Scheme No. 2 and preparation of a local planning strategy.
4. Council establishes a Steering Committee to oversee the planning scheme review comprising the following person/s groups or organisation representatives:
- 1. Council's Strategic Management Committee
 - 2. Director Sustainable Development; and
 - 3. Department for Planning and Infrastructure

CARRIED 8/0"

After considering the tenders received, Council at its meeting held on 23 June 2003 resolved:

"CRP282 COUNCIL DECISION/Officer Recommended Resolution

Moved Cr Price seconded Cr Star

- 1. Council not award the tender to undertake a Scheme Review and Preparation of a Local Planning Strategy.
- 2. Council reconsider the Scheme Review and Preparation of a Local Planning Strategy in the second half of the 2003/2004 financial year.
- 3. The Manager Planning and Regulatory Services prepares a report to Council canvassing alternate methodologies for preparation of the Scheme review prior to the second half of 2003/2004.

CARRIED 8/0"

Sustainability Statement

Effect on Environment:

The preparation of a new town planning scheme is one of the most important land use planning initiative Council will undertake for many years. A new scheme will embrace and encapsulate all the initiatives Council has been grappling with in relation to sustainable land use planning.

Resource Implications and Use of Local, renewable or recycled Resources:

An objective of the project brief is to introduce a decision making framework for development based on a triple bottom line approach.

Economic Viability:

Preparation of a new planning scheme is a governance obligation and will be funded from General Revenue.

Economic Benefits:

A new planning scheme will provide a framework for sustainable employment and economic growth in the Shire for the medium term.

Social – Quality of Life and Social and Environmental Responsibility:

Preparation of a new town planning scheme will involve extensive public participation.

Social Diversity:

It is not anticipated that any social groups will be disadvantaged by the project.

Statutory Environment:

Town Planning and Development Act
Town Planning Regulations

Policy/Work Procedure Implications:

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

Financial Implications:

\$75,000 has been allocated in the 2003/2004 budget for the review of the Scheme with a further \$75,000 proposed in the 2004/2005 draft Forward Financial Plan.

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:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
2. Develop compatible mixed uses and local employment opportunities in neighbourhoods.
3. Design and develop clustered neighbourhoods in order to minimise car dependency.

4. Foster a strong sense of community, place and belonging.
5. Protect built and natural heritage for economic and cultural benefits.

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.
2. Develop partnerships with community, academia and other management agencies to implement projects in line with Shire objectives.
3. Encourage protection and rehabilitation of natural resources.
4. Reduce water consumption.
5. Reduce green house gas emissions.
6. Value, protect and develop biodiversity.

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

Strategies:

1. Implement known best practice sustainable natural resource management.
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 2: Well developed and maintained infrastructure to support economic growth

Strategies:

1. Improved freight, private and public transport networks.
2. Consider specific sites appropriate for industry /commercial development.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.
3. Integrate and balance town and rural planning to maximise economic potential.

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

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: In accordance with the requirements of the Town Planning Regulations.

Comment:

The review of a town planning scheme and preparation of a local planning strategy is a major undertaking that often takes considerable time to complete.

The overall goal of the project is to provide a statutory planning framework which reflects the vision and expectations of the community within the constraints of the Model Scheme Text.

Council staff have recently met with officers at the Department of Planning and Infrastructure (DPI) and discussed the review of the Town Planning Scheme. Staff at DPI have offered support to the Shire in this project and a commitment to work closely with the Shire to review work that is completed at each stage of the process. This assistance from DPI will allow work to be reviewed and comments provided back to the Shire on an ongoing basis, thus minimising delays when the Scheme is formally submitted to the Western Australian Planning Commission for consent to advertise.

Options for the scheme review

Council will need to first determine the preferred method for undertaking the scheme review. The three options available to complete this review are:

1. In-house;
2. Employ consultants; or
3. Council project manages sub teams.

The arguments for and against each of these alternatives are outlined below:

Option 1 - In-house

This would involve the employment of a town planner and other professional persons such as an environmental consultant, on contract to complete the scheme review.

Reasons in support:

Immediate access to the Shire's resources and records.
Can easily liaise with Shire staff to discuss issues.
Can work on the project either full or part-time as required.

Reasons against:

- * May be difficult to find a suitably qualified and experienced person(s) who would commit to a project on a full or part time over an extended period of time eg 12 – 24 months.
- * One or two persons would have a major influence on the form, content and strategic direction of the new Scheme. A wide cross section of ideas and opinions may not be possible from a limited number of people.
- * The person(s) employed may not have the detailed knowledge of a range of complex planning, environmental, economic, social and sustainability issues that affect this Shire.

Option 2 - Employ consultants

This is the most common method used by local government to undertake a scheme review and could be employed to complete all or part of the project.

Reasons in support:

- * Consultants may have experience in undertaking a scheme review for other local authorities.

- * Can have access to a wide range of professional persons that can provide expert advice or technical input on specific components of the scheme review. eg town planning, environmental, engineering, community and economic consultants.

Reasons against:

- * Can be very costly.
- * Consultant may be involved in a number of other planning projects at that time for other clients that could make it difficult to meet deadlines.

Option 3 - Council project manages sub teams

This involves Council staff managing and co-ordinating the scheme review project in-house. A number of separate consultants can be employed to complete specific components of the scheme review, such as:

Scheme examination report;
Scheme text/ maps;
Public consultation/ advertising;
Preparation of the local planning strategy; and
Review of rural strategy.

Reasons in support:

- * Council can maintain control over the timeline, research undertaken and outcomes produced in the review.
- * Council could employ consultant(s) that have a proven track record in this Shire. These consultants could include town planners, environmental consultants and persons that have experience in the area of public consultation.

Reasons against:

- * Staff commitment required to manage the project and complete tasks and outcomes. This workload would need to be shared due to the complexity and wide range of issues associated with the review.
- * Deadlines may not be met due to other work commitments.

Preferred Option

A model on how the project can be completed and managed (options 2 and 3) is with the attachment marked P080.1/04/04.

The various options have been reviewed by the Director Sustainable Development, Manager Planning and Regulatory Services and Manager Sustainability Unit.

Option 3 would allow the employment of sub teams of consultants depending upon the tenders received. However, this option could become very time consuming in staff time in managing a number of consultants.

Option 2 is considered the preferred method to undertake the scheme review.

A single consultancy would undertake the majority of the work. This consultant would have a team of people and/or sub consultants to complete sections of the work including planners, engineers, economists, environmental staff etc. A separate consultant can be employed to co-ordinate the public consultation and advertising of the scheme review.

It is considered that calling for new tenders will benefit the Shire as:

- i) more consultants are likely to tender for the project as there has been an increase in funds,
- ii) the call for submission of tenders will be widely advertised; and
- iii) the project brief will be rewritten and improved.

The key components of the project that need to be investigated and reviewed include:

Environment

Vegetation clearing
Stocking
Groundwater
Surface water

Engineering

Stormwater
Developer contributions
Transport (private/ public)
Services and infrastructure

Social

Employment
Community facilities
Crime prevention
Demographics
Youth
Aged
Families

Community

Facilitation
Mediation
Public relations
Meetings

Planning

Zoning of land
Rural strategy
Scheme text

Timeline

The estimated timeline for the completion of the scheme review (Options A and B) is outlined below, following the adoption of the 2004/2005 budget:

	<u>OPTION 2</u>	<u>OPTION 3</u>
PREPARE BRIEFS	June/ July 2004	June/ July 2004
CALL TENDERS	August 2004	August 2004
DETERMINE CONSULTANTS	September 2004	September 2004
APPOINT CONSULTANTS	September 2004	November 2004
SCHEME REVIEW WORK	October 2004 – March 2005	January – June 2005
CONSIDERATION BY WAPC AND MINISTER FOR PLANNING AND INFRASTRUCTURE	April – July 2005	July – October 2005
ADVERTISING OF SCHEME	August – November 2005	November 2005 – February 2005
FINAL APPROVAL OF SCHEME	By March 2006	By June 2006

A further report will be presented to Council to the Planning, Development and Environment Committee in June 2004, to endorse the consultancy brief and to call for quotations for the employment of consultant(s) to undertake the scheme review (option 2).

Voting Requirements:

Normal

Officer Recommended Resolution

That subject to the adoption of the 2004/2005 budget Council agrees to:

1. That the review of Town Planning Scheme No. 2 be Option 2 as contained within this report.
2. That a report be presented to the June 2004 meeting of the Planning, Development and Environment Committee to:
 - a) endorse the consultancy brief for the review of the Town Planning Scheme and preparation of a local planning strategy prior to calling tenders to carry out the review of Town Planning Scheme No. 2 and preparation of a local planning strategy.

LOST 0/5

P080/04/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Star

Item P080/04/04 be deferred for one month so that officers and Council can explore current trends and practices with the Department for Planning and Infrastructure for town planning scheme reviews.

CARRIED 10/0

Committee Note: The Officer Recommended Resolution was altered so that officers can explore current trends and practices with the Department for Planning and Infrastructure for town planning scheme reviews so that Council can achieve optimum use of its resources.

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

9. CHIEF EXECUTIVE OFFICER'S REPORT

Nil

10. URGENT BUSINESS:

COUNCIL DECISION

Moved Cr Kirkpatrick seconded Cr Wigg

That the item relating to Cr Simpson requesting six (6) months leave of absence be dealt with as an item of new business of an urgent nature.

CARRIED 10/0

SM045/04/04 CR SIMPSON – LEAVE OF ABSENCE (A0024)		
Proponent:	Cr AJ Simpson	In Brief Cr Simpson seeks leave of absence for the period May to October 2004 (inclusive)
Owner:	Cr AJ Simpson	
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	Council	

COUNCIL DECISION

Moved Cr Wigg seconded Cr Price

Council accepts Cr Simpson's request for six (6) months leave of absence for the period May to October 2004 (inclusive).

CARRIED 10/0

COUNCIL DECISION

Moved Cr Richards seconded Cr Scott

That the letter tabled regarding Gooralong Park from the Minister for Water Resources be dealt with as an item of new business of an urgent nature.

CARRIED 10/0

CRD24/04/04 GOORALONG PARK – LETTER FROM MINISTER FOR LAND INFORMATION (RS0117)		
Proponent:	Cr Kirkpatrick	In Brief In response to a letter received from Minister Griffiths, it is recommended that an urgent meeting be sought and a letter of response sent.
Owner:		
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	Council	

COUNCIL DECISION

Moved Cr Price seconded Cr Star

That the Chief Executive Officer responds to the letter from Minister Griffiths received on 21st April 2004 pointing out that the matter is urgent and officers and Councilors have been given assurances by officers of CALM and the Water Corporation that negotiations were advanced and we could look forward to a resolution of the problems in Gooralong Park in the near future. The Ministers letter however indicates that negotiations may take some time to finalise. In view of the fact that Council has raised the problems of Gooralong Park for several years the response of the Minister is unacceptable and Council seeks an urgent meeting with him so the matter can be addressed.

CARRIED 10/0

COUNCIL DECISION

Moved Cr Kirkpatrick Cr Wigg

A letter of thanks to the organisers of Sunday 25th April 2004 ANZAC Days Service be dealt with as an item of new business of an urgent nature

CARRIED 10/0

CRD25/04/04 ANZAC DAY 2004 – THANK YOU TO ORGANISERS (A0167-02)		
Proponent:	Cr Kirkpatrick	In Brief Congratulations to the organiser of the ANZAC Day Service in Serpentine 2004.
Owner:		
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	Council	

COUNCIL DECISION

Moved Cr Kirkpatrick seconded Cr Hoyer

A letter of congratulations be sent to the organisers of the ANZAC Day Service held in Serpentine remarking that it was an excellent function and a fitting tribute to the day and has set the benchmark for future ANZAC Day ceremonies.

CARRIED 10/0

11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

12. CLOSURE:

There being no further business the meeting closed at 9.10pm.

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

C072/04/04 COUNCIL POLICY CSP11 “PAYMENT TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD” (A1048)		
Proponent:	D.E Price – Chief Executive Officer	In Brief Council is requested to adopt amendments to Policy CSP 11 “Payment to Employees in Addition to Contract or Award”.
Owner:	Council	
Officer:	D.E Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	23 March 2004	
Previously	C064/03/04 and C060/03/04	
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	Committee in accordance with resolution SM054/05/03	

C072/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

1. Council adopts the amendments to policy CSP11 “Payment to Employees in Addition to Contract or Award” as provided at C072/04/04.
2. Council agrees to consider the reallocation of \$3,500 as part of the ¾ year budget review to OGC505 “Staff Employment Expenses” to enable a “one off” retrospective “significant milestone” recognition to be made to each eligible employee who has achieved ten (10) years service with Council.

CARRIED 5/0

C074/04/04 BETTER BEGINNINGS (A1077)		
Proponent:	State Library of WA	In Brief
Owner:		
Officer:	Lisa Keys	To obtain funding for the Better Beginnings project coordinated through the State Library of Western Australia, an early intervention family literacy program that aims to encourage parents to share books with their babies and join their local library.
Signatures Author:		
Senior Officer:		
Date of Report	30 March 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	A parent toolkit is distributed via the Child Health Nurse to the parents of each new born child in our district.
Delegation	Committee in accordance with resolution SM054/05/03	

C074/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council commit to \$420 to the Better Beginnings project for the balance of this year and consider further funding of \$1008 from account LIB627 for the 2004/2005 draft budget.

CARRIED 5/0

C075/04/04 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Director Corporate Services	In Brief To confirm the creditor payments made during March 2004
Owner:	N/A	
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	

C075/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council notes the payments authorised under delegated authority and detailed in the list of invoices for the month of March, 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

C076/04/04 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the statement of debtors over \$1,000 as at 31 March 2004
Owner:	Not Applicable	
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	

C076/04/04 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 31 March 2004.

CARRIED 5/0

C077/04/04 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the sundry debtor balances as at 31 March 2004
Owner:	Not Applicable	
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	

C077/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council receive and note the report on Sundry Debtor Outstanding Accounts as at 31 March 2004.
CARRIED 5/0

C078/04/04 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief To receive the rates report as at 31 March 2004
Owner:	Not Applicable	
Officer:	V Delbridge – Finance Officer - Rates	
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	

C078/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council receive and note the report the Rate Debtors accounts as at 31 March 2004.
CARRIED 5/0

C079/04/04 INFORMATION REPORT		
Proponent:	Director Corporate Services	In Brief To receive the information report to 2 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	

C079/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

The information report to 2 April 2004 be received.
CARRIED 5/0

AS058/04/04 2003/2004 RESEAL PROGRAM STAGE 2 (A0477)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief Council is requested to endorse the Reseal Program Stage 2 in accordance with the approved 2003/04 budget for works to be carried out in accordance with C10/2002-2003 Tender Supply Spraying & Covering of Bitumen Primer Seals & Reseals Financial Year 2003-2004.
Officer	Patrick Rose, Technical Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	23 rd March 2004	
Previously	AS018/09/03, SM021/11/03 & AS079/06/03	
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM054/05/03	

CRAS058/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council endorse Stage two of the 2003 /2004 Reseal Program as listed and works are to be carried out in accordance with Contract C10/2002-2003 Tender Supply Spraying & Covering of Bitumen Primer Seals & Reseals Financial Year 2003-2004 (AS079/06/03).

Road Name	From	To	Cost
King Road	Mundijong Road	Boomerang Road	\$61,000.00
Richardson Street	Serpentine	1.63 Km Northwards	\$43,000.00
TOTAL			\$104,000.00

CARRIED 5/0

AS059/04/04 INTERIM REPORT ON 100% WASTE STRATEGY (A1177)		
Proponent:	Shire of Serpentine Jarrahdale	In Brief Council is requested to consider an interim report on the provision of 100% kerbside waste and recycling service within the Shire.
Owner:	N/A	
Officer:	Bryce Coelho – Manager Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	18 th March 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	

CRAS059/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council adopts the following recommendations:

- 1. Officers investigate options in the provision of waste service for properties on inaccessible roads.**
- 3. To provide consultation on residents who are affected by this waste strategy following the Council's Community Consultation framework**
- 4. That residents in properties that are potentially accessible to the kerbside refuse collection service, be included in the service.**

CARRIED 5/0

AS061/04/04 FEASIBILITY STUDY – ESTABLISHMENT OF A COLLOCATED EMERGENCY SERVICES FACILITY AT MUNDIJONG (A0184)		
Proponent:	Director Asset Services / Chief Executive Officer	In Brief Council is requested to endorse the Collocated Emergency Services Facility Feasibility Study Report.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	30 March 2004	
Previously	SM018/10/03 27 October 2003	
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	

CRAS061/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

- 1. Council endorses the Collocated Emergency Services Facility Feasibility Study Report included as attachment AS061/04/04 to the agenda.**
- 2. A Working Sub-committee be formed comprised of stakeholder representatives, other relevant bodies and community members for the**

- purposes of development of a Master Action Plan which will identify clear terms of reference and stakeholder requirements for the progression of the Facility.**
- 3. A Memorandum of Understanding outlining objectives and agency requirements be prepared between stakeholder parties and referred to Council for endorsement.**
- CARRIED 5/0**

AS062/04/04 ABERNETHY ROAD FOOTPATH CONSTRUCTION (A0477)		
Proponent:	Director Asset Services	In Brief Council is requested to approve the construction of a section of footpath on the southern side of Abernethy Road between Soldiers Road and Thatcher Road, Byford.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	1 April 2004	
Previously	CRAS030/11/03 10 November 2003	
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	

CRAS062/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council approves the construction of a section of footpath on the southern verge of Abernethy Road between Soldiers Road and Thatcher Road, Byford as indicated on the plan as provided at AS062/04/04

CARRIED 5/0

AS063/04/04 METROPOLITAN REGIONAL ROAD PROGRAM - PROJECT SUBMISSION (A0427)		
Proponent:	Shire of Serpentine-Jarrahdale	In Brief Council is requested to endorse the proposed submission to the Regional Roads Group for the 2005/2006 and 2006/2007 financial years.
Owner:		
Officer:	Bryce Coelho	
Signatures Author:		
Senior Officer:	Mick Beaverstock	
Date of Report	31 st March 2004	
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM054/05/03	

AS063/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council endorse the submission of the following projects for consideration in the allocation of funds under the Metropolitan Regional Road Group Program for 2005/2006 and 2006/2007:

Estimated Expenditure	2005/2006	2006/2007
Main Roads WA Funded Improvements		
Karnup Road (Manning Road to West 900m)	\$ 240,000	-

Karnup Road (Yangedi Rd to Kiely Lane – 0.4km)	\$ 90,000	-
Karnup Road (Rapids Road to West 600m)	\$ 155,000	-
Karnup Road (Punrak Road to East 600m)	\$ 155,000	-
Watkins Road (Robinson St to Adamson St – 0.3km)	\$ 75,000	-
Watkins Road (Adamson St to Cowen St – 0.3km)	-	\$ 75,000
Karnup Road (Punrak Road to Hopeland Road – 1.2km)	-	\$ 455,000
Kargotich Road (Gossage Rd to Bishop Rd – 1.2 km)	-	\$ 215,000
CARRIED 5/0		

AS064/04/04 ROAD SAFETY IMPROVEMENTS – SOUTH WESTERN HIGHWAY, BYFORD (A0864)		
Proponent:	Byford Townscape Committee	In Brief Council is requested to seek consideration by Main Roads WA for safety improvements on South Western Highway, Byford as suggested by the Byford Townscape Committee.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	2 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	

CRAS064/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Council request Main Roads Western Australia to consider:

1. The implementation of a 40km/h speed restriction for vehicles over 22.5 tonnes on South Western Highway between Park Road and Nettleton Road, Byford.
2. Provision of a signalized pedestrian crossing at the location of the existing school crossing on South Western Highway, to the north of Abernethy Road.
3. The installation of a left turn slip lane on South Western Highway for traffic turning into Abernethy Road.

CARRIED 5/0

AS066/04/04 INFORMATION REPORT		
Proponent	Director Asset Services	In Brief <i>To receive the information report to the 31 March 2004</i>
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM054/05/03	

AS066/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

Director Asset Services' report to the 31 March, 2004 be received.

CARRIED 5/0

CRD22/04/04 TENDER C15/2003-04 DESIGN AND CONSTRUCTION OF THE SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE (A0900-03)		
Proponent:	Director Asset Services	In Brief Council is requested to nominate a preferred tenderer for the purposes of entering into negotiations prior to the awarding of the contract for the design and construction of the Recreation Centre.
Owner:	N/A	
Officer:	Mick Beaverstock – Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	26.3.04	
Previously	AS034/11/03	
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	

CRD22/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

- Nominates Merym Constructions as the preferred tenderer for Tender C15/2003-04 Design and Construction of the Serpentine Jarrahdale Community Recreation Centre.**
- Requests the Chief Executive Officer and/or Director Asset Services to enter into negotiations with Merym Constructions and provide a report to Council recommending award or otherwise of the contract.**

CARRIED 5/0

B15/04/04 WITHDRAWAL OF SECTION 401 NOTICE AND APPROVAL OF CARETAKER'S RESIDENCE – LOT 394 JARRAH ROAD, SERPENTINE (P01790)		
Proponent:	M Cornhill	In Brief Council is requested to consider withdrawal of a Notice to remove a residence from Lot 394 Jarrah Road following consent for the use of the building as a caretaker's residence. It is recommended the Notice be withdrawn and the building be permitted to remain on site.
Owner:	M Cornhill	
Officer:	Wayne Chant - Principal Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	2.4.04	
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 if no interest	
Delegation	Committee – in accordance with resolution SM054/05/03	

B15/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

- Withdraw the Notice dated 14 November 1996 and served under Section 401 of the Local Government (Miscellaneous Provisions) Act 1960 to remove an unapproved transportable residence from Lot 394 Jarrah Road, Serpentine; and**

2 Request the Principal Building Surveyor to issue a certificate of substantial compliance to allow the building to remain on site.
CARRIED 5/0

B16/04/04 INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	Wayne Chant - Principal Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	08.04.04	
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	
Delegation	Committee – in accordance with resolution SM054/05/03	

B16/04/04 COMMITTEE DECISION/Officer Recommended Resolution

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

H11/04/04 CONFIDENTIAL ITEM LOT 52 #19 BUTCHER STREET, MUNDIJONG – DECLARATION OF HOUSE UNFIT FOR HUMAN HABITATION (P03123)		
Proponent:	Shire of Serpentine-Jarrahdale	In Brief The house (including outbuildings) is dilapidated and unsound due to vandalism and lack of repair. Previous attempts to have the owners demolish the house (including outbuildings) have been unsuccessful. It is now appropriate for Council to consider declaring the house unfit for human habitation and requiring the owners to either repair or demolish the house. In default, Council may resolve to demolish the buildings and recoup the expenses for doing such works from the owner.
Officer:	Tony Turner - Principal Environmental Health Officer	
Signatures Author:		
Senior Officer:		
Date of Report	7.4.04	
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 if no interest	
Delegation	Committee – in accordance with resolution SM054/05/03	

H11/04/04 COMMITTEE DECISION/Officer Recommended Resolution:

- 1 That in accordance with Section 137 of the Health Act 1911, Council forms the opinion that the house (including outbuildings) located at Lot 52 #19 Butcher Street, Mundijong is unfit for human habitation by reason of the fact that the house (including outbuildings) is neglected and dilapidated.**
- 2 That a Notice be served upon the owners of Lot 52 #19 Butcher Street, Mundijong, to either repair or demolish the house (including outbuildings).**
- 3 Subject to non-compliance with 2 above, if, in the opinion of the Principal Environmental Health Officer, the house (including outbuildings) does not**

comply with the requirements of the Notice within the specified time, the Local Authority will carry out the terms of the Notice and demolish the house (including outbuildings) and recover the cost in the manner provided by the Health Act.

CARRIED 5/0

H12/04/04 INFORMATION REPORT		
Proponent:	N/A	In Brief Information report
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	
Signatures Author:		
Senior Officer:		
Date of Report	07.04.04	
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	
Delegation	Committee – in accordance with resolution SM054/05/03	

H12/04/04 COMMITTEE DECISION/Officer Recommended Resolution

Council accepts the information report for March 2004.

CARRIED 5/0

E010/04/04 MANAGEMENT OF GORDON BLOCK AND JARRAHDAL E BUFFER (A0563)		
Proponent:	Serpentine Jarrahdale Shire	In Brief The new Forest Management Plan provides an opportunity for more detailed management plans to be prepared for sections of State Forest. A recommendation is presented to request State Government to both: <ul style="list-style-type: none"> • Include the proposed Jarrahdale buffer within the Parks of the Darling Range concept area; and, • Prepare a detailed management plan that encompasses Gordon Block and the Jarrahdale buffer.
Officer:	Sue Osborne - Environmental Officer	
Signatures Author:		
Senior Officer:		
Date of Report	19 March 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	

CRE010/04/04 Committee Decision/Officer Recommended Resolution

The Conservation Commission and Department of Conservation and Land Management be advised that Council seeks the:

- i) inclusion of the proposed forest buffer area around the townsite of Jarrahdale within the Parks of the Darling Range concept area; and,**

ii) development of a detailed area management plan over both Gordon Block and the Jarrahdale buffer.

CARRIED 5/0

E011/04/04 CONSERVATION ZONING AND LAND TAX (A0299)		
Proponent:	Serpentine Jarrahdale Shire	<p>In Brief</p> <p>In 2002, changes to Land Tax legislation meant that if you didn't earn more than 30% of your income from rural endeavors from your property, you had to pay land tax.</p> <p>Although the State Government has made a commitment to exempt landowners who place their land under a conservation covenant, advice to date indicates that no such exemption will be made available to landowners under local government conservation zoning.</p> <p>This agenda item makes recommendation that Council lobbies State Government to extend land tax exemption over conservation zoned land.</p>
Officer:	Dr Sue Osborne, Environmental Officer	
Signatures Author:		
Senior Officer:		
Date of Report	24 th March 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	

E011/04/04 Committee Decision/Officer Recommended Resolution

The Premier of Western Australia, Treasurer and Federal Minister for the Environment and Heritage be advised that:

- i) **Contrary to State Government pre-election commitments, serious disincentives for conservation on private lands remain and land owners within the Shire of Serpentine Jarrahdale who have made a commitment to conservation on private land are significantly financially disadvantaged as a result of the continued application of Land Tax to lands zoned for Conservation under the Town Planning Scheme.**
- ii) **Council requests WALGA urgently seeks a review of Land Tax to ensure the exemption of Land Tax from lands zoned for Conservation under the Town Planning Scheme.**

CARRIED 5/0

P079/04/04 INFORMATION REPORT		
Proponent	Director Sustainable Development	In Brief Information Report.
Officer	Lisa Fletcher – Sustainable Development Support Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	1 April 2004	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM054/05/03	

P079/04/04 Committee Decision/Officer Recommended Resolution

The Information Report to 15 April 2004 be received.
CARRIED 5/0