

TABLE OF CONTENTS

1. ATTENDANCE & APOLOGIES:.....	1
2. PUBLIC QUESTION TIME:	1
2.1 Response To Previous Public Questions Taken On Notice.....	1
3. PUBLIC STATEMENT TIME:	1
4. PETITIONS & DEPUTATIONS:	2
5. PRESIDENT’S REPORT:	2
6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:	2
7. RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION OF ADOPTION OF RECOMMENDATIONS FROM COMMITTEE MEETINGS HELD SINCE THE PREVIOUS COUNCIL MEETINGS:.....	2
7.1 Ordinary Council Meeting – 30 th August, 2004	2
7.2 Special Council Meeting – 13 th September, 2004	2
C021/09/04 SELF SUPPORTING LOAN – SERPENTINE PONY CLUB INCORPORATED AND SERPENTINE & FOOTHILLS POLOCROSSE CLUB (RS0180/02).....	3
C023/09/04 SERPENTINE SPORTS RESERVE PAVILION AND DOCTORS ACCOMMODATION (RS0180/06, A0829).....	5
C024/09/04 SERVICE LEVEL ACCORDS (A0580)	9
AS011/09/04 REQUEST FOR TRANSFER OF SERPENTINE JARRAHDAL SHIRE TO SOUTH WEST REGIONAL ROAD GROUP (A0427)	12
AS015/09/04 SERVICE LEVEL ACCORDS FOR DESIGN, OPERATIONS AND FIRE & EMERGENCY SERVICES TEAMS (A0580-02)	16
CRD04/09/04 MUNDIJONG PAVILION CHANGE ROOMS UPGRADE (RS0120)	19
CRD05/09/04 CONTROL OF OFF ROAD VEHICLES (A0002)	22
CRD08/09/04 CLARIFICATION OF FUNDING ARRANGEMENTS FOR THE COMMUNITY SAFETY & CRIME PREVENTION PARTNERSHIP AGREEMENT (A0101)	25
SM004/09/04 SERVICE LEVEL ACCORDS – ECONOMIC & TOURISM DEVELOPMENT OFFICER (A0580-02).....	29
SM005/09/04 LANDCARE CENTRE SERVICE LEVEL ACCORD (A0289-03)	32
SM006/09/04 REVIEW OF EMERGENCY SERVICES IN THE SERPENTINE JARRAHDAL SHIRE (A0874-02).....	35

SM007/09/04	COMMUNITY EMERGENCY SERVICES MANAGER – MEMORANDUM OF UNDERSTANDING (A0874-02).....	39
SM008/09/04	ASSET SERVICES MANAGEMENT STRATEGY REVIEW (A0118-02)	44
SM009/09/04	POSITIVE AGEING IN THE PEEL REGION (A0173).....	47
SM010/09/04	2004 NATIONAL GENERAL ASSEMBLY MOTION – MENTAL HEALTH (A0435)	50
SM011/09/04	JARRAHDALÉ HERITAGE PARK REVISED IMPLEMENTATION PLAN (P05576/05).....	54
SM012/09/04	OMNIBUS AMENDMENT TO DELEGATED AUTHORITY AND COUNCIL POLICIES (A1047)	58
SM013/09/04	INFORMATION REPORT	79
SM013.1/09/04	COMMON SEAL REGISTER REPORT – AUGUST 2004 (A1128).....	79
SM013.2/09/04	ECONOMIC & TOURISM DEVELOPMENT OFFICER REPORT – SEPTEMBER 2004 (A0436-05)	79
SM013.3/09/04	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – FEDERAL PROPOSAL FOR REFUGEE SETTLEMENT IN REGIONAL WA (A0163-06)	79
SM013.4/09/04	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – PEEL ZONE STATUS REPORT SEPTEMBER 2004 (A1164).....	79
SM013.5/09/04	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ZONE ROUNDTABLE OUTCOMES (A1164).....	79
SM013.6/09/04	TONKIN HIGHWAY EXTENSION (A0471-03)	79
SM013.7/09/04	PEEL ECONOMIC DEVELOPMENT UNIT (A0839-06).....	80
SM013.8/09/04	PEEL ECONOMIC DEVELOPMENT UNIT (A0839-06).....	80
P016/09/04	NAMING OF RESERVES (RS0181)	81
P017/09/04	FORMER BURNBRAE ORPHANAGE EXPRESSION OF INTEREST (P04868)	85
P018/09/04	SERVICE LEVEL ACCORD FOR SUSTAINABLE DEVELOPMENT DIRECTORATE (A0580-02)	90
P021/09/04	LOCAL STRUCTURE PLAN – LOTS 1 & 2 ALEXANDER ROAD & LOT 63 LARSEN ROAD, BYFORD (A0710)	93
SM014/09/04	SERPENTINE DAM TEAROOMS (RS0141/01) – CONFIDENTIAL	109
8.	MOTIONS OF WHICH NOTICE HAS BEEN GIVEN	110
9.	CHIEF EXECUTIVE OFFICER'S REPORT	110

10. URGENT BUSINESS:	110
SM015/09/04 CR RICHARDS – LEAVE OF ABSENCE (A0024).....	110
11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:.....	110
12. CLOSURE:.....	110
13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:	111
C022/09/04 COUNCIL MEETINGS AND SERVICES OVER CHRISTMAS & NEW YEAR PERIOD (A0023-02)	111
C025/09/04 CHANGING THE METHOD OF VALUATION OF LAND (A0128).....	112
C026/09/04 DATE OF FUTURE LOCAL GOVERNMENT ELECTIONS – 3 RD SATURDAY IN OCTOBER (A0047-02).....	112
C027/09/04 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)	113
C028/09/04 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917).....	113
C029/09/04 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917).....	114
C030/09/04 RATE DEBTORS REPORT (A0917)	114
C031/09/04 INFORMATION REPORT.....	115
AS010/09/04 NOTICE NETWORK – RESTRICTED ACCESS VEHICLES (A0512-03)	115
AS012/09/04 SERPENTINE SPORTS RESERVE STORAGE SHED (RS0180)	117
AS013/09/04 AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT ROADWORKS – NEW INSTRUMENT OF AUTHORITY (A0468)	118
AS014/09/04 TRAILS WORKING GROUP BUDGET EXPENDITURE 2004/05 (A0494)	118
AS016/09/04 EXCISION OF LESLIE STREET, SERPENTINE FROM RAILWAY CORRIDOR (R0220)	119
AS017/09/04 INFORMATION REPORT	119
CRD06/09/04 TENDER C14/2004-05 SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE MANAGEMENT SERVICES (A0900-03/01)	120
CRD07/09/04 INFORMATION REPORT	120
B03/09/04 INFORMATION REPORT.....	121
H03/09/04 INFORMATION REPORT.....	121

P020/09/04 TWO PROPOSED GROUPED DWELLINGS - LOT 111 (NO. 33) BEENYUP ROAD, BYFORD (P05245/02) 122

P019/09/04 PROPOSED PLANT NURSERY - LOT 11 TUART ROAD, OAKFORD (P05407/04) 123

P022/09/04 REQUEST TO AMEND SUBDIVISION GUIDE PLAN FOR PT LOT 5 KELLET DRIVE, DARLING DOWNS (S119982) 125

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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG ON MONDAY 27TH SEPTEMBER, 2004. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.06PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

1. ATTENDANCE & APOLOGIES:

IN ATTENDANCE:

COUNCILLORS: DL NeedhamPresiding Member
JE Price
KR Murphy
AW Wigg
JA Scott
WJ Kirkpatrick
THJ Hoyer
JC Star
IJ Richards

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

APOLOGIES: Cr AJ Simpson Leave of Absence

GALLERY: 10

2. PUBLIC QUESTION TIME:

2.1 Response To Previous Public Questions Taken On Notice

3. PUBLIC STATEMENT TIME:

Public Statement Time commenced at 7.06pm

John Dwyer, representing Centrals Football Club requested Councillors consider the following aspects in relation to the CSRFF application in item CRD04/09/04:

- * That determinations and priority allocations are made by the Dept of Community Sport & Recreation on the basis of what the project value will be to support and increase participants levels
- * That the application written by the Centrals Football Club (technical building information excluded) is primarily a quantitative document demonstrating participant levels by all users of the facility and that the needs of all users are met by the extensions.
- * Participant levels will increase from 1361 to 2999 by the year 2011 based on current growth data for the Shire. The base year of 2006 (first season of upgraded change rooms) indicates junior participants will be over 80% in total.
- * The impact on club resources, as sole funding organisation within the group of participant organisations, was considerable and stretching the limits at \$40,000. The decision by the committee to not recognise public toilets as general community expenditure and thus blow out the cost to nearly \$62,000 is one that will require further consideration.
- * The club cannot commit in-kind resources until further planning identifies specific trade requirements but has in-principle support from many in our club covering plumbing, electronics, carpentry, window treatments, roofing, brick laying and unskilled labour.

Should Council approve the funding limits requested our Club will need to explore options available to it in regard to reducing the cost and resource impact. Some areas that have been determined to progress include:

- * Involving other participant clubs to contribute towards the club costs in dollar and in-kind terms.
- * The Council removing our annual fee for the period of the loan in return for our management of the project from the participant club perspective.
- * Club management of other sporting activities once project completed such as re-establishment of the tennis club using the change room front-end facility.

We look forward to working with Council on these and other issues as we progress through all stages of the project.

Paul Maddern on behalf of the Volunteer Bush Fire Brigades

In relation to the Community Emergency Services Manager – Memorandum of Understanding – Item SM007/09/04, the Volunteers are not 100% supportive of MOU review, however will support it in the interim but advised Councillors of the “get out” clause which they would like to see Council use if they found the agreement did not work for everyone.

Public Question Time concluded at 7.08pm

4. **PETITIONS & DEPUTATIONS:**
5. **PRESIDENT’S REPORT:**
6. **DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:**
7. **RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION OF ADOPTION OF RECOMMENDATIONS FROM COMMITTEE MEETINGS HELD SINCE THE PREVIOUS COUNCIL MEETINGS:**

7.1 **Ordinary Council Meeting – 30th August, 2004**

COUNCIL DECISION

Moved Cr Murphy seconded Cr Scott
That the minutes of the Ordinary Council Meeting held on 30th August, 2004 be confirmed.
CARRIED 9/0

7.2 **Special Council Meeting – 13th September, 2004**

COUNCIL DECISION

Moved Cr Star seconded Cr Wigg
That the minutes of the Special Council Meeting held on 13th September, 2004 be confirmed.
CARRIED 9/0

REPORTS OF COMMITTEES:

C021/09/04 SELF SUPPORTING LOAN – SERPENTINE PONY CLUB INCORPORATED AND SERPENTINE & FOOTHILLS POLOCROSSE CLUB (RS0180/02)		
Proponent:	Serpentine Pony Club	In Brief To delegate to the Shire President and Chief Executive Officer to finalise the agreement for the self supporting loan between the Serpentine Pony Club, Serpentine & Foothills Polocrosse Club and Shire of Serpentine-Jarrahdale towards the construction of the Serpentine Pavilion.
Officer:	G.R. Dougall – Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	30/08/04	
Previously	B23/05/03, CRD08/10/03, SM042/04/04	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995.	
Delegation	Council	

Background

In May 2003 Council approved the engaging of a consultant to draw plans for a proposed new Pavilion at the Serpentine Sports Reserve. These plans were used to support a request for funding consideration from the Department of Sport and Recreation with contributions being provided by the user groups of the grounds.

This request for state government funding has been approved for 2005/2006, however Council endorsed a proposal to commence the project in April 2004 whilst a request for earlier consideration which has been forwarded to the Department of Sport and Recreation. The Director Corporate Services has been advised by the Department of Sport and Recreation in Mandurah that the grant will be paid this financial year.

As part of the user group contribution it was proposed that the Serpentine Polocrosse Club and the Serpentine Pony Club undertake a self supporting loan up to the value of a one third contribution to the project. The 2004/2005 adopted budget indicates that of the \$255,052 provided for the construction of this Pavilion, each party will contribute in the following manner;

Department of Sport and Recreation	\$ 60,000
Shire of Serpentine Jarrahdale	\$ 97,500
Community Groups – in kind	\$ 42,552
Self Supporting Loan – Pony & Polocrosse Clubs	\$ 55,000
TOTAL PROJECT COST	<u>\$255,052</u>

A formal agreement needs to be finalised between Council and the Clubs for the self supporting loan funds, similar to the agreement between Council and the Serpentine Golf Club.

Statutory Environment:

Section 6.20 of the Local Government Act 1995 makes provision for local governments to raise borrowings as a financing option.

Policy/Work Procedure

Implications:

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

Financial Implications: A loan for the value of \$55,000 has been included in the budget, to be a self supporting loan as contribution to the construction of a new pavilion at the Serpentine Sports Reserve. It is anticipated that the life of the loan will be 10 years and full cost will be approximately \$75,657 to service.

Strategic Implications: No Strategic Implications

Community Consultation: Not required as loan has been included in the adopted budget.

Comment:

A copy of the self supporting loan agreement is included with the attachments and marked C021/09/04. This places an onus on the Clubs to make repayments against the loan and provides avenues for recovery if the loan becomes in default.

Each club and Council will sign this agreement and register the agreement as a formal agreement between the three parties.

To date (06/09/04) \$102,000 has been expended or committed on behalf of Council to this project. The Clubs have contributed \$9,500 in kind support towards ceiling battens and roof installation and have committed to labour towards the electrical work valued at approximately \$10,000. Their total contribution is expected to be \$42,552, of which \$20,000 cash is to be provided.

It is recommended that delegated authority be given to the Shire President and Chief Executive Officer to finalise the amount of the loan being drawn with the Clubs, subject to the full amount of in kind contribution, including the cash component being provided before any loan funds are drawn. If there are any savings in the final cost of the building it is anticipated they would be shared on a 50/50 basis between Council and the clubs.

Voting Requirements: ABSOLUTE MAJORITY

Officer Recommended Resolution:

1. Council adopts the Self Supporting Loan agreement between the Serpentine Pony Club/Serpentine and Foothills Polocrosse Club and the Shire of Serpentine Jarrahdale.
2. Council delegate authority to the Shire President and Chief Executive Officer to finalise and sign this agreement on behalf of Council, subject to the clubs providing all their in-kind support.

C021/09/04 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Wigg seconded Cr Price

1. Council adopts the Self Supporting Loan agreement between the Serpentine Pony Club/Serpentine and Foothills Polocrosse Club and the Shire of Serpentine Jarrahdale.
2. Council delegate authority to the Shire President and Chief Executive Officer to finalise and sign this agreement including the repayment schedule applicable at the time of signing on behalf of Council, subject to the clubs providing all their in-kind support.

CARRIED 9/0 ABSOLUTE MAJORITY

Committee Note: The recommendation was altered to take into account any change in interest rates and repayment schedule between Council adopting the self supporting loan and signing.

C023/09/04 SERPENTINE SPORTS RESERVE PAVILION AND DOCTORS ACCOMMODATION (RS0180/06, A0829)		
Proponent:	Chief Executive Officer	In Brief <i>Council is requested to nominate a representative on behalf of the community to participate on the selection panel being established by the Canning Division of General Practice to establish a general practice service on a sessional basis in the consulting room of the Serpentine Sports Reserve Pavilion</i>
Officer:	D.E. Price - Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	03 September 2004	
Previously	C015/08/04	
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

Council adopted the following resolution in relation to the establishment of a sessional general practice service operating from Serpentine Sports Reserve Pavilion, Serpentine at their August 2004 Ordinary Council meeting.

Council agrees to the following with regard to the provision of a sessional general practice service operating from Serpentine Sports Reserve Pavilion, Serpentine;

1. *Accept the proposal as outlined by the Canning Division of General Practice to establish a general practice medical service in Serpentine as described in attachment "C015/08/04":*
2. *Permit the Canning Division of General Practice (subject to annual review) to access the medical room (meeting room) and waive the fee for the use of the meeting room and hall. Note: (a) - both rooms would have to be booked at the same time by the Canning Division of General Practice for this option to be effective. (b) - The waiving of the fees and charges will remain in place until 30 June 2005 and be then subject to review by both the Council and the Canning Division of General Practice as per Council's annual review of fees and charges and amended only as agreed each year thereafter.*

The Shire President and Chief Executive Officer are authorized to sign an agreement between Council and Canning Division of General Practice for the use of part of the Serpentine Sports Reserve Pavilion subject to agreement of all parties involved in the Serpentine Sports Reserve Pavilion, Serpentine and it reflecting the general intent of the above for a sessional general practice service.

The Serpentine Foothills Polocrosse Club and the Serpentine Horse and Pony Club (who are contributing financially to the new facility) have been formally requested to confirm their agreement as per part 3 of Council's decision above by no later than 17 September 2004.

Sustainability Statement

Resource Implications: The resources required to oversee the facility and the deliver the services would be undertaken by the Canning Division of General Practice as part of the agreement Council adopted in August 2004.

Use of Local, renewable or recycled Resources: Local resources have been used in the design and construction of the new facility.

Economic Viability: This will be monitored by the Canning Division of General Practice

Economic Benefits: This will be monitored by the Canning Division of General Practice

Social – Quality of Life: It anticipated that the provision of a medical service in the southern part of the shire will improve the social quality of life for residents.

Social and Environmental Responsibility: The new community facility will address a number of social and environmental responsibilities.

Social Diversity: It anticipated that the provision of a medical service in the southern part of the Shire will take into account any social diversity.

Statutory Environment: Not applicable

Policy/Work Procedure Implications: Not applicable

Financial Implications: Council has agreed to waive fees and charges for the for the use of part of the Serpentine Sports Reserve Pavilion in return for the Canning Division of General Practice undertaking the management of the sessional general practice service to Serpentine.

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.

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.

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:

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.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: No.

Comment:

The proposal from the Canning Division of General Practice is an opportunity for Council to engage a professional service provider in the medical industry to establish a doctor in Serpentine at the Serpentine Sports Reserve Pavilion via the following agreed steps;

1. Set Selection Criteria for the provision of a sessional general practice service within the Health and Well-Being facility at the Serpentine Sports Reserve Pavilion in consultation with the Shire;
2. Call for Expressions of Interest in providing a general practice service on a sessional basis;
3. Establish a selection panel involving a Councillor representing the community (Councillor to be nominated by the Shire), the Chief Executive Officer of Serpentine-Jarrahdale shire and an independent GP practice principal (nominated by Canning Division);

Council noted when this decision was made that the community representative who would be on the selection panel proposed above under point 3 as described in the agreement between Council and the Canning Division of General Practice would be a member of Council.

To ensure that this matter continues to move forward Council are asked to provide the name of the Councillor they wish to nominate as the community representative.

Voting Requirements: Normal

C023/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Star
Council nominates Cr Needham to represent the community on a selection panel including the Chief Executive Officer of Serpentine-Jarrahdale Shire and an independent GP practice principal, to progress the provision of a session Practice Service in Serpentine.
CARRIED 9/0

Shire of Serpentine Jarrahdale

MEMORANDUM

TO: _____

cc: _____

FROM _____ :

REF FILE N° _____ :

DATE _____ : 17 AUGUST 2000 30 JUNE 1998

SUBJECT _____ :

Formatted

Peter Kerp

C024/09/04 SERVICE LEVEL ACCORDS (A0580)		
Proponent	Chief Executive Officer	In Brief Adopt Service Level Accord for Customer Relations, Finance Services and Information Services
Officer	G.R. Dougall - Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	30/08/04	
Previously	C016/08/01, C022/08/02, C013/09/03	
Disclosure of Interest		
Delegation	Council	

Preamble

Council endorsement the review of Service Level Accords for Customer Relations, Finance Services and Information Services.

Background

Each accord has been reviewed and include changes made to the team Key Performance Indicators.

Comments

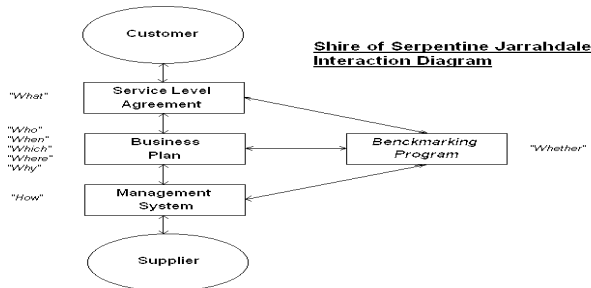
The “People and Partnerships” program involves the ongoing use of Service Level Accords which are agreed documents between Council and the service team that clearly define the levels of service that each service team provides to the community.

The Service Level Accords were developed on the premise that you must identify a starting point and then continue to move forward. The current framework has been refined to ensure teams are accurately reflecting their performance.

The attached Service Level Accords continue to provide both Council and the service team the opportunity to manage the various service provisions in a controlled equitable partnership. This partnership provides not only the opportunity for process improvements but also aligns budgets with levels of service.

Council will continue to have the opportunity to negotiate variations to the service teams Service Level Accords by utilising customer feedback mechanisms such as surveys and councillor contact, budget constraints, charges to circumstances etc. This information also provides the opportunity for the service teams to work with Council and to be able to offer alternative solutions to the delivery of both planned and unplanned service provisions in a true “partnering” environment.

This partnership aims to ensure that the service teams Service Level Accords are reflective of the levels of service our community is prepared to both accept socially and financially. This information should continue to be filtered into the Service Level Accord in the following way:



To reinforce the relationship the Service Level Accord has in the overall delivery of service to the community the following is provided.

Service Level Accords are a “vehicle to define the service delivery to our community”.
A Service Level Accord can be defined as follows:

What is a Service Level Accord?

- *A Service Level Accord defines the level and quality of service as requested by the community and determined by Council whilst considering budget constraints.*

From what source can we determine the service levels the community expects?

- *Community opinion*
- *Customer feedback*
- *Focus groups*
- *Council*

Who is Council’s representative and how will Council communicate the determined level of service and quality to the community?

- *Management specifies and monitors service delivery on behalf of Council through the Service Level Accord in partnership with the service teams.*

How will Council define and ensure agreed service levels?

- *By formalising the Service Level Accord which will serve as the vehicle for delivering customer service.*

Who delivers the services?

- *In this instance Council’s service teams will provides the agreed levels of service to the community as detailed in each Service Level Accord.*

Can Council or the service team suggest changes or vary what has been agreed?

Yes

- *Variations will always be possible provided that considerations such as resources, including funding are addressed. An example of this may be that Council would like to increase the levels of service in a particular area, but have not budgeted any additional funds.*

In this situation Council may seek advice from the service team as to where they may be able to reduce a level of service to enable the specific increase in another area within the existing budget.

Alternatively Council may approve additional resources and request the relevant manager to vary the Service Level Accord accordingly.

Each Service Level Accord is aligned to a financial year. It is proposed that the attached accords will form the framework for the implementation of 2004/2005 budget.

It is important that Council and service teams recognise this document as a “living” document that can, and will be changed and improved on a regular basis.

The service teams will continue to provide a quarterly report to the relevant manager on the achievement of agreed performance targets and standards within each of the service teams Accord. These in turn will be collated by the relevant Director and presented to the Chief Executive Officer, and through to Council via the relevant committees. Changes to the accord from last year have been highlighted.

A copy of the Customer Relations, Finance Services and Information Services Service Level Accords are included with the attachments and marked “C024.1/09/04 – C024.3/09/04”.

<u>Statutory Environment:</u>	No Statutory Environment
<u>Policy Implications:</u>	No Policy Implications
<u>Financial Implications:</u>	No Financial Implications
<u>Strategic Implications:</u>	No Strategic Implications
<u>Community Consultation:</u>	No Community Consultation required
<u>Voting Requirements:</u>	Normal

C024/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Hoyer

1. Council endorses the framework and principles of the Service Level Accords provided at attachments C024.1/09/04, C024.2/09/04 and C024.3/09/04 for the following service teams Customer Relations, Finance Services and Information Services and the Service Level Accords be adopted for the provision of service/s as amended for the 2004/2005 financial year.
2. Any external use of the accords will require authorisation by the Chief Executive Officer.

CARRIED 9/0

AS011/09/04 REQUEST FOR TRANSFER OF SERPENTINE JARRAHDAL SHIRE TO SOUTH WEST REGIONAL ROAD GROUP (A0427)		
Proponent:	Director Asset Services	In Brief Council to request the Chair of the Road Funding Advisory Group to consider relocating Serpentine Jarrahdale shire from the Metropolitan Regional Road Group to the South West Regional Road Group.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	1 September 2004	
Previously	AS032/09/01 24 September 2001	
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 1995 the *State Road Funds to Local Government Agreement* was signed between the State Government, the Commissioner of Main Roads and the Western Australian Municipal Association. This Agreement ensured that Local Government roads would receive a minimum of 25% of all funds raised from the fuel franchise replacement levy and vehicle licence fees.

An important facet of the Agreement was the establishment of Regional Road Groups, with elected Council representatives having responsibility for monitoring the implementation of the Local Road program in their region.

The composition of Regional Road Groups membership was based predominantly on Main Roads operational boundaries. Serpentine Jarrahdale shire was subsequently included in the Metropolitan Regional Road Group, reflective of the shire being considered a Metropolitan Local Government and falling within the Main Roads Perth boundaries.

The philosophy behind the Regional Road Group arrangement was a needs based distribution of funds. Serpentine Jarrahdale shire, due to the poor condition of its regional roads which carried a high proportion of freight traffic, secured maximum funding for a number of years.

In 2001 the Metropolitan Regional Road Group introduced a criteria for roads which were submitted as Rehabilitation Projects to carry a minimum of 2,000 vehicles per day. This criteria was introduced to ensure that, in an urbanized environment, funds were allocated to local arterial and sub-arterial roads and not local residential or collector streets.

Unfortunately this severely discriminated against the shire as the majority of roads nominated for future consideration did not carry that traffic volume. It was noted at the time that, under the original scoring system, projects nominated by the shire were amongst the highest scored and ranked projects submitted, demonstrating the need for funding. Apart from the significant financial loss to the shire, the criteria was impacting on heavy vehicle access to the metropolitan area through the deterioration of roads which, although carrying relatively low overall traffic volumes, serve as significant regional roads and carried a high proportion of heavy transport vehicles.

In the process of auditing and evaluating the 2002/03 funding applications it was noted by the auditor that projects submitted by the shire did not meet the 2,000 vehicles per day criteria and were ineligible for funding. At the South Eastern Metropolitan Sub-Group

meeting of 5 September 2000, the sub-group sought to recommend to the Regional Road group that the submissions by the shire be excluded. This decision was changed to provide the shire opportunity to address the Group on why its applications should not be refused.

The shire provided a submission to the Metropolitan Regional Road Group Technical Committee on 20 September 2001 which outlined the inequity of the criteria change with regard to the high heavy vehicle loading on our roads which did not meet the 2,000 vehicles per day minimum. As a result of this submission a revised criteria was introduced which required either a minimum 2,000 vehicles per day or minimum pavement loading, making a number of roads again eligible for consideration.

Projects submitted for consideration are assessed against the following criteria:

- Condition (rutting, shoving, cracking, kerbing, etc)
- Surface Age (age of pavement seal)
- Bus Route (applicable to public transport buses only, school / tourist excluded)
- Traffic (volume inclusive of projected growth over 20 years)
- Cost Efficiency (project cost estimate against standard unit costs)

While the change to the traffic criteria to allow pavement loading as an alternate minimum benchmark has enabled projects to be eligible for consideration, ultimately the shires projects are being assessed against metropolitan Councils which have significantly higher traffic volumes and subsequently higher scores.

The primary purpose of the 2001 submission by the shire was to reflect the heavy loading our roads experience as they carry a substantial proportion of freight traffic with typically in excess of 13% of traffic being heavy vehicles. The extension of the Kwinana Freeway in 2000 created a shift in traffic movements through the shire along east-west routes as they are efficient access points between the Freeway and South Western Highway. In effect the primary freight route of South Western Highway into the metropolitan area now has alternatives through the local road network.

Funding submissions from the shire reflect the change in freight movements and are based on ensuring quality freight routes exist while preserving regional roads for passenger vehicle use also. Many metropolitan roads submitted perform the function of freight movements however the primary function is passenger vehicle movements and the traffic volume factor provides a major advantage in submission scores.

Apart from within townsites, all roads within the shire are constructed to rural standards. Points are allocated for failures such as edge drop-off (i.e. worn shoulder at seal edge) and edge break (broken or irregular edge to seal). As these types of failures present a hazard to motorists they are generally rectified immediately through our shoulder maintenance program. If these defects were not attended to the score on a road submission would increase typically by some 10% however it would not be acceptable to leave roads in this condition. While it has been requested for consideration, the Regional Road Group has not favoured making some form of allowance for past maintenance expenditure in the assessment of road projects.

In 2003 submissions were made for sections of Karnup Road, Kargotich Road and Jarrahdale Road and none were successful. Submissions have been made in 2004 for sections of Karnup Road and Watkins Road, based on high freight movement and rapidly deteriorating pavements, and initial indications from the Metropolitan Regional Road Group are that these will not be successful.

It is recommended that Council request the Chair of the Road Funding Advisory Committee to consider permitting the Serpentine Jarrahdale shire to transfer membership from the Metropolitan Regional Road Group to the South West Regional Road Group. The basis for this request is that the shires road network is primarily rural roads which are more equitably assessed against similar roads within the South West road network. It is noted also that

Serpentine Jarrahdale shire is the only Peel Region Local Government not included in the South West Regional Road Group.

Sustainability Statement

Effect on Environment: The primary outcome sought by this recommendation is to ensure the local road network can be maintained to a level suitable for both local traffic and regional traffic which passes through the shire. A good quality road network will add to the efficiency of freight movements in particular which has the potential to reduce greenhouse gas emissions.

Resource Implications: Not applicable.

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

Economic Viability: The proposal aims to ensure that the local road network can be maintained to a suitable standard with funds for maintenance / preservation activities being equitably supported through State Government funding opportunities.

Economic Benefits: Economic benefits are achievable through maintaining a good standard of roads without the financial burden being directly sourced from rate revenue.

Social – Quality of Life: The provision of safe, quality roads is important in ensuring community well being when traveling on the road network.

Social and Environmental Responsibility: Not applicable.

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

Statutory Environment: Nil

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

Financial Implications: It is anticipated that the shire being included in the South Western Regional Road Group will increase the likelihood of accessing funds through the State Road Funds To Local Government Agreement.

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.
2. Environment
Objective 1: Protect and repair natural resources and processes throughout the Shire
Strategies:
5. Reduce green house gas emissions.
3. Economic
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.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

4. Balance resource allocation to support sustainable outcomes.

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

Strategies

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:

Contact has been made with the Chair of the South West Regional Road Group who has given in-principal support to this proposal based on recognition of the inequity of submitting rural roads for assessment against high traffic, urban roads as currently occurs.

Comment:

The current arrangement by which submissions for road funding grants through the State Funds To Local Roads Agreement is assessed places Council at a disadvantage as rural roads are being rated against highly trafficked urban roads. Equity in distribution of funding will be better achieved by comparison with Local Governments who have similar road standards and traffic mix / volumes. It is considered that relocation of Serpentine Jarrahdale shire to the South West Regional Road Group will provide this equity.

Voting Requirements: Normal

AS011/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Kirkpatrick seconded Cr Scott
Council requests the Chair of the Road Funding Advisory Committee to consider relocation of Serpentine Jarrahdale shire from the Metropolitan Regional Road Group to the South West Regional Road Group on the basis that the majority of regional roads within the shire are of a rural standard, have low traffic volumes but high pavement loadings resulting in inequitable comparison with metropolitan road submissions.
CARRIED 9/0

AS015/09/04 SERVICE LEVEL ACCORDS FOR DESIGN, OPERATIONS AND FIRE & EMERGENCY SERVICES TEAMS (A0580-02)		
Proponent:	Shire of Serpentine Jarrahdale	In Brief Council endorsement of Service Level Accords for Design, Operations and Fire & Emergency Services Teams.
Owner:	N/A	
Officer:	Bryce Coelho – Manager Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	31 August 2004	
Previously	AS008/08/02, AS015/09/03	
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

Each accord has been reviewed and include changes made to the team’s Key Performance Indicators and are highlighted in the attachments.

Sustainability Statement: Nil.

Statutory Environment: Nil.

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 at this stage.

Strategic Implications: Nil

Community Consultation:

Required: No

Comment:

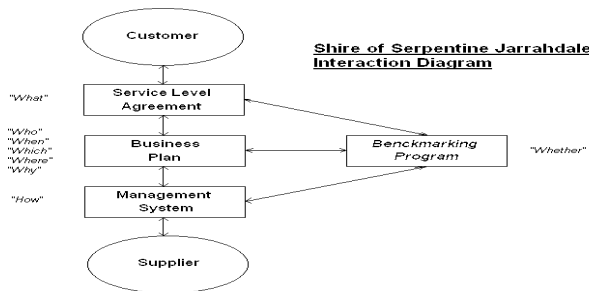
The “People and Partnerships” programme involves the on going use of Service Level Accords which are agreed documents between Council and the service team that clearly define the levels of service that each service team provides to the community.

Service Level Accords were developed on the premise that you must identify a starting point and move forward. The framework under which each document was initially developed reflected Council resources and budget constraints. It has been refined to ensure teams are accurately reflecting their performance.

The attached Service Level Accords continue to provide both Council and the service team the opportunity to manage the various service provisions in a controlled equitable partnership. This partnership provides not only the opportunity for process improvements but also aligns budgets with levels of service.

Council will continue to have the opportunity to negotiate variations to the service teams Service Level Accords by utilizing customer feedback mechanisms such as surveys and councillor contact, budget constraints, changes to circumstances etc. This information also provides the opportunity for the service teams to work with Council and to be able to offer alternative solutions to the delivery of both planned and unplanned service provisions in a true “partnering” environment.

This partnership aims to ensure that the service teams Service Level Accords are reflective of the levels of service our community is prepared to both accept socially and financially. This information should continue to be filtered into the Service Level Accord in the following interaction diagram.



To reinforce the relationship the Service Level Accord has in the overall delivery of service to the community the following is provided.

Service Level Accords are a “vehicle to define the service delivery to our community”.
A Service Level Accord can be defined as follows:

What is a Service Level Accord?

- * A Service Level Accord defines the level and quality of service as requested by the community and determined by Council whilst considering budget constraints.

From what source can we determine the service levels the community expects?

- * Community opinion
- * Customer feedback
- * Focus groups
- * Council

Who is Council’s representative and how will Council communicate the determined level of service and quality to the community?

- * Management specifies and monitors service delivery on behalf of Council through the Service Level Accord in partnership with the service teams.

How will Council define and ensure agreed service levels?

- * By formalizing the Service Level Accord which will serve as the vehicle for delivering customer service.

Who delivers the services?

- * In this instance Council’s service teams will provide the agreed levels of service to the community as detailed in each teams Service Level Accord.

Can Council or the service team suggest changes or vary what has been agreed?

Yes

- * Variations will always be possible provided that considerations such as resources, including funding are addressed. An example of this may be that Council would like to increase the levels of service in a particular area, but have not budgeted any additional funds.

In this situation, Council may seek advice from the service team as to where they may be able to reduce a level of service to enable the specific increase in another area within the existing budget.

Alternatively Council may approve additional resources and request the relevant manager to vary the Service Level Accords accordingly.

Each Service Level Accord is aligned to a financial year. It is proposed that the attached Accords will form the framework for the implementation of 2004/05 budget.

It is important that Council and the service teams recognize this document as a “living” document that can and will be changed and improved on a regular basis.

Each quarter the service teams will continue to provide a report on the achievement of agreed performance targets and standards within each of the service team’s Accord. These will be collated by the relevant senior manager and presented to the Chief Executive Officer, and through to Council via the relevant committee.

Performance over the 2004/05 year has been substantially at or marginally within the former Service Level Accord and modifications made to the current Accord are very minor and reflect only clarification of the intent of performance criteria, and include the modified Quarterly Report structure.

A copy of the Service Level Accord for Engineering Design is with the attachments marked AS015.1/09/04.

A copy of the Service Level Accord for Operations is with the attachments marked AS015.2/09/04.

A copy of the Service Level Accord for Fire & Emergency Services is with attachments marked AS015.3/09/04.

Voting Requirements: Normal

AS015/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Star

1. Council endorses the framework and principles of the Service Level Accord provided at attachments AS015.2/09/04 for the Operations, AS015.1/09/04 for Design, and AS015.3/09/04 for Fire & Emergency Services Teams and that they be adopted for the provision of service/s as amended for the 2004/05 financial year.
2. The Service Level Accords remain the intellectual property of the Shire and that any external use of the Accords will require authorization of the Chief Executive Officer.

CARRIED 9/0

CRD04/09/04 MUNDIJONG PAVILION CHANGE ROOMS UPGRADE (RS0120)		
Proponent:	Serpentine Jarrahdale Shire	In Brief The upgrade of the Mundijong Pavilion change rooms has been planned for many years with an estimated total project cost of \$120,000 in the current Forward Financial Plan. Since the original proposal was developed, consideration has been given to expanding the scope of the project to include public toilets with a proposed total project cost of \$200,000. It is recommended that Council support the new project scope and additional project cost.
Owner:		
Officer:	Carlie Eldridge – Manager Sustainability Unit	
Signatures Author:		
Senior Officer:		
Date of Report	6.09.04	
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

The proposed upgrade of the Mundijong Pavilion change rooms has been discussed between Mundijong Centrals Football Club and the Shire since September 2000 when the Centrals committee first proposed an upgrade with plans at a proposed cost of \$102,000. Due to many changes of Centrals executive officers, this plan remained incomplete.

In June 2002, Council approved \$10,000 in the 2002/03 budget to be used for preparation of amended plans for the upgrade of the change rooms. This allocation was not used in either that year or the following year because of the discontinuity within the Centrals Club management. In May 2004, Councillors Hoyer and Price together with the Principal Building Surveyor, met with members of the current Centrals and Centrals Junior Football Club management and advised them that \$5,000 had been budgeted in the 2004/05 budget for preparation of plans with a re-estimated project cost of \$120,000. At the meeting, discussion ensued on what would be desirable in the facility. These ideas were then incorporated into Option 1 and Option 2 drawn up by the Shire’s Design Team and costed by the Principal Building Surveyor at \$185,280 (GST exclusive) for Option 1 and \$161,814 (GST exclusive) for Option 2.

A copy of the proposed draft plans is with the attachments marked CRD04/09/04.1. A copy of the costings for Option 2 is with the attachments marked CRD04/09/04.2.

The project is planned to be funded by three parties, the Shire, the Department of Sport and Recreation and Mundijong Centrals. It was originally proposed to be an equal three way contribution of \$40,000. It is intended that the Department of Sport and Recreation will be asked via a Community Sport & Recreation Facilities Fund application to contribute up to a third of the cost of the facility.

The changes to the design include the addition of public toilets (implying the closure of the existing toilets) plus the inflationary costs of building since the original proposal in 1995. The toilet component is \$57,800 and the total project cost is approximately \$203,808 (GST inclusive) or \$185,280 (GST exclusive). This would mean a contribution of \$61,760 (GST exclusive) from each of the three parties.

Option 2 also has the public toilets incorporated within the scope of the project but has a reduced floor area and the Centrals Football Club has indicated this design does not meet their needs.

Council has estimated a total project cost of \$120,000 in the 2005/06 financial year in the Forward Financial Plan 2004-2014 for the upgrade of these facilities based on the assumption that Mundijong Centrals, the Shire and Department of Sport and Recreation would contribute one third of the funds each.

In September 2004, Mundijong Centrals submitted a draft Community Sport & Recreation Facilities Fund application to the Shire. This draft still has further information required and in order to proceed Council needs to confirm their commitment to the expanded scope and costs as well as overall design before the application is developed further.

The Department of Sport and Recreation applications are due by 30 October 2004 and all applications from the Shire must be endorsed and prioritised. This application and another application will be put to Council in October for formal endorsement.

Sustainability Statement

Effect on Environment and Resource Implications: The design of the building will consider water efficiency and energy management and allocate the best technology within budget restrictions.

Use of Local, renewable or recycled Resources: Details of materials will be considered in the detailed design of the building. Local resources will be used in the construction of the project where feasible.

Economic Viability and Economic Benefits: The inclusion of the toilets within this facility will have the ongoing costs of maintenance and repair. The new facility should be more water efficient with better technology and fittings than in the current facilities.

Social – Quality of Life: This facility, including change rooms and toilets, will provide a benefit to the football club and to the users of the Mundijong sports facilities. It will allow a variety of user groups to have good facilities.

Social and Environmental Responsibility: The Centrals Football club are engaged in both the design and construction of this proposed upgrade.

Social Diversity: The facilities will meet the disability codes.

Statutory Environment: Amendment to Forward Financial Plan

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

Financial Implications: Council has allocated \$40,000 in the Forward Financial Plan 2004 – 2014 for this upgrade. The current proposal (Option 1) is costed at \$203,808 (GST inclusive) or \$185,280 (GST exclusive). This would require Council to make a contribution of \$61,760, an additional \$21,760 above the allocated amount. The Principal Building Surveyor has done a costing of an alternative option (Option 2) which would reduce the overall cost. Under this option the cost per party would be \$54,483.

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.
- Objective 3: High level of social commitment*

Strategies:

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

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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:

Community consultation has been ongoing over the past four years between the Shire and the Centrals Club management. Further consultation will be required to finalise the design prior to Council endorsing the application in October.

Comment:

The proposed changes to incorporate the public toilets within the building will result in an overall project cost increase. The draft funding application submitted by the Centrals Club management has the funding proportioned so that the Shire pays the full cost of the public toilets and the remainder of the project is split between the three parties. This arrangement is not considered equitable to the Shire as the public toilet facilities will be used by the Centrals Club and their visitors. It is proposed to split the total project cost three ways.

Voting Requirements: Normal

CRD04/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Hoyer

- 1 That Council supports, in principle, the new project scope with the inclusion of the public toilets (Option 1).
- 2 Subject to Centrals Football Club finalising all financial responsibilities it has with Council and signing a self-supporting loan agreement with Council, that Council supports making a one third contribution to the project equal to the Community Sport & Recreation Facilities Fund funding amount approved up to a maximum of \$61,760.

CARRIED 9/0

CRD05/09/04 CONTROL OF OFF ROAD VEHICLES (A0002)		
Proponent:	Trails Working Group	In Brief Council is requested to approve a twelve month trial of a maze barrier at each end of the multi-use trail between Foxtan Drive and Nicholson Road, Oakford.
Owner:		
Officer:	M Beaverstock - Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	17.08.04	
Previously	CRD30/06/04	
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 if no interest	
Delegation	Council	

Background

At its meeting of 28 June 2004, Council was presented with a legal opinion with regard to the construction of non-Australian Standard “obstacles” on land under its control. This advice was sourced specifically in relation to the proposed installation of cavaletti type barriers on a trail connecting to Foxtan Drive, Oakford.

Council resolved to refer the matter of the installation of barriers to control off road vehicles to its Trails Working Group and Community and Recreation Development Committee to jointly consider, then refer back to Council.

This matter was discussed at the Trails Working Group meeting of 10 August 2004. At this meeting, members were advised of the referral by Council and instructions given to the Oakford Trails Management Association by officers that the recently constructed cavaletti style gate in Foxtan Drive was to have the horizontal barriers removed as no approval had been given.

On discussion of the purpose of these barriers, it was agreed that the primary function was to prevent off road vehicle access while not inhibiting approved access for horses, cyclists, pedestrians, disabled, emergency services vehicles, etc. It was acknowledged that a cavaletti type gate with horizontal barriers would not necessarily meet these criteria.

Restriction in the size of entry points is effective in preventing vehicle access while allowing horse, cyclist and pedestrian access to continue. This solution does not, however, address the issue of motorcycle access which has been identified as a major problem on trails. Further discussion indicated that, while motorcycles are a problem, the extent of this problem is limited and is more of nuisance value in certain areas. There is a level of feeling that some use by motorcyclists is simply through the public not being aware that these vehicles are not permitted on trails. There is, however, likely to be a percentage of riders who are aware that they should not be using trails and accept the risk of being caught.

The barrier constructed in Foxtan Drive is comprised of a 2 metre wide gate which has a 90 degree bend, primarily to encourage horses to slow when passing through. This arrangement, while not preventing motorcycle access, would also result in a reduction in speed while negotiating the maze. It is possible that this factor may act as a deterrent to motorcyclists using the tracks illegally as the restriction greatly increases the opportunity of being caught.

Ideally the use of trails will eventually be self-policed by adjacent residents as a sense of ownership develops. This has occurred successfully in Darling Downs due to residents

being willing to report illegal activities and instigate action against offenders who are impacting on their quality of life. Until a similar situation occurs in other areas, some form of physical restriction is likely to be the only deterrent. It is proposed that these restrictions are supplemented with signage advising of both permitted and illegal uses.

Sustainability Statement

Effect on Environment: The proposal is intended to result in protection of the environment adjacent to trails as it discourages use of the area by activities other than those the trails are designed to accommodate.

Resource Implications: Not applicable.

Use of Local, renewable or recycled Resources: The sourcing of materials and construction of maze barriers will likely be through local businesses.

Economic Viability: The recommended trial is a low cost treatment which, if successful, will reduce administrative costs associated with addressing complaints of illegal use of the trails. It is not envisaged that maintenance of the barriers will be a significant cost.

Economic Benefits: No direct economic benefit will be gained by the community however the provision of safe trails will encourage use by the wider community and potentially be of benefit to land values.

Social – Quality of Life: Provision of safe, accessible trails encourages their use by the community.

Social and Environmental Responsibility: The proposal is aimed at encouraging responsible use of trails by the wider community. Ideally a level of ownership of trails will develop by the local communities which will further encourage responsible use.

Social Diversity: The proposal does not disadvantage any social groups and is seen as a way to ensure all community members retain access to the trails network.

Statutory Environment: Nil

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

Financial Implications: The cost of installation of the proposed maze (supplemented with Emergency Access Gate) is estimated to be in the order of \$2,000. Funding for the trial is to be requested within the Trails Construction budget which will be referred to Council for endorsement.

Strategic Implications: This proposal relates to the following Key Sustainability Result Areas:-
1. People and Community
Objective 1: Good quality of life for all residents
Strategies:
1. Provide recreational opportunities.
6. Ensure a safe and secure community.
Objective 3: High level of social commitment
Strategies:
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:

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.

3. Economic

Objective 1: A vibrant local community

Strategy:

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

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

Strategy:

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

Objective 3: Compliance to necessary legislation

Strategy:

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

Community Consultation:

The recommendation of this report has been developed by the Trails Working Group which has representatives from community, Council and Shire staff.

Comment:

The Trails Working Group has recommended to Council that the 90 degree maze be trialed to determine its effectiveness as a deterrent to motorcyclists. Importantly the maze configuration appears to address the concerns raised in the legal advice as the deletion of horizontal barriers lowers the level of risk to trail users.

The existing maze, constructed in Foxtton Drive, provides entry to a trail which continues through to Nicholson Road at Bandicoot Creek. It is proposed that, to ascertain the effectiveness of these barriers, a second maze would be constructed at the Nicholson Road entry to the trail. To permit Emergency Services access, standard 4.2 metre gates would be provided adjacent to each maze.

Voting Requirements:

Normal

CRD05/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Murphy seconded Cr Scott

- 1 Council, subject to endorsing expenditure of funds from the Trails Construction budget, approves the trial of a 90 degree maze at either end of the trail between Foxtton Drive and Nicholson Road, Oakford for a period of 12 months.**
- 2 On completion of the 12 month period, the Trails Working Group reports to Council on the success or otherwise of the trial.**

CARRIED 9/0

CRD08/09/04 CLARIFICATION OF FUNDING ARRANGEMENTS FOR THE COMMUNITY SAFETY & CRIME PREVENTION PARTNERSHIP AGREEMENT (A0101)		
Proponent:	Cr THJ Hoyer	In Brief Council resolved in August 2004 to enter into a crime prevention partnership with the Office of Crime Prevention subject to specific funding being made available. This item recommends rescinding the previous motion and replacing the recommendation with one that clarifies the funding available as detailed recently by the Office of Crime Prevention in their feedback on the agreement.
Owner:	N/A	
Officer:	Carlie Eldridge – Manager Sustainability Unit	
Signatures Author:		
Senior Officer:		
Date of Report	10.09.04	
Previously	CRD02/08/04; CRD34/06/04; CRD23/04/04	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act if no interest	
Delegation	Council	

Background

Council at its meeting 30 August 2004 resolved as follows:

CRD02/08/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Hoyer seconded Cr Kirkpatrick

Council endorses the attached Community Safety and Crime Prevention Partnership Agreement with the Office of Premier and Cabinet through the Office of Crime Prevention under the following conditions:

- 1 The terms of the agreement be delivered through a Safer Community WA Serpentine Jarrahdale Crime Prevention Group.*
- 2 This community group be initiated and chaired by a Councillor.*
- 3 State Government funding of an initial \$10,000 for the crime prevention plan, followed by a further \$40,000 for crime prevention initiatives be provided.*

CARRIED 7/0

Committee Note: In the agreement in parts 3(iv), 5(i) and 6 Serpentine Jarrahdale Shire (iii) has been changed for the sake of consistency to use Group rather than Committee. The word “Community” has been added to Resolution 1 between Safer and WA for consistency.

The Office of Crime Prevention, in reviewing the final endorsed partnership item, has advised that part 3 of the Council Decision does not clearly reflect the total funding available which is as follows:

- 1 \$10,000 (on signing) towards development of the plan
- 2 \$20,000 (on endorsement of the plan) incentive grant towards initiative(s) identified within the plan.
- 3 Annual funding of \$1,200 (for three years of the Plan) towards Committee incidental costs.
- 4 Eligibility for annual competitive funding rounds (up to \$40,000) determined on a priority basis.

Sustainability Statement

Economic Viability: Staff Resources -

The draft partnership agreement states that the successful implementation of this program will be achieved through utilising the limited resources of Council to greatest effect by empowering the community and encouraging participation from agencies, community champions and existing representative groups. 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 will be used to develop the community safety crime prevention plan. 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.

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

Economic Benefits: The proposal may have economic benefits through crime prevention strategies that benefit local businesses and possibly reduced insurance premiums. This could lead to increases in land value, business retention and investment. A local person may be employed by the committee as the administrative officer.

Social – Quality of Life Production of a Crime Prevention Plan 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 hallmarks of its implementation. Cr Hoyer has already tentatively engaged the following groups: Neighbourhood/Rural Watch; Police; LEMAC; Jarrahdale and Byford Forums.

The Safer Community WA Serpentine Jarrahdale Crime Prevention (SCWA SJ CP) Group and the Shire will engage with both government agencies and the community in the development, implementation and review of the Safer Community & Crime Prevention Plan.

The Minister for Community Safety, as a partner in this strategic alliance, agrees to facilitate the implementation by relevant Government agencies of the strategies contained in the plan and to reasonably provide resources to assist this implementation. This includes the provision of access to funding programs and support for a multi-agency approach.

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.

Statutory Environment: None

Implications:

Policy/Work Procedure

The Crime Prevention Strategy may affect a number of policies depending on the outcomes such as the new engineering standards for subdivisions; 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.

The Serpentine Jarrahdale community has been surveyed on a number of occasions to determine the issues of importance for residents.

Comment:

This is to clarify the amount of funding available for the implementation of the partnership.

Voting Requirements:

ABSOLUTE MAJORITY

REVOKING COUNCIL DECISION CRD02/08/04

Moved Cr Murphy seconded Cr Price, Cr Wigg, Cr Kirkpatrick
The revocation of resolution CRD02/08/08 of 30 August, 2004 be supported.
CARRIED 9/0

Committee/Officer Recommended Resolution:

- 1 Council seeks to rescind resolution CRD02/08/04 of 30 August 2004.
- 2 The Community & Recreation Development Committee recommends to Council that resolution CRD02/08/04 of 30 August 2004 be rescinded.
- 3 Council endorses the Community Safety and Crime Prevention Partnership Agreement (with the attachments marked CRD08/09/04) with the Office of Premier & Cabinet through the Office of Crime Prevention under the following conditions:
 - (a) The terms of the Agreement be delivered through a Safer Community WA Serpentine Jarrahdale crime Prevention Group.
 - (b) This community group be initiated and chaired by a Councillor.
 - (c) State Government Funding of an initial \$10,000 for the crime prevention plan, followed by \$20,000 on endorsement of the plan, annual funding of \$1,200 towards committee incidental costs (for three years) and eligibility for annual competitive funding rounds (up to \$40,000) determined on a priority basis.

Council Note: The date of the Ordinary Council Meeting in August was 30th August, 2004, not 23rd August, 2004 and the Committee/Officer Recommended Resolution was changed to reflect this.

CRD08/09/04 COUNCIL DECISION/Alternative Recommended Resolution

Moved Cr Price seconded Cr Murphy

1. Council endorses the Community Safety and Crime Prevention Partnership Agreement (with the attachments marked CRD08/09/04) with the Office of Premier & Cabinet through the Office of Crime Prevention under the following conditions:
 - (a) The terms of the Agreement be delivered through a Safer Community WA Serpentine Jarrahdale crime Prevention Group.
 - (b) This community group be initiated and chaired by a Councillor.
 - (c) State Government Funding of an initial \$10,000 for the crime prevention plan, followed by \$20,000 on endorsement of the plan, annual funding of \$1,200 towards committee incidental costs (for three years) and eligibility for annual competitive funding rounds (up to \$40,000) determined on a priority basis.

CARRIED 9/0 ABSOLUTE MAJORITY

SM004/09/04 SERVICE LEVEL ACCORDS – ECONOMIC & TOURISM DEVELOPMENT OFFICER (A0580-02)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council endorsement of Service Level Accord for the Economic & Tourism Development Officer.
Owner:	Not applicable	
Officer:	DE Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	2 September 2004	
Previously	P017/09/03; C013/09/02	
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

The Economic and Tourism Development Officer Service Level Accord has been reviewed and includes changes made to the Key Performance Indicators as highlighted.

Sustainability Statement

Nil

Statutory Environment:

No statutory environment

Policy/Work Procedure

Implications:

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

Financial Implications:

There are no Financial Implications to Council related to this application/issue at this stage.

Strategic Implications:

Nil

Community Consultation:

Required: No

Comment:

The "People and Partnerships" program involves the ongoing use of Service Level Accords which are agreed documents between Council and the service team that clearly define the levels of service that each service team provides to the community.

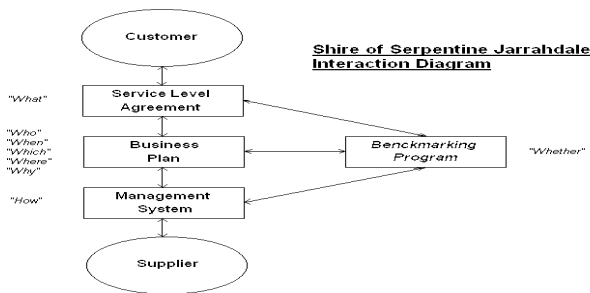
The Service Level Accords were developed on the premise that you must identify a starting point and then continue to move forward. The current framework has been refined to ensure teams are accurately reflecting their performance.

The attached Service Level Accord continues to provide both Council and the service team the opportunity to manage the various service provisions in a controlled equitable partnership. This partnership provides not only the opportunity for process improvements but also aligns budgets with levels of service.

Council will continue to have the opportunity to negotiate variations to the service teams Service Level Accords by utilising customer feedback mechanisms such as surveys and

councillor contact, budget constraints, charges to circumstances etc. This information also provides the opportunity for the service teams to work with Council and to be able to offer alternative solutions to the delivery of both planned and unplanned service provisions in a true “partnering” environment.

This partnership aims to ensure that the service teams Service Level Accords are reflective of the levels of service our community is prepared to both accept socially and financially. This information should continue to be filtered into the Service Level Accord in the following interaction diagram.



To reinforce the relationship the Service Level Accord has in the overall delivery of service to the community the following is provided:

Service Level Accords are a “vehicle to define the service delivery to our community.”
A Service Level Accord can be defined as follows:

What is a Service Level Accord?

- A Service Level Accord defines the level and quality of service as requested by the community and determined by Council whilst considering budget constraints.

From what source can we determine the service levels the community expects?

- Community opinion
- Customer feedback
- Focus groups
- Council

Who is Council’s representative and how will Council communicate the determined level of service and quality to the community?

- Management specifies and monitors service delivery on behalf of Council through the Service Level Accord in partnership with the service teams.

How will Council define and ensure agreed service levels?

- By formalising the Service Level Accord which will serve as the vehicle for delivering customer service.

Who delivers the services?

- In this instance Council's service teams will provide the agreed levels of service to the community as detailed in each Service Level Accord.

Can Council or the service team suggest changes or vary what has been agreed?

Yes

- Variations will always be possible provided that considerations such as resources, including funding are addressed. An example of this may be that Council would like to increase the levels of service in a particular area, but have not budgeted any additional funds.

In this situation Council may seek advice from the service team as to where they may be able to reduce a level of service to enable the specific increase in another area within the existing budget.

Alternatively Council may approve additional resources and request the relevant manager to vary the Service Level Accord accordingly.

Each Service Level Accord is aligned to a financial year. It is proposed that the attached accords will form the framework for the implementation of the 2004/2005 budget.

It is important that Council and service teams recognise this document as a "living" document that can, and will be changed and improved on a regular basis.

The position will provide a regular report via the Strategic Management Committee on the achievement of agreed performance targets and standards within the Accord.

A copy of the Economic & Tourism Development Officer Service Level Accord is with attachments marked SM004.1/09/04.

Voting Requirements: Normal

SM004/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Star seconded Cr Scott

- 1. Council endorses the framework and principles of the Service Level Accord provided at attachment SM004.1/09/04 for the Economic and Tourism Development Officer and the Service Level Accord be adopted for the provision of service(s) as amended for the 2004/2005 financial year.**
- 2. The service level accord remain the intellectual property of the Shire and that any external use of the accords will require authorisation by the Chief Executive Officer.**

CARRIED 9/0

SM005/09/04 LANDCARE CENTRE SERVICE LEVEL ACCORD (A0289-03)		
Proponent	Landcare SJ Inc.	In Brief It is recommended that Council endorse the revised Landcare Service Level Accord for 2004/2005
Officer	Joanne Abbiss – Director Sustainable Development	
Signatures - Author:		
Senior Officer:		
Date of Report	13 th September 2004	
Previously	SM023/11/03; SM046/02/02	
Disclosure of Interest	The officer responsible for this report is also the Shire representative on the Board of Landcare SJ Inc.	
Delegation	Council	

Background

Council has committed \$85,000 of direct funds to the Serpentine-Jarrahdale Landcare Centre in the 2004/2005 budget. This is in addition to in-kind contributions estimated to be in the order of \$50,000. With such a significant financial investment it is important to document the terms, conditions and performance criteria under which these Shire funds will be provided. This was achieved for 2003/2004 through the development of a Service Level Accord which was made between the Shire, Land Conservation District Committee and Landcare SJ Inc. This Accord expired on the 30th June 2004 and Council is asked to endorse the revised Accord for 2004/2005.

Attachment SM005.1/09/04 shows the intended changes to the 2003/2004 Service Level Accord.

Sustainability Statement

Effect on Environment and Resource Implications:

The Landcare Centre is recognised as a leader within the industry, demonstrating best practice in many projects and also in the manner in which it interacts with the community.

Economic Viability and Benefit:

The Landcare Centre employs several staff, uses local resources and suppliers to complete on ground works and assists in preserving and improving the natural heritage of the area.

The Landcare Centre has trialled many new approaches in order to protect valuable land and water resources. The Dirk Brook project is an excellent example of the modification of a trapezoidal drain to a living stream which now provides an ecological service in terms of the improvement in water quality and provision of habitat.

Wherever possible locally produced or available resources are utilised for on-ground works and partnerships established.

Social – Quality of Life:

Their success has been founded on strong community partnerships and significant community capacity building has been achieved.

Social and Environmental Responsibility:

The fundamental principles upon which the Landcare Centre operates are based on environmental and social responsibility.

Social Diversity:

The Landcare Centre provides a service to a diverse range of residents, groups and agencies.

Statutory Environment: Not applicable

Policy/Work Procedure Implications: Not applicable

Financial Implications: Council has committed \$85,000 in the 2004/2005 budget for support of the Landcare Centre. The Service Level Accord will specify the terms under which that funding is granted.

Council has identified funding of \$40,000 per annum from 2005/2006 onwards in the Forward Financial Plan through funding intended to be raised from an environmental levy. Further discussions are required in the near future between the Council, the LCDC and Landcare SJ Inc in order for the feasibility of an environmental levy to be determined.

Strategic Implications:

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.

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.
- 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.
- 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 Economic

Objective 1: A vibrant local community

Strategies:

- 2 Identify value-adding opportunities for primary production.
- 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.
- 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:

The 2003/2004 Service Level Accord was revised by the Director Sustainable Development and the Landcare Centre Manager and then referred to the Shire's Executive and Landcare SJ Inc for their comment. All suggested changes have been incorporated within the document presented for approval.

Voting Requirements:

Normal

Comments

The operation of the Service Level Accord for 2003/2004 has served to clarify the service arrangements between the parties and regular quarterly reporting against the Accord has resulted in a wider appreciation of the valuable work conducted by the Landcare Centre. The Landcare Centre have worked hard over the term of the previous agreement to reinvigorate local environment groups, ensure greater financial accountability and pursue independent commercial opportunities.

In general, the changes proposed to the Service Level Accord for 2004/2005 represent points of clarification, removal of non-related matters and, in the case of weed management, a need to review the level of service provided in light of the skills and resources available at the Landcare Centre. Issues related to the free verge plant and herbicide program are being progressed separately through the development of a revised policy between the parties which will be subsequently presented to Council for endorsement.

Overall the Service Level Accord provides clear direction for both parties with regard to the expectations associated with the current funding arrangements and it is recommended that Council endorse the 2004/2005 accordingly.

SM005/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Wigg seconded Cr Star

1. Council endorses the Service Level Accord as attached at SM005.2/09/04 between the Shire, the Land Conservation District Committee and Landcare SJ Inc for the 2004/2005 financial year.
2. Council forwards the Service Level Accord as attached at SM005.2/09/04 to the Chair of the Land Conservation District Committee and the Chair of Landcare SJ Inc for their final endorsement and signing.
3. Council authorises the Shire President and the Chief Executive Officer to sign the Service Level Accord as attached at SM005.2/09/04.
4. Prior to 30 November 2004 representatives from Landcare SJ Inc, the Land Conservation District Committee, interested Councillors and the Shire Executive are to commence discussions regarding future funding mechanisms and service levels given the expenditure and income allocations forecast in the Shires Forward Financial Plan.

CARRIED 9/0

SM006/09/04 REVIEW OF EMERGENCY SERVICES IN THE SERPENTINE JARRAHDAL SHIRE (A0874-02)		
Proponent:	Director Asset Services	In Brief Council is requested to receive the Report and recommendations of the Review of Emergency Services in the Serpentine Jarrahdale shire.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	15 September 2004	
Previously	AS035/02/03; AS081/06/05; AS087/06/05	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Asset Services Committee was presented with a Final Draft Report (the Report) of the Review of Emergency Services in the Serpentine Jarrahdale shire at its meeting of 14 June 2004. Prior to this meeting a number of requests had been received from volunteers calling for an extension of time to consider and comment on the Report.

At its meeting of 28 June 2004, Council resolved to consider the final recommendations of the Review at its meeting of 27 September 2004, providing a 3 month period for Emergency Services volunteers to provide comment. This resolution was not applicable to the recommendation within the Review Report regarding undertaking negotiations with Fire and Emergency Services Authority (FESA) to establish a Memorandum of Understanding based on the establishment of a Community Emergency Services Manager position, as this recommendation was considered separately.

A submission was prepared by the Volunteer Emergency Services Executive Group (VESEG) and forwarded to FESA and shire officers. This Group met with the author of the Report, Mr Jeff Crookes and FESA officers on 14 September 2004 to discuss the concerns raised in the submission.

Following the feedback provided by the volunteers, Steering Group members (comprised of representatives from FESA SES, FESA Fire Services and Council) agreed to the addendum to the Report for presentation to Council. The Report contains recommendations, to be implemented over short to medium time periods, aimed at further delivering best practice emergency services in the shire. Primarily the Review identified greater focus on strategic requirements is required and this can best be progressed through a partnership arrangement with FESA to ensure adequate resourcing levels are provided. The Review also clearly identified that emergency services function well at an operational level through the work and dedication of volunteers.

A copy of the Review of Emergency Services in the Shire of Serpentine Jarrahdale is with attachments marked SM006.1/09/04.

Sustainability Statement

Effect on Environment: The purpose of the Review was to identify opportunities for best practice emergency services delivery which ultimately results in a high standard of protection of the environment, both natural and built.

Resource Implications: The Review identifies opportunities for sharing of resources to ensure emergency services delivery is able to be undertaken at the highest standard possible within existing constraints.

Economic Viability: Delivery of emergency services within the shire is undertaken primarily through the dedication of volunteers. It is acknowledged that the current level of contribution by volunteers is not sustainable and equally the community, through the shire, is not able to resource this service financially. To enable best practice service delivery to continue it is necessary to form partnerships with other agencies to complement the ongoing financial commitment of the shire.

Economic Benefits: Provision of best practice emergency services provides economic benefits on a number of levels from overall operating costs borne by the community through to reduce impact on an individual level.

Social – Quality of Life: Improvements in quality of life can be realized through improved safety and ability to respond to emergencies. Time requirements of volunteers can potentially be reduced through resourcing assistance from external agencies. Importantly the shires emergency services retains volunteerism on which social development is strengthened.

Social and Environmental Responsibility: The Review identifies opportunities for partnerships and retains a high level of community participation in the delivery of emergency services within the shire.

Social Diversity: The recommendations of the Review do not disadvantage any social groups and strengthens community participation and involvement in times of emergency.

Statutory Environment:

The Recommendations of the Review of Emergency Services have been undertaken mindful of obligations of the shire in relation to requirements of the Bush Fires Act 1954, Local Government Act and Fire and Emergency Services Act.

Policy/Work Procedure Implications:

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

Financial Implications:

Recommendations within the Review which have a financial implication will be considered on their

associated priority in accordance with the Emergency Services Levy funding guidelines and formulation of Council budgets.

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 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.

3. Economic

Objective 3: Effective management of Shire growth

Strategies:

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.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Volunteers have been consulted throughout the development of the Review and feedback was sought on the Report and its recommendations. During the review period other agencies / groups such as Department of Conservation and Land Management, WA Police and Local Emergency Management Committee were consulted. Public advertising of the Review was undertaken however no submissions were received.

A copy of the submission made by the Volunteer Emergency Services Executive Group is with attachments marked SM006.2/09/04.

Comment:

At the meeting of 14 September 2004 attended by VESEG, FESA representatives and Director Asset Services the submission made by VESEG was discussed in detail to determine if changes or clarifications were required to the Report. Minutes were taken of the meeting which clarify the concerns raised and the response provided / Report changes to be made. The addendum to the review report will be provided to Council at its meeting of 27 September 2004.

A copy of the Minutes of the Review Report Consultation Meeting is with attachments marked SM006.3/09/04 & SM006.3a/09/04.

Following these discussions it was agreed that the recommendations of the Report were supported in principle with the following exceptions:

Recommendation 22 – That FESA and the shire work to define the autonomy of Bush Fire Brigades and established protocols for the delegation of day-to-day Brigade Management activities.

Recommendation 24 – That the shire and FESA negotiate an MOU and Service Delivery Plan based on the preferred option (Option 6) to establish a peak Community Emergency Services Manager position. The CESM will be established under a joint funding arrangement between the shire and FESA with duties which include local and regional responsibilities with 50% of duties approved by FESA in accordance with ESL guidelines.

Details of the discussion relating to these two recommendations is provided in the minutes of the Review Report Consultation meeting however, in summary, the primary concern with Recommendation 22 is that, while agreeing the workload of the current FESO is excessive, there is not capacity within Brigades to take on extra work.

While VESEG representatives were involved in the negotiation of an MOU as is recommended in Recommendation 24, a change from the shire FESO position to a FESA / shire CESM is not supported. This is predominantly associated with the concerns raised with regard to Recommendation 22.

Voting Requirements: Normal

SM006/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Kirkpatrick

- 1. Council receives the report prepared by Fire & Emergency Services Authority titled “Review of Emergency Services in Serpentine Jarrahdale Shire” provided at attachment SM006.1/09/04 and agrees to review and prioritise recommendations made within the Report following the appointment of the Community Emergency Services Manager position.**
- 2. Council requests the Chief Executive Officer to write to the Volunteer Emergency Services Executive Group thanking Bush Fire Brigade Captains, SES Unit Deputy Manager and all volunteers for their time and effort in preparing a submission regarding the Review of Emergency Services in Serpentine Jarrahdale Shire.**

CARRIED 9/0

SM007/09/04 COMMUNITY EMERGENCY SERVICES MANAGER – MEMORANDUM OF UNDERSTANDING (A0874-02)		
Proponent:	Serpentine Jarrahdale shire & Fire & Emergency Services Authority	In Brief Council is requested to agree to enter into a Memorandum of Understanding with Fire & Emergency Services Authority for the provision of a Community Emergency Services Manager.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	13 September 2004	
Previously	AS081/06/05 AS087/06/04	
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

At its meeting of 10 February 2003, under delegated authority, the Asset Services Committee resolved that Council request Fire & Emergency Services Authority (FESA) to undertake a Fire and Emergency Services Risk and Resources Review for the Serpentine Jarrahdale shire district as part of a review of services in part or all of the Peel region.

A draft report of the Review was completed in June 2004 which contained the following recommendation:

That the shire and FESA negotiate a MOU and Service Delivery Plan based on the preferred service delivery option (Option 6) to establish a peak Community Emergency Services Manager position. The CESM will be established under a joint funding arrangement between the shire and FESA with duties, which include local and regional responsibilities with 50% of duties approved by FESA in accordance with ESL guidelines.

At its meeting of 28 June 2004, Council resolved to:

“CRAS087 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Star seconded Cr Scott

Council agrees to:

1. *Undertake negotiations to establish a Memorandum of Understanding, Service Delivery Plan and Cost Sharing Agreement with Fire and Emergency Services Authority based on the establishment of a Community Emergency Services Manager position under a joint funding arrangement with roles and responsibilities subject to Service Delivery Plan agreement.*
2. *Establish a working group, comprised of Councillor Kirkpatrick (Councillor Price, deputy), Councillor Star (Councillor Needham, deputy), Director Asset Services and up to three (3) members of the Volunteer Emergency Services Executive Group, to negotiate a Memorandum of Understanding, Service Delivery Plan and Cost Sharing Agreement with Fire and Emergency Services Authority as per 1 above. The working group will present a final report to Council by no later than 27 September 2004 and in doing so shall make a recommendation with regard to if Council should or should not agree to enter into the Memorandum of Understanding, Service Delivery Plan and*

Cost Sharing Agreement with Fire and Emergency Services Authority for the establishment of a Community Emergency Services Manager position. If the recommendation to Council by the working group is to enter into a Memorandum of Understanding, Service Delivery Plan and Cost Sharing Agreement, copies of the proposed draft documents will be provided with the final report to Council for their acceptance.”

On 21 July 2004 a Working Group meeting was attended by FESA representatives, Councillors Needham and Kirkpatrick, Director Asset Services, and representatives of the Volunteer Emergency Services Executive Group (Byford and Keysbrook Volunteer Bush Fire Brigade Captains and Mundijong SES Deputy Manager). At this meeting a draft MOU document was presented by FESA for the purposes of commencing negotiations and the roles and responsibilities of the position discussed. Volunteer representatives advised that the MOU did not reflect the current holistic delivery of emergency services in the shire as it excluded the SES and did not recognise adequately the current working arrangements between all volunteers.

The Chief Executive Officer and Director Asset Services met with the FESA CEO on 29 July 2004 and discussed the possibility of the duties of a CESM position at Serpentine Jarrahdale reflecting the current working relationship between volunteer agencies. This arrangement was given in principle support however it was recognised that direct management of Bush Fire brigades and SES unit would not be possible due to the workload this would involve.

A Working Group meeting was held on 12 August 2004 attended by Councillors Kirkpatrick and Star, Director Asset Services, and representatives of the Volunteer Emergency Services Executive Group (Byford and Keysbrook Volunteer Bush Fire Brigade Captains and Mundijong SES Deputy Manager). FESA representatives did not attend as volunteer representatives had requested that this meeting be an opportunity for them to discuss their views and concerns with Councillors. It was requested at this meeting that the Chief Executive Officer and Director Asset Services, being aware of volunteer concerns, negotiate directly with FESA and provide the Working Group with a revised MOU.

Several meetings were held with FESA and a draft MOU negotiated. The primary components of this document are a commitment to a partnership between FESA, the shire and all Volunteers; retention of the local community-centred ethos of the Volunteers; acknowledgement and support to maintain the Vision and Mission Statement of the Volunteers; and retention of the relationship between Bush Fire Brigades and SES through the CESM providing administrative support to the SES.

Importantly the MOU contains a commitment from FESA that the CESM position will be adequately resourced to deliver the agreed Service Delivery Standard. While the primary role of the CESM position is the delivery of emergency services in the Serpentine Jarrahdale shire, the position will be as an employee of FESA. This arrangement provides an obligation from FESA to cover leave periods and times of high workload with additional or alternate resources which has not been possible in the past. The position will have a predominately strategic focus with administrative support provided by the shire through the expansion of the Fire & Emergency Services Support Officer position to full time which became effective as of 1 July 2004.

The position of Council and volunteers has been that this position must be dedicated to the shire. FESA have advised that this would be necessary due to the shire having 6 bush fire brigades and an SES unit. While it is preferable that the CESM officer is located in the shire, the MOU recognises that flexibility in work location is necessary and this is reflected by agreement to work either at FESA or the shire Administration Office as required however it is acknowledged that the primary area of operation for this position is the district of Serpentine Jarrahdale shire.

The negotiated MOU was presented to the Working Group on 8 September 2004. It is acknowledged that, while there remains a mild level of uncertainty amongst some volunteers

as to the changes the introduction of a CESM will have, the MOU contains flexibility reflective of the commitment of FESA and the shire to evolve the position and its duties to ensure best practice emergency service delivery continues. It is a requirement of the MOU that performance against the Service Delivery Plan is reported annually and the MOU contains a clause permitting variation to the Agreement if required to reflect necessary changes in roles and responsibilities. The feeling of the Working Group, notwithstanding recognition that evolution of the arrangement will occur, is that the MOU as presented can benefit services and officers believe the MOU is now a document which addresses the general concerns of the brigades and SES Unit.

The Service Delivery Plan has been developed to include a Governance component which reflects the continuance of responsibility by the CESM to undertake duties on behalf of the shire relating to administrative functions including customer service duties and reporting to Council where required. The CESM will also continue to assess and recommend conditions relating to land development applications with regard to emergency management planning.

A copy of the Memorandum of Understanding, Service Delivery Standards and Cost Sharing Agreement is with attachments marked SM007.1/09/04.

Sustainability Statement

Effect on Environment: Best practice delivery of emergency services will be enhanced by better access to resources and industry knowledge which can further improve environmental management.

Resource Implications: The proposal provides the shire and its emergency services volunteers greater access to resources available within FESA.

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

Economic Viability: The proposal is economically viable as greater resourcing of the management of emergency services can be achieved through this arrangement. The reduction in direct cost to Council of the FESO / CESM position has enabled the Support Officer position to be expanded to full time, ensuring administrative support to volunteers continues to be provided.

Economic Benefits: Provision of a safe, well prepared community will be enhanced through additional resources which will be provided by this arrangement.

Social – Quality of Life: The proposal aims to improve the service and support provided to volunteers through a higher level of resourcing which can be achieved through this arrangement. This support continues to assist volunteers in providing a safe and secure community.

Social and Environmental Responsibility: The proposal aims to further develop the partnership between FESA, the shire and its volunteers in providing best practice emergency services delivery for our community.

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

Statutory Environment:

The roles and responsibilities of the Community Emergency Services Manager retain statutory obligations of the Bush Fires Act 1954, Local Government Act and Fire & Emergency Services Act.

Policy/Work Procedure

Implications:

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

Financial Implications:

Under the Cost Sharing Agreement of the Memorandum of Understanding, Council is required to fund up to 50% of the Community Emergency Services Manager position costs. Allowance for these costs have been made in the 2004/05 budget.

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 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:

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

3. Economic

Objective 3: Effective management of Shire growth

Strategies:

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.
2. Improve customer relations service.
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.
2. Develop a risk management plan.
3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation:

Negotiations for the development of the Memorandum of Understanding with FESA were undertaken with the assistance of the Volunteer Emergency Services Executive Group to ensure the views of the shires volunteers were considered in this process.

Comment:

A good working relationship exists between the Councils' Fire and Emergency Services Officer and FESA however a formal partnership will further benefit volunteer emergency services through simplifying access to best practice information and technologies, direct support from FESA for shire prevention programs, expanded communication and peer networks and direct input into FESA policy and practices which can reflect shire perspectives.

The development of the Service Delivery Plan has resulted in required outputs for the efficient and effective support of the shires 6 Bush Fire Brigades and 1 SES Unit. This is complemented by the ongoing provision of administrative support to volunteers through the Fire and Emergency Services Support Officer position.

Due to the MOU reaching agreement in close proximity to the commencement of the 2004/05 fire season it has been agreed by FESA that the current FESO incumbent, David Gossage, would be appointed as Acting CESM if the MOU is approved by Council. This ensures minimal disruption to preparation for the summer period and allows volunteers, the shire and FESA to experience the operation of this position in the shire before a formal appointment is made.

Voting Requirements: Normal

SM007/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Star seconded Cr Hoyer

1. Council authorises the Chief Executive Officer to sign the Memorandum of Understanding and associated Service Delivery Plan and Cost Sharing Agreement between Serpentine Jarrahdale shire and Fire and Emergency Services Authority as provided at *Attachment SM007.1/09/04* for the delivery of Emergency Services within the district of Serpentine Jarrahdale shire.
2. Council requests the Chief Executive Officer to write to the Volunteer Emergency Services Executive Group thanking the Byford Bush Fire Brigade Captain, Keysbrook Bush Fire Brigade Captain and SES Unit Deputy Manager for their assistance in negotiating the Memorandum of Understanding with Fire and Emergency Services Authority.

CARRIED 9/0

SM008/09/04 ASSET SERVICES MANAGEMENT STRATEGY REVIEW (A0118-02)		
Proponent:	Director Asset Services	In Brief Council is requested to receive and endorse the Review of Asset Services Management Strategy.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	13 September 2004	
Previously	AS022/09/00	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

In August 2000 an Asset Services Management Strategy was prepared and endorsed by Council at its meeting of 25 September 2000. The intention of the report was to provide strategic direction to the role and structure of the Asset Services section, acknowledging that the ability to implement its recommendations are substantially affected by the financial capacity of Council.

The report indicated that the recommendations would likely be applicable for a 3 to 5 year timeframe as factors such as changing priorities and funding availability will alter requirements and direction.

In late 2003 the Chief Executive Officer requested that the Director Asset Services review the Strategy. This has been undertaken including both assessment of progress against recommendations made and a number of new recommendations reflective of changes both within the Directorate and the shire.

A copy of the Review of Asset Services Management Strategy – September 2004 is with attachments marked SM008.1/09/04.

Sustainability Statement

Effect on Environment: The recommendations within the Review of Asset Services Management Strategy focus on continuing the role of the Directorate in minimizing the environmental impact of the activities undertaken in the provision of infrastructure within the shire.

Resource Implications: Recommendations within the Review specifically target reductions in resource usage through exploring alternate technologies and recycling materials where possible. A primary recommendation is further analysis of asset deterioration rates to allow determination of maintenance intervention points which will result in reduced cost and resource usage in the provision of good levels of infrastructure.

Use of Local, renewable or recycled Resources: Use of local, renewable or recycled resources have been identified as desirable within the Review as a cost effective alternative to other sources.

Economic Viability: Greater analysis of current assets and their maintenance requirements will position Council to better ensure the quality of infrastructure within the shire can be provided at an acceptable level within the funding capacity of its residents.

Economic Benefits: Better quality infrastructure will assist in the overall development of the shire, potentially adding to the rate in which tourism and industry develops through the provision of good access and services.

Social – Quality of Life: The recommendations within the Review are targeted at improving the quality of infrastructure within the shire without subjecting residents to substantially increased costs.

Social and Environmental Responsibility: The Review has, where applicable, identified areas where the expectations of the community need to be balanced against environmental responsibility.

Social Diversity: Recommendations within the Review do not disadvantage any social groups.

Statutory Environment: Local Government Act 1995

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

Financial Implications: Financial implications to Council related to the recommendations within the Review application will need to be considered as part of annual Forward Financial Plan review.

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

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

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

Objective 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:

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 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:

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.

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.
2. Develop a risk management plan.
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:

The shire is at a very important point in its development as there is exciting growth on the horizon however, as the custodians of public infrastructure, it is important to remain mindful of existing facilities and maintenance requirements. A major challenge exists in ensuring future communities are serviced adequately while also meeting increasing community expectations in existing areas.

The Review strongly recommends that the focus in the short term should be development of maintenance programs and implementation of an Asset Management System which models optimum maintenance intervention points and financial requirements to enable Council to both prepare for future funding demands but also ensure money is spent as effectively as possible.

Changes within the Asset Services Directorate have included the responsibility for Building Maintenance and again it has been recognized that, due to the age of the majority of our facilities, there is a risk that major repairs or replacement may be required in the short to medium term for which generally no provision has been made.

Effectively the Review is recommending that the short term priority should be analysis of data to determine the medium and long term financial exposure of Council. In addition there are recommendations relating to preparing for the future to ensure the delivery and ongoing provision of future services and infrastructure is within the capacity of the current and future Councils.

Voting Requirements: Normal

SM008/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Wigg

1. **The Review of Asset Services Management Strategy (Strategy), as provided at attachment SM008.1/09/04, dated September 2004 be received and endorsed in principle as the forward direction and strategy of the Asset Services Directorate.**
2. **Council implement the recommendations of the Strategy where within existing budgetary provisions.**
3. **Recommendations of the Strategy requiring additional financial resources be considered as part of the annual Forward Financial Plan review.**

CARRIED 9/0

SM009/09/04 POSITIVE AGEING IN THE PEEL REGION (A0173)		
Proponent:	Chief Executive Officer	In Brief The Peel Community Development Group (PCDG) has invited the Serpentine Jarrahdale Shire to support a <i>Positive Ageing in the Peel Region</i> project proposal. The project will assist in retaining of seniors in the Shire. Council is requested to consider the merits of supporting the regional project as an alternative option to undertaking a Shire specific ageing study.
Owner:	N/A	
Officer:	D E Price - Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	15 th August 2004	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

It is a recognised phenomenon that our population is living longer and services and life patterns are changing accordingly. The Serpentine Jarrahdale Shire has acknowledged this fact and the requirement to plan for the needs of seniors. In the Strategic Plan review conducted in 2002, it was identified that seniors are reluctantly leaving the Shire. Only 7 percent of the population in Serpentine Jarrahdale is over 65 years of age, compared to 10.8 percent in the Perth Metropolitan area. Contributing factors include the Serpentine Jarrahdale Shire's lack of adequate aged care facilities (eg nursing home, retirement village), medical facilities, transport services, and recreational and leisure facilities appropriate for the needs of its ageing population.

In 2003, the Shire submitted a funding application to the Peel Regional Development Scheme (RDS) to undertake an ageing study in Serpentine Jarrahdale to plan for the future. The project aimed to help invest in the prevention of community members leaving the Shire through gaining access to the facilities and services they require as they age. It also sought to provide possible employment and industry growth in the aged care and active ageing sector. The Shire was successful in obtaining \$15,000.00 of industry investment from the

Brightwater Care Group and Caversham Property to support the Shire's \$7,500.00 commitment to the project. The application was not successful in receiving the \$13,600.00 of funding required from the Peel RDS to make the project viable. However, based on the Peel 2020 prioritisation of active ageing as a regional priority, the Peel Development Commission has expressed keen interest in supporting a positive ageing study with a broader regional focus in 2004.

The Peel Community Development Group (PCDG) is currently preparing a funding application for the 2004 RDS round for a *Positive Ageing in the Peel Region* project. The project seeks to undertake a strategic assessment of the implications ageing will have on the Peel Region (Boddington, Murray, Serpentine Jarrahdale, Waroona and Mandurah). This is to ensure local governments and regional services are prepared to respond to the challenges and opportunities of ageing and ensure a positive ageing future that maximises the quality of life and well-being of older people.

In addition to having a regional focus, the project will engage in areas identified by each of the local governments producing local action plans. The scope of the local plans would be in keeping with the level of cash and in-kind contribution provided by each local government and their partners.

The PCDG has invited the Serpentine Jarrahdale Shire to support the regional project proposal becoming an active partner and contributing funds. The industry investment of \$15,000 is being provided on the basis that the report will seriously evaluate the opportunity for developing seniors accommodation in Byford. However, the funds leveraged through the RDS will be of sufficient value to cover the shortfall required to ensure a quality output which not only addresses the industry partners requirements, but takes a more holistic Shire approach and results in a local "action plan".

A copy of the Positive Ageing in the Peel Region Project Proposal indicating an overview of the project methodology and outcomes is attached and marked SM009.1/09/04.

Sustainability Statement

Effect on Environment: The *Positive Ageing in the Peel Region* project is a research and planning project into positive ageing and has no direct impact on the environment.

Resource Implications: Refer to Financial Implications.

Use of Local, renewable or recycled Resources: N/A

Economic Benefits: The project will identify and plan for increased ageing services in the Shire. This aims to contribute towards industry growth in the aged care and active ageing sector and provide local employment opportunities for Shire residents.

Social – Quality of Life: The project has a strong focus on maximising the quality of life for the ageing population in Serpentine Jarrahdale by understanding and actively addressing the opportunities and challenges of an ageing population. The project will focus on addressing specific ageing issues and propose action to improve the well-being of older people in the Peel Region and via the local "action plan" in the Shire.

Social and Environmental Responsibility: The project will foster partnerships and involvement with the community and the ageing industry. The project will increase the level of awareness of ageing issues, and increase the capability of the Shire to address the opportunities and challenges of an ageing population.

Social Diversity: The project is focused towards ensuring the diversity of people in the Shire is maximised. The project will identify the mechanisms to retain older residents in the

Shire by ensuring their needs are met. The local “action plan” will provide a proactive approach to retaining a balanced diversity of age groups within the Shire.

Statutory Environment:

Not applicable.

Policy/Work Procedure Implications:

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

Financial Implications:

The Shire has \$5,000.00 allocated in the 2004/05 budget to contribute to an ageing related project. Brightwater Care Group and Caversham Property have already committed a total of \$15,000.00 contribution for the project. Specific officer time may be required to support elements of the project and detailed actions emerging from the process.

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.

Objective 3: High level of social commitment

Strategies:

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

3. Economic

Objective 1: A vibrant local community

Strategies:

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

4. Governance

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:

Several benefits exist for the Shire to support the *Positive Ageing in the Peel Region* project and contribute allocated funding and Industry partner funding, as opposed to undertaking a Serpentine Jarrahdale specific ageing project.

Firstly, at present no alternative funding sources are available to progress a Shire specific ageing project. However, the *Positive Ageing in the Peel Region* project provides the Shire with an opportunity to address the same issues that would be addressed by a Shire specific project. It should be noted any funds that the Shire or industry partners commit to the project will be used for addressing Shire identified ageing issues. The RDS funding will be

used to undertake analysis of ageing trends across the region by local government areas and address regional ageing issues. The Shire benefits from the RDS funding, given it will be used to provide an analysis of ageing trends in the Shire, allowing Shire funding to be used for addressing specific issues within Serpentine Jarrahdale.

Secondly, the broader regional focus of the *Positive Ageing in the Peel Region* project will provide the Shire with additional strategic analysis of global and regional ageing trends, identifying the opportunities and challenges presented by an ageing population. This analysis would not be possible under a Shire specific ageing project.

As a result the benefits of the *Positive Ageing in the Peel Region* includes the delivery of the aims of a Shire specific ageing project, along with the added advantage of a more extensive, strategic analysis of the opportunities and challenges of an ageing population.

Voting Requirements: Normal.

SM009/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Scott seconded Cr Wigg
 Council agrees to support the Peel Community Development Group Positive Ageing application under the Regional Development Scheme program and provide a financial contribution in accordance with the 2004/2005 budget allocation.
 CARRIED 9/0**

SM010/09/04 2004 NATIONAL GENERAL ASSEMBLY MOTION – MENTAL HEALTH (A0435)		
Proponent:	Cr Hoyer	In Brief Council is requested to support a motion put forward by Cr Hoyer for the 2004 National General Assembly of Local Government in relation to Mental Health Illness in Australia
Owner:	Not applicable	
Officer:	Cr Thomas Hoyer	
Signatures Author:		
Senior Officer:		
Date of Report	14 September 2004	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Reportedly, it is now acknowledged that 1 in 4 persons in Australia will suffer from some form of mental health illness in their lives. Such illnesses take the form of, but not limited to bipolar mood disorder, stress, depression, anxiety disorders, schizophrenia and eating disorders.

Recent evidence (1998-2000) has determined that young adults were particularly affected, with more than one-quarter of Australians aged 18 to 24 years suffering from at least one mental disorder over a 12-month period. Among adults, some 18 per cent suffer from a mental disorder with a prevalence of anxiety, depression and substance use disorders. For older adults the prevalence of mental disorders is associated with dementia, however the effects of isolation and suicide is an emerging consideration. In 2004, the evidence provides a scenario reflecting a far greater imperative.

These are individuals, young persons, seniors, families and friends who reside in our local government communities. These are our people, our volunteer groups, sporting teams, employees and champions who are harmed by these illnesses and we can ill-afford these losses to our social cohesion and capacity.

It is within the framework for promotion, prevention and early intervention for mental health that Local Government can properly link its community capacity building and general themes of participatory democracy. However, by itself and without the related recognition and funding by State Governments and authorities, these community efforts will be significantly diminished.

An effective response therefore requires partnerships that reach well beyond mental health services, encompassing not only broader health services but also family and community services, educational institutions, workplaces, correctional services, emergency services, and the sports, arts and business sectors, as well as carers and consumer groups. Indeed, Local Government is the custodian of livability in the community and mental health is an issue for the entire community and requires a whole of community response.

Sustainability Statement

Effect on Environment: Not applicable

Resource Implications: This issue and its resource implications reach well beyond mental health services, encompassing not only broader health services but also family and community services, educational institutions, workplaces, correctional services, emergency services, and the sports, arts and business sectors, as well as carers and consumer groups

Use of Local, renewable or recycled Resources: Not applicable

Economic Viability: Not applicable

Economic Benefits: It is within the framework for promotion, prevention and early intervention for mental health that Local Government can link community capacity building and provide potential economic benefit.

Social – Quality of Life This motion intends to achieve a necessary recognition and acceptance that mental health constitutes an emerging health burden on all local communities and that Mental Health Illness is a National Health matter of urgency.

This motion seeks to progress any findings to all Australian Federal and State Executive Governments and responsible Ministers, so that mental health funding and resources are properly delivered to arenas of health need commensurate with the findings and consistent with related Local Government efforts and participation.

Social and Environmental Responsibility: This motion seeks to require all Australian and State Local Government representative Associations to properly elevate Mental Health to an arena of prominence within their community health policy areas, with an expectation that each Local Government Association investigate the matter with deliberation.

Social Diversity: Reportedly, it is now acknowledged that 1 in 4 persons in Australia will suffer from some form of mental health illness in their lives.

Statutory Environment:

State and Commonwealth Government. National General Assembly "Call For Motions" as detailed on **attachment SM010.1/09/04.**

Note: The cut off date of Motions is the 10 September 2004, and an extension of time until the 29 September 2004 was requested but not granted, however the National General Assembly of Local Government

have suggested that this motion be included as a "Late Notice of Motion".

Policy/Work Procedure Implications:

There are no work procedures/policy implications directly related to this item, in essence, the failure of governments to properly recognize this health issue and to provide the commensurate funding and resources is a form of cost shifting to Local Government.

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:

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

Objective 3: High level of social commitment

Strategies:

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

3. Economic

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

Objective 3: Effective management of Shire growth

Strategies:

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:

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:

This motion seeks to emphasise the importance of forming partnerships at many levels and recognises the potential for contributions from all groups and sectors within the community. But primarily, this motion requires the senior Australian and State Local Government representative Associations to accept this health urgency and to properly apply themselves to an investigation and veracity of the issue. To then elevate the issue to prominence within their Health Policy areas and to compel the matter to the attention of Executive Governments and responsible Ministers.

Voting Requirements: Normal

Officer Recommended Resolution:

Council agrees to submit the following motion in relation to Mental Health Illness in Australia to the 2004 National General Assembly of Local Government:

1. That this National General Assembly recognises and accepts the emerging national health phenomenon of Mental Health Illness in Australia.
2.
 - a) That this National General Assembly requires as a matter of urgency, that all Australian and State Local Government representative Associations elevate Mental Health into an area of policy prominence within their community Health Policy arenas.
 - b) That this National General Assembly urges all Australian and State Local Government representative Associations and policy teams to investigate and verify the mental health urgency.
 - c) That this National General Assembly encourages all Australian and State Local Government representative Associations to promote the findings of those investigations and to lobby all Executive Governments and responsible Ministers for the allocation of funding and resources commensurate with the investigation findings.

SM010/09/04 COUNCIL DECISION/Committee Recommended Resolution:

Moved Cr Richards seconded Cr Price

Council agrees to submit the following motion in relation to Mental Health Illness in Australia to the 2004 National General Assembly of Local Government:

1. **That this National General Assembly recognises and accepts the emerging national health phenomenon of Mental Health Illness in Australia.**
2.
 - a) **That this National General Assembly requires as a matter of urgency, that all Australian and State Local Government representative Associations elevate Mental Health into an area of policy prominence within their community Health Policy arenas.**
 - b) **That this National General Assembly urges all Australian and State Local Government representative Associations and policy teams to prioritise an investigation of the mental health urgency.**
 - c) **That this National General Assembly encourages the Executive of Australian and State Local Government representative Associations to promote the findings of those investigations and to lobby all Executive**

Governments and responsible Ministers for the allocation of funding and resources commensurate with the investigation findings.

CARRIED 9/0

Committee Note: The Officer Recommended Resolution was amended to include in part C to reflect the need to encourage the executive of State Local Government representative Associations and also a minor correction to part B.

Council Note: By way of correction the following word was changed in the Committee Recommended Resolution: 2 b) the word prioritization was changed to prioritise.

SM011/09/04 JARRAHDALÉ HERITAGE PARK REVISED IMPLEMENTATION PLAN (P05576/05)	
Proponent:	N/A
Owner:	N/A
Officer:	Carlie Eldridge - Manager Sustainability Unit
Signatures Author:	
Senior Officer:	
Date of Report	7 September 2004
Previously	SM015/10/03
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

In Brief
 In October 2003 the Jarrahdale Heritage Park (JHP) Management Plan was adopted in conjunction with an implementation plan.
 Since the JHP project team have commenced the full scope of work required to implement the park has been established. In light of this a detailed and revised implementation plan has been prepared and this item recommends Council endorse the plan.

Background

The Jarrahdale Heritage Park Management Plan and Implementation Plan were adopted by Council in October 2003 as follows:

“CRSM015 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Star

1. Council endorses the final draft of the Jarrahdale Heritage Park Management Plan.
2. Council endorses the Jarrahdale Heritage Park Implementation Plan as per attachment SM015.1/10/03 with amendments:-
 - Reference is made to the natural spring located near the Brook in the background of the Plan
 - The expertise of the Jarrahdale Heritage Society is referenced with respect to development of the walk trails
 - Limestone is not to be used in the carparks as a final finish
 - In the area known as the “Ford” weed removal is to be included as a “High Priority” project (note this also in 4.5.3 - Weed Removal)
 - The requirement to consider the aboriginal heritage referenced in the management plan for the bridge over Gooralong Brook is investigated when implementing the Plan
3. Council agrees in accordance with the requirements of the Local Government Act, to seek expressions of interest by public advertisement in an Australia wide newspaper/s for suitable operators to provide proposals for Council consideration to lease and operate the single men’s quarters as ‘backpacker’ style accommodation for a period of five years with a further option of five years.

CARRIED 9/0"

Since the first implementation plan was prepared, the Shire has engaged a Project Manager and a Project Officer as well as developed a JHP working group consisting of technical officers from the Shire, National Trust, Peel Development Commission (PDC) and Department of Conservation and Land Management (CALM). The Shire has also gained considerable external funding and support for the project. The Shire's project team, in reviewing the management plan and implementation plan have since developed a detailed scope of works and budget for the project. This detailed scope of works, along with funding received, has been the basis for the development of the revised implementation plan.

A copy of the revised implementation plan is with attachments marked SM011.1/09/04 & SM011.2/09/04.

Sustainability Statement

Effect on Environment:

The implementation of the JHP is based on best practice environmental management. The park aims to improve and protect the environmental values of the park through both weed removal and maintenance, brook management and drainage management.

The Parks vision is to protect the site heritage and cultural significance through interpreting the sites importance and telling the sites stories in a way that allows visitors to experience the site without damaging it.

Resource Implications:

The development of the park aims to use much of the existing natural resources as tourist attractions and to develop structures that are integrated within the park and which use resources responsibly. The infrastructure design will be required to address energy and water efficiency as well as water quality and drainage.

Use of Local, renewable or recycled Resources:

The project aims to use natural resources in the design and construction where possible and to engage local people in the park development.

Economic Viability:

The project will be an ongoing cost to Council and the National Trust in development and maintenance but will have financial benefits in regards to tourism and employment for the community. A maintenance strategy will be developed as well as a business strategy to look at the costs and strategies associated with the parks sustainability.

Economic Benefits:

The park will bring tourism benefits to the Jarrahdale community through increased visitor numbers. The Park also has areas for commercial ventures which will generate local employment opportunities. The park will also bring the opportunity for accommodation to be established within the area.

Social – Quality of Life

The Park aims to improve the quality of life for locals as well as the Serpentine Jarrahdale community as a whole through, employment and tourism generation, protection of the areas of significant heritage and cultural values and through providing a valuable educative resource.

Social and Environmental Responsibility:

This project is aimed to be socially and environmentally responsible and to engage the community in its development. A friends of the park group has already been established, the school have been involved in projects and the Jarrahdale Heritage Society have been involved in the project from its inception.

Social Diversity:

This project aims to cater for all sectors of the current and reflect the past communities.

Statutory Environment:

None that relate to the adoption of the Implementation Plan.

Policy/Work Procedure Implications:

Jarrahdale Heritage Park Management Plan

Financial Implications:

The financial implications of the project are detailed within the implementation 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:

1. Provide recreational opportunities.
2. Develop good services for health and well being.
4. Respect diversity within the community.
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.
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.
3. Develop tourism potential.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

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

There has been ongoing community consultation with the local community of the Park through the development of the conservation plan and the management plan. Ongoing consultation has been undertaken by the project officer. Consultation has been undertaken with a range of stakeholders through the working group.

With respect to the implementation plan it is anticipated that any comments received from the Jarrahdale Heritage Park Management Committee will be available prior to Council considering this item at the Ordinary Council Meeting in September and if necessary a supplementary report would be provided.

Comment:

The revised implementation plan reflects the full scope of the project and planning being undertaken for the successful implementation of the Jarrahdale Heritage Park. It has incorporated the timeframes of the projects funded externally as well as the Shires budget and resource allocations to the project.

Voting Requirements: Normal

Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Wigg
Council endorses the revised Jarrahdale Heritage Park Implementation Plan as per Attachment SM011.1/09/04.
LOST 0/9

Council Note: During debate Cr Star foreshadowed that she would move a motion to include final consultation between Jarrahdale Heritage Park Management Committee and officers, if the motion under debate was defeated.

SM011/09/04 COUNCIL DECISION/Foreshadowed Motion

Moved Cr Star seconded Cr Price
Council agrees to endorse the revised Jarrahdale Heritage Park Implementation Plan as per Attachment SM011.1/09/04 subject to final consultation and any minor amendments or corrections being agreed between the Council representatives on the Jarrahdale Heritage Park Management Committee and officers.
CARRIED 9/0

Council Note: The Committee/Officers Recommended Resolutions was changed requesting Council representatives on the Jarrahdale Heritage Park Management Committee and officers:

- 1) to clarify the extent of landscape planning included in the budget (\$35,000)
- 2) Seek the inclusion of a reference to recognise that this will be a Park for the people of Jarrahdale
- 3) Qualify the number of visitors forecast per annum.

SM012/09/04 OMNIBUS AMENDMENT TO DELEGATED AUTHORITY AND COUNCIL POLICIES (A1047)		
Proponent:	Serpentine Jarrahdale Shire	In Brief Council conducted an annual review of Delegated Authorities and Policies for 2004/2005 in May 2004. It is recommended that minor changes be made to a number of these delegations and policies to improve the effectiveness of their operation and provide clarity in their use. A new policy for townscape work in Jarrahdale is also proposed.
Owner:	Not applicable	
Officer:	Joanne Abbiss – Director Sustainable Development	
Signatures Author:		
Senior Officer:		
Date of Report	13 th September 2004	
Previously	SM046/05/04; SM054/05/03	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

Since the May 2004 review, both councillors and staff have recommended changes be made to some existing delegations and policies in order to ensure the intent of the delegation or policy is realised.

Sustainability Statement

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

Statutory Environment:

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

Policy/Work Procedure

Implications:

Since the review of all delegations and policies in May 2004 some minor amendments have been proposed by

councillors and staff and a new policy has been developed relating to townscape work in Jarrahdale.

Financial Implications:

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

Strategic Implications:

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

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

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

4. Balance resource allocation to support sustainable outcomes.

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

Strategies

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

2. Improve customer relations service.

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

Required: No

Comment:

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

REVIEW OF POLICIES

Asset Services Policies

The Jarrahdale Townscape Project Report was adopted by Council in April 2004 as the Townscape Plan for Jarrahdale. However concern was later expressed by some councillors that corporate knowledge of this document may be lost over time and that if possible it would be desirable for this document to be captured in Council's policies. As such AS-28 Townscape works in Jarrahdale is proposed.

AS-28 Townscape Works in Jarrahdale

Townscape works in Jarrahdale are to be designed and implemented in accordance with the Jarrahdale Townscape Project Report (with the exception of the landscape plan which has since been reviewed) that was formally adopted by Council as the Jarrahdale Townscape Plan in P077/04/04.

Planning Services Policies

During a recent objection to a mineral sand mining exploration licence it became apparent that greater clarity regarding the use and the content of reasons for objections was required.

As such Councillor Hoyer has suggested the changes contained in PP-7 be considered by Council.

PP7 Objections against mineral sand mining in the Shire of Serpentine-Jarrahdale

- ~~1. Council delegates authority to the Chief Executive Officer to lodge objections with the Mining Warden at the Department of Industry and Resources (DOIR) against exploration licences and mining leases for mineral sand mining within the Shire.~~
- ~~2. Council's objections are related to the public interest and include a range of community concerns encompassed within social, economic and environmental grounds.~~
- ~~3. The following reasons for objection are to be used where appropriate when lodging an objection:~~
 - A. Council delegates authority to the Chief Executive Officer to lodge objections (Form 16) with the Mining Warden against all exploration licences, retention licences and mining lease applications for mineral sand mining within the Shire.
 - B. Objections shall primarily state the economic and social interests as well as environmental sensitivities, with the following additional reasons for objection to be used, **where appropriate**, when lodging an objection:
 1. Lowering of ground water levels in the local vicinity of mining operations will adversely effect the ecological, domestic, industry and rural use of this natural resource.
 2. Contamination of ground water in the local and downstream arena of mining operations.
 3. Contamination of Perth's drinking water.
 4. Disturbance of the land may increase salinity and acidity in surrounding water and soils.
 5. Irreversible damage to the above ground and below ground stream zones and natural aquifers
 6. The mining operation can have adverse effects on the surrounding residents (i.e. mental stress related disorders).
 - ~~3. Increase salinity in surrounding water and soils.~~
 - ~~4. Irreversible damage to the stream zones and natural aquifers. (In many cases, ground water is the only domestic option for all land owners in the lease area and significant numbers of residents within the stream zones that exist around the lease.)~~
 - ~~5. Noise from a mining operation will have adverse effects on the surrounding residents. (eg chronic stress, stress related disorders).~~
 - ~~6. Dust from mining operations will be carried to neighbouring residents and visitors to the area.~~
 - ~~7. Strong easterly winds experienced in this locality will cause widespread distribution of dust and other contaminants from the areas disturbed by mining.~~
 - ~~8.7. Local residents and visitors will may be exposed to increased levels of airborne contaminants and radiation because of mining activities.~~
 - ~~9.8. Health risks, to local residents and mining employees from increased exposure to dust and radiation (eg respiratory disease, depression and lowered immunity).~~
 - ~~10.9. Increased number of heavy trucks associated with mining ~~will~~ can increase danger to other road users and add to the damage of existing road and costs to the Local Government.~~
 - ~~11.10. Increased number of heavy trucks associated with mining ~~will~~ can cause long term inconvenience to local residents and for other local activities industries.~~
 - ~~12.11. Applicant may ~~will~~ be unable to adequately rehabilitate the sensitive areas proposed for mining, especially to hydro-geological damage of the stream zones.~~
 - ~~13.12. Any mining operations will have a detrimental effect on the chosen lifestyles and purpose of other all local residents and visitors to the Shire.~~
 - ~~14.13. Mining operations will have a detrimental effect on livelihood of local landowners and related others.~~
 - ~~15.14. Mining will make the area less attractive to tourists, prospective land and home buyers and to visitors.~~

- 46-15. Mining operations will lower property values in the area.
47-16. Mineral sand mining is contrary to the future economic and community development program of the local Serpentine Jarrahdale Shire Rural Strategy.
48-17. Mineral sand mining is contrary to the future development program of the Metropolitan Regional Plan.
49-18. Disturbance to local flora and fauna in and around the mining operation.
20-19. Potential destruction of wildlife habitats by mining activities
24-20. Costs of long and short term environmental damage, together with interference to lifestyles of residents outweigh any potential benefits that sand mining will provide for the State of Western Australia, the Local Government instrumentality and the local community.

REVIEW OF DELEGATIONS

All delegations to officers are provided subject to the following clause:

Ensuring discretion is applied in use of delegation

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

Community Services

The May 2004 annual review of delegations saw the majority of health delegations being made directly to the Principal Environmental Health Officer however CS-1 was not changed. As such it is recommended that this oversight be corrected.

CS-1 Health Act - Section 26 Delegations

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

- Part IV - Division 4 (Sanitary Convenience)
- Part IV - Division 7 (Pollution of Water)
- Part V - Division 1 (Houses Unfit for Habitation)
- Part VI - Public Buildings
- Part VII - Division 1 (Nuisances)
- Part VIII - Food (Generally) of the Act and the following Regulations under the Act:
 - Health (Air Handling & Water Systems) Regulations 1994
 - Health (Asbestos) Regulations 1992
 - Health (Cloth Materials) 1985
 - Construction Camps Regulations 1988
 - Health (Construction Work) Regulations 1973
 - Notification of Disease Regulations
 - Health (Food Standards) Regulations 1986
 - Health (Food Hygiene) Regulations 1993
 - Health (Adoption of Food Standard Code) 1992
 - Health (Food Standards) (Administration) Regulations 1986
 - Health (ANZ Food Standards Code Adoption) Regulations 2001
 - Health (Game Meat) Regulations 1992
 - Infectious Diseases (Infection of Persons) Regulations 1991
 - Health (Prescribed Insect Pests) Regulations 1991
 - Health (Laundries & Bathroom) Regulations
 - Sewerage (Lighting, Ventilation & Construction) Regulations 1971
 - Serpentine-Jarrahdale Health Local Laws 1999 (as amended)

Meat Transport Regulations 1969
Health (Meat Hygiene) Regulations 2001
Offensive Trades (Fees) Regulations 1976
Health (Pesticides) Regulations 1956
Health (Pet Meat) Regulations 1990
Piggeries Regulations 1952
Poultry Processing Regulations 1973
Health (Public Buildings) Regulations 1992
Health (Treatment of Sewage & Disposal of Effluent & Liquid Waste) Regulations 1974
Health (Temporary Sanitary Conveniences) Regulations 1997
Health (Skin Penetration Procedure) Regulations 1998 87
Health (Swimming Pools) Regulations 1964
Health (Underground Water Supply) Regulations 1959
Health (Liquid Waste) Regulations 1993

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

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

- a) With respect to Part IV Divisions 4 and 7 - Authority is limited to the forming of opinion and issuing notices, requisitions, directions and orders and does not include the carrying out or causing to be carried out, of works in default of duly served notices, the undertaking or contracting or works, the provision of sanitary conveniences.
- b) With respect to Part V Division 1 - Authority is limited to the forming of opinions and issuing notices and directions and does not include the carrying out, or the arranging for the carrying out, of works in default of duly served notices.
- c) With respect to Part VII Division 1 - Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done.

Building and Planning Delegations

During a recent seminar conducted by Council's solicitors it was recommended that delegations, other than those made under the Local Government Act 1995, where the parent legislation was silent regarding the ability to on-delegate, should be delegated directly to the officers. As such amendments are proposed to B 3,4 and 10 as well as PS 1,2,3,4,5,7,8,11,12,14,15,17 and 18. The proposed direct delegations as underlined reflect those current on-delegations to officers that have been operative for the last 12 months.

Building

B-3 Single Residential Development - Setback Requirements

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

B-4 Outbuilding Setback Variations

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine setback variations to outbuildings subject to comments and no

objections being received from adjoining property owners that are affected by any reduction in setback requirements.

B10 Industrial and Commercial Zones - Setbacks

The ~~Chief Executive Officer~~ Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine applications for variations to setbacks in the Industrial and Commercial zones where variations may be granted provided that all the relevant Scheme clauses are satisfied.

Planning

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

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

Uses/Development —

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

PS-2 Ancillary Accommodation

The ~~Chief Executive Officer~~ Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine planning applications for ancillary accommodation in accordance with Council’s policy on ancillary accommodation. (BP 1) (P180 15.02.99)

PS-3 Stables and Keeping of Horses

The ~~Chief Executive Officer~~ Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine any application for stables and/or keeping of horses. (P184/12/02)

PS-4 Development Issues Within the Urban Development Zone

~~Delegated authority be given to the~~ The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine applications for the following developments within the Urban Development zone:-

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

The Principal Building Surveyor be granted delegated authority to determine applications for the following developments within the Urban Development zone:-

1. Single Dwellings and extensions to existing dwellings
2. Sheds, Outbuildings, Patios, Pergola
3. Swimming Pools
8. Retaining Walls

PS-5 Two Dwelling Houses on a Rural Lot

~~The Chief Executive Officer~~ Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine planning applications for more than one dwelling house on a rural lot in accordance with clause 5.4.3 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.

PS-7 Extensions/additions to use/development approvals

~~The Chief Executive Officer~~ Director Sustainable Development and Manager Planning and Regulatory Services each be granted delegated authority to determine amendments or extensions of use/development approvals previously granted.

PS-8 Residential Zone - Grouped Dwelling

The Chief Executive Officer ~~Chief Executive Officer~~ Director Sustainable Development and Manager Planning and Regulatory Services each be granted delegated authority to determine applications for grouped dwelling - in the Residential zone provided such applications are in accordance with the R Codes.

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

Council grants delegated authority to the ~~Chief Executive Officer~~ Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each to approve/refuse developments within the Landscape Protection Policy area in accordance with Local Planning Policy No 8 – Landscape Protection. (P014/07/02)

PS-12 Building Envelopes – Location Variation

~~The Chief Executive Officer~~ Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine applications for the relocation of building

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

PS-14 Commercial Vehicle Parking

Council grants delegated authority to the Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each to approve/refuse Commercial Vehicle Parking where no objections from adjoining landowners have been received.
(P184/12/02)

PS-15 Town Planning Scheme No 2 – Nuisance

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

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

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

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

(P184/12/02)

PS-17 Residential Design Codes – Neighbour Consultation

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to initiate neighbour consultation in accordance with clause 2.5 of the Residential Design Codes of Western Australia where:

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

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

(P184/12/02)

PS-18 Residential Design Codes – Exercise of Discretion

The Director Sustainable Development Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each ~~and Principal Building Surveyor~~

be granted delegated authority, when considering applications for Codes Approval, to exercise discretion in relation to considerations, standards and requirements set out in the Residential Design Codes provided no adverse comments were received from owners of adjoining property notified of the proposed development in accordance with clause 2.5.2 of the Codes.
(P184/12/02)

Voting Requirements: ABSOLUTE MAJORITY

Officer Recommended Resolution

1. Council adopts the following policies:

Asset Services Policies

AS-28 Townscape Works in Jarrahdale

Townscape works in Jarrahdale are to be designed and implemented in accordance with the Jarrahdale Townscape Project Report (with the exception of the landscape plan which has since been reviewed) that was formally adopted by Council as the Jarrahdale Townscape Plan in P077/04/04.

Planning Services Policies

PP7 Objections against mineral sand mining in the Shire of Serpentine-Jarrahdale

- A. Council delegates authority to the Chief Executive Officer to lodge objections (Form 16) with the Mining Warden against all exploration licences, retention licences and mining lease applications for mineral sand mining within the Shire.
- B. Objections shall primarily state the economic and social interests as well as environmental sensitivities, with the following additional reasons for objection to be used, where appropriate, when lodging an objection:
 1. Lowering of ground water levels in the local vicinity of mining operations will adversely effect the ecological, domestic, industry and rural use of this natural resource.
 2. Contamination of ground water in the local and downstream arena of mining operations.
 3. Contamination of Perth's drinking water.
 4. Disturbance of the land may increase salinity and acidity in surrounding water and soils.
 5. Irreversible damage to the above ground and below ground stream zones and natural aquifers
 6. The mining operation can have adverse effects on the surrounding residents (i.e. mental stress related disorders).
 7. Local residents and visitors may be exposed to increased levels of airborne contaminants and radiation because of mining activities.
 8. Health risks, to local residents and mining employees from increased exposure to dust and radiation (eg respiratory disease, depression and lowered immunity).
 9. Increased number of heavy trucks associated with mining can increase danger to other road users and add to the damage of existing road and costs to the Local Government.
 10. Increased number of heavy trucks associated with mining can cause long term inconvenience to local residents and for other local activities.

11. Applicant may be unable to adequately rehabilitate the sensitive areas proposed for mining, especially to hydro-geological damage of the stream zones.
12. Any mining operations will have a detrimental effect on the chosen lifestyles and purpose of other local residents and visitors to the Shire.
13. Mining operations will have a detrimental effect on livelihood of local landowners and related others.
14. Mining will make the area less attractive to tourists, prospective land and home buyers and to visitors.
15. Mining operations will lower property values in the area.
16. Mineral sand mining is contrary to the future economic and community development program of the local Serpentine Jarrahdale Shire Rural Strategy.
17. Mineral sand mining is contrary to the future development program of the Metropolitan Regional Plan.
18. Disturbance to local flora and fauna in and around the mining operation.
19. Potential destruction of wildlife habitats by mining activities
20. Costs of long and short term environmental damage, together with interference to lifestyles of residents outweigh any potential benefits that sand mining will provide for the State of Western Australia, the Local Government instrumentality and the local community.

2. It is recommended that Council adopt the following delegations:

Building

B-3 Single Residential Development - Setback Requirements

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

B-4 Outbuilding Setback Variations

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine setback variations to outbuildings subject to comments and no objections being received from adjoining property owners that are affected by any reduction in setback requirements.

B10 Industrial and Commercial Zones - Setbacks

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine applications for variations to setbacks in the Industrial and Commercial zones where variations may be granted provided that all the relevant Scheme clauses are satisfied.

Community Services

CS-1 Health Act - Section 26 Delegations

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

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

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

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

- a) With respect to Part IV Divisions 4 and 7 - Authority is limited to the forming of opinion and issuing notices, requisitions, directions and orders and does not include the carrying out or causing to be carried out, of works in default of duly served notices, the undertaking or contracting or works, the provision of sanitary conveniences.
- b) With respect to Part V Division 1 - Authority is limited to the forming of opinions and issuing notices and directions and does not include the carrying out, or the arranging for the carrying out, of works in default of duly served notices.

- c) With respect to Part VII Division 1 - Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done.

Planning

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

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

Uses/Development —

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

PS-2 Ancillary Accommodation

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine planning applications for ancillary accommodation in accordance with Council's policy on ancillary accommodation. (BP 1) (P180 15.02.99)

PS-3 Stables and Keeping of Horses

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine any application for stables and/or keeping of horses. (P184/12/02)

PS-4 Development Issues Within the Urban Development Zone

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine applications for the following developments within the Urban Development zone:-

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

The Principal Building Surveyor be granted delegated authority to determine applications for the following developments within the Urban Development zone:-

1. Single Dwellings and extensions to existing dwellings
2. Sheds, Outbuildings, Patios, Pergola
3. Swimming Pools
8. Retaining Walls

PS-5 Two Dwelling Houses on a Rural Lot

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine planning applications for more than one dwelling house on a rural lot in accordance with clause 5.4.3 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.

PS-7 Extensions/additions to use/development approvals

The Director Sustainable Development and Manager Planning and Regulatory Services each be granted delegated authority to determine amendments or extensions of use/development approvals previously granted.

PS-8 Residential Zone - Grouped Dwelling

The Chief Executive Officer Director Sustainable Development and Manager Planning and Regulatory Services each be granted delegated authority to determine applications for grouped dwelling - in the Residential zone provided such applications are in accordance with the R Codes.

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

Council grants delegated authority to the Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each to approve/refuse developments within the Landscape Protection Policy area in accordance with Local Planning Policy No 8 – Landscape Protection. (P014/07/02)

PS-12 Building Envelopes – Location Variation

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine applications for the relocation of building

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

PS-14 Commercial Vehicle Parking

Council grants delegated authority to the Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each to approve/refuse Commercial Vehicle Parking where no objections from adjoining landowners have been received.
(P184/12/02)

PS-15 Town Planning Scheme No 2 – Nuisance

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

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

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

- a) commencement of the use or development subject of the planning approval has not occurred;
 - b) the planning approval was originally granted under delegated authority to the Chief Executive Officer; and
 - c) the amendment of the planning approval would not significantly affect any person who made a submission in respect of the proposed use/development during public notification (if any) of the use or development.
- (P184/12/02)

PS-17 Residential Design Codes – Neighbour Consultation

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to initiate neighbour consultation in accordance with clause 2.5 of the Residential Design Codes of Western Australia where:

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

In all cases where an acceptable development provision is proposed to be varied by more than 10% neighbour consultation is to be carried out in accordance with Clause 2.5.2 of the Residential Design Codes.
(P184/12/02)

PS-18 Residential Design Codes – Exercise of Discretion

The Director Sustainable Development Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority, when considering applications for Codes Approval, to exercise discretion in relation to considerations, standards and requirements set out in the Residential Design Codes provided no adverse comments were received from owners of adjoining property notified of the proposed development in accordance with clause 2.5.2 of the Codes.
(P184/12/02)

SM012/09/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Hoyer

1. Council adopts the following policies:

Asset Services Policies

AS-28 Townscape Works in Jarrahdale

Townscape works in Jarrahdale are to be designed and implemented in accordance with the Jarrahdale Townscape Project Report (with the exception of the landscape plan which has since been reviewed) that was formally adopted by Council as the Jarrahdale Townscape Plan in P077/04/04.

Planning Services Policies

PP7 Objections against mineral sand mining in the Shire of Serpentine-Jarrahdale

A. Council delegates authority to the Chief Executive Officer to lodge objections (Form 16) with the Mining Warden against all exploration licences, retention licences and mining lease applications for mineral sand mining within the Shire.

All objections will record "it is against the public interest to progress a mining tenement in this location."

B. Objections shall primarily state that there are the economic and social interests as well as environmental sensitivities, with the following additional reasons for objection to be used, where appropriate, when lodging an objection:

1. Lowering of ground water levels in the local vicinity of mining operations will adversely effect the ecological, domestic, industry and rural use of this natural resource.
2. Contamination of ground water in the local and downstream arena of mining operations.
3. Contamination of Perth's drinking water.
4. Disturbance of the land may increase salinity and acidity in surrounding water and soils.
5. Irreversible damage to the above ground and below ground stream zones and natural aquifers
6. The mining operation can have adverse effects on the surrounding residents (i.e. mental stress related disorders).
7. Local residents and visitors may be exposed to increased levels of airborne contaminants and radiation because of mining activities.
8. Health risks, to local residents and mining employees from increased exposure to dust and radiation (eg respiratory disease, depression and lowered immunity).

9. Increased number of heavy trucks associated with mining can increase danger to other road users and add to the damage of existing road and costs to the Local Government.
10. Increased number of heavy trucks associated with mining can cause long term inconvenience to local residents and for other local activities.
11. Applicant may be unable to adequately rehabilitate the sensitive areas proposed for mining, especially to hydro-geological damage of the stream zones.
12. Any mining operations will have a detrimental effect on the chosen lifestyles and purpose of other local residents and visitors to the Shire.
13. Mining operations will have a detrimental effect on livelihood of local landowners and related others.
14. Mining will make the area less attractive to tourists, prospective land and home buyers and to visitors.
15. Mining operations will lower property values in the area.
16. Mineral sand mining is contrary to the future economic and community development program of the local Serpentine Jarrahdale Shire Rural Strategy.
17. Mineral sand mining is contrary to the future development program of the Metropolitan Regional Plan.
18. Disturbance to local flora and fauna in and around the mining operation.
19. Potential destruction of wildlife habitats by mining activities
20. Costs of long and short term environmental damage, together with interference to lifestyles of residents outweigh any potential benefits that sand mining will provide for the State of Western Australia, the Local Government instrumentality and the local community.

2. It is recommended that Council adopt the following delegations:

Building

B-3 Single Residential Development - Setback Requirements

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

B-4 Outbuilding Setback Variations

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine setback variations to outbuildings subject to comments and no objections being received from adjoining property owners that are affected by any reduction in setback requirements.

B10 Industrial and Commercial Zones - Setbacks

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to determine applications for variations to setbacks in the Industrial and Commercial zones where variations may be granted provided that all the relevant Scheme clauses are satisfied.

Community Services

CS-1 Health Act - Section 26 Delegations

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

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

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

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

- a) With respect to Part IV Divisions 4 and 7 - Authority is limited to the forming of opinion and issuing notices, requisitions, directions and orders and does not include the carrying out or causing to be carried out, of works in default of duly served notices, the undertaking or contracting or works, the provision of sanitary conveniences.
- b) With respect to Part V Division 1 - Authority is limited to the forming of opinions and issuing notices and directions and does not include the carrying out, or the arranging for the carrying out, of works in default of duly served notices.
- c) With respect to Part VII Division 1 - Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done.

Planning

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

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

Uses/Development —

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

PS-2 Ancillary Accommodation

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine planning applications for ancillary accommodation in accordance with Council's policy on ancillary accommodation. (BP 1) (P180 15.02.99)

PS-3 Stables and Keeping of Horses

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine any application for stables and/or keeping of horses. (P184/12/02)

PS-4 Development Issues Within the Urban Development Zone

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine applications for the following developments within the Urban Development zone:-

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

(P184/12/02)

The Principal Building Surveyor be granted delegated authority to determine applications for the following developments within the Urban Development zone:-

1. Single Dwellings and extensions to existing dwellings
2. Sheds, Outbuildings, Patios, Pergola
3. Swimming Pools
8. Retaining Walls

PS-5 Two Dwelling Houses on a Rural Lot

The Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each be granted delegated authority to determine planning applications for more than one dwelling house on a rural lot in accordance with clause 5.4.3 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2.

PS-7 Extensions/additions to use/development approvals

The Director Sustainable Development and Manager Planning and Regulatory Services each be granted delegated authority to determine amendments or extensions of use/development approvals previously granted.

PS-8 Residential Zone - Grouped Dwelling

The Chief Executive Officer Director Sustainable Development and Manager Planning and Regulatory Services each be granted delegated authority to determine applications for grouped dwelling - in the

Residential zone provided such applications are in accordance with the R Codes.

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

Council grants delegated authority to the Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each to approve/refuse developments within the Landscape Protection Policy area in accordance with Local Planning Policy No 8 – Landscape Protection. (P014/07/02)

PS-12 Building Envelopes – Location Variation

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

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Council grants delegated authority to the Director Sustainable Development, Manager Planning and Regulatory Services and Senior Planner each to approve/refuse Commercial Vehicle Parking where no objections from adjoining landowners have been received. (P184/12/02)

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

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

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

(P184/12/02)

PS-17 Residential Design Codes – Neighbour Consultation

The Director Sustainable Development, Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority to initiate neighbour consultation in accordance with clause 2.5 of the Residential Design Codes of Western Australia where:

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

In all cases where an acceptable development provision is proposed to be varied by more than 10% neighbour consultation is to be carried out in accordance with Clause 2.5.2 of the Residential Design Codes.
(P184/12/02)

PS-18 Residential Design Codes – Exercise of Discretion

The Director Sustainable Development Manager Planning and Regulatory Services, Principal Building Surveyor and Senior Planner each be granted delegated authority, when considering applications for Codes Approval, to exercise discretion in relation to considerations, standards and requirements set out in the Residential Design Codes provided no adverse comments were received from owners of adjoining property notified of the proposed development in accordance with clause 2.5.2 of the Codes.
(P184/12/02)

CARRIED 9/0 ABSOLUTE MAJORITY

Committee Note: The Officer Recommended Resolution was amended at part 1 A and B in order for Council to further align themselves to the Western Australian Mining Act 1978.

SM013/09/04 INFORMATION REPORT		
Proponent	Chief Executive Officer	In Brief Information Report.
Officer	D E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	1 September 2004	
Previously		
Disclosure of Interest		
Delegation	Council	

SM013.1/09/04 COMMON SEAL REGISTER REPORT – AUGUST 2004 (A1128)

The Common Seal Register Report for the month of August 2004 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked SM013.1/09/04.

SM013.2/09/04 ECONOMIC & TOURISM DEVELOPMENT OFFICER REPORT – SEPTEMBER 2004 (A0436-05)

The Economic & Tourism Development Officer report of priorities to 10th September 2004 is with the attachments marked SM013.2/09/04.

SM013.3/09/04 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – FEDERAL PROPOSAL FOR REFUGEE SETTLEMENT IN REGIONAL WA (A0163-06)

The Western Australian Local Government Association (WALGA) has been contacted by the Executive Director of the Office of Multicultural Interests regarding a “whole of Government: response to federal proposals for refugee settlement in regional WA. The Commonwealth is seeking views on the future settlement of refugees (humanitarian visa entrants) within regional WA, in particular the settlement of refugees with no existing family or friends in the State. Only two families were assisted to settle in regional WA (Mandurah) in 2003/04. ***In the attachments marked SM013.3/09/04 is the Infopage from WALGA outlining further details/criteria and requesting feedback by Wednesday, 29 September 2004.***

SM013.4/09/04 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – PEEL ZONE STATUS REPORT SEPTEMBER 2004 (A1164)

In the attachments marked SM013.4/09/04 is the WALGA Peel Zone Report for September 2004.

SM013.5/09/04 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ZONE ROUNDTABLE OUTCOMES (A1164)

In the attachments marked SM013.5/09/04 is the outcomes document from the 2004 Roundtable Meeting held on 10 August 2004 (during Local Government Week).

SM013.6/09/04 TONKIN HIGHWAY EXTENSION (A0471-03)

A letter was sent to the Minister for Peel and the South West, Hon RC Kucera in July 2004 by the Shire President requesting support for the extension of the Tonkin Highway along the Orton Road alignment. A supportive response has been received including a copy of correspondence sent by Mr Kucera to the Minister for Planning and Infrastructure reflecting that support.

In the attachments marked SM013.6/09/04 is the letter received from the Minister for Peel and the South West.

SM013.7/09/04 PEEL ECONOMIC DEVELOPMENT UNIT (A0839-06)

The Peel Economic Development Unit (PEDU) Executive Group Minutes for 3 June 2004 are in the attachments marked SM013.7a/09/04, the Workshop Minutes from 21 July 2004 marked SM013.7b/09/04 and the Executive Group Information marked SM013.7c/09/04.

SM013.8/09/04 PEEL ECONOMIC DEVELOPMENT UNIT (A0839-06)

The Peel Economic Development Unit (PEDU) Minutes of the Executive Group Meeting held on 13th September 2004 are in the attachments marked SM013.8a/09/04 together with the PEDU Priorities 2004-2005 marked SM013.8b/09/04.

In the PEDU Executive Group Meeting Minutes, Council is requested to note and endorse part 7 – Business Requiring Discussion or Decision – PEDU Action Plan.

The PEDU Action Plan had been distributed to members prior to the meeting with a request to nominate five (5) priorities. A consolidated response was tabled at the meeting. Members agreed on the value of PEDU as a peak body which needs to focus on strategic priorities and to proactively “speak as one voice” in support of these priorities, Projects will be the specific responsibility of partners. Council are requested to endorse the 2004-2005 PEDU priorities as listed below and the 2004-2005 Peel Economic Development Unit Priorities Plan as provided for Council information:-

- Planned liaison and communication
- Secure funding for projects and ongoing viability of PEDU
- Employment and training opportunities
- Identify and pursue business opportunities
- Encourage competitive and welcoming environment
- Major infrastructure needs and initiatives

SM013/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Richards

- 1. The Information Report to 16 September 2004 is received.**
- 2. Council endorses the 2004-2005 Peel Economic Development Unit Priorities as provided in Attachment SM013.8b/09/04.**

CARRIED 9/0

Cr Price declared an interest of impartiality in Item P016/09/04 as a Member of Mundijong Heritage Group.

P016/09/04 NAMING OF RESERVES (RS0181)		In Brief Council is requested to name the area referred to as "Mundijong Linear Park" in Mundijong " RAILWAY PARK ", and in Serpentine, the 9.5 hectares of the Serpentine Sports Reserve used by the Serpentine Horse and Pony Club as " DAVID BUTTFIELD EQUESTRIAN GROUND. "
Proponent:	Serpentine Jarrahdale Shire	
Officer:	Carlie Eldridge - Manager Sustainability Unit	
Signatures Author:		
Senior Officer:		
Date of Report	6 September 2004	
Previously	P006/07/04, P006/07/03	
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 undertake community consultation on the naming of:

The railway reserve located in Mundijong (commonly referred to as the Mundijong Linear Park) which is approximately 1 hectare. The Pony Club equestrian arena (commonly referred to as the David Buttfeld Reserve) which is approximately 9.5 hectares.

At the July 2004 Council Meeting it was resolved as follows:

"CRP006/07/04 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Star

Council agrees:

1. **To advertise their intention to name the areas under Council control referred to as "Mundijong Linear Park" to "MUNDIJONG RAILWAY PARK", and in Serpentine, that part of the Serpentine Sports Reserve used solely by the Serpentine Horse and Pony Club "DAVID BUTTFIELD EQUESTRIAN GROUND" in accordance with the Principles, Guidelines and Procedures of the Department of Land Administrations Geographical Names Committee general guidelines.**
2. **That subject to no submissions opposing the names being received, and provided it can be demonstrated that the Principles, Guidelines and Procedures of the Department of Land Administrations Geographical Names Committee general guidelines can be adequately satisfied the matter can be progressed accordingly to completion.**
3. **That if any objections are received in relation to either matter the matter/s and the submission/s will be referred back to Council for further consideration.**

CARRIED 8/0"

Sustainability Statement

Effect on Environment and Resource Implications:

This item is to gain approval for formal naming of two reserves currently known as the Mundijong Linear Park and the David Buttfeld Reserve (Serpentine Sports Reserve). The naming of these Reserves will not have any environmental impacts or natural resource impacts.

Economic Viability and Benefit:

The naming of the Reserves will give formal names for the two reserves which will allow the reserves to be marketed for recreation and tourism and become identifiable locations.

Social – Quality of Life:

It is planned to have the naming of the park at the Mundijong Celebration on 7 November 2004.

The formalisation of the Pony Club equestrian arena to the David Buttfield Equestrian Ground will give the clubs who have been involved and taken ownership of this area resolution to this issue and links to the major event they are undertaking in October.

Social and Environmental Responsibility:

The community consultation on the naming of both reserves has allowed the community to take responsibility for being involved in the formal naming process.

Social Diversity:

This proposal does not disadvantage any groups.

Statutory Environment:

Principles, Guidelines and Procedures of the Department of Land Administration (DOLA) Geographical Names Committee describes the requirements to a) name parks and reserves under 1ha and b) naming of ovals, pavilions etc.

- a) Name parks and reserves under 1ha - the approval of the Minister for Lands is not required, but DOLA must be advised of all names assigned. The names of living persons are acceptable except for those persons holding any form of public office.
- b) Naming of ovals, pavilions etc – Components of reserves (eg pavilions, ovals, gardens etc) may be named in honour of living community members who have contributed towards the establishment of the particular feature or toward the community in general. The approval of the Minister for Lands is not required, when the park or reserve has already been named as a whole. DOLA should be informed of the name if it is to be included on maps.

It is considered that Mundijong would fit under the category a) above - name parks and reserves under 1ha and that Serpentine would fit under category b) above naming of ovals, pavilions etc

Policy/Work Procedure Implications:

Not applicable

Financial Implications:

Cost of advertising and consultation. Possibly some costs may be associated with signage and would have come from existing reserve funds.

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.
4. Respect diversity within the community.
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:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
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.

3. Economic

Objective 1: A vibrant local community

Strategies:

3. Develop tourism potential.

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.
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:

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

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

Strategies

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

Community Consultation:

The proposed renaming was advertised in the Examiner on the Shire's back page section with 21 days allowed for comment. The Serpentine Ground was also discussed at the Serpentine Community Forum Meeting in August.

Mundijong

No submissions were received objecting to the naming as Mundijong Railway Reserve.

Serpentine

Two objections were received to the naming of the equestrian grounds. **These submissions are with the attachments marked P016.1/09/04 & P016.2/09/04 and are summarised below:-**

A L Fawcett

It was suggested to name the ground “Serpentine and Districts Equestrian Centre” as the reserve is used by the greater district and in years to come David Buttfeld may not be known.

F Baldwin

Would like the use of Serpentine in the name and suggests Serpentine and Districts Sports Ground or Serpentine and Districts Equestrian Centre.

The naming of the grounds was raised at the Serpentine Forum meeting and it appears there was some confusion over the proposed name applying to the whole site which then led to the submissions requesting the name refer to Serpentine and Districts. In light of this it is recommended that the name David Buttfeld Equestrian Ground be considered for adoption.

Voting Requirements: Normal

P016/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Wigg seconded Cr Kirkpatrick
Council agrees to name the areas under Council control referred to as “Mundijong Linear Park” to “MUNDIJONG RAILWAY PARK”, and in Serpentine, that part of the Serpentine Sports Reserve used solely by the Serpentine Horse and Pony Club “DAVID BUTTFIELD EQUESTRIAN GROUND” in accordance with the Principles, Guidelines and Procedures of the Department of Land Administrations Geographical Names Committee general guidelines.
CARRIED 9/0

P017/09/04 FORMER BURNBRAE ORPHANAGE EXPRESSION OF INTEREST (P04868)		
Proponent:	Shire of Serpentine Jarrahdale	In Brief The Western Australian Planning Commission owns Locations 3033 and 3034 Byford and recently advertised the former Burnbrae orphanage, located on the site for expressions of interest. The Shire submitted an expression of interest to the Department for Planning and Infrastructure (DPI) for this lease. The DPI have since produced a building report and are requesting parties who submitted expressions of interest if they still wish to have their expression of interest considered. It is recommended that Council maintain their expression of interest if the Wungong Aboriginal Group can undertake the required works. Alternatively if this cannot occur then it is recommended Council withdraw their expression of interest.
Owner:	Department for Planning and Infrastructure	
Officer:	Carlie Eldridge - Manager Sustainability Unit	
Signatures Author:		
Senior Officer:		
Date of Report	8 September 2004	
Previously	P267/06/03 P045/12/03	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

The Western Australian Planning Commission (WAPC) acquired Cockburn Location 3033 and 3034 in 1991 for Regional Open Space and it is now contained in the Darling Range Regional Park.

The Perth Zoo has been leasing this property for storage and had intended to use the site for developing an endangered species centre. This option is not considered viable for the zoo and they therefore wish to have the lease amended to remove the land south of Admiral Road, Byford.

Located on this land is a substantial dwelling circa 1932 which was owned by the Presbyterian Church and was run as the Burnbrae Orphanage. This property is on Council’s Municipal Heritage Inventory.

Before the WAPC would consider amending the lease, another managing agent and use need to be identified. As the property is located within the Shire, the WAPC have asked Council to consider and provide advice on how the property could be used to benefit the local community. Any future use will need to be consistent with the Parks and Recreation reservation and in keeping with the development of the Darling Range Regional Park.

There have been several arranged site visits attended by staff and councillors and representatives from the Peel Development Commission to look at the property and meetings have been held to discuss the council’s interest in the future of the property. It was considered that the property was a valuable resource that could be used and the use for eco tourism was thought most suited for the site.

The Department for Planning and Infrastructure (DPI) also contacted the Shire in regard to another proposal that had been presented to them for the site. The Wungong Aboriginal Group, represented by Mr Spencer Riley, were interested in the property to set it up as an ecotourism venture that could employ aboriginal people and develop education and training.

This group wanted to work in partnership with another organisation and had undertaken substantial research and had support from a range of government departments for the idea.

Officers invited Mr Riley to discuss opportunities for the site and a meeting was held on 24 November 2003 with the Shire President, Chief Executive Officer and Manager Sustainability Unit. Mr Riley presented the idea of the ecotourism venture based on aboriginal culture and advised that they would like to work in partnership with Council at the Burnbrae site. It was agreed at the meeting that the project had merit and aligned with Council's strategic vision for tourism and economic development and that Shire officers would be interested in discussing opportunities with WAPC for the land.

In December 2003 Council resolved to submit an expression of interest as follows:

"CRP045 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Star

- A. Council proposes to the Western Australian Planning Commission that the former Burnbrae Orphanage Site be:-
- (i) granted freehold to the Serpentine Jarrahdale Shire with a covenant preventing resale for a period of ten years.
 - (ii) If negotiations for freehold acquisition are unsuccessful that the land and building be vested in Council with the power to lease.
- B. Subject to A, Council seeks to establish a partnership with the Wungong Aboriginal Group, which may include a lease between the group and Council for the former Burnbrae Orphanage site.

CARRIED 6/5"

Despite Council's interest the Minister for Planning proceeded to formally advertise the lease for expressions of interest (EOI's). The Shires submission was considered as part of this. The DPI/WAPC in reviewing the EOI's decided to undertake a formal building assessment to determine the extent of works required to make the building usable again.

The building assessment report was received by Council on 3 September 2004 with a request to review the Shire's expression of interest in the property in light of the building condition. The Shire is required to advise the DPI by 28 September 2004 if they still wish to have their EOI considered.

The Building Report is with the attachments marked P017.1/09/04.

Sustainability Statement

Effect on Environment:

An ecotourism use could benefit both the built and the natural environment. The retention and management of this historic building will enhance the local area and retain a valuable part of the areas heritage for current and future generations. The proposed future use could have benefits for the natural environment especially considering future uses must be consistent with the Parks and Recreation reservation and in keeping with the development of the Darling Range Regional Park.

Resource Implications:

The retention of a building which can be used reduces resource use in that it mitigates the need for another venue to be constructed. Maintaining existing buildings and adapting them for reuse is an important part of sustainable planning and resource management for the future. However, the cost of upgrading buildings can be significant and must be considered in terms of overall decision making.

Use of Local, renewable or recycled Resources:

The proposal to partner with the Wungong Aboriginal Group would permit the regional aboriginal group to restore, manage and maintain the property.

Economic Viability:

The Wungong Aboriginal Group proposal seeks to make the property economically viable by generating enough money through funding and then through the profits of the venture. This money can then be used for education and training and put back into the site. The group are not looking to make large profits but rather to create a cultural facility to maintain and enhance the aboriginal culture and provide employment opportunities.

Economic Benefits:

The proposal seeks to provide education, training and employment primarily for aboriginal people and in particular aboriginal youth. The proposal offers long term economic benefits to the Shire and the region through providing a tourist facility and educational/training facility.

Social – Quality of Life :

This proposal aims to provide an ecotourism facility for the local, regional and greater community access. It also provides a training opportunity for the aboriginal community.

Social and Environmental Responsibility:

This proposal offers the opportunity for the community to be involved and/or benefit from the potential future uses of the building. It also builds up the capacity of the regional aboriginal group enabling participation in the region.

Social Diversity:

The proposal aims to not disadvantage any groups.

Statutory Environment:

Local Government Act 1995

Policy/Work Procedure

Implications:

Councils Municipal Heritage Inventory - Place 8481

Financial Implications:

The building assessment has estimated \$423 850 in required works. If the building and land is granted freehold or vested in the Shire, Council may then lease the building to recover part of the costs. There are funding opportunities available to help with both the building as well as setting up the project. In light of the building report highlighting costs the shire would have to confirm with the Wungong group they would be able to take on the financial management of the building and restoration works required. If the Wungong group advise they cannot undertake these works Council has no funding identified over the next ten years to undertake these works and it is recommended that under these circumstances Council should withdraw their expression of interest.

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.
3. Retain seniors and youth within the community.
4. Respect diversity within the community.
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:

1. Increase information and awareness of key activities around the Shire and principles of sustainability.
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.
3. Encourage protection and rehabilitation of natural resources.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.
3. Develop tourism potential.

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:

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:

No community consultation has been undertaken to date.

Comment:

A letter was received by the Wungong Aboriginal Group confirming they would like to work with Council and progress the idea of the ecotourism venture prior to Council resolving to make the expression of interest in December 2003. In discussion with DPI, it has been put forward that their long term vision is to make the property Crown Land and vest it in the Shire of Serpentine-Jarrahdale. Council's preferred position put forward in the EOI was to obtain the property freehold.

The building assessment identified the works required to be undertaken to have the building usable again by the public. The estimated cost is \$423,850.00. There would be additional

costs that would relate to the buildings meeting the acceptable building and health standards related to the proposed uses.

Given the short timeframe provided by the DPI to respond, it is recommended that officers meet with representatives from the Wungong Aboriginal Group to establish their interest in the partnership given the building report and their ability to fund the required works.

It is recommended that if the Wungong Group cannot demonstrate their financial ability to carry out the works then Council should advise the WAPC they withdraw their expression of interest.

Voting Requirements: Normal

P017/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Murphy seconded Cr Hoyer

1. **Subject to the Wungong Aboriginal Group demonstrating in writing to the satisfaction of the Chief Executive Officer their financial ability to undertake the required works identified in the building report (as at Attachment P017.1/09/04) and those additional works necessary to comply with any statutory requirement related to the intended use and providing audited statements and a corporate credit check confirming their financial status, Council maintains their position as per their resolution of December 2003 to:-**
 - A. **Council proposes to the Western Australian Planning Commission that the former Burnbrae Orphanage Site be:-**
 - (i) **granted freehold to the Serpentine Jarrahdale Shire with a covenant preventing resale for a period of ten years.**
 - (ii) **If negotiations for freehold acquisition are unsuccessful that the land and building be vested in Council with the power to lease.**
 - B. **Subject to A, Council seeks to establish a partnership with the Wungong Aboriginal Group, which may include a lease between the group and Council for the former Burnbrae Orphanage site.**
2. **In the event of 1 above not being effected by 28 September 2004 Council advise the WAPC they withdraw their expression of interest in the former Burnbrae Orphanage.**

CARRIED 5/4

Note: Cr Kirkpatrick, Cr Scott, Cr Richards and Cr Price voted against this motion.

Council Note: During debate Cr Scott foreshadowed that she would move a motion to advise the WAPC that Council will withdraw their expression of interest in the former Burnbrae Orphanage.

Foreshadowed Motion

Council advise the WAPC they withdraw their expression of interest in the former Burnbrae Orphanage.

P018/09/04 SERVICE LEVEL ACCORD FOR SUSTAINABLE DEVELOPMENT DIRECTORATE (A0580-02)		
Proponent:	Serpentine Jarrahdale Shire	In Brief It is recommended that Council endorse the Service Level Accord for the Sustainable Development Directorate.
Owner:	Not applicable	
Officer:	Joanne Abbiss – Director Sustainable Development	
Signatures Author:		
Senior Officer:		
Date of Report	13 September 2004	
Previously	P017/09/03; P125/08/02	
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

Each accord has been reviewed and changes made are highlighted in the attachments.

Sustainability Statement: Nil.

Statutory Environment: Nil.

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 at this stage.

Strategic Implications: Nil

Community Consultation:

Required: No

Comment:

The “People and Partnerships” programme involves the ongoing use of Service Level Accords which are agreed documents between Council and the service team that clearly define the levels of service that each service team provides to the community.

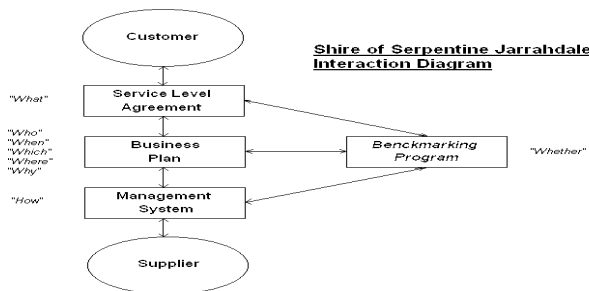
Service Level Accords were developed on the premise that you must identify a starting point and move forward. The framework under which each document was initially developed reflected Council resources and budget constraints. It has been refined to ensure teams are accurately reflecting their performance.

The attached Service Level Accords continue to provide both Council and the service team the opportunity to manage the various service provisions in a controlled equitable partnership. This partnership provides not only the opportunity for process improvements but also aligns budgets with levels of service.

Council will continue to have the opportunity to negotiate variations to the service teams Service Level Accords by utilising customer feedback mechanisms such as surveys and

councillor contact, budget constraints, changes to circumstances etc. This information also provides the opportunity for the service teams to work with Council and to be able to offer alternative solutions to the delivery of both planned and unplanned service provisions in a true “partnering” environment.

This partnership aims to ensure that the service teams Service Level Accords are reflective of the levels of service our community is prepared to both accept socially and financially. This information should continue to be filtered into the Service Level Accord in the following interaction diagram:-



To reinforce the relationship the Service Level Accord has in the overall delivery of service to the community the following is provided:-

**Service Level Accords are a “vehicle to define the service delivery to our community”.
A Service Level Accord can be defined as follows:**

What is a Service Level Accord?

- * A Service Level Accord defines the level and quality of service as requested by the community and determined by Council whilst considering budget constraints.

From what source can we determine the service levels the community expects?

- *Community opinion
- *Customer feedback
- *Focus groups
- *Council

Who is Council’s representative and how will Council communicate the determined level of service and quality to the community?

- * Management specifies and monitors service delivery on behalf of Council through the Service Level Accord in partnership with the service teams.

How will Council define and ensure agreed service levels?

- * By formalising the Service Level Accord which will serve as the vehicle for delivering customer service.

Who delivers the services?

- * In this instance Council’s service teams will provide the agreed levels of service to the community as detailed in each teams Service Level Accord.

Can Council or the service team suggest changes or vary what has been agreed?

Yes

- * Variations will always be possible provided that considerations such as resources, including funding are addressed. An example of this may be that Council would like to increase the levels of service in a particular area, but have not budgeted any additional funds.

In this situation, Council may seek advice from the service team as to where they may be able to reduce a level of service to enable the specific increase in another area within the existing budget.

Alternatively Council may approve additional resources and request the relevant manager to vary the Service Level Accords accordingly.

Each Service Level Accord is aligned to a financial year. It is proposed that the attached Accords will form the framework for the implementation of 2004/05 budget.

It is important that Council and the service teams recognise this document as a "living" document that can and will be changed and improved on a regular basis.

Each quarter the service teams will continue to provide a report on the achievement of agreed performance targets and standards within each of the service team's Accord. These will be collated by the relevant Director and presented to the Chief Executive Officer, and through to Council via the relevant committee.

The main changes proposed in the 2004/2005 Sustainable Development Service Level Accord are:-

- a) updates to reflect changes in staff and terminology
- b) alignment of KPI's with other policy requirements such as the Customer Service Pledge
- c) the setting of more stringent KPI targets

A copy of the Service Level Accord for the Sustainable Development Directorate is with the attachments marked P018.1/09/04.

Voting Requirements: Normal

P018/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Hoyer seconded Cr Star

1. Council endorses the framework and principles of the Service Level Accord provided at attachment P018.1/09/04 for the Sustainable Development Directorate and that they be adopted for the provision of service/s as amended for the 2004/05 financial year.
2. The Service Level Accords remain the intellectual property of the Shire and that any external use of the Accords will require authorisation of the Chief Executive Officer.

CARRIED 9/0

P021/09/04 LOCAL STRUCTURE PLAN – LOTS 1 & 2 ALEXANDER ROAD & LOT 63 LARSEN ROAD, BYFORD (A0710)		
Proponent:	Gray and Lewis Planning Consultants	<p>In Brief</p> <p>To consider a Local Structure Plan for a residential development within the Byford Structure Plan area. The development will result in the creation of approximately 700 residential lots, open space areas and small neighbourhood commercial areas.</p> <p>It is determined that the Local Structure Plan is satisfactory for the purposes of advertising. The proposal will be referred back to Council following the completion of the public consultation process.</p>
Owner:	Danti Kingsway Pty Ltd (Lots 1 and 2) and V Hicks (Lot 63)	
Officer:	Brad Gleeson - Manager Planning and Regulatory Services	
Signatures Author:		
Senior Officer:		
Date of Report	1 September 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	

Owner: Danti Kingsway Pty Ltd
 Owner's Address: 7 Winchester Road, Bibra Lake 6163
 Owner: V Hicks
 Owners Address: Lot 63 Larsen Road, Byford 6122
 Applicant: Gray and Lewis Planning Consultants
 Suite 5, 2 Hardy Street, South Perth 6151
 Date of Receipt: 11 May 2004
 Advertised: To be undertaken
 Submissions: N/A
 Lot Area: 65.23 ha.
 L.A Zoning: Urban Development
 MRS Zoning: Urban and Urban Deferred
 Byford Structure Plan: Residential R20, district recreation, neighbourhood parks, neighbourhood node and new link roads.
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Municipal Inventory: N/A
 Townscape/Heritage Precinct: N/A
 Bush Forever: N/A
 Date of Inspection: 1 September 2004

Background

A presentation by the applicants was originally made to the Portfolio Planning Group in March 2004. The applicants lodged the application for the Local Structure Plan (LSP) in May 2004.

A meeting was held with officers at the Department for Planning and Infrastructure (DPI), the applicants, Manager Planning and Regulatory Services and Manager Sustainability Unit to discuss this plan. The DPI and Shire held the view that an LSP over this land should be formally adopted in the first instance, prior to considering any subdivision applications for the land. A process for the formal consideration of the LSP by the WAPC, Shire and various government agencies was then outlined and is described in detail in this report.

A second presentation was made by the owners and their consultants to the Concept Forum meeting on 16 August 2004. This presentation included changes to the address the concerns staff and Councillors had raised.

A copy of the Byford Structure Plan and the Local Structure Plan is with attachments marked P021.1/09/04.

Sustainability Statement

Effect on Environment:

The applicants advise:

“The Vision for the project is to create a sustainable living environment which is responsive to the physical character of the site and provides an urban form conducive to the creation of a traditional neighbourhood incorporating a range of residential, community and recreation facilities within a highly interconnected and extensively landscaped street pattern.

The core objective is to maximise community formation by creating an integrated land use pattern in a manner that generates social, economic and environmental opportunities and reflects the principles of sustainability.”

The land has been predominately cleared and used until recently as a dairy farm. A number of farm buildings exist on the lot and a residence is situated on Lot 63.

On the southern side of Larsen Road opposite Lot 63, is the Marri Grove Primary School. The balance of the land surrounding the site to the north, south and west is currently used for rural and special rural purposes. The eastern boundary of the site abuts a railway line.

The applicants advise that an environmental assessment of the property has been undertaken by Bowman Bishaw Gorham. A summary of the main environmental features is as follows:

“(a) Topography

The subject land falls gently from the south-east near the corner of Larsen and Alexander Road at approximately 49m towards the north-west at approximately 34m. The gradient is slightly steeper over the eastern third of the property.

(b) Soils

The site is located on the alluvial flats of the Swan Coastal Plain. The western two thirds of the site comprise sand clay of the Guildford formation. The eastern part comprises gravelly sandy clay of colluvial origin.

A geotechnical report has been undertaken to identify specific soil characteristics. The site investigations conclude that:

- soil permeability was higher than regional data suggested.*
- the sandy clay contains a moderate to low risk of acid sulphate soils with the gravelly sand clay having low to no risk of actual acid sulphate soils.*
- the soils generally have a high nutrient retention ability making them effective in absorbing nutrients and minimising their release; and*
- the soils are acceptable for residential development provided site preparation is carried out.*

DPI mapping of suspected acid sulphate areas suggests this site has a “low to medium” risk of potential/ actual acid sulphate soils. The Planning Bulletin released by WAPC states the specific investigation is only required where an area is identified as having a “medium to

high” risk. We note, however, that we intend to carry out investigations at the time of the subdivision to ascertain whether there are any acid sulphate soils present. Should this prove to be the case, a Management Plan will be documented and submitted for approval as required by the Department of Environment.

(c) Vegetation and flora

The remnant vegetation is mostly cleared with the site now consisting of pasture cover with scattered remnant Marri, Christmas Tree and Kingsea in some areas. No native understorey is present. The site is not identified by Perth’s BushForever as containing regionally significant vegetation. As a result of past clearing and habitat removal at the site, only mobile fauna which use the area opportunistically are likely to be present.

There are a small pockets of remnant trees in the north-west of the site, however the fill required will preclude the retention of this existing vegetation. The location of the road connection to Thomas Road coincides with a small cluster of native trees which are proposed to be retained within a local park to from a secondary entry statement.”

Staff comment to (c) above:

The Environmental Officer has requested that an environmental impact assessment be undertaken in relation to the impact of the removal of mature native trees. Marri trees provide an essential habitat and food source for the listed red tail black cockatoo species.

The applicant advises that they could plant some marri trees in 45 or 100 litre stock, if they are available. They advise that in the longer term, small plant stock (native species) will out perform larger plant stock, as it adapts more readily to its new environment.

A requirement will be placed on the applicant to undertake an environmental assessment regarding the removal of the marri trees and any impacts on the black cockatoos. This study can be undertaken while the LSP is being advertised for public comment and the findings of the study will be considered by Council, prior to adoption of the LSP.

(d) Groundwater and Surface water

The site is within the Byford groundwater area. Groundwater levels at the site are likely to be between 6 and >12m below ground level with the depth increasing towards the east. Water that may be found on the surface in winter is potentially a result of perching.

Although some ponding of water on the surface may currently occur in winter, the site is generally well drained. A drainage line is located within the public open space reserve west of the site, which connects to the Water Corporation’s Oakford Branch Drain.

(e) Landscape Master Plan

A copy of the landscape master plan and plans of the design philosophy are with the attachments marked P021.2/09/04.

The master plan has been prepared for landscape treatment concepts for the Thomas Road drainage swale and district open space. The major elements of the master plan are:

- Use of mostly native Western Australian species with a limited use of deciduous trees, mainly around seating and/or recreation areas to provide for winter sun/summer shade.
- A main oval and various smaller recreation spaces adjacent to the oval.
- Shallow drainage basins around 3 sides of the park will resemble recreated damplands, planted with indigenous trees, shrubs and groundcovers up to 1 metre in height.
- The regional drainage swale along Thomas Road will be planted with indigenous species to create the impression of an ephemeral water course.

- The multiple use corridor will be revegetated with groves of indigenous trees to establish a grassed woodland character.

Staff comment to (e) above:

The landscape master plan will be reviewed by staff as part of the assessment of the subdivision application and at the time of clearing the subdivision conditions.

(f) *Aboriginal Heritage*

The applicant advises:

"A search of the Department of Indigenous Affairs database has been conducted to address whether any Aboriginal heritage sites are registered from within the area. The search revealed no known sites are present on Lots 1 or 2 or in the surrounding area."

Resource Implications:

(a) *Stormwater management*

The Shire has prepared the Byford Urban Stormwater Management Strategy (BUSMS). In response to this report, the applicants advise:

"The purpose of the strategy was to address the issues relating to increased rates and volume of run off that will generate result from large scale urbanisation and provide a strategy to ensure that flood levels downstream are not increased."

The BUSMS divides the Structure Plan into sub-catchments and makes recommendations with respect to specific waterway widths within the proposed multiple use corridors and flood storage basins for each catchment. In addition to the sub catchments drainage strategy, the BUSMS makes recommendations with respect to water quality objectives and fill requirements. Over the western portion of the site it is suggested that up to 1.2 metres of fill maybe required.

The strategy specifies the preservation of pre-development flows, and the provision of bio-retention systems and wetlands to manage water quality. It is also required that drainage from individual lots should be contained within those lots and not connected directly to the road drainage system.

With respect to the subject land the Strategy makes specific reference to:

- *The creation of multiple use corridors across the south western corner of the site to act as a conveyance route for run off from two sub-catchments upstream.*
- *The upgrading of the existing drainage channel along Thomas Road, to accommodate runoff from a sub-catchment east of the South Western Highway and to receive compensated discharge of stormwater run-off from the site; and*
- *The provision of adequate drainage detention capacity within the site to manage the rate and quality of run-off from the property.*

The Byford Urban Stormwater Management Strategy (BUSMS) recommends the use of shallow swales within the road system and areas of public open space as the preferred approach for the retention and treatment of stormwater drainage. This is the method that has been adopted and therefore a large drainage basin is not specifically shown on the Local Structure Plan."

The applicants advise:

"It was queried whether the 1.2m of fill identified in the Shire's BUSMS was still intended. It was noted that comments in the "environmental" section of the LSP documentation

suggested that this filling was limited to the southern portion of the site. The Shire's document explains that 1.2m of fill represents the minimum fill required to achieve a storage basin of 8,300 cub.m capacity adjacent to Thomas Road. The extent of the filling across the site was not elaborated upon, detailed hydraulic design calculations at the time of actual subdivision would presumably address this issue.

Given we do not see the need to construct this storage basin, the fill constraints will dictate the requirement to achieve adequate separation between building levels and the water table, or more specifically the impermeable soils. The Shire's document suggests that a minimum 1.1m permeable soil is required, assuming a particular configuration of subsoils drainage is adopted.

The finding of the geotechnical investigation for this site confirm that 1.1m of permeable fill is required to achieve satisfactory building conditions. The geotechnical report further identified that there already exists a thin layer of permeable soil across the site. (<0.5m thick). Hence further filling of 0.6 –0.8m of fill is likely required.

As the majority of the site is relatively flat with a gentle gradient (less than 1:100) there is no need for major earthworks, although fill will be imported over the western part of the property.

In accordance with the BUSMS, the use of bio-retention systems are proposed for stormwater drainage collection and treatment. This will largely incorporate construction of roadside drainage swales with filtration trenches and subsoil drains in the base. The swales are designed to accommodate 1 in 10 year storms. Any 1 in 100 year storm events will overflow the swales but will be retained on public land.

It should be noted that while the BUSMS suggests a target of 10% of the road reserves using swales. The applicants consultants recommends that the use of bio-retention systems be extended to at least 90% of the road reserves.

Water collected in the subsoil drains will flow through a solid pipe conveyance system to ephemeral swales located in the public open space (POS). Further treatment and infiltration of stormwater will occur in these areas. Overflow from the ephemeral swales and drainage from local down gradient streets swales will discharge into the vegetated regional drainage swale located within the Thomas Road reserve. Further treatment and infiltration will occur in this area. Excess water will then flow into the regional drainage network (Oaklands main drain to the west of the subject land)."

The drainage swales incorporate water sensitive urban design principles as advocated in the BUSMS. These features will also improve water quality, therefore meeting the objectives of the Peel-Harvey EPP and the BUSMS with regard to nutrient export from the site and at source disposal of stormwater.

Staff comment to (a) above:

The specific details of the stormwater management system will be assessed by staff at the subdivision approval stage and when clearing subdivision conditions. The applicant has demonstrated a good understanding of the Shire's objectives relating to stormwater management in Byford and has implemented these principles in the LSP.

(b) *Fill*

The Manager Sustainability Unit advises that the Byford Urban Stormwater Management Strategy states:

"Due to the presence of near surface water expressed as with high groundwater table or localised inundation of surficial sands overlying sandy clay and clay, both clean sand fill and subsoil (subsurface) drainage will be required over much of the project area west of the South Western Highway. The subsoil drainage will locally control the Average Annual

Maximum Groundwater level and eliminate seasonal fluctuations when placed in conjunction with fill.

The strategy determines the amount of fill required for flood purposes only (figure 12) and the amount of total fill required to meet both flood prevention and subsurface drainage (figure 21). This local structure plan is catchment 3D1 and has the following requirements:

- 1.2 metre fill for flooding (figure 12)*
- 1.2 metre fill for flooding and subsurface drainage.*

1.2 metres of fill over the whole site is required under the strategy unless it is demonstrated through stormwater modelling that the amount of stormwater has been lowered through site measures.

The fill requirement is based on the development having subsurface drainage at 40 metre spacings and lots not directly connected to street stormwater system. The LSP notes that their own investigations show 1.1 metre of fill is required for building conditions. This does not include the subsurface drainage and hence the 1.2 metres as per the Strategy will be required for the whole site. Where significant trees can be retained localised grading could accommodate this. The fill requirement is to ensure the whole residential development and not just buildings would be subject to any flooding and groundwater percolation.

(c) *Development guidelines*

The applicant has advised that it may be appropriate to adopt design guidelines for the development of the land to achieve the desired quality envisaged by the developers and the Shire. In this regard, the applicants advise:

“The design guidelines may include the following elements:

- (i) *Environmental Design*
 - *Roof insulation*
 - *Window/ solar orientation*
 - *Gardens*
 - *Environmental initiatives (energy efficient fixtures, rainwater tanks)*
- (ii) *Building form*
 - *Architecture design (awnings, eaves, verandahs, porches); and*
 - *Colour and texture of materials*
- (iii) *Roof form*
 - *Pitch*
- (iv) *Corner sites*
- (v) *Garaging and access*
- (vi) *Setbacks*
- (vii) *Fencing*
- (viii) *Servicing*
 - *Bin storage*
 - *Air conditioning, solar collectors, communications masts”*

Staff comment to (c) above:

Although the applicant states that design guidelines maybe required, the Shire is seeking to ensure that all development is adequately controlled in the LSP area. The developer will be required to prepare and submit development guidelines for the LSP area, for review by staff. These guidelines will then be presented to Council for approval.

The DPI has advised that it will only impose Detailed Area Plans (DAP) over certain areas within an LSP area where it is deemed that development should be controlled. These areas include grouped housing areas, small "cottage" lots, commercial areas etc. In the likely absence of a DAP over most of the R20 single residential lots, controls need to be put in place to ensure development is controlled to appropriate standards.

The development guidelines will apply to land within a DAP as well as land outside the DAP areas. The design guidelines will ultimately be controlled under the Town Planning Scheme with the preparation of a Local Planning Policy (LPP). Until a LPP is prepared and formally adopted by Council under the provisions of the Town Planning Scheme, a legal agreement may need to be prepared in favour to ensure development is controlled in the first stages of the subdivision.

(d) Servicing

Sewerage

A gravity sewer is located on Larsen Road and can service a small portion of the development including the first few stages of subdivision. A new gravity sewer will need to be constructed to service the rest of the subject land, with these costs being borne by the subdivider.

Water

The Water Corporation have indicated that an extension of an existing distribution main will be required from George Street as part of the first stage of subdivision. The mains network will include the installation of hydrants at regular intervals to the satisfaction of FESA.

Electricity

The site can be easily serviced from existing high voltage lines in the area.

Gas

Gas mains exist in the immediate area and can be easily extended to the subdivision.

Telecommunications

Telstra advise that telecommunications services can be easily supplied to the land.

Staff comment to (d) above:

These matters are included as conditions on the subdivision approval by the WAPC.

Use of Local, renewable or recycled Resources:

The development maximises the amount of stormwater that can be discharged on-site and demonstrates best practice in drainage design.

Economic Viability:

The applicants advise:

“Whilst there is currently no bus route servicing the subject property bus routes are planned for Thomas Road, Larsen Road, the east-west and north-south access roads. The bus services will be provided as demand requires as determined by Transperth.

One of the fundamental principles of the BSP is to provide an effective pedestrian/cycle system to encourage non vehicular trips. The dual use path network relates closely to the main access street road structure defined on the LSP. In addition to the dual use path network, pedestrian paths will be provided on at least one side of the internal local road network.”

The Shire will incur ongoing costs in the future for the maintenance of areas of public open space, roads and drainage infrastructure. The developers generally reach agreement with local government to maintain the POS for a period of two years after they are developed.

Economic Benefits:

The applicants advise:

“A neighbourhood node is proposed at the centre of each of the two walkable catchments as identified in the BSP at the intersection of Thomas Road and the main distributor road at the northern end and Larsen Road and the main distributor road at the southern end. The primary objective of the neighbourhood node is to establish a focal centre for the localised community.

The neighbourhood nodes could incorporate “corner stores” with floor areas of between 100m² and 200m² net leasable area. Alternatively other uses such as a medical centre, day care centre or other community facilities and the like may also be considered. The uses will be determined at the subdivision application and development approval stage.”

Social – Quality of Life, Social and Environmental Responsibility and Social Diversity:

The development predominately caters for the sector of the market seeking single houses on individual lots. The LSP incorporates some areas of medium density housing that would provide housing choice for different sectors of the market.

The developer has given a commitment to ensure a quality development is achieved on their land in Byford. Further discussions need to be undertaken with the developer in relation to the provision of contributions for community infrastructure.

Statutory Environment:

Metropolitan Region Town Planning Scheme Act.
Metropolitan Region Scheme
Town Planning Scheme No. 2
Byford Structure Plan

Metropolitan Region Scheme (MRS)

Most of the subject land is zoned Urban in the MRS, except for a small portion of Lots 2 and 63 which is zoned Urban Deferred adjacent to the trotting complex. An amendment is required to the MRS to transfer land within the Urban Deferred zone to the Urban zone. The Shire can request the Western Australian Planning Commission (WAPC) to amend the MRS under clause 27 of the MRS.

Thomas Road is reserved as Other Regional Roads in the MRS. A reservation extends into Lot 1 by 20 metres along the length of the property. This land is shown on the LSP as road widening.

Town Planning Scheme No. 2

Town Planning Scheme No. 2 (TPS 2) establishes the statutory framework to facilitate the planning and subdivision of the land in the Urban Development zone by:

- introducing a procedure for the preparation and adoption of structure plans; and
- introducing development contribution area provisions for the equitable sharing of costs for essential services and urban infrastructure

1. Developer contributions

Consultants have recently been engaged by the Shire to prepare a development contribution plan for the BSP area. This study should be completed by February 2005 and will necessitate an amendment to the Town Planning Scheme.

Clause 5.18.1.5 of the scheme states:

“Where a Development Contribution Plan is necessary but is not in effect, the local government may support subdivision or approve development where the Owner has made other arrangements satisfactory to the local government with respect to the Owner’s contribution towards the provision of Infrastructure in the Development Contribution Area.”

It is proposed to reach negotiated agreements with developers in the Byford area in respect to developer contributions until such time as the necessary infrastructure funding mechanism is in place in the Scheme. A legal agreement will need to be prepared and entered into between the developer/landowner and the Shire at the time of considering a subdivision application for the land.

2. Adoption of Local Structure Plan (LSP)

Clause 5.18 of TPS 2 makes provision for the preparation of structure plans and detailed area plans. The procedure for adoption of this LSP is required to be in accordance with clause 5.18.3 of the Scheme which specifies timeframes for advertising the plan, consideration of submissions by Council and referral of the recommendation to the WAPC.

It is proposed that subject to Council supporting the LSP, that it will be advertised for comment by advising:

- Government agencies;
- Servicing authorities;
- Surrounding landowners; and
- Local newspaper

Policy/Work Procedure

Implications:

Local Planning Policy No. 6 – Water Sensitive Design
Byford Urban Stormwater Management Strategy

Financial Implications:

Future ongoing costs to the Shire to maintain new areas
eg POS, roads etc.

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.
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.
3. Encourage protection and rehabilitation of natural resources.
6. Value, protect and develop biodiversity.

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.

Objective 3: Effective management of Shire growth

Strategies:

1. Enhance economic futures for Shire communities.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

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

Community Consultation:

This will occur in accordance with the requirements of Clause 5.18.3 of TPS 2.

Comment:

Strategic Planning

Byford Structure Plan (BSP)

The BSP provides a framework to guide the design of local structure plans, detailed area plans and subdivision plans over land in the urban development zone. The specific proposals in the BSP that relate to the subject land as identified by the applicant are:

- *Widening of Thomas Road (30m) along the northern boundary of Lot 1 (Note: This is 10 metres wider than proposed under the MRS. The additional land is required to accommodate an open drainage swale).*

- *The location of a new district distributor road (30 metre wide reservation) traversing the south-western corner of the property to provide a new access to the expanded town centre south of the subject land.*
- *The creation of multiple use corridors across the south-western corner of the site.*
- *The provision of an area of district open space comprising approximately 4 hectares fronting Thomas Road.*
- *A neighbourhood park of approximately 4,000m² fronting Alexander Road.*
- *The provision of a drainage basin adjacent to Thomas Road. The basin size and location is indicative only and may be adjusted as necessary to take account of alternative solutions offered by specific subdivision design such as the use of roadside swales.*
- *The provision of a neighbourhood connector road linking between Thomas Road and Larsen Road intersecting at a 4-way junction with Evans Way.*
- *The formation of neighbourhood nodes at the centre of the 400m walkable catchments at the intersection of the neighbourhood connector roads and Thomas Road and with Larsen Road.*
- *The designation of base residential code of R20 to apply to the entire residential land area.*
- *Notation 3 of the BSP specifies that the intersection treatment of Thomas Road deviation and Larsen Road is to be reviewed as part of the Local Structure Plan.*

The variations to the BSP as submitted by the applicant with this Local Structure Plan are:

1. District Open Space

The BSP has the district open space fronting Thomas Road. The applicants have liaised with Shire officers and DPI and it has been agreed that a relocation of this open space area to a more central position within the LSP will provide greater accessibility to many more people in the residential area.

Officer Comment

The relocation of the district open space is supported by staff as most residential lots will be located within a 400 metre radius of this large area of POS.

2. Medium density housing

The base residential density code is R20 which allows for a minimum lot size of 440m² with an average of 500m². Pockets of medium density of R30 areas (minimum lot size 270m² average 300m²) are also provided. The total anticipated lot yield is in the order of 700 lots.

The WAPC "Liveable neighbourhoods" document specifies the need for a variety of lot sizes within residential areas. This will facilitate housing diversity and choice and also the creation of smaller lots capable of supporting higher density adjacent to areas such as parks.

The LSP incorporates 8 areas at a R30 density. Seven of these areas are adjacent to POS and one area in the corner of Larsen and Alexander Roads. The R30 areas are generally designed as narrow frontage lots with rear laneway access in order to reduce vehicle crossovers at the front boundary and improve streetscapes in the area. These are generally known as 'cottage' lots.

Officer Comment

In planning terms, the provision of some appropriately located medium sites in residential areas is actively promoted to allow for a greater variety of housing stock to the market. However, the Byford Structure Plan only provides for areas of higher density (R30-R60, adjacent to the main town centre and two neighbourhood shopping centres. There are no higher density areas provided within the subject land.

The provisions of TPS 2 do not allow for areas of higher density to be supported at the present time without modifying the Byford Structure Plan. The BSP could be modified to reflect some pockets of higher density residential areas eg R30, as shown on this LSP. The Scheme does allow Council to consider a change or departure from an adopted structure plan if it is considered a minor change or does not materially alter the intent of the structure plan. It is considered that some medium density areas in appropriate locations is acceptable.

Staff will discuss with DPI the potential for R30 medium density housing areas to be incorporated into the BSP and if these changes can be considered as a minor change to the plan. If DPI agree to accept these changes as minor modifications to the BSP, then this can be considered at the time the LSP is granted final approval by Council.

Local Structure Plan

The subdivision pattern is essentially a modified grid pattern with a number of roads (including residential lots) facing either north-south or east-west. As a result of the Byford Structure Plan which included a multiple use corridor and distributor road on an angle, it was difficult to incorporate all roads running exactly north-south or east-west to maximise solar passive design for all lots.

The layout maximises permeability for the community with easy links from most lots to the central area of public open space, neighbourhood nodes and the local primary school. Most lots are within a 400 metre walkable distance from the neighbourhood centres.

1. Public Open Space

The total area of POS is approximately 6.45 hectares or just over the required 10% POS for the LSP. The hierarchy of POS is as follows:

District open space

An area of 4 hectares is provided in a central position in the LSP. Some drainage is located in this area of POS and will be given a 50% credit as public open space, subject to the design of these drainage areas meeting the policy requirements of the WAPC relating to POS.

This area can be used as a junior size oval for a variety of active sports. Passive recreation uses are also catered for including walkways, cycleways, grassed areas etc.

Multiple use corridor

1.75 hectares of land is set aside as POS for a multiple use corridor. Parts of the land will serve as a stormwater drainage function and a 50% credit for POS can be given the specific area of land used for drainage purposes. Other areas within this POS will be revegetated and used as passive open space.

Neighbourhood and local parks

A 3 500m² area of POS is located on the eastern boundary of the site on Alexander Road. Two smaller parks of between 1 500 to 2 000m² are also provided.

Officer Comment

Portions of the district open space and significant areas of the multiple use corridor will be used for the purpose of drainage, where a 50% credit towards POS can be given for this portion of the land used for drainage.

The amount of POS provided in the LSP has been included in the report submitted by the applicant. The calculations provided by the applicant states that just over 10% POS is

provided within the LSP. However, this calculation does not appear to correctly calculate the POS required to be given up as land, after appropriate credits are given for drainage areas. There is a shortfall in the amount of POS provided in the LSP and the correct POS calculations will need to be submitted by the applicant.

2. Roads

Concern has been raised by staff in relation to the unsafe intersection design on Larsen Road and the future town centre link road. These matters will require further clarification and discussion between the applicant and the Asset Services staff.

3. Staging

The first stages of the subdivision will occur in the south eastern corner of the property, to utilise existing services in the area. The location of the Primary School on Larsen Road will assist in the marketing of this initial stage of development. It is envisaged that in the first few years 50 to 60 lots will be created annually increasing to around 100 lots per year depending upon demand following completion of the Tonkin Highway.

Subdivision application (stage 1)

The applicant has recently lodged a subdivision application with the WAPC for stage 1. This will create 133 lots from smaller cottage lots of 350m² to approximately 615m². Two larger lots on Larsen Road are shown as neighbourhood node lots.

The Shire will be recommending to the WAPC that it will not be providing comments on the subdivision at this time, until such time as:-

- a) the LSP is adopted by Council; and
- b) developer guidelines are submitted and approved by Council

A copy of the subdivision plan is with the attachments marked P021.3/09/04.

Conclusion

The Local Structure Plan has been reviewed by staff and aligns with Council's vision for sustainable communities. It is recommended that the Local Structure Plan be advertised for public comment.

A number of the issues raised in this report can be addressed by the applicant during the advertising period and reassessed by staff. A report will then be presented back to Council after the completion of the advertising period.

Voting Requirements: Normal

P021/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

Moved Cr Price seconded Cr Richards

1. Council pursuant to Clause 5.18.3.2 of Town Planning Scheme No. 2 determines that the Local Structure Plan for Lots 1 and 2 Alexander Road and Lot 63 Larsen Road, Byford can be advertised for public comment, subject to the following:-

- a) Preparation of a public open space schedule within the report to confirm the exact POS calculations for the LSP, including drainage areas with up to a 50% credit for such areas.
- b) The LSP to be redesigned to incorporate additional areas of the POS that is required as a result of (i) above.

2. Pursuant to clause 5.18.3.5, the applicant be required to place a notice in a local newspaper circulating in the district giving notice of the Local Structure Plan being advertised for comment for a period of 28 days from the date of the notice.
3. The Shire:-
 - a) advise Government agencies and servicing authorities; and
 - b) give notice in writing to landowners;of the Local Structure Plan being advertised for comment for a period of 28 days from the date of the notice.
4. Prior to adoption of the Local Structure Plan, the applicant be required to:
 - a) undertake an environmental impact assessment relating to the removal of marri trees on the land and any impact on the red tailed black cockatoos. The findings of this study are to be submitted to the Shire for assessment by the completion of the advertising period; and
 - b) plans being submitted and Local Structure Plan being modified if necessary to provide an adequate intersection treatment at the Town centre distributor road and Larsen Road and at the intersection of Thomas Road and Alexander Road, to the satisfaction of the Director Asset Services.
 - c) Submit a Community and Economic Development Plan (CEDP) for the Structure Plan area, to the satisfaction of the Shire of Serpentine-Jarrahdale Chief Executive Officer. The CEDP is to include a Memorandum of Understanding (MOU) between the developer and the Shire of Serpentine-Jarrahdale relating to per lot contributions toward a Community Development Trust Fund to assist with the funding of a community infrastructure plan, community facilities and services, a framework and principles for provision, roles and responsibilities and management processes.
 - d) Prepare and submit development guidelines for the local structure plan area to the satisfaction of the Shire.
 - e) Prepare and submit a strategy for the provision of advanced telecommunication infrastructure to the local Structure Plan area to the satisfaction of the Shire.
5. The Western Australian Planning Commission be:
 - a) advised of Council's decision; and
 - b) requested to consider a minor variation to the Byford Structure Plan for medium density (R30) areas to be included on the plan in accordance with the draft Local Structure Plan submitted.
6. The Western Australian Planning Commission be requested to amend the MRS to transfer land within the Urban Deferred Zone to the Urban Zone, for land the subject of this Local Structure Plan.
7. Subject to 2, 3 and 4 above to the satisfaction of the Manager Planning and Regulatory Services, a report be presented back to Council to consider adoption of the Local Structure Plan.

CARRIED 8/1

P023/09/04 INFORMATION REPORT			
Proponent	Director Sustainable Development	In Brief Information Report.	
Officer	Lisa Fletcher – Support Officer Sustainable Development		
Signatures - Author:			
Senior Officer:			
Date of Report	1 September 2004		
Previously			
Disclosure of Interest			
Delegation	Council		

P023.1/09/04 PLANNING SCHEME AMENDMENTS

A copy of the Scheme Amendment Table is with the attachments marked P023.1/09/04.

P023.2/09/04 DELEGATED AUTHORITY DETERMINATIONS

Date Issued	Development & Property	Decision
30/07/04	Lot 4 Nettleton Road (cnr Dougall Street), Byford – Landscaping Supplies Business (retrospective)	Approved
04/08/04	Lot 357 Old Dairy Court, Oakford – Single House and Verandahs	Approved
16/08/04	Lot 107 Racy Prince Court, Byford – Keeping of Horses	Refused - insufficient information provided
16/08/04	Lot 30 Medulla Road, Jarrahdale – Jarrahdale – Shed	Refused - insufficient information provided
16/08/04	Lot 202 Cowen Street, Mundijong – Commercial Vehicle Parking	Refused - insufficient information provided
16/08/04	Lot 13 King Road, Oakford – Horse Shelter	Refused - insufficient information provided
16/08/04	Lot 112 Kentucky Drive, Darling Downs – Stables & Storage Shed	Approved
16/08/04	Lot 5 Rowley Road, Oakford – Home Occupation	Approved
19/08/04	Lot 11 South Western Highway, Byford – Equipment Hire & Swimming Pool Supplies Business	Approved
19/08/04	Lot 65 Chestnut Road, Jarrahdale – Shed	Refused
20/08/04	Lot 245 Bilya Avenue, Mardella – Fibreglass Repair Business (Light Industry)	Approved (renewal)
23/08/04	Lot 576 Harwood Pass, Darling Downs – Swimming Pool	Approved
24/08/04	Lot 101 Spears Drive, Oakford – Commercial Vehicle Parking	Refused - insufficient information provided
25/08/04	Lot 52 Lewis Road, Serpentine – Swimming Pool	Approved
25/08/04	Lot 27 White Gum Rise, Byford – Swimming Pool	Approved
25/08/04	Lot 505 Bruns Drive, Darling Downs – Patio addition to single house	Approved
25/08/04	Lot 211 Wright Road, Mundijong – Shed & Swimming Pool	Approved
25/08/04	Lot 573 Harwood Pass, Darling Downs – Single House	Approved
25/08/04	Lot 582 Bruns Drive, Darling Downs – Swimming Pool	Approved
25/08/04	Lot 116 (site 20) South Western Highway, Serpentine – Patio addition to Park Home	Approved
25/08/04	Lot 317 Fieldview Chase, Oakford – Rural Use, Keeping of Horses	Approved
25/08/04	Lot 116 (sites 31 & 36) South Western Highway, Serpentine – Patio additions to Park Home	Approved

Date Issued	Development & Property	Decision
26/08/04	Lot 116 (sites 31 & 36) South Western Highway, Serpentine – Transportable Accommodation Units and Kitchen / Dining Unit	Approved
30/08/04	Lot 57 Pollard Cross, Cardup - Ancillary Accommodation	Approved
31/08/04	Lot 248 Bilya Avenue, Mardella – Single Residential Dwelling	Approved
02/09/04	Lot 30 Karnup Road, Serpentine – Addition to Existing Grouped Dwelling	Approved

P023.3/09/04 CONCEPT FORUM – AUGUST AGENDA ITEMS

ITEMS FOR PRELIMINARY DISCUSSION	
1	Proposed Shed - Lot 65 Chestnut Road, Jarrahdale (P03160/03)
2	Proposed Equipment Hire & Pool Supplies – Lot 11 South Western Highway, Byford (P05172/01)
3	Review of Approved Road Name List for New Subdivisions (A0759)
4	Proposed Single Dwelling & Separate Garage – Lot 536 Bruns Drive, Darling Downs (P05683/02)
5	Retrospective Enclosed Patio – Lot 58 Byford Drive, Byford (P04396/01)

General Business

- No. 33 Westcott Road, Serpentine
- Aquaculture application – No. 1771 South Western Highway, Jarrahdale

Deputation

Local Structure Plan (Lots 1, 2 & 63 Thomas Road, Byford) - Presentation of plans and discussion of project with Councillors

P023.4/09/04 PROPOSED SUBDIVISION – LOT 2 & 10 ELLIOTT ROAD, KEYSBROOK (S122719)

Owner: U & Y Nagel
 Proposal: Four Rural lots – 40ha each
 L.A.Decn: Approved
 Mfpdecn: Refused

P023.5/09/04 PROPOSED SUBDIVISION – LOT 560 SOLDIERS ROAD, BYFORD (S124338)

Owner: Public Transport Authority of WA
 Proposal: Two Residential lots – 1.031m² & 1.0376ha
 L.A.Decn: Approved
 Mfpdecn: Refused
 Minister: Upheld

P023.6/09/04 PROPOSED SUBDIVISION – LOT 365 MILLARS ROAD, JARRAHDAL (S122142)

Owner: Minalta Holdings Pty Ltd
 Proposal: Three Rural lots – 2 x 6.6ha & 6.9ha
 L.A.Decn: Refused
 Mfpdecn: Refused

P023.7/09/04 PROPOSED SUBDIVISION – LOT 41 REDCLIFFE ROAD, CARDUP (S124262)

Owner: S P Schwerdt
Proposal: Two Rural Living lots – 2ha each
L.A.Decn: Refused
Mfpdecn: Approved

P023/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution

**Moved Cr Scott seconded Cr Price
The Information Report to 13 September 2004 be received.
CARRIED 9/0**

Committee Note: P023.2/09/04 was corrected to delete Lot 1 Shanley Road, Mardella – Telecommunications Facility and Lot 702 Wallace Street, Mundijong – Commercial Vehicle Parking as they were not determined under delegation, they were a Council decision.

COUNCIL DECISION

**Moved Cr Wigg seconded Cr Richards that the Ordinary Council Meeting be closed to members of the public at this point, to allow the Council to discuss agenda item SM014/09/04 in accordance with 5.23(2)(e)(iii) of the Local Government Act 1995 as the information is about the business, professional, commercial or financial affairs of a person.
CARRIED 9/0**

The meeting was closed to members of the public at 8.28pm.

SM014/09/04 SERPENTINE DAM TEAROOMS (RS0141/01) – CONFIDENTIAL		
Proponent:	Council	In Brief Update Council on the Serpentine Dam Tearooms leases
Owner:	Water Corporation	
Officer:	DE Price – Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	2 August 2004	
Previously	C175/05/01, C010/07/02, SM009/08/02, SM029/12/02, C096/03/03, P246/04/03, C012/08/04	
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	

Voting Requirements: Normal

SM014/09/04 COUNCIL DECISION/Committee/Officer Recommended Resolution:

**Moved Cr Hoyer seconded Cr Kirkpatrick
Noting the absence of a satisfactory reply from Interwall Holdings Pty Ltd to McLeods' letter to that company dated 3 September 2004, Council endorses the Chief Executive Officer's opinion that the matter of breach of the leases appears incapable of resolution by negotiation, and authorises the CEO to proceed immediately with all and any steps necessary to terminate the leases with Interwall Holdings Pty Ltd.
CARRIED 9/0**

Council Note: By way of a minor change and as a point of clarification to the Committee/Officer Recommended Resolution the words “with Interwall Holdings Pty Ltd” were added to the end of the resolution, to be clear as to whom Council is terminating the leases with.

The Council meeting was opened to members of the public at 8.36pm.

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

9. CHIEF EXECUTIVE OFFICER’S REPORT

10. URGENT BUSINESS:

COUNCIL DECISION

Moved Cr Wigg seconded Cr Murphy
That the item relating to Cr Richards requesting two (2) months leave of absence be dealt with as an item of new business of an urgent nature.
CARRIED 9/0

SM015/09/04 CR RICHARDS – LEAVE OF ABSENCE (A0024)		
Proponent:	Cr IJ Richards	In Brief
Owner:	Cr IJ Richards	
Officer:		Cr Richards seeks leave of absence for the period October to November 2004 (inclusive)
Signatures Author:		
Senior Officer:		
Date of Report	27 th September, 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 Hoyer seconded Cr Price
Council accepts Cr Richard’s request for two (2) months leave of absence for the period October to November 2004 (inclusive).
CARRIED 9/0

11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:

12. CLOSURE:

There being no further business the meeting closed at 8.37pm.

13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:

C022/09/04 COUNCIL MEETINGS AND SERVICES OVER CHRISTMAS & NEW YEAR PERIOD (A0023-02)		
Proponent	Chief Executive Officer	In Brief Confirm the schedule for Committee/Council meetings and operating arrangements for the Council administration in Mundijong over the Christmas period.
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	02/09/04	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM046/05/04	

C022/09/04 COMMITTEE DECISION/Officer Recommended Resolution

- 1) Council agrees to the following meeting and administrative arrangements over the month of December 2004 and January 2005 and that they be advertised accordingly to the public;
 - a) The meetings for December 2004 be advertised as per the following;

06-12-04	Corporate Services, Asset Services, Community & Recreation Development
13-12-04	Strategic Management, Planning Development & Environment
20-12-04	Ordinary Council Meeting
 - b) The Committee and Council meetings for January 2004 be advertised as per Council decision SM051/06/04
 - c) The Mundijong Library be closed from the public from the close of business on Thursday 23 December 2004 with it reopening for business on Tuesday 4 January.
 - d) The Mundijong Administration and Operation team offices to be closed all day on Friday 24 December 2004 but to otherwise remain open with adequate staff present to provide the full range of services during the Christmas and New Year period, with the exception of recognised Public Holidays.
- 2) Council notes that over the Christmas and New Year period as per previous years it will again be the responsibility of the Chief Executive Officer, or the Acting Chief Executive Officer to ensure that staff coverage is adequate at the Mundijong Administration Office, Operation team and Library.
- 3) Council commence advertising as appropriate the pending closure of the Byford Administration Office effective from 1 December 2004 noting that with these services will be available from the new Community Recreation Facility when it opens.

CARRIED 5/0

C025/09/04 CHANGING THE METHOD OF VALUATION OF LAND (A0128)		
Proponent:	Local Government Act 1995	In Brief
Officer:	G.R. Dougall – Director Corporate Services	To recommend a review of the basis of rating of properties up to 4.5 hectares in size from unimproved value to gross rental value, including commercial operations on rural land not considered primary production. To approve requests to the Valuer General to provide gross rental valuations for these properties where required.
Signatures Author:		
Senior Officer:		
Date of Report	31/08/04	
Previously	C003/08/03	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Committee in accordance with resolution SM054/05/03	

C025/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

1. Council commence a review for the basis for rating for properties up to 2 hectares and properties up to 4.5 hectares as recommended by the rate working group.
2. The working group be requested to provide a list of recommended properties for consideration and a recommendation for community consultation.
3. The Valuer General's Office be requested to provide gross rental valuations for properties within these sizes located south of Mundijong Road and any other properties operating a commercial operation that would not be considered primary production.

CARRIED 5/0

C026/09/04 DATE OF FUTURE LOCAL GOVERNMENT ELECTIONS – 3 RD SATURDAY IN OCTOBER (A0047-02)		
Proponent:	Western Australian Local Government Association	In Brief
Officer:	G.R. Dougall – Director Corporate Services	The Western Australian Local Government Association be advised that Council does not support a change of election day to the third day in October.
Signatures Author:		
Senior Officer:		
Date of Report	08/09/04	
Previously	C080/05/04	
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	Committee in accordance with resolution SM046/05/04	

C026/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

The Western Australian Local Government Association be advised that the Shire of Serpentine Jarrahdale does not support a change of the biennial local government election day to the third Saturday in October.

CARRIED 5/0

Committee Note: Committee requested that the information contained in item C080/05/04 be forwarded with advice of this decision.

C027/09/04 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent:	Director Corporate Services	In Brief To confirm the creditor payments made during August
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 SM046/05/04	

C027/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

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

C028/09/04 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 August 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 SM046/05/04	

C028/09/04 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 August 2004.
CARRIED 5/0

C029/09/04 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief
Owner:	Not Applicable	
Officer:	Lauren Whitsed – Customer Support Officer	To receive the sundry debtor balances as at 31 August 2004
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM046/05/04	

C029/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

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

C030/09/04 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief
Owner:	Not Applicable	
Officer:	V Tapp – Finance Officer - Rates	To receive the rates report as at 31 August 2004
Signatures Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee in accordance with resolution SM046/05/04	

C030/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

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

C031/09/04 INFORMATION REPORT		
Proponent:	Director Corporate Services	In Brief To receive the information report to 31 August 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 SM046/05/04	

C031/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

The information report to 8 September 2004 be received.
CARRIED 5/0

AS010/09/04 NOTICE NETWORK – RESTRICTED ACCESS VEHICLES (A0512-03)		
Proponent:	Main Roads Western Australia	In Brief Council is requested to endorse roads for inclusion as Notice Roads which will be used for oversize vehicle access within the shire.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	1 September 2004	
Previously	CRAS082/06/04 14 June 2004	
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 SM046/05/04	

AS010/09/04 Officer Recommended Resolution:

Council advise Main Roads Western Australia that it endorses the following roads as Class 2 and 3 Notice Roads within the Serpentine Jarrahdale shire, subject to conditions as noted:

ROAD	SECTION	CONDITIONS
Thomas Road	South Western Highway to Hopkinson Road	No vehicles greater than 27.5m length School bus curfews to apply To be reviewed following opening of Tonkin Highway at Thomas Road
Thomas Road	Hopkinson Road to Western Boundary	No vehicles greater than 27.5m length School bus curfews to apply
Anketell Road	Thomas Road to Western Boundary	No vehicles greater than 27.5m length School bus curfews to apply
Nicholson Road	Thomas Road to Northern Boundary	No vehicles greater than 27.5m length School bus curfews to apply

		To be reviewed following opening of Tonkin Highway at Thomas Road
Nettleton Road	South Western Highway to Dougall Street	No vehicles greater than 27.5m length School bus curfews to apply
Dougall Street	Nettleton Road to Michael Street	No vehicles greater than 27.5m length
Michael Street	Full length	No vehicles greater than 27.5m length
King Road	Mundijong Road to Thomas Road	No vehicles greater than 27.5m length School bus curfews to apply
Norman Road	South Western Highway to Robertson Road	No vehicles greater than 27.5m length School bus curfews to apply
Robertson Road	Full length	No vehicles greater than 27.5m length
Mundijong Road	Western Boundary to Lightbody Road	No vehicles greater than 27.5m length School bus curfews to apply
Mundijong Road	Lightbody Road to Watkins Road	No vehicles greater than 27.5m length School bus curfews to apply Livestock carriers only Delivery to only Monday – Friday only Daylight hours only
Watkins Road	Mundijong Road to South Western Highway	No vehicles greater than 27.5m length School bus curfews to apply Livestock carriers only Delivery to only Monday – Friday only Daylight hours only

AS010/09/04 COMMITTEE DECISION:

Council advise Main Roads Western Australia that it endorses the following roads as Class 2 and 3 Notice Roads within the Serpentine Jarrahdale shire, subject to conditions as noted:

ROAD	SECTION	CONDITIONS
Thomas Road	South Western Highway to Hopkinson Road	No vehicles greater than 27.5m length School bus curfews to apply To be reviewed following opening of Tonkin Highway at Thomas Road
Thomas Road	Hopkinson Road to Western Boundary	No vehicles greater than 27.5m length School bus curfews to apply
Anketell Road	Thomas Road to Western Boundary	No vehicles greater than 27.5m length School bus curfews to apply
Nicholson Road	Thomas Road to Northern Boundary	No vehicles greater than 27.5m length School bus curfews to apply To be reviewed following opening of Tonkin Highway at Thomas Road
Nettleton Road	South Western Highway to Dougall Street	No vehicles greater than 27.5m length School bus curfews to apply
Dougall Street	Nettleton Road to Michael Street	No vehicles greater than 27.5m length
Michael Street	Full length	No vehicles greater than 27.5m length
King Road	Mundijong Road to Thomas Road	No vehicles greater than 27.5m length School bus curfews to apply
Norman Road	South Western Highway to Robertson Road	No vehicles greater than 27.5m length School bus curfews to apply
Robertson	Full length	No vehicles greater than 27.5m length

Road		
Mundijong Road	Western Boundary to Lightbody Road	No vehicles greater than 27.5m length School bus curfews to apply
Mundijong Road	King Road to Watkins Road	No vehicles greater than 27.5m length School bus curfews to apply Livestock carriers only Delivery to only Monday – Friday only Daylight hours only
Watkins Road	Mundijong Road to South Western Highway	No vehicles greater than 27.5m length School bus curfews to apply Livestock carriers only Delivery to only Monday – Friday only Daylight hours only

CARRIED 5/0

Committee Note: The Officer Recommended Resolution was changed to include the section of Mundijong Road from King Road to Watkins Road and not Lightbody Road to Watkins Road

AS012/09/04 SERPENTINE SPORTS RESERVE STORAGE SHED (RS0180)		
Proponent:	Serpentine Horse and Pony Club	In Brief
Owner:	Vested In Shire Of Serpentine Jarrahdale	Council is requested to consider the proposed extension of storage shed on Serpentine Sports Reserve.
Officer:	Jenni Andrews Reserves Officer	
Signatures Author:		It is recommended that Council endorse the construction of the proposed storage shed extension.
Senior Officer:		
Date of Report	1 st September 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 SM046/05/04	

AS012/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

1. Council endorse the construction of the proposed storage shed extension as shown on attachment AS012/09/04.
2. Council delegates authority to the Chief Executive Officer to sign Building and Planning applications related to this proposal.

CARRIED 5/0

AS013/09/04 AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT ROADWORKS – NEW INSTRUMENT OF AUTHORITY (A0468)		
Proponent:	Main Roads Western Australia	In Brief Council is requested to authorize the Chief Executive Officer to apply the Common Seal of the Serpentine Jarrahdale Shire and sign the Road Traffic Code 2000 Regulation 297 (2) Instrument of Authorisation.
Officer:	Mick Beaverstock Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	1 September 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 SM046/05/04	

AS013/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

**Council authorizes the Chief Executive Officer to apply the Common Seal of the Serpentine Jarrahdale Shire and sign the Road Traffic Code 2000 Regulation 297 (2) Instrument of Authorisation.
CARRIED 5/0**

AS014/09/04 TRAILS WORKING GROUP BUDGET EXPENDITURE 2004/05 (A0494)		
Proponent:	Trails Working Group	In Brief Proposed projects for Trails Construction Budget 2004/05. Council is requested to endorse the Trails Construction Programme in accordance with the approved 2004/05 budget.
Owner:	Shire of Serpentine Jarrahdale	
Officer:	Jenni Andrews Reserves Officer	
Signatures Author:		
Senior Officer:		
Date of Report	25 th August 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 SM046/05/04	

AS014/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

The following items are approved within the 2004/05 Trails Construction Budget.

Cost	Item/Project Description
\$14,500	Construction of Multiple Use Trail – Nicholson Road to Peters Way Bridle Network. Lottery West Grant accepted.
\$20,000	Trail Kargotich Road to Tonkin Highway Underpass. Can be constructed in summer only.
\$2,000	Manjedal Heritage Trail Concept and Management Plan. Murdoch University Students.
\$3,000	Jarrahdale Heritage Trail Signs.

\$2,000	Horse Gate at south entrance of Bandicoot Creek off Nicholson Road (design to be approved by Council). Trial effective deterrence of barriers to motorcycles.
\$1,000	10 Totem Poles with sign inserts indicating permitted users of trails including pedestrian, horse and no motorcycles symbols.
\$7,500	Hopkinson Road culvert forming trail from Oakford to Darling Downs
\$50,000	Total

CARRIED 5/0

AS016/09/04 EXCISION OF LESLIE STREET, SERPENTINE FROM RAILWAY CORRIDOR (R0220)		
Proponent:	Shire of Serpentine Jarrahdale	In Brief Council is asked to request the Minister for Lands to dedicate the section of Leslie Street between Hardey Road and Hall Road as a road.
Owner:	N/A	
Officer:	Bryce Coelho – Manager Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	4 th September 2004	
Previously	AS027/12/02	
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	Committee in accordance with resolution SM046/05/04	

AS016/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

That Council:-

- 1 Requests the Minister for Lands to dedicate the section of Leslie Street from Hall Road to Hardey Road as a road reserve under section 56(1) of the Land Administration Act 1997.
- 2 Agrees to indemnify the Minister against any claim for compensation under section 56(4) of the Land Administration Act 1997.

CARRIED 5/0

AS017/09/04 INFORMATION REPORT		
Proponent	Director Asset Services	In Brief To receive the information report to the 31 August 2004
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee in accordance with resolution SM046/05/04	

AS017/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

The Director Asset Services' report to the 31 August 2004 be received.

CARRIED 5/0

CRD06/09/04 TENDER C14/2004-05 SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE MANAGEMENT SERVICES (A0900-03/01)		
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 serpentine Jarrahdale Community Recreation Centre Management Services.
Owner:		
Officer:	M Beaverstock - Director Asset Services	
Signatures Author:		
Senior Officer:		
Date of Report	6.09.04	
Previously	CRD18/02/04	
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 if no interest	
Delegation	Committee – in accordance with resolution SM046/05/04	

CRD06/09/04 COMMITTEE DECISION/Officer Recommended Resolution:

- 1 Nominates the YMCA of Perth Inc as the preferred tenderer for tender C14/2004-05 Serpentine Jarrahdale Community Recreation Centre Management Services.
- 2 Requests the Chief executive Officer and/or Director Asset Services to enter into negotiations with YMCA of Perth Inc and provide a report to Council recommending award or otherwise of the contract.

CARRIED 5/0

CRD07/09/04 INFORMATION REPORT		
Proponent:	Not applicable	In Brief Information report
Owner:	Not applicable	
Officer:	Robyn Brown – Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	6.09.04	
Previously	N/A	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Committee – in accordance with resolution SM046/05/04	

CRD07/09/04 COMMITTEE DECISION/Officer Recommended Resolution

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

B03/09/04 INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Wayne Chant - Principal Building Surveyor	Information report
Signatures Author:		
Senior Officer:		
Date of Report	07.09.04	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	<i>Committee – in accordance with resolution SM046/05/04</i>	

B03/09/04 COMMITTEE DECISION/Officer Recommended Resolution

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

H03/09/04 INFORMATION REPORT		
Proponent:	N/A	In Brief
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	Information report
Signatures Author:		
Senior Officer:		
Date of Report	10.09.04	
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 SM046/05/04	

H03/09/04 COMMITTEE DECISION/Officer Recommended Resolution

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

P020/09/04 TWO PROPOSED GROUPED DWELLINGS - LOT 111 (NO. 33) BEENYUP ROAD, BYFORD (P05245/02)		
Proponent:	J Bosma	In Brief To construct two grouped dwellings facing towards Beenyup Road. The applicant has submitted modified designs for two grouped dwellings. It is recommended that the modified application submitted on 7 September 2004 associated with the application be refused.
Owner:	J Bosma	
Officer:	Brad Gleeson - Manager Planning and Regulatory Services	
Signatures Author:		
Senior Officer:		
Date of Report	7 September 2004	
Previously	P014/08/04	
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 SM046/05/04	

P020/09/04 Committee Decision/Officer Recommended Resolution:

That the application for two grouped dwellings at Lot 111 (No. 33) Beenyup Road, Byford be refused for the following reasons:

1. The development does not comply with Clause 5.18.7.1 of the Scheme, which states that no development shall be commenced or carried out in an Urban Development zone until a Structure Plan has been approved for the relevant part of the zone;
2. The development is considered premature until the a structure plan is completed for Byford and would have an adverse effect on the preparation of the Structure Plan (Byford Detailed Area Plan) for the townsite;
3. The orderly and proper planning for the locality would be adversely impacted by this development for the following reasons:-
 - a) The development would adversely impact on the streetscape by placing an additional dwelling on a narrow lot frontage. This is considered to be out of character with the existing streetscape.
 - b) Approval for this development would allow a subdivision application to be made for two narrow lots. Council has a policy of not supporting subdivision in the Urban Development Zone until a Detailed Area Plan has been completed.
 - c) There is limited visual surveillance to the street from both dwellings.
 - d) The garages are marginally over the maximum recommended width of 6 metres.
 - e) The dwellings have poor solar orientation for living areas.

Note: It is anticipated that the Byford Detailed Area Plan will be completed by December 2004.

CARRIED 5/0

P019/09/04 PROPOSED PLANT NURSERY - LOT 11 TUART ROAD, OAKFORD (P05407/04)		<p>In Brief</p> <p>Application for new wholesale plant nursery (Camellias). Subject lot is within the Jandakot Drinking Water Pollution Control Area.</p> <p>It is recommended that the application be approved subject to appropriate conditions.</p>
Proponent:	K Bentley	
Owner:	K Bentley	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	2 September 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	Committee in accordance with resolution SM046/05/04	

P019/09/04 Committee Decision/Officer Recommended Resolution:

That subject to advice being received from the Department of Environment that a Nutrient and Irrigation Management Plan has been prepared to their satisfaction by the applicant for the development, the Director Sustainable Development be granted the authority of Council to issue planning approval for a container plant nursery on Lot 11 Tuart Road, Oakford subject to the following conditions:

1. The proponent shall implement the Nutrient and Irrigation Management Plan (NIMP) approved by the Department of Environment (DoE) to the satisfaction of the Shire.
2. The operation of the nursery to be in accordance with the Water and Rivers Commission's Water Quality Protection Note (March 2002) entitled "Nurseries and Garden Centres" (copy attached).
3. Roof and storm water shall be managed and disposed of in such a manner as will not adversely affect any adjoining property, by the creation of an on-site detention system.
4. No polluted waters, including but not limited to waste waters or turbid stormwater arising from the existing or proposed development or use of this land, shall be discharged into the stormwater drainage system or any water course.
5. Mosquito and midge control to be incorporated into storm water system design with consideration given to water retention times and detention basin construction.
6. A revegetation plan, incorporating the planting of locally native trees and shrubs as screening vegetation between vehicle accessways, parking areas and buildings and the boundaries of the lot, shall be submitted for Shire approval within 28 days of development approval being issued.
7. All revegetation shall comply with Council's Info Note PS03 – Landscaping and Revegetation. The revegetation shall meet the requirements for nutrient management and screening of the development contained in conditions 1 and 6 above.
8. Revegetation is to be implemented and maintained in accordance with the approved plan with planting works to be completed by 30 September 2005.
9. The location of external fans, air conditioners and other electrical and mechanical plant shall be to the satisfaction of the Shire and installed to

- prevent loss of amenity to the area by its appearance, noise, emission or otherwise.
10. A building licence must be applied for and issued by Council before any work commences on the site.
 11. The applicant shall submit, at the time of application for a building licence, documentation in compliance with the Building Regulations 1989 and the Building Code of Australia 1996, including in particular detailed plans and specifications for site works, including finished ground and floor levels, storm water and roof runoff disposal, existing easements, parking areas including but not limited to pavement type, lighting, loading bays, refuse bulk bin areas, sanitary facilities, disabled access and fire and emergency infrastructure requirements if applicable, to the satisfaction of the Shire.
 12. The provision of five on site car parking bays for staff, one parking bay for visitors, and truck parking and loading bays adequate to service the development in a location to the satisfaction of the Shire in addition to a minimum of two parking spaces (either open or enclosed) for the existing dwelling prior to the occupation of the development for the use hereby permitted.
 13. The vehicle parking and accessways shall be designed, constructed and drained to a compacted gravel, limestone or similar material standard to the satisfaction of the Shire prior to the occupation of the development for the use hereby permitted and then maintained at all times to the satisfaction of the Shire.
 14. No vehicle associated with the operation of the nursery is to be permitted to stand on the adjacent road verge or street at any time.
 15. No retail sales to be conducted from the subject premises.
 16. Only one advertising sign with a maximum area of two square metres may be displayed on the site and shall be located entirely within the boundaries of the lot. No additional signage will be permitted.
 17. No signs or product related to the proposed nursery on Lot 11 Tuart Road Oakford to be stored or displayed on any road verge nor any property other than Lot 11 Tuart Road.
 18. Hours of wholesale trading to be within normal business hours – Monday to Friday, 8.00am to 5.30pm.
 19. A Classification Certificate being obtained prior to occupancy of any new buildings requiring an on-site practical completion inspection by the Shire's Building Surveyor.

Advice Notes:

1. The DoE would like to advise the proponent that the property is located within the Serpentine Groundwater Area where there are issues of groundwater quality and availability. The proponent is reminded that the operation of the irrigation scheme for the proposal must comply with the conditions of the current groundwater licence.
2. The noise generated by the use and occupation of the premises including, machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.
3. This approval relates only to development approval pursuant to the provisions of the Town Planning and Development Act 1928 (as amended), and does not relate to structural aspects of the building.
4. The applicant is advised that approval from the Water and Rivers Commission is required prior to the establishment of any land use involving the storage or use of any chemical, petroleum or other substance or any process capable of producing any waste or discharge.
5. Native vegetation is valued and protected in the Shire of Serpentine-Jarrahdale. You are advised that Council's Town Planning Scheme requires separate approval for the clearing of native trees in most instances if approval for this is not given above.
6. The construction or deepening of drains outside of the above approval requires separate approval by the Commissioner of Soil and Land Conservation.

7. The applicant is advised that this planning consent does not absolve the applicant or owner from time to time from complying with the restrictions contained in any restrictive covenant, estate covenants or easement pertaining to the site. This is the case even if this planning consent is in respect of a development which if constructed or carried out, would necessarily breach such a covenant or easement. Any such restrictive covenant, estate covenant or easement is a matter of private rights between the applicant or owner from time to time and the owner and owners of the land with the benefit of that restrictive covenant, estate covenant or easement, and this planning consent does not authorise a breach of such private rights or prevent such owners from enforcing such rights.

CARRIED 5/0

P022/09/04 REQUEST TO AMEND SUBDIVISION GUIDE PLAN FOR PT LOT 5 KELLET DRIVE, DARLING DOWNS (S119982)		
Proponent:	Greg Rowe and Associates, Planning Consultants	In Brief Request to amend the subdivision guide plan adopted as part of the scheme amendment to rezone the subject land from "Rural" to "Rural Living B" to permit additional lots to be created within the subdivision above the number of lots previously approved. Site is within the buffer zone of the Armadale Waste Disposal Facility. It is recommended that the application be refused.
Owner:	Aladdin Holdings Pty Ltd	
Officer:	Meredith Kenny - Senior Planner	
Signatures Author:		
Senior Officer:		
Date of Report	1 September 2004	
Previously	P167/10/02	
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	Committee – in accordance with resolution SM046/05/04	

P022/09/04 Committee Decision/Officer Recommended Resolution:

That the application to amend the subdivision guide plan for Pt Lot 5 Kellet Drive, Oakford be refused for the following reasons:

1. The only access to proposed Lot 1 is via a battleaxe leg to Kellet Drive which raises issues of safety particularly with regard to bush fire events.
2. The subject site is known to have a high winter water table and it is unknown whether the minimum clearance above the winter water table for effluent disposal systems and dwellings will result in the need to place large amounts of fill on the property.
3. The subject lot directly adjoins (former) Lot 188 Thomas Road, Oakford, which has previously been identified as a site used to dispose of unauthorised and uncontrolled fill. Subdivision of the subject land would not be appropriate given the history of the surrounding area without further investigations being undertaken in accordance with the Department of Environmental Protection's Contaminated Site Management Series of guidelines. To date, no investigations have been undertaken into the capability of the subject land in accordance with the Department of Environmental Protection's Contaminated Site Management Series of guidelines.
4. The level of amenity for the building envelope on Lot 2 would be poor due to being constrained between a drainage basin and a boundary and subsequent development within the envelope on Lot 2 may adversely impact on the amenity of Lot 1.

CARRIED 5/0