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

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET MUNDIJONG ON MONDAY 28<sup>th</sup> MAY, 2007. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.01PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

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**1. ATTENDANCE & APOLOGIES:**

IN ATTENDANCE:

**COUNCILLORS:** DL Needham ..... Presiding Member  
JE Price  
AW Wigg  
K Murphy  
JC Star  
JA Scott  
WJ Kirkpatrick  
MJ Geurds  
M Harris

**OFFICERS:** Ms J Abbiss ..... Chief Executive Officer  
Mr D Long ..... Director Corporate Services  
Mr S Bell ..... Director Engineering  
Mr B Gleeson Executive Manager Planning & Regulatory Services  
Ms S van Aswegen Executive Manager Strategic Community Planning  
Mrs S Langmair ..... Minute Secretary  
Ms M Khadpekar ..... Strategic Planning Consultant

**APOLOGIES:** Cr EE Brown

**GALLERY:** 6

**2. PUBLIC QUESTION TIME:**

2.1 Response To Previous Public Questions Taken On Notice

Ordinary Council Meeting 23<sup>rd</sup> April, 2007

Mr Fidge, Booragoon

Q Received a letter from Planning dated 12<sup>th</sup> February 2007 advising that the matter can be approved.

A A letter was sent to Mr Fidge on 11<sup>th</sup> May advising that the proposal for an oversized shed at Lot 105 Kentucky Drive, Darling Downs will be considered at the Sustainable Development Committee meeting to be held on 19<sup>th</sup> June, 2007. The Executive Manager Planning and Regulatory Services has also met with Mr Fidge to discuss this matter further.

Public Question commenced at 7.01pm

Mr Salmeri

Regarding Lot 701 Henderson Road, Broiler Farm

Q Will Council consider holding a public meeting regarding this broiler farm application?

A Shire President and the Executive Manager Planning and Regulatory Services (EMPRS) advised that public consultation will be conducted. They advised that no public meeting is anticipated at this point.

- Q It is difficult to put in a submission when he does not know the facts.
- A The EMPRS advised that letters had been sent out to neighbours advising of the application. He believes that new information was received last week and further letters will be sent out to neighbouring residents with the new information.
- Q Public consultation time frame is rather short.
- A The EMPRS advised that the public consultation time will be extended and people will be advised.
- Q At the March Council Meeting he was advised that Council was not aware of this application. Understands that there was a meeting between the proponent, Mr Guard and our Health Officers regarding this proposed application.
- A The Shire President and Councillors advised that they were not aware of this new application when the question was asked at the March Council Meeting. The Shire President clarified that there are some matters that are discussed with officers and the Councillors are not necessarily aware of (ie preliminary discussions).
- Q When were our Planning Officers aware?
- A The Presiding Member advised that if the proponent met with the Health Officers it was for preliminary discussions. The EMPRS advised that he has never met with the proponent however other planning officers and officers of the Shire have met with the proponents.

Public Question Time concluded at 7.08pm.

**3. PUBLIC STATEMENT TIME:**

Nil

**4. PETITIONS & DEPUTATIONS:**

Nil

**5. PRESIDENT'S REPORT:**

Cr Star presented a glass globe to Council from the ICLEI Conference that Cr Star and Cr Harris recently attended in Melbourne.

The Shire President advised of various meetings held during the course of today between herself, the Chief Executive Officer, Deputy President and the Executive with the Minister for Local Government, the Minister for Health and the Minister for Planning & Infrastructure. At these meetings they had the opportunity of putting the case for Serpentine Jarrahdale across to these Ministers. Councillors will be briefed at a later time regarding these meetings.

**6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:**

Cr Kirkpatrick declared an interest of impartiality in the Chief Executive Officer's Information report OCM038/05/07 in relation leave of absence.

Cr Harris declared a financial interest (in kind) in item SD106/05/07 COMMUNITY FUNDING PROGRAM 2007/2008 as she is personally involved in one of the activities in this report (ie. teaches the exercise class for free) and will leave the meeting when this item is being discussed.

S Langmaid declared a financial interest in item SD110/05/07 PROPOSED SINGLE DWELLING – LOT 112 BURGESS DRIVE, BYFORD as the owner of the property and advised that she will leave the meeting when this item is discussed.

**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 – 23<sup>rd</sup> April, 2007**

That the minutes of the Ordinary Council Meeting held on 23<sup>rd</sup> April, 2007 be confirmed.

**COUNCIL DECISION**

**Moved Cr Price seconded Cr Geurds**

**That the minutes of the Ordinary Council Meeting held on 23<sup>rd</sup> April, 2007 be confirmed.**

**CARRIED 9/0**

**REPORTS OF COMMITTEES:**

SD105/05/07 AUSTRALIA DAY CELEBRATIONS – VENUE ASSESSMENT (A0009-02)		
Proponent:	Australia Day Project Group	In Brief  Council to endorse the recommendations of the Australia Day Project Group for the proposed venue for the Australia Day celebrations in 2008.
Owner:	Serpentine Jarrahdale Shire	
Officer:	Elaine Edwards – Community Development Officer	
Signatures Author:		
Senior Officer:		
Date of Report	26 April 2007	
Previously	SD013/08/06; SD070/05/05; CRD17/11/04; CRD44/05/01	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
<b>Delegation</b>	<b>Council</b>	

**Background**

Previously, as per Council resolution (SD070/05/05), a number of community facilities across the Shire were evaluated by the Australia Day Project Group in April 2006. This was undertaken through a combination of site tours and desk top analysis to determine the potential future locations and venues for the Australia Day Celebrations.

The Australia Day Project Group was unanimous in their decision in April 2006 to recommend the Serpentine Camping Centre as the preferred venue for the Australia Day celebrations in 2007. However, as a result of Council resolution (SD013/08/06) the Serpentine Jarrahdale Community Recreation Centre was chosen as an alternative venue.

Following discussions with Councillors at Concept Forum on 3 April 2007, the Australia Day Celebrations Project Committee assessed the suitability of Shire and non-Shire venues for the proposed 2008 Australia Day event.

The Project Committee has now updated and reviewed the list from April 2006 (shown below) and has again recommended the Serpentine Camping Centre as the preferred venue for the 2008 Australia Day Celebrations.

### **Sustainability Statement**

***Effect on Environment:*** The Serpentine Camping Centre contains numerous large trees providing shade and alleviating the need to hire and erect either marquees or umbrellas. Food preparation and serving should be carried out in under cover areas whilst food preparation occurs within the commercial kitchen.

The use of Serpentine as the venue could result in a slight increase in car/transport use, with the venue being in the less populated outer lying areas of the Shire.

The event would use gas BBQ's and a public address system that would emit some noise to the environment for the duration of one morning at a similar level to any of the events that take place on any of Council's recreation grounds throughout the year.

***Resource Implications:*** At the Serpentine Camping Centre, maximum use would be made of the available shade from the verandas and trees which would minimise the amount of additional shade necessary. Free entertainment will be available. There are 400 chairs and 40 trestle tables available on site which would reduce the need to hire seating. An excellent PA and sound system, as well as use of a large well equipped commercial kitchen is available.

With the anticipated increase in attendance due to the popularity of the previous events, as well as an incremental increase in catering, estimated costs would take the budget (ex GST) up to \$10 500, of which \$3 000 will be sought in grants.

The dining hall with stage would be used for the ceremonies. An indoor sports hall which includes a climbing wall, basketball courts, badminton and volleyball courts is also available. Outdoors there is a golf range, basketball courts and a large grassed area for other activities. Flying fox activities could be included at an extra cost. There is a swimming pool with security fencing, which would not be used for the event.

There are both recycling and normal waste bins available at the Camping Centre and provision will be made in the budget to provide extra bins by the Shire's contractor for the event.

***Use of Local, renewable or recycled Resources:*** The Australia Day event engages the assistance of a number of local voluntary groups on a rotational basis. This allows groups to have an annual break and participate at the event rather than working continually.

Catering sources include local produce suppliers, where possible, to support local business.

***Economic Viability:*** It is anticipated that there will be the need to increase the budget allocation for Australia Day, no matter which venue is used, due to a combination of increasing costs in transportation/hiring of equipment, increased numbers attending and the fact that catering and entertainment costs have increased.

In order to offset the increasing cost of this important annual event and keep Council's contribution to \$7 500, funding assistance will be sought.

***Economic Benefits:*** The annual Australia Day Celebrations has the potential to promote a number of community attractions that may be of interest to the wider community and families around the Shire who use/visit the area for future functions and events. This can lead to increased local activity and spending by residents and their friends and families.

***Social and Environmental Responsibility:*** Holding the event at a different location in the Shire would potentially engage additional locality based community groups, over and above the groups traditionally involved. Council is able to build the capacity of the volunteers involved to participate in the organisation of the event through the assignment of tasks through volunteer team leaders.

This is the kind of event that connects the wider community, giving a feeling of improved quality of life about where they live. It also has the potential to break down social barriers which exist between groups/residents within localities, as well as between localities. It, therefore, has the potential to build relationships and increase community connectedness and cohesion, which can lead to better communication, support and long-term community well being.

***Social Diversity:*** Public transport is limited, so cars are relied upon in most instances for all the venues investigated. The preferred venue has excellent access for people with disabilities and prams to all areas of the site. The event has the potential to celebrate the rich diversity of cultures within our Shire.

The event would reflect both indigenous and non indigenous heritage and culture through the participation of the Aboriginal elder, didgeridoo player, displays and activities that reflect the area's culture.

**Statutory Environment:** Health Act 1911, Health (Public Buildings) Regulations 1992, Health (Food Hygiene) Regulations 1993 and Food Standards Code.

**Policy/Work Procedure Implications:** There is no work procedures/policy implications directly related to this evaluation.

**Financial Implications:** It is anticipated that while every venue will have slightly differing requirements – with chair/table re-location, shade, catering and entertainment, it is anticipated that it should be possible to run the event in Serpentine within a budget allocation of \$10 500.

Council is requested to consider a budget allocation of \$10 500 in the 2007/2008 budget deliberations. Funding assistance will be sought to cover at least \$3 000 of this.

**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*

**Strategy:**

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

*Objective 3: High level of social commitment*

**Strategies:**

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



2. Build key community partnerships.

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategy:

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*

Strategy:

2. Develop a risk management plan.

**Community Consultation:**

Taking into consideration all the feedback from the community, volunteers and staff following previous Australia Day Celebrations, the Australia Day Project Group (comprising staff and community volunteers) has undertaken an evaluation of community venues, in each locality across Serpentine Jarrahdale. A summary of their findings is as follows:

Summary of Potential Sites for Australia Day 2008

**Marquees:** Due to damage occurring as a result of strong easterly winds and risk to public safety, hire companies are now refusing to hire out marquees or will not assemble a marquee on the day if strong winds are present or predicted due to risk and public safety concerns. This situation is the single biggest factor that will dictate our capacity to rotate the event across the various localities within the Serpentine Jarrahdale Shire.

**Community Engagement:** As this event is heavily underpinned by volunteer support, it is critical that we are aware of the importance of addressing the needs of these groups. The ability to engage with the wider community has been a strong feature of community group feedback.

<b>Council Venues</b>		
<b>Locality</b>	<b>Facilities</b>	<b>Comment</b>
<b>Mundijong</b>	Mundijong Pavilion & Oval Mundijong Hall & Oval	Pavilion/marquee/oval configuration not suitable for morning event. Hall and oval has potential but is not available until after 2008.
<b>Byford</b>	Serpentine Jarrahdale Community Recreation Centre, Briggs Park Pavilion & Byford Hall	Byford Hall considered unsuitable. Briggs Park Pavilion considered unsuitable as it is too small and would require use of marquees. SJ Community Recreation Centre – the event has incurred operational challenges for the last two years.
		Feedback from volunteer catering teams reflected a strong sense of dis-engagement with community together with the great difficulty in cooking due to the lack of protection from the elements.
		During post-event cleanup there was a large cost for cleaning due to

<b>Council Venues</b>		
<b>Locality</b>	<b>Facilities</b>	<b>Comment</b>
		excessive fat spillage from bbqs onto brick paving, fixed glass walls and gym floor / thoroughfare. <b>Hire cost: \$1 423 including extreme sports access</b>
<b>Oakford</b>	Oakford Community Hall	Oakford Community Hall/marquee considered unsuitable for size and nature of event.
<b>Jarrahdale</b>	Bruno Gianatti Hall	Bruno Gianatti Hall considered unsuitable for size and nature of event.
<b>Serpentine</b>	Eric Senior Pavilion & Clem Kentish Hall	Eric Senior was venue for successful 2005 event but would be compromised by the need to use marquees. Clem Kentish Hall / oval considered unsuitable for size and nature of event.
<b>Whitby</b>	Tumbulgum Farm / Leonda Function Centre	This venue will handle 600 people however there is limited protection from the traditional weather conditions on the general grounds.
		The Leonda Function Centre will only take 300 people comfortably with a small amount of outside paved accommodation for tables and chairs but again no protection from the weather.
		The Tumbulgum Farm Auditorium was suggested for the formal component of the event and will hold 300 people.
		There are no creche facilities available.
		Car parking is well accommodated with the capacity to open up adjacent paddock for extra space required. <b>Hire cost: \$2 160 for venue only</b>
		Whitby Falls Coach House Function Centre
		Externally, there is no protection from the wind, limited shade and very limited area for recreational facilities.
		There are no crèche facilities and parking is limited to approx 100 vehicles.
		<b>Hire costs were not available as Site Manager considered their venue unsuitable.</b>
<b>Jarrahdale</b>	Millbrook Winery	This site does not have the capacity for the numbers we seek to accommodate with only 150 people maximum standing up for a formal

Council Venues		
Locality	Facilities	Comment
		ceremony segment. <b>Hire costs were not available as the site Manager considered their venue unsuitable.</b>
<b>Serpentine</b>	Serpentine Camping Centre	Good access, ample parking, large area of shade, numerous on-site activities available. No need for marquees with good range of fixed structure shade and protection.

Council Venues		
Locality	Facilities	Comment
<b>Serpentine</b>	Serpentine Camping Centre	A high level of community engagement with volunteer support teams and also accommodates extreme weather conditions that occur during January. The site caters for both participants at the event and also volunteer bbq/catering team.
		This site has two indoor areas that would allow for the formal ceremony to be conducted in one, whilst the other larger of the two, could be used for recreational activities.
		The PA system is integrated across the entire facility eliminating poor communication.
		There are currently no creche facilities.
		The site is very catering friendly with a large commercial kitchen which will assist with Food Safety (Foodsafe) issues.
		As the site's undercover area has concrete flooring/surface, this will help ease the cleanup process at the conclusion of the event.
		The undercover area is quite spacious and will address related Occupational Health and Safety issues associated with cooking and transferring of food.
		Highway traffic hazard / control management – Council Officers have contacted the local Police and also discussed with Shire Rangers and have determined that traffic hazards would be minimal in regard to the junction of Transit Road and South Western Highway. <b>Hire cost: \$1 200 including rock climbing wall fee.</b>

Note: This table has been constructed using data collected by the Project Committee in April 2006, Australia Day feedback from 2007 and research for the 2008 venue.

**Comment:**

The Australia Day Project Group was unanimous in their decision to recommend the Serpentine Camping Centre as the preferred venue for the Australia Day celebrations in 2008. This decision was influenced by a number of factors including large shaded areas for outdoor activities including breakfast, ample parking and toilets, access to every area of the site for wheelchairs and prams, a wide variety of activities, as well as the availability of some of the equipment required for the event being already on site. A traffic management plan would be produced to manage the access on and off the South Western Highway.

The Community Facilities and Services Plan to 2020 may highlight other possible venues for future Australia Day celebrations.

**Voting Requirements:** Simple Majority

**SD105/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Price seconded Cr Scott**

- 1. The venue for the 2008 Australia Day Celebrations is the Serpentine Camping Centre (previously the Baptist Youth Camp on Transit Road).**
- 2. A budget allocation of \$10,500 be considered in the 2007/2008 budget deliberations for the 2008 Australia Day Celebrations event, towards which external funding assistance of at least \$3 000 will be sought.**

**CARRIED 9/0**

**Council Note:** The Committee/Officer Recommended Resolution was changed by adding the name of the establishment (Baptist Youth Camp on Transit Road) at the end of part one, by way of clarification.

Cr Harris declared a financial interest (in kind) in item SD106/05/07 COMMUNITY FUNDING PROGRAM 2007/2008 as she is personally involved in one of the activities in this report (ie. teaches the exercise class for free) and left the meeting at 7.14pm.

<b>SD106/05/07 COMMUNITY FUNDING PROGRAM 2007/2008 (A1173-03)</b>		
<b>Proponent:</b>	Various community groups	<b>In Brief</b>  Council is requested to consider the recommendations of the Community Funding Program Working Group.
<b>Owner:</b>	Not applicable	
<b>Officer:</b>	Elaine Edwards - Community Development Officer	
<b>Signatures Author:</b>		
<b>Senior Officer:</b>		
<b>Date of Report</b>	3 May 2007	
<b>Previously</b>	SD132/05/06; SD071/05/05 CRD28/05/04, CRD22/05/03, CRD10/01/03, CRD49/05/02, CRD50/06/01, CRD19/01/01	
<b>Disclosure of Interest</b>	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	
<b>Delegation</b>	<b>Council</b>	

**Background**

Sixteen (16) funding applications, requesting a total of \$69 994, were received for the 2007/2008 Community Funding Program and assessed by the Community Funding Program

Working Group in line with the assessment criteria outlined in *Policy CSP8 Requests for Financial Assistance*.

This compares to twenty four (24) funding applications, requesting a total of \$26 838 received for the 2006/2007 Community Funding Program.

Council policy CSP8 states:

*“That the Community Funding Program Working Group assess all applications and make recommendations to Council as to how the total Community Funding Program budget allocation be divided between the selected groups.*

*That an amount of up to \$20,000 be allocated for the Community Funding Program in each financial year.”*

### **Sustainability Statement**

***Effect on Environment:*** The Community Funding Program does not specifically relate to the natural environment but to the social and cultural environment in which we live.

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

- Relevant to Serpentine Jarrahdale
- Shire (community) facilities
- High community benefit
- Value for money
- Matched by other funds
- Urgent in need
- Material in nature (as opposed to operational)
- Sustainable in nature

***Resource Implications:*** It is proposed that up to 12 of the 16 applications be funded through the community funding program allocation of up to \$17 986. Seven of these projects are conditional. This contribution of \$17 986 will enable approximately \$140 572 worth of projects to be accomplished across the community.

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

***Economic Viability:*** The process encourages the development of business plans to justify funding requests – which should lead to more strategic applications and future planning. It also enables Council to identify where groups may be able to work together or share resources to accomplish outcomes.

***Economic Benefits:*** Building the capacity of the community to apply for funding from other sources – through skill development as well as assisting with seeking or matching funds to increase their chances of drawing more funds to this community. Many of the projects utilise local resources and/or attract visitors to the Shire who then spend money locally.

***Social – Quality of Life:*** The program encourages partnerships that enable progress towards achieving sustainability and quality across the triple bottom line for community. The process has been designed to build the capacity of the community to put together funding applications for this and other programs. The Community Development team work with the groups to this end.

***Social and Environmental Responsibility:*** This process involves a holistic approach encouraging groups to be socially, environmentally and economically responsible.

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

**Statutory Environment:** Not Applicable

**Policy/Work Procedure Implications:** CSP8 Requests for Financial Assistance

**Financial Implications:** \$17 986 to be included in the 2007/2008 budget for the Community Funding Program.

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

**1. People and Community**

*Objective 1: Good quality of life for all residents*

Strategies:

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

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

Strategy:

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

*Objective 3: High level of social commitment*

Strategies:

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

**3. Economic**

*Objective 3: Effective management of Shire growth*

Strategy:

1. Enhance economic futures for Shire communities

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

4. Balance resource allocation to support sustainable outcomes
5. Harness community resources to build social capital within the Shire

**Community Consultation:**

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

**Comment:**

Of the 16 applications, it has been recommended to Council that 12 projects be considered for funding. One project was not recommended for funding as it was a second priority for the group and three were not in context with the intent of the Community Funding Program. Of

the remaining applications that have met the basic funding criteria, seven are for non-compliant projects which have conditional recommendations (refer below).

These applications are recommended for approval through the Community Funding Program, with requested funds scaled down in some cases and increased in one case in order to assist all recommended applications within the budget of up to \$20 000. This information is included in the Officer Recommended Resolution.

#### Recommended Projects

Organisation	Name of Project	Grant Requested
North Murray Diamond Sports Assoc Inc	Equipment Replacement	2000
Byford Keep Fit Club	Equipment Purchases	1249
Serpentine-Jarrahdale Youth Activity Group Inc	Continuation of Safety & Vocational Educational Courses	3169
Serpentine Horse & Pony Club	Serpentine Show Jumping Gala - set of jumps	1000
Rotary Club of Byford & Districts	Leeuwin Sailing Adventure	1540
Sub-total A		8958

#### Non-Compliant Projects – Not Recommended

Four of the original 16 applications did not comply with the Community Funding Programs criteria. Comments are included in the table below:

Organisation	Project	Grant Requested	Comments
Riding for the Disabled Assoc Oakford	Covered Roof & Patio	8800	The Community Development Team will work with this group to build the group's capacity to meet current compliance requirements of current projects. This group's needs exceed the CFP and the Community Development Team will assist the group to source alternative funding.
The Hugh Manning Tractor & Machinery Museum Inc	Additional Storage & Repair Facility	40000	Second priority application. This project is not recommended for funding as a separate item, as \$4000 is being recommended for the Briggs Park group for the overall fair.
Briggs Park Community Group	Art Exhibition (Part of Byford Country Fair 2007)	1100	Operational costs such as insurance are not funded through the Community Funding Program.
Serpentine-Jarrahdale Toy Library	Insurance	460	

#### Non-Compliant Projects – Conditional Approval

Seven of the 12 applications did not fully comply with the required criteria. However, these seven applications are recommended on the proviso that the conditions in the following table are met.

It should be noted in relation to the Mundijong Playgroup application that this recommendation is conditional due to the following:

- Council resolved at their April 2007 Ordinary Council Meeting (CGAM105/04/07) to release the Serpentine Jarrahdale Family Learning Centre (SJFC) from their lease of The House. This was based on the correspondence received from the SJFC advising that the Playgroup were moving to the Mundijong Primary School, and without this income the SJFC could no longer support the lease. This was indeed the intent of the Playgroup at that time, however they have since changed their mind as they were not able to secure a long term opportunity at the Mundijong Primary School due to the impending growth of the Mundijong School.
- The Playgroup has since written to Council on 10 May 2007 to confirm that they would not be moving to the school, and that their intention was to stay at The House. They also provided a list of property maintenance requests in terms of making it suitable for continued use by the Playgroup. These requests will need to be considered and responded to as part of any rental or license negotiations which will be the subject of a future Agenda Item for Council consideration.
- Planning permission and an Environmental Health assessment still need to be carried out in relation to the proposed bike track.

<b>Organisation</b>	<b>Name of Project</b>	<b>Conditional Recommended Funding through CFP 2007/2008</b>	<b>Conditional Recommendation</b>
<b>Centrals Football &amp; Sportsmans Club</b>	Kitchen / Canteen Renovations / Upgrades	1000	This project is subject to the ongoing approval process in regard to building, health and planning and the requested quotes and component specifications are supplied.
<b>SJ Wellness Inc</b>	All Day Workshop - Mental Health	880	This project is subject to applicable Environmental Health approval in regard to related catering.
<b>Mundijong Playgroup</b>	Bike Track Installation	1000	This project is subject to confirmation in writing that this group intends to continue using the "House" long term, and subject to - a rental or license agreement being negotiated, and the approval of Planning and Environmental Health processes
<b>Serpentine PCYC</b>	Signage for SJ PCYC Community Group	930	This project is subject to applicable Planning approval.
<b>Serpentine Bushland Group Inc</b>	Weed control and community planting in Serpentine BMX Reserve	1067	This project is subject to applicable approval of the Reserves Group.
<b>Oakford Volunteer Bushfire Brigade</b>	Fire Communications	298	Subject to written confirmation that this equipment cannot be acquired via the



Organisation	Name of Project	Conditional Recommended Funding through CFP 2007/2008	Conditional Recommendation
			Emergency Management Australia Grant Funding monies.
Briggs Park Community Group	Byford Country Fair 2007	4000	This project is subject to a comprehensive project plan being submitted by 30 June 2007 and all approvals at least being met one month prior to the event and the requested quotes to support the fair being supplied one month prior to the event.

**Voting Requirements:** Simple Majority

**SD106/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

Moved Cr Price seconded Cr Kirkpatrick  
Council considers the recommendations of the Community Funding Program Working Group during the deliberations of the 2007/2008 Budget:

**A. Recommended Projects**

Organisation	Name of Project	Grant Requested	Recommended Funding through CFP 2007/08
North Murray Diamond Sports Assoc Inc	Equipment Replacement	2000	2000
Byford Keep Fit Club	Equipment Purchases	1249	1100
Serpentine-Jarrahdale Youth Activity Group Inc	Continuation of Safety & Vocational Educational Courses	3169	3169
Serpentine Horse & Pony Club	Serpentine Show Jumping Gala - set of jumps	1000	1000
Rotary Club of Byford & Districts	Leeuwin Sailing Adventure	1540	1540
<b>Sub-total A</b>		<b>8958</b>	<b>8809</b>

**B. Non-compliant Projects – Conditional Approval**

Organisation	Name of Project	Conditional Recommendation	Grant Requested	Conditional Recommended Funding through CFP 2007/2008
Centrals Football & Sportsmans Club	Kitchen / Canteen Renovations / Upgrades	This project is subject to the ongoing approval process in regard to building, health and	1000	1000

Organisation	Name of Project	Conditional Recommendation	Grant Requested	Conditional Recommended Funding through CFP 2007/2008
		planning and the requested quotes and component specifications are supplied.		
SJ Wellness Inc	All Day Workshop - Mental Health	This project is subject to applicable Environmental Health approval in regard to related catering.	880	880
Mundijong Playgroup	Bike Track Installation	This project is subject to confirmation in writing that this group intends to continue using the "House" long term, and subject to - a rental or license agreement being negotiated, and the approval of Planning and Environmental Health processes.	1000	1000
Serpentine PCYC	Signage for SJ PCYC Community Group	This project is subject to applicable Planning approval.	830	930
Serpentine Bushland Group Inc	Weed control and community planting in Serpentine BMX Reserve	This project is subject to applicable Reserves approval.	1067	1067
Oakford Volunteer Bushfire Brigade	Fire Communications	Subject to written confirmation that this equipment cannot be acquired via the Emergency Management Australia Grant Funding monies.	298	300

Organisation	Name of Project	Conditional Recommendation	Grant Requested	Conditional Recommended Funding through CFP 2007/2008
Briggs Park Community Group	Byford Country Fair 2007	This project is subject to a comprehensive project plan being submitted by 30 June 2007 and all compliances being met one month prior to the event and the requested quotes to support the fair being supplied one month prior to the event.	5500	4000
<b>Sub Total B</b>			<b>10575</b>	<b>9177</b>
<b>Grand Total of A &amp; B</b>				<b>17986.35</b>

**CARRIED 6/2**

Cr Murphy voted against the motion.

Cr Harris did not vote and returned to the meeting at 7.29pm.

SD107/05/07 SWITCH YOUR THINKING LICENCE AGREEMENT ENDORSEMENT (A0283)		
Officers:	Chris Portlock - Environmental Coordinator & Jason Menzies - Regional Greenhouse Coordinator	In Brief
Signatures Author:		Council is to consider endorsing the Intellectual Property Licence Agreement drafted by Solicitors Lewis, Blyth and Hooper to guide the expansion of the <b>switch your thinking!</b> brand to other WA Local Governments.  Council is to consider endorsing the City of Gosnells signing and sealing of all Intellectual Property Licence Agreements entered into with other Western Australian Local Governments, on behalf of all SEREG Council's, subject to such endorsement also being adopted by the Cities of Armadale and Gosnells.
Senior Officer:		
Date of Report	8 May 2007	
Previously	SD140/06/06	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the local provisions of the Local Government Act.	
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Cities of Armadale and Gosnells and the Serpentine Jarrahdale Shire have been working together since 1999 as the South East Regional Energy Group (SEREG) in the International Cities for Climate Protection (CCP) program. The SEREG works to develop

partnerships with business, industry and residents, to encourage energy efficient and waterwise behaviour, with the goal of reducing regional greenhouse gas emissions.

The ***switch your thinking!*** brand was developed to help the SEREG Councils deliver 'sustainability' initiatives to their communities under a recognisable and consistent brand.

The comprehensive ***switch your thinking!*** program was launched in June 2002 to enable the SEREG Councils and their communities to implement measures that will save energy, water and operating costs and reduce greenhouse gas emissions.

The program was devised by the SEREG as a means of linking seemingly disparate projects and actions under an easily recognisable brand. The program has been strategically designed to engage the community in participating in achieving the regional emissions reduction target of 15% by the year 2010, established as part of the partner Councils' participation in the CCP program.

***Switch your thinking!*** has achieved significant recognition over the past six months, winning the National Environs Australia award for the most outstanding local government sustainability initiative in Australia and two WA Environment Awards for Local Government Leading by Example and Community Energy Efficiency.

Due to the success of the ***switch your thinking!*** program, the SEREG has been approached by other WA Local Governments with a view to using the ***switch your thinking!*** brand to help deliver environmental/behavioural change projects to their communities.

Keen to promote and grow the award winning ***switch your thinking!*** program, the SEREG identified the potential expansion of the ***switch your thinking!*** brand as a Business Goal in the 2006/2007 – 2008/2009 SEREG Business Plan.

### **Sustainability Statement**

***Effect on Environment:*** The proposal will see controlled expansion of opportunities to replicate projects piloted by the SEREG in other local government areas thus enhancing the built environment and minimising environmental damage through best management practice. The proposal stands to further increase the efficiency of energy and water use and reduce greenhouse gas emissions and to support renewable energy technology.

***Resource Implications:*** The proposal will help minimise resource and energy use and provides opportunity to promote renewable energy technologies, passive solar design, waterwise initiatives and has the potential to result in a reduction in the use of non-renewable resources.

***Use of Local, renewable or recycled Resources:*** Locally available energy and water use efficiency initiatives in the Serpentine Jarrahdale Shire and South East Metropolitan Area have the potential to be promoted and used and local businesses may be supported as a result of this proposal.

***Economic Viability:*** The proposal is economically viable and has the potential to incorporate its external costs in terms of energy and water efficiencies. It also has the potential for financial benefit to the Shire in creating this intellectual property licence agreement.

***Economic Benefits:*** Economic benefits to the Shire and the community include cost savings in reducing expenditure by the community for water and energy. The expansion will also generate extra income for the ***switch your thinking!*** programme, which in turn will be used to develop and implement new community projects in the south-east corridor across the SEREG Councils.

**Social – Quality of Life:** Quality of life will be improved by reducing greenhouse gas emissions and slowing down global warming within the Serpentine Jarrahdale Shire and wider community.

**Social and Environmental Responsibility:** The proposal is designed to be socially and environmentally responsible through building up the local and regional community to enable greater participation by the local community in implementation of the **switch your thinking!** program.

**Social Diversity:** The proposal does not disadvantage any social groups and provides for diversity in our community with increased opportunity for mentoring by community members to expand the diverse array of ways and means to include energy and water efficient homes and businesses in the broader region.

**Statutory Environment:** Intellectual Property Licence Agreement is a Legal Agreement under State Law.

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

**Financial Implications:** The licensing of the **switch your thinking!** brand to other Western Australian local governments will generate income for the continued development and implementation of the **switch your thinking!** program in the SEREG municipalities.

Anticipated income, based on current expressions of interest by other Western Australian local governments is \$25 000. LBH have advised the SEREG that any income derived from the licensing of the **switch your thinking!** brand and program is tax free.

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

**1. People and 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.

**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.

4. Reduce water consumption.
5. Reduce green house gas emissions.

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

Strategies:

1. Implement known best practice sustainable natural resource management.
2. Respond to Greenhouse and Climate change.

*Objective 3: Effective management of Shire growth*

Strategy:

1. Enhance economic futures for Shire communities.

#### **4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
3. Regularly update information services and IT capacity to support programs and projects.
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.

#### **Community Consultation:**

Required: No

#### **Comment:**

SEREG is keen to promote and grow the award winning ***switch your thinking!*** programme and identified the potential expansion of the brand as a Business Goal in the 2006/2007 – 2008/2009 SEREG Business Plan.

Under the endorsed Business Plan, other WA local governments that licence the ***switch your thinking!*** brand from the SEREG will receive the following:

1. Use of the ***switch your thinking!*** brand and logo to help deliver sustainability/greenhouse gas reduction related projects.
2. Opportunity to replicate ***switch your thinking!*** projects piloted by the SEREG, including:
  - Support from Regional Greenhouse Coordinator (RGC) with grant applications (ie previous grant submissions written by the RGC will be emailed through to other Councils upon request)
  - Access to the SEREG's final reports and advice with regards to lessons learnt (ie reports will be emailed through to other Councils by the RGC upon request)

- Opportunity to recruit local sponsors to help fund projects (to be pursued by individual Councils)
3. Special offers from ***switch your thinking!*** sponsors to promote to their community, such as Cool or Cosy rebates of up to \$300 on insulation and Solahart rebates of up to \$300 on solar hot water systems.
  4. Marketing support, including:
    - Provision of brand and logo files in various electronic formats (ie files to be emailed through to other Councils by RGC once the Intellectual Property Licensing Agreement has been signed)
    - Provision of artwork for billboard and tidy-bin advertising campaigns, or similar (ie artwork already on hand and previously used by the SEREG throughout the region to be emailed through to other Councils by RGC)
    - Provision of a 12 week series of advertisements for local press (ie existing press series used by the SEREG over the past four years to be emailed through to other Councils by RGC)
    - Funding opportunities explored and pursued, including preparation of grant applications on behalf of all Councils using the ***switch your thinking!*** brand, where appropriate, to assist in raising brand awareness etc.
  5. Website support (www.switchyourthinking.com), including:
    - Maintenance of the ***switch your thinking!*** website, including promotion of new ***switch your thinking!*** Councils (ie via logo link to individual Councils websites)
    - On-line registration facilities provided where appropriate (ie for Great Gardens workshops etc)
  6. Technical support from RGC (via telephone) based on the SEREG's experiences in relation to:
    - Implemented and future projects
    - Funding opportunities, grants and sponsorship
    - Marketing advice
    - Strategic initiatives such as street lighting

The Regional Greenhouse Coordinator will also seek to coordinate quarterly meetings involving all ***switch your thinking!*** Councils to assist with information transfer etc.

SEREG estimates that technical support provided by the RGC to other Councils taking on the ***switch your thinking!*** brand will account for no more than five percent of the RGC's time.

After considering investment in the brand and program to date, the SEREG engaged solicitors Lewis, Blyth and Hooper (LBH) to provide legal advice on issues relating to the proposed expansion of the ***switch your thinking!*** brand. LBH have drafted an Intellectual Property Licence Agreement (Appendix 1) that will enable other selected Western Australian Local Governments to implement their own ***switch your thinking!*** campaign, under licence to the SEREG partner Councils.

The Licence Agreement covers all relevant licensing issues including Intellectual Property and trademarks, as well as general style guidelines etc.

***A copy of the Licence Agreement is with the attachments marked SD107.1/05/07.***

The Local Governments currently seeking a licence for the ***switch your thinking!*** brand are the:

- Town of Cambridge
- City of Nedlands
- City of Perth
- City of South Perth
- Town of Victoria Park

Under the licence agreement an annual contribution of \$5 000 per individual Council, or \$20 000 per regional group of Councils will be payable by the other Local Governments to the SEREG. The licensing fee will be reviewed by the SEREG on an annual basis. In return, these Councils will be able to use the ***switch your thinking!*** brand and logo to promote energy and water efficiency initiatives to their communities.

It is recommended that Council endorse the Intellectual Property Licence Agreement as the means by which the use of the ***switch your thinking!*** brand may be licensed to other Western Australian local governments for approved purposes.

An identical recommendation is being considered by each of the Councils of the Cities of Armadale and Gosnells, along with a recommendation for those Councils to agree to the City of Gosnells endorsing (signing) the Licence Agreement on behalf of the SEREG. This is necessary because the SEREG itself is not an incorporated body or Regional Council and signing and applying the common seals of all three of the SEREG Councils to the Licence Agreement presents practical difficulties.

The proposal clearly provides for the Serpentine Jarrahdale Shire and its community in association with their SEREG partners to mentor and expand in a controlled manner through a financially viable intellectual property agreement.

**Voting Requirements:** Simple Majority

**Officer Recommended Resolution:**

1. Council endorses the Intellectual Property Licence Agreement at *attachment SD107.1/05/07*, as the means by which the use of the ***switch your thinking!*** brand may be licensed to other Western Australian Local Governments for approved purposes, subject to
  - i) such endorsements also being adopted by the City of Armadale and City of Gosnells and;
  - ii) the following changes being made:
    - a) Page 4 clause 1.16 - change “the Serpentine Jarrahdale Shire” to “the Shire of Serpentine Jarrahdale”
    - b) Page 15 clause 14.7(c) - change “cl.22(7)” to “cl.14(7)(a)”
    - c) Page 19 clause 3(d)(iii) - change “(3) days” to “(30) days”
2. Council endorses the City of Gosnells signing and sealing all Intellectual Property Licence Agreements entered into with other Western Australian local governments, on behalf of all the SEREG Councils, subject to such endorsement also being adopted by the City of Armadale and City of Gosnells.

**SD107/05/07 COUNCIL DECISION/Committee Recommended Resolution:**

**Moved Cr Star seconded Cr Scott**

1. Council endorses the Intellectual Property Licence Agreement at *attachment SD107.1/05/07*, as the means by which the use of the ***switch your thinking!*** brand may be licensed to other Western Australian Local Governments for approved purposes, subject to
  - i) such endorsements also being adopted by the City of Armadale and City of Gosnells and;
  - ii) the following changes being made:



- a) Page 4 clause 1.16 - change “the Serpentine Jarrahdale Shire” to “the Shire of Serpentine Jarrahdale”
  - b) Page 15 clause 14.7(c) - change “cl.22(7)” to “cl.14(7)(a)”
  - c) Page 19 clause 3(d)(iii) - change “(3) days” to “(30) days”
2. Council endorses the City of Gosnells signing and sealing all Intellectual Property Licence Agreements entered into with other Western Australian local governments, on behalf of all the SEREG Councils, subject to such endorsement also being adopted by the City of Armadale and City of Gosnells.
3. Council would like to congratulate the Regional Greenhouse Coordinator on his good work on this project.
- CARRIED 9/0**

**Committee Note:** The Officer Recommended Resolution was amended by adding part 3 congratulating the Regional Greenhouse Coordinator for his good work on this project.

SD108/05/07 PROPOSED DECKING & PATIO ROOF ADDITION TO EXISTING SINGLE DWELLING – LOT 104 (2) CROSSING VIEW, BYFORD (P04814/01 & P04814/02)		
Proponent:	R & J Sansom	In Brief  Application for a planning approval and building licence submitted by a member of Shire staff is required to be referred to Council for determination. Approval is recommended subject to standard conditions.
Owner:	R & J Sansom	
Officer:	Greg Leuzzi - Contract Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	13 April 2007	
Previously	Not applicable	
Disclosure of Interest	Julie Sansom – Casual Support Officer for Community Development Team	
Delegation	Council	

Date of Receipt: 2 March 2007  
 Advertised: Not required  
 Submissions: N/A  
 Lot Area: 2049m<sup>2</sup>  
 L.A Zoning: Urban Development  
 MRS Zoning: Urban  
 Byford Structure Plan: Rural-Residential  
 Rural Strategy Policy Area: N/A  
 Rural Strategy Overlay: N/A  
 Municipal Inventory: N/A  
 Townscape/Heritage Precinct: N/A  
 Bush Forever: N/A

**Background**

The application has been submitted for both planning approval and a building licence for the addition of a timber decking and patio roof to the existing dwelling. As the proponent is a member of staff of the Shire, the application is required to be referred to Council for determination and must be assessed by a private enterprise contractor. The planning application and building licence has been assessed by the Shire’s Contract Building Surveyor (Mr Greg Leuzzi).

***A copy of the planning and building applications is with the attachments marked SD108.1/05/07.***

## **Sustainability Statement**

**Effect on Environment:** The deck and patio roof will create an extra 16m<sup>2</sup> of roof space and 34m<sup>2</sup> of timber decking on the property. Rain water collected on the roof will need to be retained on site in accordance with Council's standard requirements.

**Social – Quality of Life:** The deck and patio roof lies on the western side of the house providing shade in the summer months allowing extra use of the front area of the house to become a veranda and entertaining space.

The proposed deck and patio roof will have no adverse impact and/or will not prejudice the amenity of the area.

## **Statutory Environment:**

Town Planning Scheme No. 2  
Local Planning Policy LPP 8 - *Landscape Protection*  
Local Planning Policy LPP 17 - *Residential and Incidental Development*

## **Policy/Work Procedure Implications:**

Corporate Services Policy CSP 34 - *Council Control Over Employees Dealing in Land and other Business Activity Within the Serpentine Jarrahdale Shire*

Any Council approval issued under the provisions of CSP34 must be made by a majority decision of those Councillors in attendance and be subject to specific conditions including audit, review, reporting and disclosure conditions.

### **Corporate Services Policy No. 34**

Corporate Services Policy No. 34 (CSP34) contains the following restrictions with regard to any application for development where the applicant is a staff member:

*“Delegations for approval of any developments will not apply in any cases where staff are involved as an applicant; in these instances each employee's development application should go to Council for approval. This will apply to both the employee's place of residence (including Chief Executive Office's and Directors) and other developments. Applications of this kind should be dealt with by a private sector contractor or an appropriate qualified officer from another local government at Council's cost. This will diminish the perception of the application being given favourable treatment by a fellow officer of the local government. Selection of the contractor or officer of another local government would need to be done carefully to remove the possibility of allegation.”*

Accordingly, the applications for planning approval and a building licence for the deck and patio roof were referred to the Shire's Contract Building Surveyor (Mr Greg Leuzzi) for assessment.

The applicant submitted an Applicant's Assessment Form as required under CSP 34 which has been signed by the

Executive Manager Strategic Community Planning and the Chief Executive Officer.

**Financial Implications:** There are no Financial implications to Council related to this application.

**Strategic Implications:** Apart from the Policy/Work Procedure, as discussed above, there are no Strategic Implications related to this proposal.

**Comment:**

General

The deck and patio roof is an extension to the existing dwelling. The deck and patio roof has been designed to reflect the character and materials used in the construction of the house.

TPS 2 Landscape Protection Policy and LPP No. 17 Residential and Incidental Development Within Serpentine-Jarrahdale Shire

The proposed deck and patio roof has been assessed in accordance with the Landscape Protection Policy and Residential and Incidental Development Within Serpentine-Jarrahdale Shire Policy. The requirements of these Policies are summarised in the table below:-

<b>Issue</b>	<b>Requirement</b>	<b>Provided</b>	<b>Complies</b>
Side Setback	Relative To Design	Decking and patio will be set back more than the required minimum	Yes
Front setback	Relative To Design	Decking and patio will be set back more than the required minimum	Yes
Building Envelope	No building envelope on lot	No building envelope on lot	Yes
Siting of Development	Not located on ridge, spur, bluff, knoll or slope greater than 25%	Located to front of existing approved house	Yes
Siting of Development	To limit visual intrusion	Decking and patio roof match eaves line of existing house and are not obtrusive	Yes
Colours/ materials	To be of earthy colours matching environment	Roof: blue colorbond Timber posts: heritage red Decking: natural jarrah	Yes
Trees	Retain where possible	No trees will be removed	Yes

The proposed deck and patio roof meets the intent of both policies and accordingly, approval to construct the patio is recommended.

Building Licence

The details provided with the plans submitted comply with all the required Australian Standard requirements referenced in the Building Code of Australia. There are no impediments to the issue of a building licence.

**Voting Requirements:** Simple Majority

**SD108/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Star seconded Cr Price**

**A. Council grants planning approval for the addition of a decking and patio roof to the existing Single House on Lot 104 Crossing View, Byford subject to the following conditions:**

- 1. The decking and patio roof is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation. Please contact Council's Health Services for setbacks and requirements for other systems.**
- 2. No direct discharge of stormwater into watercourses or drainage lines.**
- 3. All stormwater runoff from roof areas to be disposed of on site.**
- 4. Only materials identified in the schedule of colours, materials and finishes submitted on 4 April 2007 are to be used in the construction of the patio unless the prior written approval of the Executive Manager Planning and Regulatory Services is obtained.**

**B. Council grants approval for a Building Licence to be issued for the deck and patio roof by the Shire's Contract Building Surveyor.**

**CARRIED 9/0**

<b>SD109/05/07 PROPOSED SINGLE DWELLING &amp; SHED – LOT 24 ECHOVELD CLOSE, MARDELLA (P07222/01)</b>		
<b>Proponent:</b>	P Harrison & C Rose	<b>In Brief</b>  Application for a building licence submitted by a member of Shire staff is required to be referred to Council for determination. Approval is recommended subject to standard conditions.
<b>Owner:</b>	P Harrison & C Rose	
<b>Officer:</b>	Greg Leuzzi - Contract Building Surveyor	
<b>Signatures Author:</b>		
<b>Senior Officer:</b>		
<b>Date of Report</b>	30 April 2007	
<b>Previously</b>	Nil	
<b>Disclosure of Interest</b>	Casey Rose – Planning Assistant	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 20 April 2007  
 Advertised: Not required  
 Submissions: N/A  
 Lot Area: 4.3557 ha  
 L.A Zoning: Farmlet  
 MRS Zoning: Rural  
 Rural Strategy Policy Area: Farmlet  
 Rural Strategy Overlay: N/A  
 Municipal Inventory: N/A  
 Townscape/Heritage Precinct: N/A  
 Bush Forever: N/A  
 Date of Inspection: 20 April 2007

**Background**

The application has been submitted for a building licence for a proposed dwelling and shed. As the proponent is a member of staff of the Shire, the application is required to be referred to Council for determination and must be assessed by a private enterprise contractor. The building licence has been assessed by the Shire's Contract Building Surveyor (Mr Greg Leuzzi).

***A full copy of the building application is with the attachments marked SD109.1/05/07.***

**Sustainability Statement**

***Effect on Environment:*** The dwelling will create 436m<sup>2</sup> of roof space and 135m<sup>2</sup> for the shed on the property. Rain water collected on the roof will need to be retained on site in accordance with Council's standard requirements.

**Statutory Environment:** Town Planning Scheme No. 2  
Rural Strategy

**Policy/Work Procedure Implications:**

Corporate Services Policy CSP 34 - *Council Control Over Employees Dealing in Land and other Business Activity Within the Serpentine Jarrahdale Shire*

Any Council approval issued under the provisions of CSP 34 must be made by a majority decision of those Councillors in attendance and be subject to specific conditions including audit, review, reporting and disclosure conditions.

**Corporate Services Policy No. 34**

Corporate Services Policy No. 34 (CSP 34) contains the following restrictions with regard to any application for development where the applicant is a staff member:

*“Delegations for approval of any developments will not apply in any cases where staff are involved as an applicant; in these instances each employee's development application should go to Council for approval. This will apply to both the employee's place of residence (including Chief Executive Office's and Directors) and other developments. Applications of this kind should be dealt with by a private sector contractor or an appropriate qualified officer from another local government at Council's cost. This will diminish the perception of the application being given favourable treatment by a fellow officer of the local government. Selection of the contractor or officer of another local government would need to be done carefully to remove the possibility of allegation.”*

Accordingly, the application for a building licence for the single dwelling and shed were referred to the Shire's Contract Building Surveyor (Mr Greg Leuzzi) for assessment.

The applicant submitted an Applicant's Assessment Form as required under CSP 34 which has been signed by the Executive Manager Planning and Regulatory Services and Chief Executive Officer.

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

**Strategic Implications:**

Apart from the Policy/Work Procedure, as discussed above, there are no Strategic Implications related to this proposal.

**Comment:**

General

The dwelling is to be constructed using rammed earth walls and zincalume roof sheeting. The shed is to be constructed of steel frame and clad with zincalume sheeting. The zincalume sheeting is consistent with the surrounding developments of the area and will have no impact on the neighbouring lots.

LPP No. 17 Residential and Incidental Development within Serpentine-Jarrahdale Shire

The proposed dwelling has been assessed in accordance with LPP17. All proposed setbacks and size requirements comply. Further, the proposed development is located outside of the building exclusion zone.

Therefore, approval to construct the dwelling is recommended.

Building Licence

The details provided with the plans submitted has been certified by a Structural Engineer referring it complies with all the required Australian Standard requirements referenced in the Building Code of Australia. There are no impediments to the issue of a building licence.

**Voting Requirements:**

Simple Majority

**SD109/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Star seconded Cr Wigg**

**Council grants approval for a Building Licence to be issued for the single dwelling at Lot 24 Echoveld Close, Mardella by the Shire's Contract Building Surveyor.**

**CARRIED 9/0**

S Langmair declared a financial interest in item SD110/05/07 PROPOSED SINGLE DWELLING – LOT 112 BURGESS DRIVE, BYFORD as the owner of the property and she left the meeting at 7.31pm.

SD110/05/07 PROPOSED SINGLE DWELLING – LOT 112 BURGESS DRIVE, BYFORD (P90002)		
Proponent:	Dale Alcock Homes	In Brief  Application for planning approval and for a building licence submitted by Dale Alcock Homes on behalf of a staff member is required to be referred to Council for determination. Approval is recommended subject to standard conditions.
Owner:	RA & SE Langmair	
Officer:	Greg Leuzzi - Contract Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	9 May 2007	
Previously	Not applicable	
Disclosure of Interest	Susan Langmair – Personal Assistant to the Chief Executive Officer	
<b>Delegation</b>	<b>Council</b>	

Date of Receipt: 3 April 2007  
 Advertised: Not required  
 Submissions: N/A  
 Lot Area: 1,632m<sup>2</sup>  
 L.A Zoning: Residential  
 MRS Zoning: Residential  
 Byford Structure Plan: Not applicable  
 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: Not required – vacant lot

### **Background**

An application has been submitted for planning approval and for a building licence for a single dwelling to be constructed on Lot 112 Burgess Drive, Byford. As one of the proponents is a member of staff of the Shire, the application is required to be referred to Council for determination and must be assessed by a private enterprise contractor. The building licence has been assessed by the Shire's Contract Building Surveyor (Mr Greg Leuzzi).

***A copy of the planning and building applications is with the attachments marked SD110.1/05/07.***

### **Sustainability Statement**

***Effect on Environment:*** Rain water collected on the roof will need to be retained on site in accordance with Council's standard requirements. A standard condition will be imposed requiring all stormwater to be contained on-site.

**Statutory Environment:** Town Planning Scheme No. 2  
 Local Planning Policy LPP 17 - *Residential and Incidental Development*  
 Local Planning Policy LPP8 – Landscape Protection

**Policy/Work Procedure**

**Implications:**

Corporate Services Policy CSP 34 - *Council Control Over Employees Dealing in Land and other Business Activity Within the Serpentine Jarrahdale Shire*

Any Council approval issued under the provisions of CSP 34 must be made by a majority decision of those Councillors in attendance and be subject to specific conditions including audit, review, reporting and disclosure conditions.

**Corporate Services Policy No. 34**

Corporate Services Policy No. 34 (CSP 34) contains the following restrictions with regard to any application for development where the applicant is a staff member:

*“Delegations for approval of any developments will not apply in any cases where staff are involved as an applicant; in these instances each employee’s development application should go to Council for approval. This will apply to both the employee’s place of residence (including Chief Executive Office’s and Directors) and other developments. Applications of this kind should be dealt with by a private sector contractor or an appropriate qualified officer from another local government at Council’s cost. This will diminish the perception of the application being given favourable treatment by a fellow officer of the local government. Selection of the contractor or officer of another local government would need to be done carefully to remove the possibility of allegation.”*

Accordingly, the application for a building licence for the single dwelling and shed were referred to the Shire’s Contract Building Surveyor (Mr Greg Leuzzi) for assessment.

The applicant submitted an Applicant’s Assessment Form as required under CSP 34 which has been signed by the Executive Manager Planning and Regulatory Services and Chief Executive Officer.

**Financial Implications:**

There are no financial implications to Council related to this application.

**Strategic Implications:**

There are no Strategic Implications related to this proposal.

**Comment:**

**LPP No. 17 Residential and Incidental Development Within Serpentine-Jarrahdale Shire**

The proposed dwelling has been assessed in accordance with the Residential and Incidental Development within Serpentine-Jarrahdale Shire Policy. The requirements of this Policy are summarised in the table below:



<b>Issue</b>	<b>Requirement</b>	<b>Provided</b>	<b>Complies</b>
Side Setback	Relative To Design	Single dwelling will be set back more than the required minimum	Yes
Front setback	Relative To Design	Single dwelling will be set back more than the required minimum	Yes
Building Envelope	No building envelope on lot	No building envelope on lot	Yes
Siting of Development	Not located on ridge, spur, bluff, knoll or slope greater than 25%	Located within the required setback area.	Yes
Siting of Development	To limit visual intrusion	Will not cause visual intrusion	Yes
Colours/ materials	To be of earthy colours matching environment	Roof: Colorbond Bushland Walls: Painted rendered brick work - Jurien	Yes
Trees	Retain where possible	No trees will be removed	Yes

LPP 8 – Landscape Protection

The proposed dwelling meets with the intent of this policy.

Building Licence

The details provided with the plans submitted comply with all the required Australian Standard requirements referenced in the Building Code of Australia. There are no impediments to the issue of a building licence.

**Voting Requirements:** Simple Majority

**SD110/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Scott seconded Cr Wigg**

**Subject to the issue of titles for the subject land:**

**A. Council grants planning approval for the proposed Single Dwelling on Lot 112 Burgess Drive, Byford subject to the following conditions:**

- 1. The single dwelling is not to be located within 1.2 metres of a septic tank or 1.8 metres of a leach drain, or other such setbacks as required by relevant legislation. Please contact Council's Health Services for setbacks and requirements for other systems.**
- 2. No direct discharge of stormwater into watercourses or drainage lines.**
- 3. All stormwater runoff from roof areas to be disposed of on site.**
- 4. Only materials identified in the schedule of colours, materials and finishes submitted on 28 March 2007 are to be used in the construction of the single dwelling unless the prior written approval of the Executive Manager Planning and Regulatory Services is obtained.**

**B. Council grants approval for a Building Licence to be issued for the single dwelling by the Shire's Contract Building Surveyor.**

**CARRIED 9/0**

S Langmair returned to the meeting at 7.32pm.

CGAM116/05/07		OVERSIZE VEHICLE APPLICATION TO SERVICE BIO ORGANICS - 945 ABERNETHY ROAD, OAKFORD (P05577)
Proponent:	Ironman Haulage	In Brief  Further information has been provided to Council on the nature of the material and its origin that is being transported into and out of the property.  An application was made by Ironman Haulage for Council consent to use long vehicles (27.5 m) to cart to 945 Abernethy Road, Oakford.  Conditional approval is recommended.
Owner:	Not applicable	
Officer:	Donna Colum Engineering Support Officer	
Signatures Author:		
Senior Officer:		
Date of Report	30 March 2007	
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**

An application was received from Ironman Haulage on the 15 March 2007 for the use of oversize vehicles up to 27.5m in length with tri-axle dolly to cart to 945 Abernethy Road Oakford, (Bio Organics) along the following roads within the Shire of Serpentine Jarrahdale:

- King Road (included in Notice Network)
- Abernethy Road

At the Ordinary Council Meeting held on 23 April 2007 Council resolved as follows:

#### **CGAM108/04/07 COUNCIL DECISION**

*Moved Cr Murphy Seconded Cr Kirkpatrick (proforma)*

*That item CGAM108/04/07 Oversize Vehicle Application To Service Bio Organics - 945 Abernethy Road, Oakford be deferred to the May Corporate Governance & Asset Management Committee, to seek clarification from the proponent as to the nature of the material and its origin.*

*CARRIED 10/0*

### **Sustainability Statement:**

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

***Resource Implications:*** Properly managed permit vehicle operations would minimize road resource use.

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

***Economic Viability:*** The proposal is economically viable as the use of oversize vehicles can result in real cost savings of 25% of freight transport tonnage costs. A reduction in heavy vehicle numbers, combined with suitable axle configurations on oversized vehicles will assist in slowing the deterioration of road pavements through reduced loading.

This proposal should also not incur any ongoing costs or requirement of funding in the future for Council above routine maintenance.

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

**Social – Quality of Life:** By creating endorsed heavy haulage routes, while retaining the ability to issue permits for other routes, the movement of freight vehicles can be controlled and, in the case of as-of-right vehicles, encouraged onto fit for purpose routes. This will assist in ensuring the local road network is safer for general traffic movements.

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

**Social Diversity:** This proposal does not directly affect any social or community groups.

**Statutory Environment:** Motor Vehicle Act and Regulations

**Policy/Work Procedure Implications:** Delegation *AS-3 B-double and Long Vehicle Permits* allows the Chief Executive Officer authority to grant or refuse approval for permits for roads in the district where current permits are in place.

**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:-

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

**3. Economic**  
*Objective 1: A vibrant local community*  
Strategies:  
1. Attract and facilitate appropriate industries, commercial activities and employment.  
2. Identify value-adding opportunities for primary production.  
*Objective 2: Well developed and maintained infrastructure to support economic growth*  
Strategies:  
1. Improved freight, private and public transport networks.

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

**Community Consultation:**

Consultation was undertaken with Bio-Organics and Ironman Haulage.

**Comment**

As per the Council resolution, Officers contacted Ironman Haulage to clarify the nature of material being carted into Bio-Organics and its origin. Ironman Haulage referred Officers to Bio-Organics.

Advice from Bio-Organics is that Ironman Haulage would only be carting out of the property and the material would be mulch and soil conditioners. There would be no material carted in by Ironman Haulage.

The soil conditioner is made up of Greenwaste, peat, clay and sand. It then goes through the compost process. Bio Organics advises that it meets the Australian Standards, being successful members of the Nursery and Garden Industry of Australia and the Landscape Industries Association of Western Australia. Monitoring is undertaken as to what products enter the facility and the end product that leaves the facility, to ensure issues like bacteria are not a problem.

***A copy of the email received from Bio-Organics dated 4 May 2007 is with attachments marked CGAM116.1/05/07 (IN07/5666)***

Bearing this in mind, Council are requested to reconsider the application by Ironman Haulage for an oversize vehicle application. Ironman Haulage is seeking Council approval to operate a 27.5 metre vehicle with tri-axle dolly to Bio-Organics located at 945 Abernethy Road Oakford, anticipating two (2) trips per week.

Ironman Haulage will utilise a vehicle classified as a Main Roads WA Class 2, Category 4 Vehicle (Prime Mover, Semi Trailer towing 6 axle dog).

Given the ability of Council to apply conditions to the operation of the vehicles, officers recommend that approval be granted in this instance for a twelve (12) month period, after which time the applicant may apply for an extension. This will allow Council to grant future approvals based on the performance of the operator during the permit period and any issues that may arise such as public complaints.

It is recommended that this application be approved subject to conditions.

**Voting Requirements:** Simple Majority

**CGAM116/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

Moved Cr Murphy seconded Cr Kirkpatrick

That:

1. Consent is conditionally granted to the use of oversize vehicles (up to 27.5 metres in length) by Ironman Haulage for a period of twelve (12) months for access to Bio-Organics of 945 Abernethy Road Oakford, via King Road and Abernethy Road, subject to compliance with the following conditions:
  - (i) This approval does not relate to the use of over mass vehicles/permits;
  - (ii) Vehicle speeds on King Road and Abernethy Road to not exceed 80km/h or less where either appropriate for safety reasons or posted at a lesser speed;
  - (iii) Vehicles are to operate during daylight hours only between Monday and Saturday;
  - (iv) Vehicles are not to operate during school bus travel times;
  - (v) Any application for extension to the permit(s) being referred to Council;
  - (vi) All owner/operators adhering to the Motor Vehicle Act and Regulations and to any road closures as prescribed in Section 3.50 of the Local Government Act 1995;
  - (vii) Council reserves the right to revoke its support if any of the above conditions are not adhered to, or road conditions and user safety is compromised.
  - (viii) Any damage to the road pavement and bitumen seal at the entrance to Bio Organics at 945 Abernethy Road being reported within twenty four (24) hours of damage occurring and rectified at the expense of Ironman Haulage

**where such damage is caused as a direct result of heavy haulage operations;**

- 2. Main Roads Western Australia be advised in writing of the Council’s decision in relation to the use of oversize vehicles (B-Doubles and Road Trains up to 27.5 metres in length) by Ironman Haulage, to deliver goods and services to 945 Abernethy Road Oakford.**

**CARRIED 9/0**

CGAM117/05/07		REQUEST TO INSTALL PLAYGROUND EQUIPMENT AT OAKFORD COMMUNITY CENTRE RESERVE 41485 (RS0158)
Proponent:	Oakford Playgroup	<p><b>In Brief</b></p> <p>Council is requested to consider a proposal for the installation of playground equipment on Reserve 41485.</p> <p>It is recommended that Council endorse the installation of the playground equipment, grant planning and building approval and waive the associated planning and building fees.</p>
Owner:	Reserve vested under the care, control and management of the Council.	
Officer:	Paula Haro	
Signatures Author:		
Senior Officer:		
Date of Report	2nd April 2007	
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	
<b>Delegation</b>	<b>Council</b>	

### **Background**

The Oakford Playgroup has submitted an application to the Shire to install play equipment at the Oakford Community Centre.

The Oakford Community Centre is located at Lot 1402 Foxton Drive and is within Pony Place Reserve 41485 vested in the Serpentine Jarrahdale Shire for the purpose of “Public Recreation”. The Oakford Community Centre was an Oakford/Oldbury Community Association (OOCA) project built in 2003 with financial support from the Shire and Lotterywest. The management of the facility has occurred jointly with the Shire.

The materials for the play equipment include powder coated steel for uprights, tough moulded plastic for tunnels, and powder coated steel, moulded plastic and trilaminate product for the panels. The colours used in the play equipment include red, blue, green, yellow, grey and black. All uprights on the structure will be concreted 800 mm into the ground.

According to the manufacturer the equipment conforms to the Australian Standards 4685 and 4486 for Playgroups and Playground Equipment. Discussions with the manufacturer have indicated that the height of the equipment conforms to item 2.2.4 Minimum Protection Against Falling which states that “For supervised early childhood equipment the free fall height of fall shall be no greater than 1.5 m.” The Shire’s Operations Team Leader has indicated that installing sand soft fall for safety would be beneficial especially if the grass underneath the equipment dies.

It has also been requested by the Oakford Playgroup that the fees associated with the play equipment be waived by Council. This would result in a loss of income for the Shire of \$140.00 (Planning Application fee of \$100.00 and Building Application Fee of \$40.00).

Council, at its meeting held on the 25 September 2006 granted delegated authority to the Chief Executive Officer to waive planning approval and building licence fees for community organisations where they are undertaking works, or constructing structures, on reserves under Councils care, control and management.

**A copy of the site plan and play equipment is with attachments marked CGAM117.1/05/07 (IN07/5669)**

### **Sustainability Statement**

***Effect on Environment:*** No remnant vegetation will be disturbed by the proposal. The play equipment is proposed to be located outside the minimum setbacks for the Ecomax Effluent Disposal System.

***Resource Implications:*** No vegetated land is to be used as the proposal intends to install play equipment within the existing fenced grassed area.

***Use of Local, renewable or recycled Resources:*** The structure will be installed by a local builder voluntarily. The use of local and renewable resources will be supported.

***Economic Viability:*** The play equipment will be funded jointly by the Shire's Community Grants (2006/07 - \$2,000), a Lottery West grant and contribution by the Oakford Playgroup. The Oakford Playgroup have requested the associated Planning and Building Fees be waived by Council.

***Economic Benefits:*** The Oakford Community Centre is available for hire by community groups and other groups will have access to the play equipment.

***Social – Quality of Life:*** The Oakford Community Centre can be hired out and used by the community and the proposed play equipment will be able to be accessed freely by the community by unlocked gates.

***Social and Environmental Responsibility:*** The proposal will be implemented by the Oakford Playgroup. Supporting this proposal will foster partnerships between all of the stakeholder groups contributing to the proposal.

***Social Diversity:*** This proposal does not disadvantage any social groups.

**Statutory Environment:** Town Planning Scheme No. 2  
Building Regulations 1989 Part 6 – Fees

**Policy/Work Procedure Implications:** PS17 Development on Reserves Vested in or Owned by the Shire  
AP26 Reserve Improvement/Development by the Community

**Financial Implications:** Council will incur a loss of \$100 for the Planning application and \$40 for the Building Application.

**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.  
6. Ensure a safe and secure community.

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

Strategies:

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

*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:

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

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

Oakford / Oldbury Community Association:

The Oakford Community Centre was built and managed in conjunction with the Oakford/Oldbury Community Association (OOCA) and so they have had considerable input into the development and management of the site in previous years. They are also the community forum for that locality with an interest in being consulted on community planning. The OOCA should therefore be advised of Council's decision on this proposal.

Reserves Working Group:

As this proposal occurs on a Shire reserve, the matter was discussed at the Reserves Working Group in accordance with AP26 Reserve Improvement / Development on Council Reserves. The group discussed that the location of the play equipment on the grassed area may limit the use of the area by other groups and the possibility of extending the fencing out to accommodate it elsewhere. The Shire's Operations Team Leader did not object to the proposal but noted that the equipment must comply with the appropriate Australian standards, and that the equipment might impede the existing irrigation system and maintenance of the grass, although this is not done by the Shire at present.

**Comment:**

Discussions with the Shire's Senior Environmental Health Officer has determined the appropriate separation distances of the play equipment in relation to the Ecomax system supplying the community centre. The attached site plan is in compliance with these setbacks.

On ground observations have determined that the installation of the proposed play equipment will not interfere with the irrigation system, although the position of the equipment will interfere with the water flow of the sprinklers surrounding it. The sprinkler heads would need to be redirected or changed.

The Oakford Playgroup's request for the Planning and Building Application fees to be waived can be carried out by the Chief Executive Officer under the following resolution.

At the Ordinary Council Meeting of September 2006 it was resolved:

*That the Chief Executive Officer be granted delegated authority to waive planning approval and building licence fees for community organisations where they are undertaking works, or constructing structures, on reserves under Councils care, control and management subject to the following:*

1. *The maximum waiver amount for any planning fee shall be \$250.00;*
2. *The maximum waiver amount for any building licence fee shall be \$250.00;*
3. *The community organisation must apply in writing seeking the fee waiver.*

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**CGAM117/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Star seconded Cr Kirkpatrick  
That Council:**

- 1. Endorse the construction of the proposed play equipment on Reserve 41485.**
- 2. In accordance with Clause 8.2 of Town Planning Scheme No. 2 approve delegated authority to the Executive Manager Planning and Regulatory Services to grant planning approval for the development following receipt of a Form 1 Planning Application duly signed by an authorized representative of the legal owner of the land.**
- 3. The Form 1 Planning Application is forwarded to the Department of Land Information for signing prior to the issue of Planning Approval. The Form 1 is required to be signed by the Department of Land Information as the application is for development on Crown Land.**
- 4. The Oakford Playgroup be advised that Council will waive the Planning and Building Licence fees for this application.**
- 5. The Oakford/Oldbury Community Association be advised of Council's decision.**

**CARRIED 9/0 ABSOLUTE MAJORITY**



CGAM118/05/07		SETTING OF HIRE FEES FOR USE OF "THE HOUSE", R32179 LOT 219 PATERSON ROAD MUNDIJONG (P01766)
Proponent	Serpentine Jarrahdale Toy Library	In Brief  Council is requested to consider: 1. Approving the request from the Serpentine-Jarrahdale Toy Library to use 'The House' and set an annual rental of \$200 per annum; and 2. Advertising the annual fee in accordance with the provisions of the Local Government Act 1995.
Owner	Shire of Serpentine Jarrahdale	
Officer	Darren Long – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	4 May 2007	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
<b>Delegation</b>	<b>Council</b>	

### **Background**

'The House' was previously leased to the Serpentine Jarrahdale Family Centre Inc, who coordinated the use of the premises. The Family Centre Inc was recently wound up due to a change in their membership structure. Organisations under the membership structure of the Family Centre using 'The House' included the Mundijong Playgroup and the SJ Toy Library Inc.

The SJ Toy Library Inc. has written to Council expressing an interest in continuing to use 'The House' for their weekly activities. The Serpentine-Jarrahdale Toy Library is a not for profit organisation and seeks to use the premises one day per week, on every 1<sup>st</sup> and 3<sup>rd</sup> Saturday and every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday.

***A copy of the letter of request is with attachments marked CGAM118.1/05/07 (IN07/5640).***

### **Sustainability Statement**

#### ***Social – Quality of Life***

This proposal will enhance the quality of life of local residents by providing a facility for use as a place of community interaction and an introduction to early childhood education in an informal environment.

#### ***Social Diversity:***

This proposal does not disadvantage any social groups.

### **Statutory Environment:**

Sections 6.16 and 6.19 of the Local Government Act 1995 apply to this application. Section 6.16 requires Council to adopt new fees, not in the annual budget, by absolute majority. Section 6.19 requires Council to advertise new fees set by way of local public notice.

### **Policy Implications:**

There are no policy implications related to this proposal

### **Financial Implications:**

Council will receive additional revenue from the use of 'The House' by the Toy Library. Given the not for profit

nature of the organisations, it is suggested that the rental charge be kept at a minimum and affordable level.

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

Foster a strong sense of community, place and belonging.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

Statutory advertising is required for any new fee or charge set by Council that is not part of the annual budget. No other consultation is considered necessary.

**Comments**

The proposal from SJ Toy Library Inc provides Council with an opportunity to keep 'The House' tenanted. Tenancy is important as several studies have shown that tenanted buildings are maintained and do not deteriorate as rapidly as those untenanted.

It is recommended that an annual rental for the use of 'The House' by the SJ Toy Library be set at \$200 per annum. This is commensurate with fees currently charged to the Oakford Playgroup and other similar organisations.

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**CGAM118/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution**

**Moved Cr Price seconded Cr Scott**

**That Council:**

- 1. Approve the request from the Serpentine-Jarrahdale Toy Library to use the 'The House', four days per month, and set an annual rental of two hundred dollars (\$200.00) per annum; and**
- 2. Advertise this fee in accordance with the provisions of the Local Government Act 1995.**

**CARRIED 9/0 ABSOLUTE MAJORITY**

CGAM119/05/07		PROPOSED USE OF RESERVE 36950, LOT 427 KING ROAD OLDBURY (RS0028)	
Proponent:	Serpentine Jarrahdale Shire	<b>In Brief</b>  That Council: 1. Make application to the Minister for Planning and Infrastructure requesting that the purpose of Reserve 36950 be amended to include 'municipal pound'; 2. Advise the applicants of Councils decision to develop a proposal for the reserve to be used as a municipal pound; and 3. Advise the applicants that should Council's proposal to have the purpose of the Reserve amended be refused by the Minister, then Council will reassess the proposals submitted and make a determination on the future of the reserve land; 4. List an amount of \$2,000 for consideration in the 2007/2008 draft budget to conduct a dieback survey of the reserve. 5. Grant approval to the Peel Metropolitan Horse and Pony Club to continue to operate on a month by month basis under the same conditions as the original Head Lease until such time as the determination on the future of the reserve land has been resolved.	
Owner:	Shire of Serpentine Jarrahdale		
Officer:	Darren Long Director Corporate Services		
Signatures Author:			
Senior Officer:			
Date of Report	1 May 2007		
Previously			
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995		
<b>Delegation</b>	<b>Council</b>		

### **Background**

Reserve No:	36950
Lot No:	Peel Estate Lot 427 King Road
Area:	25.7658Ha (15ha of native vegetation)
Purpose:	Recreation with power to lease
Soil Type:	Bassendean Sands
MRS Zoning	Rural
TPS Zoning	Rural
Weeds:	Watsonia, Lovegrass
Structures on Land:	Horse arenas, horse jumps, yards, water tanks, Pony clubhouse, car park, house, old yards, dog kennels
Lease:	Perth Hunt Club Inc for 10 years, termination date March 2012. A sub-lease of the property has been continuing on a month by month basis under the original terms and conditions with the Peel Metropolitan Horse and Pony Club Inc.

Council established a head lease for Reserve 36950 with the Perth Hunt Club Inc for a period of five (5) years in March 1997. This head lease was renewed in March 2002 for a further term of ten (10) years. Part of the conditions of the original head lease was the ability for the reserve to be sub-leased to a third party. A sub-lease agreement between the Perth Hunt Club and the Peel Metropolitan Horse and Pony Club was entered into in March 1997 and expired in March 2002. The renewal of the sub-lease was commenced in December 2005.

On 5 May 2006 a request was received from the Mundijong Police for Council Officers to attend the property in relation to a number of matters. Council's Senior Ranger attended and inspected the site with Police. As a result of this inspection, Council's Environmental Health Team was requested to attend the site.

These series of property inspections, including numerous contacts with the lessee's of the reserve, and legal advice obtained during May 2006, led to Council Officers writing to the President of the Perth Hunt Club Inc on 30 June 2006. The letter advised that the kennel establishment was in breach of several state Statutes, Shire Local Laws and the lease agreement for the land and demanded what action the Club would be taking to remedy the breaches. No response from the Hunt Club was received.

Council Officers wrote to the Perth Hunt Club again on 10 August 2006 seeking a response within seven (7) days to matters raised in the correspondence dated 30 June 2006. No response was received.

In accordance with the legal advice obtained, Council Officers considered the lack of response from the Perth Hunt Club Inc to the notification of breach, a serious breach of the lease conditions and deemed the agreement to have been repudiated and terminated, effective immediately.

The termination of the Head lease with the Perth Hunt Club has generated interest in the future use and lease of the reserve by three (3) organizations. These being:

1. Peel Metropolitan Horse and Pony Club Inc;
2. Alaskan Malamute Rescue of WA Association Inc.
3. K9 Dog Rescue Group Inc.

**A copy of each letter of request and proposal is with attachments marked CGAM119.1/07/05 - (IN06/9297), CGAM119.2/07/05 - IN06/12672, CGAM119.3/07/05 – (IN06/15189).**

Council's Ranger Services has also expressed an interest in the future use of the Reserve, specifically the kennel site on the grounds. The kennel site would appropriately service the needs of the Shire in the immediate and long term as a dog pound facility.

### **Sustainability Statement**

#### ***Effect on Environment:***

The proposal for a pound involves retaining the majority of the reserve under Councils control. This option provides Council with the ability to reduce the reserves exposure to environmental damage by controlling the level of use.

#### ***Resource Implications:***

The pound proposal will help minimize resource use by maximizing the existing infrastructure on site.

#### ***Economic Viability:***

The proposed activities by each of the organizations are deemed to be economically viable, as each currently operates established facilities at other locations, with the exception of the Peel Metropolitan Horse & Pony Club which operates on this Reserve.

The proposal to operate a pound from the Reserve is considered to be an economically viable proposition as it keeps establishment costs to a minimum, reducing the economic costs and increasing the return on investment potential.

#### ***Social – Quality of Life***

The pound proposal will have no negative impact on the quality of life of residents, or surrounding land owners, as the reserve was previously used as a kennel facility.

***Social Diversity:***

The pound proposal does not disadvantage any social groups.

**Statutory Environment:**

Local Government Act 1995 – Section 3.58 – Disposition of Land by sale or lease requires Council to either dispose of the property by public auction, tender or by private treaty. If disposing by private treaty the proposed disposition must be advertised in accordance with the legislative requirements. Obtaining a market valuation is one of these requirements.

Land Administration Act 1997 applies in the registration of the leasehold interest on the Crown Land Title Register.

**Financial Implications:**

If Council resolves to dispose of the reserve by lease via private treaty, Section 3.58 of the Local Government Act 1995 requires Council to undertake a number of tasks. Firstly a market valuation must be obtained on the annual rental capacity of the land; secondly the Council must advertise the proposed disposition. A market valuation is estimated at between \$500 and \$1,500, with advertising costs being in the order of \$100-\$200.

**Strategic Implications:**

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

**1. People and Community**

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

Strategies:

Foster a strong sense of community, place and belonging.

**4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

The Peel Metropolitan Horse and Pony Club are current users of the land; it is prudent that they be consulted in relation to any proposal adopted by Council. It is proposed that a meeting be convened with the Club and Council Officers to discuss the proposal adopted.

If Council resolves to consider disposition of the Reserve by lease via private treaty, provisions of the Local Government Act 1995 require the proposed disposition to be advertised in local papers circulating the district seeking comment on the proposal.

It is suggested that the statutory advertising requirements, combined with the consultation meeting with Peel Metropolitan Horse and Pony Club, are considered adequate for the level of consultation required on this proposal.

**Comment:**

The termination of the head lease with the Perth Hunt Club has directly affected the existence of the sub-lease with the Peel Metropolitan Horse and Pony Club. The head lease contains a clause where the sub-lease can only continue to exist whilst the head lease is valid and not expired or terminated. Also without the existence of a head lease, a sub-lease cannot be entered into. Whilst the original sub-lease expired in 2002 and action was taken to renew the sub-lease in December 2005, the advent of the termination of the head lease

resulted in the halting of the progression of the sub-lease. The Peel Metropolitan Horse and Pony Club, whilst not having a valid sub-lease, have been permitted to operate on the land until the future of the reserve is determined.

As part of the lease termination process, the cancellation of the head lease from the Crown Land Title (CLT) Register has presented a legislative problem for Council. To remove any legal document from a Crown Land Title Register, the signatories of both parties on the withdrawal document are required.

The Perth Hunt Club Inc has ceased to exist as an incorporated body and there is currently no legislative provision that allows for the removal of a legal document from a Crown Land Title Register where a party to the legal document ceases to exist. Councils' solicitors have advised that statutory declaration documents need to be filed outlining the position with DLI. DLI will then proceed with the withdrawal of the documents from the CLT Register. Councils' solicitors also advise that: *"...this technicality should not prevent Council from entering into a new lease agreement, but may delay the registration of the new leasehold interest"*.

The following summary of each of the four proposals for the future use arrangements of Reserve 36950 are outlined for Councils consideration:

1. Peel Metropolitan Horse and Pony Club

The Peel Metropolitan Horse and Pony Club have expressed an interest in taking over the primary (head) lease of the reserve. The club has sub-leased a portion of the reserve from the Perth Hunt Club Inc. and is keen to secure the head lease for the land, as they would be able to utilise existing structures at the established kennel facility for storage of equipment. This proposal is an existing use, with a well established organisation which has a very good operating record on the reserve land. The full details of this proposal are outlined in the Club's expression of interest.

This organization has, and continues to display, a responsible approach to land use practices and activities on the property. It provides a valuable service to the local community. The use is considered compatible with surrounding land use activities and it is strongly recommended that this organisation continue activities on the property. However the form of tenure to the land needs to be considered and it is suggested that a separate lease for this organisation, restricted to their current use area, would be a more appropriate solution.

2. Alaskan Malamute Rescue WA Association Incorporated

The Association seeks to lease the kennel complex area for the keeping of dogs (specific breed) for animal welfare and training purposes.

The Association is a not for profit animal charity organisation dedicated to the rescue, rehabilitation and re-homing of dogs in need. The organisation has chosen this site specifically because of its close proximity to Association members, carers, approved training areas and major arterial roads and highways. The potential to train dogs and members of the local community is very appealing to the Association and the rural setting makes it most attractive. The full details of this proposal are outlined in the Association's expression of interest.

3. K9 Dog Rescue Group

The K9 Group seeks to lease the kennel complex to establish a partnership with Murdoch TAFE with the view of creating a government initiative modelled on the 'Cell Dogs' program in the USA.

The following is an extract from the Lee County Cell Dogs website [www.leecountycelldogs.com](http://www.leecountycelldogs.com):

*“The Cell Dogs Program places homeless shelter dogs to be obedience trained by carefully selected inmates. The dog training program, taught by volunteers from Companion Dog Training Centre, teaches inmates how to obedience train dogs during an intensive 8 to 16 week course.*

*Upon graduation, the dogs are highly adoptable and possess obedience skills such as how to heel, sit, recall, and stay. They are also housed trained, leash trained and responsive to voice commands and some hand signals.”*

As part of the proposal, it is proposed that the Peel Campus of TAFE would create an education program allowing students in animal care to obtain hands on training and experience in dealing with animals. The full details of this proposal are outlined in the Groups’ expression of interest.

#### 4. Shire of Serpentine Jarrahdale Ranger Services

Council’s Ranger Services has proposed that the kennel complex on Reserve 36950 be approved for use as Council’s dog pound.

The property contains suitable kennel structures, which would markedly reduce Councils investment in required infrastructure. However, the current condition of the kennel facility is such that a range of works would be required to permit the facility to be used as a Council pound. The estimated cost at this time is unknown, but is expected to be significantly less than when compared to the development of a Greenfield’s site, estimated at \$300,000.

The existing Management Order has set aside the Reserve for the purpose of recreation. Before the Reserve could be utilized as a municipal pound, Council would have to make application to the Department of Planning and Infrastructure to have dual purposes, being recreation and municipal pound, assigned to the reserve. To support such an application, Council would have to provide information on the history of the land, what the community expectations are for this land (if any), whether it is close to any residential housing/development and also the current and future zoning of the land.

The use of the Reserve as Shire pound has merit as the area of this reserve, including the kennel complex, could well be used for this purpose with minimal impact on the site; as it would not require any further clearing of vegetation. From a locational perspective the site is relatively remote and has no high density residential housing close to it. Further it would leave the majority of the reserve in Council’s direct control, which would assist in the prevention of further degradation of native vegetation.

The portion currently used by the Peel Metropolitan Horse and Pony Club could be covered by a separate lease agreement, allowing them to continue their operations.

To consider the land in the context of its current state, the following information has been provided by Council’s Environmental Officer and Reserves Officer:

#### Environmental Officer Comments:

*A site inspection was conducted on 1 May 2007 and involved driving around the boundary of the reserve and inspection on foot of three areas. 1.) Northern side, 2.) Western edge and 3.) Southern side. The following observations were made:*

##### 1. Northern side (Area1)

Soil consists of deep banksia sands (Bassendean B6). Observations indicate that the water table > 3 m. The vegetation structure is good with 3 layers present (groundcover, midstorey, overstorey).

The main weed threat is from perennial veldt grass (*Ehrharta calcynia*); with the other weed of possible future significance is *Gladiolus caryophyllaceus* (Wild Gladiolus). There seems to be no apparent drought or disease impacts, but a visible rabbit infestation.

2. Western edge (Area2)

Soil consists of banksia sands (Bassendean B1). Observations indicate that the water table < 2m. The area is a low point in the topography of the reserve. The vegetation structure is not good; a very sparse overstorey with minimal natural groundcover layer. There is an apparent long-term dieback impact as most indicator species are no longer visible. Heavy rabbit infestation. Heavy veldt grass infestation.

3. Southern side (Area3)

Soil consists of banksia sands (Bassendean B1) yellow horizon evident. The area is a high point in the topography of the reserve. The vegetation structure is good. Vegetation includes species commonly related to yellow sand (*Sterlingia latifolia*) which is normally robust and resilient to plant disease. There is evidence of significant numbers of recent deaths of *Banksia* Sp. and *Adenanthos cygnorum* (common woolybush). It is suspected that dieback/drought is the cause. Significant weeds are perennial veldt grass (*Ehrharta calcynia*).

4.) Arena and facilities area

The vegetation is degraded with significant introduced species planted. Infestations of perennial veldt grass throughout with Lovegrass (*Eragrostis curvula*) intrusions apparent from the King Road boundary.

Reserve Officer Comments:

A site inspection was conducted of the reserve on 1 May 2007. The following comments are made in relation to the Reserve:

1. Ecological Status / Rarity.

The reserve has a large area of remnant vegetation (around 15 hectares) forming part of the Bassendean Complex – Central and South. Regionally the Swan Coastal Plain hosts large remnants of this vegetation type, however limited amounts are in secure tenure of crown land. Locally the shire has few reserves of this vegetation type. The bushland has not been recognised as regionally significant through Bush Forever, nor is it known to contain priority flora. Priority fauna species, the Quenda, are known to habitat within the reserve. The size and shape of the bushland, its connectivity values and the existence of the Quenda determine it is a locally significant area.

2. Vegetation Type / Condition

The vegetation consists of *Banksia* woodland with *allocasuarina*, Marri, Jarrah, over woolly bush, *macrozamia*, *dasyogon*, *stirlingia* and *conostylis*.

There is a lack of middle and lower storey vegetation in some areas. Some *Melaleuca*'s indicate the area was previously wetter (near the drain) at the low point of the reserve. The condition rating of the vegetation ranges from very good to degraded. The vegetation structure has been altered and has been severely impacted on by localised disturbance. There is scope for regeneration but currently the vegetation is not in a good condition and would require intensive management to achieve this outcome.



*Veldt grass is wide spread throughout the reserve. In some areas it is dominating the understorey and in others it is causing light disturbance. Other weeds species identified include gladioli, lovegrass, and nearer drainage areas kikuyu.*

*The vegetation type has many species vulnerable to dieback. In certain areas on the Reserve dieback seems to be present, with many deaths occurring and a distinct lack of indicator species. However to the west of the reserve the deaths are not characteristic (i.e. dying slow and there are indicator species present).*

*This could be attributed to the yellow sands in the area and the retention ability of the soil to hold phosphorus.*

3. Feral Animals

*There is a large amount of evidence indicating that rabbits are prolific in the reserve.*

4. Reserve Access and Infrastructure

*A standard fence bounds the reserve. An open access point and 'dysfunctional' fence is in the west section of the reserve. Currently there seems to be no unwanted traffic gaining access at these points. The entrance on King Road is in good condition. The native vegetation area is not fenced from the active recreation area of the reserve. There are some informal horse jumps through the vegetated area and evidence of horses using this area.*

*The Horse arenas are well maintained and consist of horse jumps, yards, water tanks, Pony clubhouse and a car-park.*

*Other structures include an old house used as a caretakers dwelling, old yards dog kennels, old wire and machinery and rubbish.*

When assessing the proposals from the respective organisations for the lease of Reserve 36950, one issue became clear. The Council has not considered how this reserve may best service the future requirements of Council. It is evident that as the Shire grows in population, it will require its own dedicated pound facility for the holding of dogs and livestock. The availability of this reserve presents an excellent opportunity for Council to secure a site for the development of a pound facility.

It is suggested that this reserve is the most advantageous site for a permanent pound facility. There are several reasons for this conclusion, however the key principles guiding this belief are:

1. The location of the site in relation to built up areas ;
2. The land is in the care, control and management of Council;
3. The zoning of the land is rural and the establishment of a pound would be an "AA" use under the Town Planning Scheme; and
4. The site contains a majority of the necessary infrastructure and would substantially reduce Councils investment as compared to establishing a Greenfield's site.

It is recommended that Council:

1. Resolve that Reserve 36950 be considered for the establishment of a municipal pound and that an application be submitted to the Minister for Planning and Infrastructure requesting that the purpose of Reserve 36950 be amended to incorporate municipal purposes. ;
2. List an amount of \$2,000 for consideration in the 2007/2008 draft budget for a dieback survey of the reserve;

3. Grant approval to the Peel Metropolitan Horse and Pony Club to continue to operate on a month by month basis under the same conditions as the original Head Lease until such time as the determination on the future of the reserve land has been resolved.

Should the amendment to the purpose of the reserve not be approved, then it is recommended that Council revisit the proposals submitted for a determination, but ensure as part of this review that the Peel Metropolitan Horse and Pony Club retains the right of access to the portion of reserve they currently use.

**Voting Requirements:** Simple Majority

**CGAM119/05/07 Officer Recommended Resolution:**

That Council:

1. Make application to the Minister for Planning and Infrastructure requesting that the purpose of Reserve 36950 be amended to include 'municipal purposes';
2. Advise the applicants of Councils decision to develop a proposal for the reserve to be used as a municipal pound; and
3. Advise the applicants that should Councils proposal to have the purpose of the Reserve amended be refused by the Minister, then Council will reassess the proposals submitted and make a determination on the future of the reserve land;
4. List an amount of \$2,000 for consideration in the 2007/2008 draft budget to conduct a dieback survey of the reserve.
5. Grant approval to the Peel Metropolitan Horse and Pony Club to continue to operate on a month by month basis under the same conditions as the original Head Lease until such time as the determination on the future of the reserve land has been resolved.

**NEW MOTION:**

That Council:

1. Make application to the Minister for Planning and Infrastructure requesting that the purpose of Reserve 36950 be amended to include 'municipal purposes';
2. Advise the applicants of Councils decision to develop a proposal for the reserve to be used as a municipal pound; and
3. Advise the applicants that should Councils proposal to have the purpose of the Reserve amended be refused by the Minister, then Council will reassess the proposals submitted and make a determination on the future of the reserve land;
4. List an amount of \$2,000 for consideration in the 2007/2008 draft budget to conduct a dieback survey of the reserve.
5. Grant approval to the Peel Metropolitan Horse and Pony Club to continue to operate on a month by month basis under the same conditions as the original Head Lease until such time as the determination on the future of the reserve land has been resolved.
6. Advise the Peel Metropolitan Horse and Pony Club that it intends the Club to have long term use of the area.

**Committee Note** – The Officer Recommended Resolution was changed by the Committee as it was keen to express its views that the Peel Metropolitan Horse and Pony Club could continue utilising the Reserve on a long term basis.

**CGAM119/05/07 Committee Recommended Resolution:**

That Council:

1. Make application to the Minister for Planning and Infrastructure requesting that the purpose of Reserve 36950 be amended to include 'municipal purposes';
2. Advise the applicants of Councils decision to develop a proposal for the reserve to be used as a municipal pound; and
3. Advise the applicants that should Councils proposal to have the purpose of the Reserve amended be refused by the Minister, then Council will reassess the proposals submitted and make a determination on the future of the reserve land;
4. List an amount of \$2,000 for consideration in the 2007/2008 draft budget to conduct a dieback survey of the reserve.
5. Grant approval to the Peel Metropolitan Horse and Pony Club to continue to operate on a month by month basis under the same conditions as the original Head Lease until such time as the determination on the future of the reserve land has been resolved.
6. Advise the Peel Metropolitan Horse and Pony Club that it intends the Club to have long term use of the area.

LOST 3/4

**CGAM119/05/07 Committee Recommended Resolution:**

That this item be deferred to the May Ordinary Council Meeting.

CARRIED 7/0

**Committee Note:** The Officers Recommended Resolution was changed by deferring the item to the May Ordinary Council Meeting in order to allow further discussion on this item.

**CGAM119/05/07 NEW MOTION:**

**Moved Cr Murphy seconded Cr Star (proforma)**

**That Council :**

1. **Make application to the Minister for Planning and Infrastructure requesting that the purpose of Reserve 36950 be amended to include 'municipal purposes';**
2. **Advise the applicants of Councils decision to develop a proposal for the reserve to be used as a municipal pound; and**
3. **Advise the applicants that should Councils proposal to have the purpose of the Reserve amended be refused by the Minister, then Council will reassess the proposals submitted and make a determination on the future of the reserve land;**
4. **Council Staff conduct a dieback survey of the reserve;**
5. **Grant approval to the Peel Metropolitan Horse and Pony Club to continue to operate on a month by month basis under the same conditions as the original Head Lease until such time as the determination on the future of the reserve land has been resolved.**
6. **Advise the Peel Metropolitan Horse and Pony Club that it intends the Club to have long term use of the area.**

**LOST 0/9**

The Executive Manager Planning and Regulatory Services left the meeting at 7.45pm and returned at 7.45pm.

**FORESHADOWED MOTION:**

**During debate Cr Star foreshadowed that she would move the original officer recommended resolution, if the motion under debate was defeated.**

**CGAM119/05/07 COUNCIL DECISION/Officer Recommended Resolution**

**Moved Cr Star seconded Cr Price**

**That Council:**

1. **Make application to the Minister for Planning and Infrastructure requesting that the purpose of Reserve 36950 be amended to include ‘municipal purposes’;**
2. **Advise the applicants of Councils decision to develop a proposal for the reserve to be used as a municipal pound; and**
3. **Advise the applicants that should Councils proposal to have the purpose of the Reserve amended be refused by the Minister, then Council will reassess the proposals submitted and make a determination on the future of the reserve land;**
4. **List an amount of \$2,000 for consideration in the 2007/2008 draft budget to conduct a dieback survey of the reserve.**
5. **Grant approval to the Peel Metropolitan Horse and Pony Club to continue to operate on a month by month basis under the same conditions as the original Head Lease until such time as the determination on the future of the reserve land has been resolved.**
6. **Advise the Peel Metropolitan Horse and Pony Club that it intends the Club to have long term use of the area.**

**CARRIED 9/0**

**Council Note:** The original officers recommended resolution was the motion that was carried.

CGAM120/05/07		ADOPTION OF POLICY ON THE PROCUREMENT OF GOODS OR SERVICES THROUGH DIRECT PURCHASING AND PUBLIC TENDERING (A1048)
Proponent:	Shire of Serpentine Jarrahdale	In Brief  That Council consider adopting the Policy on the Procurement of Goods or Services through direct Purchasing and Public Tendering.
Owner:	Shire of Serpentine Jarrahdale	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	7 <sup>th</sup> May 2007	
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	
<b>Delegation</b>	<b>Council</b>	

**Background**

In February 2007 the State Government passed the Local Government (Functions and General) Amendment Regulations 2007. As a result of these amendments, the tender threshold limit was raised from \$50,000 to \$100,000.

New legislative requirements from the Amendment Bill require local governments to adopt and implement a purchasing policy in relation to the supply of goods or services where the consideration is expected to be \$100,000, or worth \$100,000 or less.

A draft Policy, based on the WA Local Government Association model, has been prepared and is presented for Councils consideration.

***A copy of the Draft Policy is with attachments marked CGAM120.1/05/07. (E07/2320)***

## **Sustainability Statement**

The purchasing policy contains a key objective of sustainable procurement. The policy commits the Shire of Serpentine Jarrahdale to sustainable procurement and where appropriate endeavours to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. It proposes sustainable considerations must be balanced against value for money outcomes in accordance with the Shire's sustainability objectives.

### **Statutory Environment:**

Local Government Act 1995.

The amendment to the Regulations consists of the insertion of a new Regulation 11A, which states the following:

*(1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100 000 or less or worth \$100 000 or less;*

*(2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in sub regulation (1);*

*(3) A purchasing policy must make provision in respect of –*

- (a) the form of quotations acceptable; and*
- (b) the recording and retention of written information, or documents, in respect of –*
  - (i) all quotations received; and*
  - (ii) all purchases made.*

*(4) Different requirements may be imposed under a purchasing policy in respect of different classes, or types, of any of the following –*

- (a) goods and services;*
- (b) suppliers;*
- (c) contracts;*
- (d) any other thing that the local government considers appropriate.*

### **Policy/Work Procedure Implications:**

If adopted, this draft Policy will replace Council Policy CSP2 "Buy Local Policy" and require amendment to "Guidelines For the Purchase of Goods and Services" management/service team work procedure.

### **Financial Implications:**

There are no immediate financial implications for the Council in regards to this matter.

### **Strategic Implications:**

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

#### **1. People and Community**

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

Strategies:

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

**3. Economic**

*Objective 1: A vibrant local community*

Strategies:

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

*Objective 3: Effective management of Shire growth*

Strategies:

1. Enhance economic futures for Shire communities.

**4. Governance**

*Objective 1: An effective continuous improvement program*

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.

**Community Consultation:**

No community consultation is required, as this is a legislative mandated requirement.

**Comment:**

This report is the result of the introduction of a new Regulation 11A into the Local Government (Functions and General) Regulations 1996 following the adoption of the Local Government (Functions and General) Amendment Regulations 2007. This policy seeks to address the requirements of the revised Regulations.

To ensure compliance with updated legislation and good stewardship of community assets it is essential that the Council establishes a clear and relevant policy on the procurement of goods or services through direct purchasing and public tendering. The attached draft policy is the means by which to address this requirement.

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**CGAM120/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

Moved Cr Kirkpatrick seconded Cr Geurds

That Council:

1. Adopt the following as a Policy of Council; “Procurement of Goods or Services through Direct Purchasing and Public Tendering” as attached at CGAM120.1/05/07 and
2. Replace the CSP2 “Buy Local” Policy with the above Policy.

**CARRIED 9/0 ABSOLUTE MAJORITY**

CGAM121/05/07		PLANNING APPROVAL FOR TRANSPORTABLE BUILDINGS AS TEMPORARY OFFICE ACCOMMODATION ON RESERVE NO. 30867 (RS0136/01)
Proponent:	Serpentine Jarrahdale Shire	<p>In Brief</p> <p>Council is requested to:</p> <ol style="list-style-type: none"> <li>1. Endorse the location and construction of a transportable building on Reserve No. 30867 for use as temporary office accommodation;</li> <li>2. Authorise a Form (1) Planning Application being forwarded to the Department of Land Information for signing as owner of the land prior to the issue of Planning Approval.</li> <li>3. In accordance with Clause 8.2 of Town Planning Scheme No. 2, delegate authority to the Executive Manager Planning and Regulatory Services to grant planning approval for the development.</li> </ol>
Owner:	Vested in the Serpentine Jarrahdale Shire	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	4 May 2007	
Previously	CGAM058/12/06	
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	
<b>Delegation</b>	<b>Council</b>	

### **Background**

The existing Shire Administration Building has reached capacity and there are no spare workstations or useable areas within the confines of the building to house staff apart from those areas utilized by the elected members of Council (i.e. Committee Room and Lounge).

At its meeting in December 2006, Council approved the purchase of a transportable building to house staff.

Final design and costing on a transportable building have been obtained. Prior to proceeding with the ordering and installation of the transportable building, planning and building approval is required.

***A copy of the site plan for the proposed location of the transportable buildings is with attachments marked CGAM121.1/05/07. (E07/2322)***

### **Sustainability Statement**

The purchase and installation of a transportable building is not sustainable as it is merely a short term solution to address the Shire's need for office space to accommodate existing staff numbers.

The transportable building does not address the long term staffing and accommodation needs of the organisation as an additional transportable building is likely to be required if the organisation continues to grow to meet the service needs of the community. However up to two transportable buildings will meet the immediate requirements of the organisation and the long term needs will be fulfilled in 2-5 years time when the new Administration Building is constructed.

***Effect on Environment:*** Due to area constraints on the site, there will be a requirement to remove two small trees, to allow the positioning of the transportable building. The trees have been identified as:

1. Agonis Flexuosa – more commonly known as the Peppermint and is native to the Western Australian coastal strip from Perth to Bremer Bay.
2. Eucalyptus Robusta – more commonly known as swamp mahogany and is native to NSW.

**Social Diversity:** This proposal does not disadvantage any social groups.

**Statutory Environment:** Town Planning Scheme No. 2.

**Policy/Work Procedure Implications:** AP26 Reserve Improvement/Development by the Community

**Financial Implications:** Within Budget

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

**2. Environment**  
*Objective 1: Protect and repair natural resources and processes throughout the Shire*  
Strategies:  
4. Reduce water consumption.  
5. Reduce green house gas emissions.  
*Objective 2: Strive for sustainable use and management of natural resources*  
Strategies:  
2. Respond to Greenhouse and Climate change.  
3. Reduce waste and improve recycling 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.  
3. Regularly update information services and IT capacity to support programs and projects.  
4. Balance resource allocation to support sustainable outcomes.  
*Objective 2: Formation of Active Partnerships to progress key programs and projects*  
Strategies  
2. Improve customer relations service.  
*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:**

No community consultation is required.



**Comment:**

It is proposed that the application be for two transportable buildings; one to be put in place immediately to deal with current accommodation requirements; with the second transportable to be commissioned as the staffing accommodation need arises.

Clause 8.2 of Town Planning Scheme No. 2 gives the Council to power to delegate any of its functions under the town planning scheme as follows:

**8.2 DELEGATION**

8.2.1 *The Council may delegate to an officer of the Council such of its functions under the Scheme as it thinks fit.*

8.2.2 *The exercise of a function by a delegate under Clause 8.2.1 shall be deemed to be a performance of the function by the Council.*

8.2.3 *The Council may make rules for the exercise of functions delegated under Clause 8.2.1.*

8.2.4 *The Council may, at any time, withdraw the delegation of a function made under Clause 8.2.1.*

Although it is only planned to immediately purchase one transportable building at the present time, a second transportable building may be required in the short term. It is proposed to grant planning approval for two transportable buildings on Reserve 30867 to allow for forward planning of the second building.

Council, at its meeting held on the 25 September 2006 granted delegated authority to the Chief Executive Officer to waive planning approval and building licence fees for community organisations where they are undertaking works, or constructing structures, on reserves under Councils care, control and management. The maximum waiver amount for any planning fee is \$250.00.

**Voting Requirements:** Simple Majority

**CGAM121/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Scott seconded Cr Harris**

**That Council:**

- 1. Endorse the location of two transportable buildings on Reserve No. 30867 for use as temporary office accommodation.**
- 2. Authorise the Form (1) Planning Application being forwarded to the Department of Land Information for signing prior to the issue of Planning Approval.**
- 3. In accordance with Clause 8.2 of Town Planning Scheme No. 2 delegate authority to the Executive Manager Planning and Regulatory Services to grant planning approval for the development.**

**CARRIED 9/0**

CGAM122/05/07		PROPOSED NEW LOAN – TOYOTA DELUXE COASTER BUS (A0176)
Proponent:		<p>In Brief</p> <p>Council resolve to borrow \$95,000 to fund the purchase of a Toyota Deluxe Coaster Bus.</p> <p>To delegate to the Shire President and Chief Executive Officer to finalise the loan agreement for the purchase of a Toyota Deluxe Coaster Bus.</p>
Officer:	Casey Mihovilovich – Manager Finance Services	
Signatures Author:		
Senior Officer:		
Date of Report	1 May 2007	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995.	
Delegation	<b>Council</b>	

### **Background**

The previous Toyota Coaster Bus that the Shire held was provided to the community through an operating lease from Rentworks Limited. The lease commenced in 2001 and was due to expire on the 30<sup>th</sup> June 2007. At that time, Council was to consider whether to continue with an operating lease or source other options that would best suit the Council. Under the lease arrangements, Council was liable to pay quarterly lease payments which were based solely on the capital cost of the Toyota Coaster Bus. In an event that the Toyota Coaster Bus, whilst in the custody of the Shire, was in an accident and was irreparable, the Shire was to pay Rentworks Limited the market value of the bus at that point in time.

On the 10<sup>th</sup> March 2007 the Toyota Coaster Bus was in a car accident and was deemed a write off. Currently Council have not replaced this vehicle and can not provide this service to the community until such time as a replacement is found.

Upon feedback from Councillors in relation to the specific requirements they would like to see in the proposed new Toyota Coaster Bus, quotes were sourced for the following funding options for an amount of \$95,000;

1. Non Maintained Operating Lease (lease payments to cover the capital cost of the bus)
2. Fully Maintained Operating Lease (lease payments to include capital costs, maintenance, registration, does not include fuel)
3. Finance Lease (residual value at the end of the term to take over ownership)
4. Commercial Hire Purchase (residual value at the end of the term to take over ownership)
5. Loan for 5 years

### **Statutory Environment:**

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

Subsection (2) of Section 6.20 requires: *Where, in any financial year, a local government proposes to exercise a power under subsection (1) (~power to borrow~) and details of that proposal have not been included in the annual budget for that financial year -*

*(a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and*

*(b) the resolution to exercise that power is to be by absolute majority.*

**Policy/Work Procedure Implications:**

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

**Financial Implications:**

No provision has been included in the 2006/2007 budget for this loan. There will be additional savings in account number BUS700 for the 2006/2007 financial year because Council was not charged the lease payment for the June 2007 quarter. The loan will not be drawn until July 2007, which will be the 2007/2008 financial year, due to the requirement for the one month's local public notice. Therefore, there will be provisions in the 2007/2008 budget for the loan repayments.

**Strategic Implications:**

No Strategic Implications

**Community Consultation:**

Section 6.20 (2) of the Local Government Act requires Council to give one month's local public notice of the intent to borrow, if the loan has not been included in the annual budget. No other form of consultation is suggested as being necessary in relation to this matter.

**Comment:**

As previously mentioned in the background information the following quotes were obtained for the following purchase/lease options;

1. Non Maintained Operating Lease (lease payments to cover the capital cost of the bus)
2. Fully Maintained Operating Lease (lease payments to include capital costs, maintenance, registration, does not include fuel)
3. Finance Lease (residual value at the end of the term to take over ownership)
4. Commercial Hire Purchase (residual value at the end of the term to take over ownership)
5. Loan for 5 years

Under any operating lease there is no right for the lessee to take ownership of the asset at any time. This is a disadvantage for the Shire because of the value a bus retains during the life of the lease term, being around 5-6 years. For example, a 2001 Toyota Coaster Bus costing \$80,000 was quoted to have a market value of \$48,000 in March 2007.

Under any finance lease or a commercial HP there is an option at the end of the lease term to purchase the asset, which is a residual payment (often referred to by balloon payment).

The residual payment is set at the beginning of the lease, and is factored into the total lease payments made during the lease term. Therefore the higher the lease payments the lower the residual value at the end of the lease term.

The reason why operating lease payments are less than the finance lease or commercial HP payments is because under a finance lease, the payments are relatively higher to reduce the residual value (balloon payment). For example, from the quotes we received the balloon payment set was \$19,000 however, it can be estimated that the market value of the bus would be around \$50,000.

Due to the significant costs associated with the different lease options, it was not in the best interest of Council to pursue any of these avenues. An indicative quote from the Western Australian Treasury Corporation provided the most cost effective option. Previously we budgeted \$18,000 for lease repayments. Under the recommendation presented to Council the annual costs (interest and depreciation) for the purchase of the bus will be around \$15,100 for the first year, and will decrease by around \$1,000 (based on the interest being calculated on the reduced capital amount outstanding). This would result in a saving to the Council of around \$3,000 per year.

It is recommended that Council:

1. In accordance with Section 6.20 (2) of the Local Government Act 1995, Council give local public notice of its intent to raise a loan for \$95,000 for a five (5) year term for the purchase of a new Toyota Coaster bus; and
2. Grant delegated authority to the Shire President and Chief Executive Officer to finalise and sign the loan agreement, including the repayment schedule applicable at the time of signing, on behalf of Council.

**Voting Requirements:                      ABSOLUTE MAJORITY**

**CGAM122/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Scott seconded Cr Price**

**That Council:**

1. In accordance with Section 6.20 (2) of the Local Government Act 1995, Council give local public notice of its intent to raise a loan for \$95,000 for a five (5) year term for the purchase of a new Toyota Coaster Bus; and
2. Grant delegated authority to the Shire President and Chief Executive Officer to finalise and sign the loan agreement, including the repayment schedule applicable at the time of signing, on behalf of Council.

**CARRIED 9/0 ABSOLUTE MAJORITY**

CGAM123/05/07		YMCA PERTH INC. – PROPOSED 2007-2008 BUDGET FOR SERPENTINE JARRAHDAL RECREATION CENTRE AND PROPOSED FEES & CHARGES SCHEDULE (RS)
Proponent:	YMCA Perth Inc.	In Brief  That Council consider endorsing the proposed budget and schedule of fees and charges from YMCA for the management of the Serpentine Jarrahdale recreation centre for the 2007/2008 financial period.
Owner:	Shire of Serpentine Jarrahdale	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	7 May 2007	
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	
<b>Delegation</b>	<b>Council</b>	

**Background**

Discussions have been held with the YMCA in relation to a proposed budget for the management of the Recreation Centre for 2007/2008. In addition to the proposed budget, the YMCA has also provided a list of proposed fees and charges that have been revised for 2007/2008.

***A copy of the proposed budget and schedule of fees and charges is with attachments marked CGAM123.1/05/087 (IN07/5814).***

### **Sustainability Statement**

#### ***Effect on Environment:***

##### ***Energy Use/Greenhouse Gas Emissions:***

The YMCA budget proposes to continue to implement approaches that minimize energy use throughout the operations of the Centre, with the aim of reducing overall operating costs and minimizing greenhouse gas emissions.

#### ***Use of Local, Renewable or Recycled Resources:***

##### ***Locally Available:***

The YMCA propose to continue to actively pursue the employment of local people in the operations of the Centre, where the local people have the relevant skill-set and qualifications to meet the position requirements of the YMCA.

#### ***Economic Viability:***

The proposed fees and charges and budget aim to allow the YMCA to provide a high level recreation service to the community, whilst ensuring the management of the Centre is operated on sound financial grounds.

#### **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:**

The proposed Schedule of Fees and Charges for the hire rates applicable for the use of the facilities at the recreation centre have been increased by 3-4% in most areas, with the hire of the green rooms increasing by 16%.

The proposed budget for 2007/2008 has an operating deficit of \$181,297 to be funded by Council. The budget for 2006/2007 was \$198,713; a reduction of \$17,416, or 8%.

#### **Strategic Implications:**

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

##### **1. People and Community**

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

###### **Strategies:**

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

##### **3. Economic**

*Objective 1: A vibrant local community*

###### **Strategies:**

1. Develop tourism potential by exposing the community to the metropolitan area of Perth.

##### **4. Governance**

*Objective 3: Compliance to necessary legislation*

Strategies:

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

**Community Consultation:**

Community consultation is not required.

**Comment:**

The proposed budget for 2007/2008 is exhibiting similar trends to the financial scenarios as submitted in the original tender; with the overall operating deficit decreasing at a reasonable rate with each year of operation. This is in the main due to the increased memberships and usage of the facility.

It is recommended that the proposed budget and schedule of fees and charges for 2007/2008 for the Serpentine Jarrahdale recreation centre, submitted by the YMCA Perth Inc. be endorsed.

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**CGAM123/05/07 COUNCIL DECISION/Committee/Officer Recommended Resolution:**

**Moved Cr Harris seconded Cr Price**

**That the proposed budget and schedule of fees and charges for the 2007/2008 financial year for the Serpentine Jarrahdale Recreation Centre, submitted by the YMCA Perth Inc. be endorsed and listed for consideration in the 2007/2008 draft budget.**

**CARRIED 9/0 ABSOLUTE MAJORITY**

**8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

OCM037/05/07	PURCHASE OF SHED FOR ERECTION ON DARLING DOWNS RESERVE (A0038-01 & RS0041)	
Proponent:	Director Corporate Services	In Brief  Council is requested to: 1. Approve the purchase and erection of a shed for erection on Darling Downs Reserve; and 2. Authorise the transfer of \$8,968.00 (Ex GST) from the Darling Downs Developer Contribution Capital Reserve Funds to cover the purchase and erection of the shed, and amend the 2006/2007 statutory budget accordingly.
Owner:	Shire of Serpentine Jarrahdale	
Officer:	Darren Long Director Corporate Services	
Signatures Author:		
Senior Officer:		
Date of Report	15/05/07	
Previously	CGAM067/01/07	
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	
<b>Delegation</b>	<b>Council</b>	

**Background**

The Darling Downs Management Committee was originally formed as a result of a public meeting held by Council at the Byford Hall on 18 February 1987. The public meeting was called due to the developer not completing the development; instead the developer paid a

contribution per lot to Council in lieu of the completing the development. Council called the public meeting, seeking input and direction from the local community on how the Darling Downs area should be further developed. It was agreed at the public meeting that a Committee should be formed to assist the Council with the development of the area.

The funds contributed by the Developer are held in a Reserve fund by Council and invested in accordance with Council's investment policy.

Darling Downs Management Committee has passed a resolution at a general meeting authorising the purchase and erection of a shed on the Darling Downs Reserve, and seek approval from Council to do the same and fund the purchase from the Darling Downs Developer Contribution Capital funds held by Council.

***In the attachments marked OCM037/05/07 are the Darling Downs Management Committee Minutes of the meeting held on 6<sup>th</sup> March 2007 together with a Tax Invoice/Quotation for the shed and lean to.***

**Statutory Environment:**

Local Government Act 1995, Section 6.8.

**Financial Implications:**

The Darling Downs Developer Contribution Reserve has a current balance of \$91,425 and is managed by the Council. The Reserve is managed through Council's accounting system and is subject to Council's standard audit processes. Therefore, any Reserve funds utilization must either be included within the statutory budget or authorized by absolute majority by Council.

The proposed purchase of a shed (\$9,856 including GST) is to be covered by a transfer from the Darling Downs Developer Contribution Capital Reserve Fund. If the transfer from the Reserve is approved, there will be no net effect on Council's financial position.

**Strategic Implications:**

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

**4. Governance**

*Objective 3: Compliance to necessary legislation*

**Strategies:**

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

**Comment:**

The Darling Downs Management Committee has written to Council seeking Council approval for the utilization of funds from the Darling Downs Developer Contribution Reserve to fund the purchase and erection of a shed.

As the asset purchase and utilization of Reserve funds was not included within the statutory budget, Council is required to pass a resolution by absolute majority authorizing the expenditure to purchase the shed and to transfer funds from the Darling Downs Developer Contribution Reserve fund to cover the purchase.

**Voting Requirements:**

**ABSOLUTE MAJORITY**

**OCM037/05/07 COUNCIL DECISION/Officer Recommended Resolution:**

Moved Cr Murphy seconded Cr Wigg

1. That Council approve the purchase and erection of a shed on the Darling Downs Reserve, and declare the costs of \$8,968.00 (excluding GST) authorised expenditure;
2. That Council authorise the transfer of \$8,968.00 (excluding GST) from the Downs Developer Contribution Capital Reserve Funds to cover the purchase and erection of the shed and amend the 2006/2007 statutory budget accordingly.

**CARRIED 9/0 ABSOLUTE MAJORITY**

**9. CHIEF EXECUTIVE OFFICER'S REPORT**

OCM038/05/07		INFORMATION REPORT	
Proponent	Chief Executive Officer	<b>In Brief</b> Information Report for the month of May, 2007.	
Officer	S Langmair – PA to the Chief Executive Officer		
Signatures - Author:			
Senior Officer:			
Date of Report	23 <sup>rd</sup> May, 2007		
Previously			
Disclosure of Interest			
<b>Delegation</b>	<b>Council</b>		

**OCM038.1/05/07 COMMON SEAL REGISTER REPORT –APRIL, 2007(A1128)**

*The Common Seal Register Report for the month of April, 2007 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked OCM038.1/05/07 (E02/5614)*

**OCM038.2/05/07 POLICY FORUM – MAY, 2007 (A0429/05)**

The following items were discussed at the May, 2007 Policy Forum:

<b>ITEMS FOR PRELIMINARY DISCUSSION</b>	
1.	Discussion Item – Does the Shire want to be part of the Metropolitan Road Group or part of the South West Road Group?
2.	Whitby Falls Hostel Update

**OCM038.3/05/07 USE OF DELEGATION REPORT (A0039-02)**

The Chief Executive Officer exercised the following delegations during the month of April, 2007:

AF-29 Write Off of Rates or Rate Interest

Writing off small rate (61) balances totalling \$61.87.



OCM038.4/05/07      **WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION –  
STATE COUNCIL MEETING MINUTES APRIL 2007 (A1164)**

*The summary of Minutes of the WALGA State Council Meeting held on 13<sup>th</sup> April, 2007 are with the attachments marked OCM038.4/05/07 (IN07/5223).*

OCM038.5/05/07      **WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION –  
NOTICE OF ANNUAL GENERAL MEETING 2007 (A1164)**

The Annual General Meeting for the Western Australian Local Government Association will be held on Sunday 5<sup>th</sup> August, 2007 as part of the Local Government Convention. The meeting will be held at the Burswood Convention Centre. ***The Notice of the Annual General Meeting is with the attachments marked OCM038.5/05/07 (IN07/5763)*** together with general information on the format for the meeting and guidelines for the preparation and submission of motions. Note that closing date for submissions of motions is Friday 15<sup>th</sup> June, 2007.

OCM038.6/05/07      **WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION –  
PROPORTIONAL PREFERENTIAL VOTING SYSTEM PROPOSAL  
(A0163-06)**

*In the attachments marked OCM038.6/05/07 (IN07/5254) is advice from the Western Australian Local Government Association regarding Proportional Preferential Voting System Proposal and an announcement by the Minister for Local Government that the State Government would be pursuing Proportional Preferential Voting when Parliament resumes in May.*

OCM038.7/05/07      **2007 LOCAL GOVERNMENT CONVENTION – 4-6 AUGUST, 2007  
(A0163-06)**

*The 2007 Local Government Convention will be staged at the Inter Continental Burswood Resort Convention Centre from Saturday 4<sup>th</sup> to Monday 6<sup>th</sup> August, 2007. A copy of the Information and Registration brochure is located in the Councillors Library or from the Chief Executive Officer's Office. Registrations close on Wednesday 4<sup>th</sup> July, 2007.*

OCM038.8/05/07      **LEAVE OF ABSENCE – CR JOHN KIRKPATRICK (A0906)**

*In the attachments marked OCM038.8/05/07 (E07/2310) is a letter from Cr Kirkpatrick requesting leave of absence from Council meetings for the period 10<sup>th</sup> June to 21<sup>st</sup> July, 2007.*

OCM038.9/05/07      **WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION  
STATE COUNCIL AGENDA - JUNE, 2007 (A1164)**

*In the electronic attachments marked OCM038.9a/05/07, OCM038.9b/05/07, OCM038.9c/05/07 (IN07/6579, IN07/6580, IN07/6583) is the Agenda and late items for the WALGA State Council Meeting to be held on 6<sup>th</sup> June, 2007 together with the agenda attachments marked OCM038.9d/05/07, OCM038.9e/05/07 (IN07/6581, IN07/6584).*

OCM038.10/05/07 **WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION  
SOUTH EAST METROPOLITAN ZONE AGENDA – MAY 2007  
(A1164)**

*In the electronic attachments marked OCM038.10/05/07 (IN07/6457) is the Agenda for the WALGA South East Metropolitan Zone Meeting to be held on 30<sup>th</sup> May, 2007.*

**OCM038/05/07 COUNCIL DECISION/Officers Recommended Resolution**

**Moved Cr Price seconded Cr Wigg**

- 1. The Information Report to 23<sup>rd</sup> May, 2007 is received.**
- 2. Cr Kirkpatrick be granted a leave of absence from the June Ordinary Council Meeting.**

**CARRIED 9/0**

**10. URGENT BUSINESS:**

**COUNCIL DECISION**

**Moved Cr Wigg seconded Cr Kirkpatrick**

**That the item relating to the Cities for Climate Protection Adaptation Initiative be dealt with as an item of new business of an urgent nature to enable Council to nominate as a Pilot Council to this new initiative.**

**CARRIED 9/0**

OCM039/05/07		CITIES FOR CLIMATE PROTECTION ADAPTATION INITIATIVE (A0236-03)	
Proponent:	ICLEI	In Brief  Seeking Council support to participate, as a Pilot Council, in an Adaptation Initiative of the Cities for Climate Protection (CCP) Programme.	
Owner:			
Officer:	Cr Jan Star		
Signatures Author:			
Senior Officer:			
Date of Report	28/05/07		
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:**

ICLEI are seeking interest from Councils in participating either as a Pilot Council or as a part of the informal Advisory Network/Group. They are hoping to have Pilot Councils on-board by the end of May 2007 so that they can have a planning workshop by early-mid June to get started.

Pilot Councils will be expected to:

1. Elect a representative to serve on the Project Team. They will be responsible for participating in the Planning Workshop and helping to shape the Pilot Project.

2. Ensure multiple contacts across the Council to participate in the project (a minimum of two (2) Council contacts).
3. Secure Council support for participation in/commitment to the Project.
4. Participate in/help to co-ordinate a Council workshop(s).
5. Commit to undertaking the Pilot Project in its entirety
6. Review progress made throughout the Pilot Project and provide feedback and recommendations for improvements.

Responsibilities for Advisory Councils will depend on context.

The Adaptation Initiative of the Cities for Climate Protection (CCP) Programme will build on the learnings of, and link to, the CCP Programme and the Australian Greenhouse Office's Risk Management Framework.

#### **OCM039/05/07 COUNCIL DECISION**

##### **Moved Cr Star seconded Cr Price**

**That Council endorses the proposal to be a Pilot Council for ICLEI's Adaptation Initiative and that Cr Star, Cr Harris, the Director of Corporate Services and the Community Emergency Services Manager be nominated as Council's representatives  
CARRIED 9/0**

#### **11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:**

#### **12. CLOSURE:**

There being no further business, the Presiding Member closed the meeting at 8.08pm

**13. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY:**

SD102/05/07 BUILDING INFORMATION REPORT		
Proponent:	N/A	In Brief  Information report
Owner:	N/A	
Officer:	Jason Robertson - Principal Building Surveyor	
Signatures Author:		
Senior Officer:		
Date of Report	3 May 2007	
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 SM051/06/04	

**SD102/05/07 COMMITTEE DECISION/Officer Recommended Resolution**

**That Council accepts the April 2007 Building Information Report.  
CARRIED 7/0**

SD103/05/07 HEALTH INFORMATION REPORT		
Proponent:	N/A	In Brief  Information report
Owner:	N/A	
Officer:	Tony Turner - Principal Environmental Health Officer	
Signatures Author:		
Senior Officer:		
Date of Report	2 May 2007	
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 SM051/06/04	

**SD103/05/07 COMMITTEE DECISION/Officer Recommended Resolution**

**That Council accepts the April 2007 Health Information Report.  
CARRIED 7/0**

SD104/05/07 COMMUNITY DEVELOPMENT INFORMATION REPORT		
Proponent:	Not applicable	In Brief  Information report
Owner:	Not applicable	
Officer:	Carole McKee - Community Development Coordinator	
Signatures Author:		
Senior Officer:		
Date of Report	4 May 2007	
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	
<b>Delegation</b>	<b>Committee – in accordance with resolution SM051/06/04</b>	

**SD104/05/07 COMMITTEE DECISION/Officer Recommended Resolution**

**That Council accepts the May 2007 Community Development Information Report.  
CARRIED 7/0**

SD111/05/07 PLANNING INFORMATION REPORT		
Proponent	Executive Manager Planning & Regulatory Services	<b>In Brief</b>  Information Report.
Officer	Lisa Fletcher - Support Officer Planning & Regulatory Services	
Signatures – Author:		
Senior Officer:		
Date of Report	1 May 2007	
Previously		
Disclosure of Interest		
<b>Delegation</b>	<b>Committee – in accordance with resolution SM046/05/04</b>	

**SD111/05/07 COMMITTEE DECISION/Officer Recommended Resolution**

**The Planning Information Report to 10 May 2007 be received.  
CARRIED 7/0**

<b>CGAM124/05/07 MONTHLY FINANCIAL REPORT – APRIL 2007 (A0924/07)</b>		
Proponent:	Local Government Act 1995	In Brief  To receive the Monthly Financial Report as at 30 April 2007
Owner:		
Officer:	Casey Mihovilovich - Manager Finance Services	
Signatures Author:		
Senior Officer:		
Date of Report	3 May 2007	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM124/05/07 COMMITTEE DECISION/Officer Recommended Resolution:**

**Council receives the Monthly Financial Report, as at 30 April 2007, in accordance with Section 6.4 of the Local Government Act 1995.  
CARRIED 7/0**

<b>CGAM125/05/07 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)</b>		
Proponent:	Director Corporate Services	In Brief  To confirm the creditor payments made during April 2007
Owner:	N/A	
Officer:	Tracy Mladenovic – Assistant Accountant	
Signatures Author:		
Senior Officer:		
Date of Report	3 May 2007	
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	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM125/05/07 COMMITTEE DECISION/Officer Recommended Resolution:**

**That Council notes the payments authorised under delegated authority and detailed in the list of invoices for the month of April 2007, presented to the Corporate Governance & Asset 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.  
CARREID 7/0**

CGAM126/05/07 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent:	Director Corporate Services	In Brief  To receive the sundry debtor balances as at 30 April 2007
Owner:	Not Applicable	
Officer:	Melissa Armitage– Finance Officer - Debtors	
Signatures Author:		
Senior Officer:		
Date of Report	2 May 2007	
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	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM126/05/07 COMMITTEE DECISION/Officer Recommended Resolution:**

**That Council receive and note the report on Sundry Debtor Outstanding Accounts as at 30 April 2007.  
CARRIED 7/0**

CGAM127/05/07 RATE DEBTORS REPORT (A0917)		
Proponent:	Director Corporate Services	In Brief  To receive the rates report as at 30 April 2007.
Owner:	Not Applicable	
Officer:	P Yaxley – Finance Officer (Rates)	
Signatures Author:		
Senior Officer:		
Date of Report	2 May 2007	
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	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM127/05/07 COMMITTEE DECISION/Officer Recommended Resolution:**

**That Council receive and note the report on the Rate Debtors accounts as at 30 April 2007.  
CARRIED 7/0**

CGAM128/05/07		INFORMATION REPORT
Proponent:	Director Corporate Services	In Brief  To receive the information report to 30 April 2007
Owner:	Not Applicable	
Officer:	Various	
Signatures Author:		
Senior Officer:		
Date of Report	2 May 2007	
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	
<b>Delegation</b>	<b>Committee in accordance with resolution SM051/06/04</b>	

**CGAM128/05/07 COMMITTEE DECISION/Officer Recommended Resolution:**

That the information report to 30 April 2007 be received.  
**CARRIED 7/0**

CGAM129/05/07	DEPARTMENT OF LOCAL GOVERNMENT – MINISTER'S FINANCIAL MANAGEMENT AWARDS
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**CGAM129/05/07 COMMITTEE DECISION**

That the Corporate Governance and Asset Services Committee extend its congratulations to the Director of Corporate Services and the Finance Team on their efforts in being nominated for the Department of Local Government Minister's Financial Management Awards  
**CARRIED 7/0**