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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 MONDAY 24TH MARCH, 2003. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 7.00PM AND WELCOMED MEMBERS OF THE PUBLIC PRESENT IN THE GALLERY, COUNCILLORS AND STAFF.

1. ATTENDANCES & APOLOGIES

PRESENT: Crs JC StarPresiding Member
DL Needham
JA Scott
KR Murphy
THJ Hoyer
A Wigg
JE Price
WJ Kirkpatrick

APOLOGIES:Crs AJ Simpson(leave of absence)
IJ Richards..... (sick leave)

IN ATTENDANCE:
Mr D Price Chief Executive Officer
Mr G Dougall Director Corporate Services
Mr R Harris Director Asset Services
Ms J AbbissActing Director Sustainable Development
Mr M BeaverstockManager Asset Services
Mrs S LangmairMinute Secretary

GALLERY: 3

2. PUBLIC QUESTION TIME

Public question time commenced at 7.00pm

Lionel Webster, River Road

Q In regards to wood chip. Believe there are going to be B trains down River Road. How are these B trains going to get on to this road and is there another route available for the purpose of removing the timber?

A The Director Asset Services advised that an application has been received to have B doubles on River Road and the Asset Services Committee has recommended that Council approve consent to this application subject to several conditions. One of the conditions is verification of the route and intersection suitability. This matter will then have to be considered by Main Roads Department. The use of a combination vehicle on the road will reduce total pavement loadings and result in less damage than the use of a standard as of right vehicle.

Public question time concluded at 7.04pm

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Paul Nield

Q At what time and date did Council officials and or Councillors first advise Gordon McLean and or any associate of his that his applications for retrospective planning approval would be on the agenda for Planning Development and Environment on 15th July 2002?

A At the time McLean Recycling Industries was in administration and discussions were held with the administrators.

Q Is the Council aware of any contamination in the bores of numbers 494, 508 and 510 King Road or numbers 224, 252 or 290 Boomerang Road or number 566 Leipold Road, Oldbury?

A Pollution is the responsibility of the Department of Environment Water and Catchment Protection. In accordance with Council Policy HSP7 DUTIES RELATING TO THE ENVIRONMENTAL PROTECTION ACT 1986 this question should be directed to that agency.

Q Is the Council aware of or contributing to water supplies, either currently or in the past, being transported to number 510 King Road Oldbury?

A No.

Mrs Bond

Q Was any McLean issue at any time listed to be considered at the Planning meeting held on 17th June meeting 2002 be deleted for any reason. Was Mr McLean or any associate given prior knowledge of that being deleted from that meeting on 17th June 2002?

A No.

Q How long is a person allowed to live in circumstances that have no properly constructed ablution?

A The Chief Executive Officer advised that he would follow up on the matter being referred to and have a response provided to her in writing.

Supplementary - Mrs Bond's question appears to arise in respect of temporary accommodation at Lot 102 Stockman's close. This property has been the subject of a number of queries from Mrs Bond, the last answered in writing on 25th February 2003. **A copy of this correspondence is with the attachments marked P239.25/03/03.**

Christine Nield

Q Who gets money from Heritage book written by Colleen Rankin and financially contributed to by the Shire of Serpentine Jarrahdale?

A The Byford Pictorial History Project was initiated by the Byford Progress Association Inc. Council has made a minor contribution to this extremely worthwhile community project. Questions in relation to the disbursement of proceeds from the sale of the publication should be directed to the Byford Progress Association Inc. as Council has no auditing function in relation to incorporated bodies.

4. STATEMENTS, PETITIONS, MEMORIALS & DEPUTATIONS

5. ANNOUNCEMENTS BY PRESIDING MEMBER

- * Congratulations to Chief Executive Officer on achieving the grant for the Recreation Centre.
- * Wish Robert Harris (Director Asset Services) all the best on his departure from the Shire, and thanked him for the contribution and service he has given to the Shire in the past three years.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Council Meeting – 24th February, 2003

COUNCIL DECISION

Moved Cr Murphy seconded Cr Wigg
That the minutes of the Ordinary Council Meeting held on 24th February, 2003 be confirmed.
CARRIED 8/0

7. REPORTS OF COMMITTEES & OFFICERS

7.1 Corporate Services Committee Meeting – 10th March, 2003

COUNCIL DECISION

Moved Cr Needham seconded Cr Hoyer
That the minutes of the Corporate Services Committee Meeting held on 10th March, 2003 be received.
CARRIED 8/0

C096/03/03 SERPENTINE DAM TEAROOMS (RS0141/01)	
Proponent	Council
Officer	D.E Price – Chief Executive Officer
Signatures - Author:	
Senior Officer:	
Date of Report	25 February 2003
Previously	C175/05/01, C010/07/02, SM009/08/02
Disclosure of Interest	
Delegation	Council
In Brief <i>Council to finalise the arrangements associated with the re-leasing of the Serpentine Dam Tearooms in accordance with their previous decision SM009 in August 2002.</i>	

Background

Council following a formal inquiry from Interwall Holdings Pty Ltd regarding the future use of the tearooms at the dam and a subsequent presentation and meeting with the companies Director, Mr Mal Lindley agreed to the following in August 2002;

1. *The Chief Executive Officer is requested to progress the re-leasing of the Serpentine Dam Tearooms to a suitable operator subject to the following:*
 - a) *The Chief Executive Officer and Shire President are delegated authority to finalise and sign a lease between Shire of Serpentine-Jarrahdale and Water Corporation as per the Council Decision C010/07/02.*

- b) *Compliance with the requirements of the Local Government Act 1995.*
 - c) *Compliance with any Council Planning, Building, Health and Engineering requirements.*
 - d) *An annual lease fee being negotiated between the Shire of Serpentine-Jarrahdale (lessor) and the lessee recognising that initially this should be reduced for at least twelve months to assist in the “start up” of the business.*
 - e) *A draft lease with any future operator taking into account 1a to 1d of this decision is to be referred to Council for endorsement prior to it being executed.*
2. *Council agrees to contribute \$20,000 for plant and equipment from the Serpentine Dam Tearoom Reserve account to assist a new operator at the Serpentine Dam Tearooms. This plant and equipment will remain the property of the Shire of Serpentine-Jarrahdale and this is to be reflected in any draft lease prepared.*
 3. *Council agrees to accept Interwall Holdings Pty Ltd invitation to partner with them in the refurbishment and future operation of the Serpentine Dam Tearooms subject to a presentation of a Concept Plan to Council’s satisfaction of the proposed Café and Wood Gallery. Should this opportunity not be realised by 30 November 2002, then this offer will not be binding on Council after this date, however this date may be reviewed and if necessary the Chief Executive Officer may agree to extend this period on a monthly basis, if it is required and if it is considered appropriate.*
 4. *Council supports the proposal to seek additional grant funding for this project, if available and appropriate and authorises the Chief Executive Officer to sign such funding applications.*

Comments

The following is an update on what has now progressed in relation to each of the above points associated with the August 2002 decision;

1. *The Chief Executive Officer is requested to progress the re-leasing of the Serpentine Dam Tearooms to a suitable operator subject to the following:*
 - a) *The Chief Executive Officer and Shire President are delegated authority to finalise and sign a lease between Shire of Serpentine-Jarrahdale and Water Corporation as per the Council Decision C010/07/02.*

Council reconsidered this matter regarding the lease conditions and amended this to allow the Water Corporation to adjust their annual rent by CPI in December 2002 (CRSM029).

A draft head lease was prepared by the Water Corporation solicitors and referred by Council to McLeods for review. Following some further negotiations on several matters within the lease, which both parties have now resolved the head lease has been finalised.

CALM have now expressed an interest in the matter as they “own” the land and consequently have indicated they may want to have the Head Lease with Council.

- b) *Compliance with the requirements of the Local Government Act 1995.*

In accordance with the Local Government Act, Council has advertised its intent to “dispose” of the Tea Rooms to Interwall Holding Pty Ltd. Prior to doing this, advice was sought from the Department of Local Government and Regional Development on if the Water Corporation’s annual lease fee would be considered the “market rent” for this property. The Department of Local Government and Regional Development advised the following;

“I confirm that if you are satisfied from your checks that the \$1,000 figure from Water Corp property people is a valuation then that could be used. The legislation does not

set out how a valuation is determined. The important thing for openness and accountability is that the proposal for disposal is fully disclosed as required by s3.58 and that the feed back received goes to Council for consideration prior to final decision. I confirm that notice of the intended disposal should be wide for accountability and natural justice considerations.”

Subsequently the statutory advertisement of Council's intention to “dispose” of this property was advertised in a State-Wide Newspaper on Wednesday 12 February 2003 and notice of Council intention was also included in the 20 February 2003 edition of the Armadale Serpentine-Jarrahdale Examiner newspaper.

Council received one (1) submission following the advertising period from Mrs Debbie Rowe of the Jarrahdale General Store. **A copy of the submission is included with the attachments and marked C096.1/03/03.**

In response to Mrs Rowe's comments the following observations are made;

- a) The Water Corporation own the building and there is no benefit being made in terms of asset improvement by either Council or Interwall. No Council funds are being used to undertake capital work associated with the refurbishment of the building. No grant money is being used to financially assist the operator start the business up.
- b) Council has always intended to re-open the tearooms regardless of this proposal. This is made clear in the Council Decision in May 2001 (C175/05/01), when Council agreed to retain the funds in the Serpentine Dam Tearooms Reserve account “to assist a new operator commence after the remedial works had been completed”. In August 2002 (SM009/08/02), following the May 2001 decision, Council agreed to make available \$20,000 from the Serpentine Dam Tearooms Reserve account to assist in the purchase plant and equipment, on the condition that the plant and equipment remains the property of the Shire and this was to be reflected in the draft lease prepared.
- c) The Water Corporation are only prepared to lease the tearooms to the Shire, they are not prepared to directly lease the tearooms to a private operator. Council has also never sought to pursue this option as it would remove any control Council has on the use of the tearooms.
- d) The grant funding which has been made available to refurbish the existing Water Corporation tearooms is linked to employment outcomes which are aligned to the project lifting tourism potential in Jarrahdale and the promotion of local and south west fine wood product. The concept of a fine wood gallery/café was thought to be worth supporting by Council as they believe one of a number of benefits will be the promotion of local Jarrahdale product being produced at the existing mill.
- e) Council's role is not to “prop up” the Serpentine Dam Tearooms, but it does have a role to play in facilitating quality tourist facilities. Jarrahdale needs quality establishments like the General Store (following proposed changes), winery and Serpentine Dam Tearooms to attract and retain visitors to the area if we are going to “create and economic future for Jarrahdale”.
- f) The matter of business decisions and business planning for the fine wood gallery/café is not something Council is directly involved in. Council proposes to sub-lease the tearooms to Interwall, it is their responsibility to undertake the business planning to re-establish a business which has been closed for almost 2 years. Whilst this will be challenging, Council has not agreed to waive the rental for 2 years as suggested, but rather reduce the rent for the first 12 months, then increment it to a minimum of \$500 per month by year 4, at which time it will then be reviewed annually. I am unsure how you would establish a commercial rent for a vacant property that has not operated a business from it for almost 2 years.

- g) In regards to the comments made about the location of a fine wood gallery, and the Jarrahdale Heritage Park, this is not a valid argument at this time, as Council has not yet finalised the Management Plan. The Management Plan does at this time, however, also show a main parking area for the park along side the General Store. This would appear to be something which will place the General Store in a very strategic location.
- h) It is also reasonable to suggest that the General Store should benefit from the passing traffic the Cafe/Wood Gallery will create. It is also worth noting that currently the owners of the General Store are negotiating with the Old Post Office to take on the Tourist Information service. This will be a significant advantage to the business.

As the project is in excess of \$50,000 the Local Government Act requires the calling and evaluation of tenders for the refurbishment of the tearooms. To successfully do this further detail such as a specification to support the working drawings is required.

It is also suggested that Council would be better served by an independent tender evaluation process given we have an interest in this matter and secondly the majority of funding being provided is external grant funding.

It is proposed that Council appoint an appropriate consultant to undertake final tender documentation preparation and final tender evaluation and that costs be paid for (upto \$5,000) from the Serpentine Tearooms Reserve.

This is thought to not be unreasonable, as Interwall have met all expenses to date to prepare the working drawings and Concept Plan of the proposed refurbishment to comply with part 3 of Council decision in August 2002.

- c) *Compliance with any Council Planning, Building, Health and Engineering requirements.*

The Water Corporation have now approved the refurbishment works and lodged a Development Application with Council on the 13 February 2003. Interwall Holdings have also agreed to lodge a building application for the proposed works.

- d) *An annual lease fee being negotiated between the Shire of Serpentine-Jarrahdale (lessor) and the lessee recognising that initially this should be reduced for at least twelve months to assist in the "start up" of the business.*

McLeods have prepared a draft sublease which provide for "recognising that initially this should be reduced for at least twelve months to assist in the "start up" of the business", and have proposed a annual lease fee of \$1,000 for year one upon commencement of trading.

The sub - lease states the following;

- a) *For the period from the Commencement Date until the day prior to the date on which the Sublessee notifies the Shire of the date it intends to commence trading from the Premises ("the Trading Date"), the sum of \$1.00 (GST inclusive);*
- b) *From the Trading Date for the first 12 months, \$1,000.00 per annum (GST exclusive) payable in advance by two (2) equal successive six (6) monthly instalments;*
- c) *In the second and third years of the Sublease dating from the Trading Date, until varied, \$6000 per annum (GST exclusive) payable in advance by two (2) equal successive six (6) monthly instalments.*
- d) *In the fourth year of the Sublease from the Trading Date and each subsequent year, the Rent shall be varied on the rent review dates set out in Item 5 of this Schedule in accordance with CPI Review as set out in the Second Schedule.*

It is proposed that funds from the lease continue to be placed in the Serpentine Tearooms Reserve, as per past practice and made available for maintenance of the building as required.

- e) *A draft lease with any future operator taking into account 1a to 1d of this decision is to be referred to Council for endorsement prior to it being executed.*

A copy of the draft sub-lease between the Serpentine Jarrahdale Shire and Interwall is included with the attachments and marked C096.2/03/03 for Council's information. The lease has been considered by Interwall and they confirmed in writing that they have no objections to signing it.

The Water Corporation also requires a separate residential tenancy agreement for the house. This agreement will not have any rent attached. It is recommended that Council authorise the Shire President and Chief Executive Officer to finalise both this matter and the sub tenancy agreement with Interwall and that they be authorised to sign documents relating to this matter.

2. *Council agrees to contribute \$20,000 for plant and equipment from the Serpentine Dam Tearoom Reserve account to assist a new operator at the Serpentine Dam Tearooms. This plant and equipment will remain the property of the Shire of Serpentine-Jarrahdale and this is to be reflected in any draft lease prepared.*

The sub-lease has provided for the recognition of point 2. Refer to 7.6 Inventory in the document.

3. *Council agrees to accept Interwall Holdings Pty Ltd invitation to partner with them in the refurbishment and future operation of the Serpentine Dam Tearooms subject to a presentation of a Concept Plan to Council's satisfaction of the proposed Café and Wood Gallery. Should this opportunity not be realised by 30 November 2002, then this offer will not be binding on Council after this date, however this date may be reviewed and if necessary the Chief Executive Officer may agree to extend this period on a monthly basis, if it is required and if it is considered appropriate.*

Concept plans have been provided and will be made available to the Committee to view at the meeting.

Council was advised in January 2003 via the Strategic Management Committee Information report (SM036.5/01/03) that due to one of the grants applied for not being finalised by 30 November an extension was granted.

4. *Council supports the proposal to seek additional grant funding for this project, if available and appropriate and authorises the Chief Executive Officer to sign such funding applications.*

Council sought funding for this project from the State Government via, the Regional Development Scheme and via the Commonwealth Government's South West Structural Adjustment Fund.

Sustainability Statement

The gallery and salesroom would provide employment, increased access to the metropolitan and short-term tourist markets for Peel and South West region timber products. The gallery would provide ample space for display of products from around the regions, including brochures of others. There are also opportunities for interpretive forest-based tourism, wholesale of quality timber and for encouraging clients to travel to "linked" outlets in the Southwest.

Statutory Environment: Local Government Act 1995 (Section 3.58 relates to Disposing of Property)

Policy Implications: Council Policy CSP15 Tourism

Financial Implications: Council currently has approximately \$27,800 cash (Excludes Telstra Shares) in the Serpentine Tearooms Reserve Account. Council has agreed (Decision SM009 August 2002) to make \$20,000 of these funds available for plant & equipment to assist a new operator commence.

Council sought funding for this project from the State Government via, the Regional Development Scheme (approx \$29,000) and via the Commonwealth Government's South West Structural Adjustment Fund (approx \$65,000).

It is proposed that up to a further \$5,000 be made available from the Serpentine Dam Tearooms Reserve Account to also facilitate the calling and evaluation of tenders for the refurbishment of the tearooms.

Strategic Implications: Council Strategic Plan Key Result Areas;

1. *"People and Community - Strategy 1.5 - Maintain the heritage character of the Shire and protect built and natural heritage for economic and cultural benefits"*.
3. *"Economic Development- strategy 3.2 Develop the tourist potential of the natural attractions of the shire and 3.4 "Create a new economic future for Jarrahdale"*.

Community Consultation: Was undertaken in accordance with the Local Government Act Section 3.58, which describes the process for "disposing of property".

Voting Requirements: **ABSOLUTE MAJORITY**

Officer Recommended Resolution

Council is satisfied that the requirements of S3.58 of the Local Government Act 1995 "Disposing of Property" have been met and agrees to:

1. Authorise the Shire President and Chief Executive Officer to execute the draft sub lease between the Serpentine Jarrahdale Shire and Interwall for the Serpentine Dam Tearooms as included with the attachments and marked C096.2/03/03 of this report.
2. Authorise the Shire President and Chief Executive Officer to:-
 - a) finalise all tenancy matters relating to the accommodation associated with the Tearooms with the Water Corporation and Interwall.
 - b) sign documents relating to this matter.
3. Appoint an appropriate consultant to undertake tender documentation preparation and tender evaluation on behalf of Council and that costs be paid (up to \$5,000) from the Serpentine Tearooms Reserve.

Note: In accordance with s3.58 (3)(b) the above decision is made following Council consideration of submissions received in relation to the proposed disposition of property. Council has made this decision as it is of the view that the issues raised in the submission are not significant enough to not proceed and are able to be addressed as follows;

- a) The Water Corporation own the building and there is no benefit being made in terms of asset improvement by either Council or Interwall. No Council funds are being used to undertake capital work associated with the refurbishment of the building. No grant money is being used to financially assist the operator start the business up.
- b) Council has always intended to re-open the tearooms regardless of this proposal. This is made clear in the Council decision in May 2001 (C175/05/01), when by Council agreed to retain the funds in the Serpentine Dam Tearooms Reserve account *"to assist a new operator commence after the remedial works had been completed"*. In August 2002 (SM009/08/02) , following the May 2001 decision, Council agreed to make available \$20,000 from the Serpentine Dam Tearooms Reserve account to assist in the purchase plant and equipment, on the condition that the plant and equipment remains the property of the Shire and this is reflected in the draft lease prepared.
- c) The Water Corporation are only prepared to lease the tearooms to the Shire, they are not prepared to directly lease the tearooms to a private operator. Council has also never sought to pursue this option as it would remove any control Council has on the use of the tearooms.
- d) The grant funding which has been made available to refurbish the existing Water Corporation tearooms is linked to employment outcomes which are aligned to the project lifting tourism potential in Jarrahdale and the promotion of local and south west fine wood product. The concept of a fine wood gallery/café was thought to be worth supporting by Council as they believe one of a number of benefits will be the promotion of local Jarrahdale product being produced at the existing mill.
- e) Council's role is not to "prop up" the Serpentine Dam Tearooms, but it does have a role to play in facilitating quality tourist facilities. Jarrahdale needs quality establishments like the General Store (following proposed changes), winery and Serpentine Dam Tearooms to attract and retain visitors to the area if we are going to "create and economic future for Jarrahdale".
- f) The matter of business decisions and business planning for the fine wood gallery/café is not something Council is directly involved in. Council proposes to sub-lease the tearooms to Interwall, it is their responsibility to undertake the business planning to re-establish a business which has been closed for almost 2 years. Whilst this will be challenging, Council has not agreed to waive the rental for 2 years as suggested, but rather reduce the rent for the first 12 months, then increment it to a minimum of \$500 per month for years 2 and three, at which time it will then be reviewed annually. I am unsure how you would establish a commercial rent for a vacant property that has not operated a business from it for almost 2 years.
- g) In regards to the comments made about the location of a fine wood gallery, and the Jarrahdale Heritage Park, this is not a valid argument at this time, as Council has not yet finalised the Management Plan. The Management Plan does at this time, however, also show a main parking area for the park along side the General Store. This would appear to be something which will place the General Store in a very strategic location.
- h) It is also reasonable to suggest that the General Store should benefit from the passing traffic the Cafe/Wood Gallery will create. It is also worth noting that currently the owners of the General Store are negotiating with the Old Post Office to take on the Tourist Information service. This will be a significant advantage to the business.

CRC096 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Price

Council is satisfied that the requirements of S3.58 of the Local Government Act 1995 "Disposing of Property" have been met and agrees to:

1. Authorise the Shire President and Chief Executive Officer to execute the draft sub lease between the Serpentine Jarrahdale Shire and Interwall for the Serpentine Dam Tearooms as included with the attachments and marked C096.2/03/03 of this report.
2. Authorise the Shire President and Chief Executive Officer to:-
 - a) finalise all lease matters relating to the Tearooms and accommodation associated with the Tearooms with the Water Corporation or CALM and Interwall.
 - b) sign documents relating to this matter.
3.
 - a) Authorise the appointment of an appropriate consultant to undertake tender documentation preparation and tender evaluation for the refurbishment work on behalf of Council and that costs be paid (up to \$5,000) from the Serpentine Tearooms Reserve.
 - b) Delegates authority to the Chief Executive Officer to accept tenders for the refurbishment.

Note: In accordance with s3.58 (3)(b) the above decision is made following Council consideration of submissions received in relation to the proposed disposition of property. Council has made this decision as it is of the view that the issues raised in the submission are not significant enough to not proceed and are able to be addressed as follows:

- a) The Water Corporation own the building and there is no benefit being made in terms of asset improvement by either Council or Interwall. No Council funds are being used to undertake capital work associated with the refurbishment of the building. No grant money is being used to financially assist the operator start the business up.
- b) Council has always intended to re-open the tearooms regardless of this proposal. This is made clear in the Council decision in May 2001 (C175/05/01), when by Council agreed to retain the funds in the Serpentine Dam Tearooms Reserve account "to assist a new operator commence after the remedial works had been completed". In August 2002 (SM009/08/02), following the May 2001 decision, Council agreed to make available \$20,000 from the Serpentine Dam Tearooms Reserve account to assist in the purchase plant and equipment, on the condition that the plant and equipment remains the property of the Shire and this is reflected in the draft lease prepared.
- c) The Water Corporation are only prepared to lease the tearooms to the Shire, they are not prepared to directly lease the tearooms to a private operator. Council has also never sought to pursue this option as it would remove any control Council has on the use of the tearooms.
- d) The grant funding which has been made available to refurbish the existing Water Corporation tearooms is linked to employment outcomes which are aligned to the project lifting tourism potential in Jarrahdale and the promotion of local and south west fine wood product. The concept of a fine wood gallery/café was thought to be worth supporting by Council as they believe one of a number of benefits will be the promotion of local Jarrahdale product being produced at the existing mill.
- e) Council's role is not to "prop up" the Serpentine Dam Tearooms, but it does have a role to play in facilitating quality tourist facilities. Jarrahdale needs quality establishments like the General Store (following proposed changes), winery and Serpentine Dam Tearooms to attract and retain visitors to the area if we are going to "create an economic future for Jarrahdale".
- f) The matter of business decisions and business planning for the fine wood gallery/café is not something Council is directly involved in. Council proposes to sub-lease the tearooms to Interwall, it is their responsibility to undertake the business planning to re-establish a business which has been closed for almost 2 years. Whilst

this will be challenging, Council has not agreed to waive the rental for 2 years as suggested, but rather reduce the rent for the first 12 months, then increment it to a minimum of \$500 per month for years 2 and three, at which time it will then be reviewed annually.

g) In regards to the comments made about the location of a fine wood gallery, and the Jarrahdale Heritage Park, this is not a valid argument at this time, as Council has not yet finalised the Management Plan. The Management Plan does at this time, however, also show a main parking area for the park along side the General Store. This would appear to be something which will place the General Store in a very strategic location.

h) It is also reasonable to suggest that the General Store should benefit from the passing traffic the Cafe/Wood Gallery will create. It is also worth noting that currently the owners of the General Store are negotiating with the Old Post Office to take on the Tourist Information service. This will be a significant advantage to the business.

CARRIED 8/0 ABSOLUTE MAJORITY

Note: The Officer’s Recommendation was changed due to additional information being provided.

C097/03/03 REVIEW OF COUNCIL LOCAL LAW “STANDING ORDERS” (A0090/13)		
Proponent	Council	In Brief It is recommended that Council adopt the revised Standing Orders Local Law.
Officer	D.E. Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	23 February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

Following a review of the existing Council “Standing Orders” Local Law has been undertaken in accordance with the Local Government Act 1995. Council was presented with the model local law for Standing Orders as amended in accordance with s3.9 of the Local Government Act 1995 at the December Ordinary Meeting of Council.

Council resolved at this meeting the following;

C063 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Simpson seconded Cr Needham

1. *In accordance with s 3.12 of the Local Government Act 1995 Council advertise the proposed new Standing Orders Local Law as provided in the attachment marked “C063/12/02” for a period of not less than 6 weeks.*
2. *In part 6.1(1) include the definition of a quorum.*

CARRIED 9/0

Note: The Committee felt that in Part 6.1(1) of the Standing Orders should include a definition of a quorum as provided in the Local Government Act 1995.

Following the amendment to part 6 (1) to include the definition of a quorum Council advertised the proposed new Standing Orders Local Law for a period of not less than 6 weeks in accordance with s 3.12 of the Local Government Act 1995.

Section 3.12 of the Local Government Act 1995 requires that a state-wide public notice summarising the purpose and effect of the local law is undertaken. This was published in the West Australian newspaper and a copy forwarded to the Minister for Local Government.

A copy of the notice was also placed in a local newspaper and displayed on the notice boards at the Administration Centre and Shire Library.

All written submissions received are required to be presented to Council upon the conclusion of the Public comment period.

Comments

The text of the new model local law has been modified where appropriate to reflect the better parts of the existing local law and also includes a provision to enable the “Repeal” of the old local law upon the finalisation (1.4 Repeal) of the adoption of the new local law. The existing local law will remain in place until all the formalities are completed and the new local law becomes operative.

EXPLANATORY NOTES

1 ADMINISTERING AUTHORITY

Shire of Serpentine-Jarrahdale

2 TITLE OF LOCAL LAW

Shire of Serpentine-Jarrahdale Model Local Law Standing Orders 2002

3 SECTION OF ACT

The local law amendment is made under the Local Government Act 1995 (s3.5, 3.8, 3.9 and 3.12)

4 PURPOSE AND EFFECT OF THE LOCAL LAW

The local law is intended to provide for –

the orderly conduct of all meetings dealing with Council business; increasing public participation in the local governments meetings and decision making process; greater accountability to the community; improving the community’s understanding of the process of the conduct of meetings dealing with Council business; and the most efficient and effective use of time at all meetings dealing with Council business.

The local law provides for the proceedings and conduct of all Council and Committee meetings of the Shire.

5 IDENTIFICATION OF UNUSUAL OR CONTROVERSIAL PROVISIONS

There are no unusual or controversial provisions.

6 CONSULTATIONS, SUBMISSIONS AND RESPONSES

In accordance with section 3.12 of the Local Government Act 1995, a state-wide public notice summarising the purpose and effect of the local law was published in the West Australian newspaper on the 13 January 2003 and a copy forwarded to the Minister for Local Government. A copy of the notice was also placed in a local newspaper and displayed on the notice boards at the Administration Centre and Shire Library.

No written submissions were received upon the conclusion of the Public comment period.

The Department of Local Government and Regional Development have also reviewed the document and made the following suggestions;

I refer to your letter of 13 January 2003 which enclosed the Shire of Serpentine-Jarrahdale's proposed Standing Orders Local Law.

Having reviewed the proposed local law I offer the following suggestions.

- 1 *The Shire needs to indicate to this Department that the National Competition Policy has been considered in relation to the proposed local law.*
- 2 *The heading of the proposed local law reads "Model Local Law (Standing Orders 2002)". In its final gazettal form, the local law should not include the reference to the model. It is usual practice for such a local law to be entitled "Standing Orders Local Law 2002".*
- 3 *In clause 3.1(4), the last section of text is incorrectly aligned. So as to avoid possible confusion we recommend the Shire correctly align the clause.*
- 4 *In clause 3.3, the clause refers to "the notice prescribed in clause 2.4", however the proposed local law does not contain a clause 2.4. We recommend that the Shire make the necessary correction.*
- 5 *In clause 3.5, the numerous paragraphs have not been assigned paragraph letters and we recommend that the Shire should include them.*
- 6 *In clause 17.1, the Shire has included a paragraph (c), however paragraph (b) concludes with a period stop. We recommend that the Shire amend the clause to delete "or" after paragraph (a), and substitute "." with ";or" after paragraph (b).*
- 7 *In clause 17.5, I have noted that the Shire has included "NB...". In its current form, it is not apparent what the status of the note is. So as to avoid possible confusion, the note should be amended to indicate whether it is an explanatory note or an operative part of the clause.*

A copy of the suggested amendments raised in points 2 to 7 inclusive have been made in the Local Law is included with the attachments and marked C097/03/03 for Councillors information in the.

Point 1 was addressed in the item considered by Council in December 2002 and a copy of this has been forwarded to the Department of Local Government and Regional Development

7 REASONS FOR FEES, CHARGES AND PENALTIES

The new local law proposes maximum penalties as prescribed in the model local law for certain offences by members of the public and Council representatives. The penalties are considered by Council to be a sufficient penalty to apply to this local law and do not exceed the \$5,000 fine set out in s9.14 of the Local Government Act 1995.

8 NATIONAL COMPETITION POLICY

National Competition Policy implications have been considered and are not applicable to this local law.

Sustainability Statement

The local law provides for the proceedings and conduct of all Council and Committee meetings of the Shire.

<u>Statutory Environment:</u>	Local Government Act 1995 s3.12.2 of the Local Government Act 1995 requires that the Presiding person read aloud or cause to be read aloud, a summary of the purpose and effect of the proposed local law.
<u>Policy Implications:</u>	No Policy implications
<u>Financial Implications:</u>	Cost of advertising the Local Law
<u>Strategic Implications:</u>	No Strategic implications are known

Community Consultation: Statewide and local public notice advising that a copy of the proposed local law may be inspected or obtained at any place specified in the notice, and inviting submissions in accordance with s3.12 of the local Government Act 1995. The public comment period was for a period of not less than 6 weeks after the notice was given.

Voting Requirements: **SPECIAL MAJORITY**

Officer Recommended Resolution

1. In accordance with s 3.12 of the Local Government Act 1995 Council adopts the new "*Standing Orders*" Local Law 2002 as included with the attachments and marked C097/03/03.

CRC097 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Murphy seconded Cr Scott

1. In accordance with s 3.12 of the Local Government Act 1995 Council adopts the new "*Standing Orders*" Local Law 2002 as included with the attachments and marked C097/03/03 with the following amendments:
 - a) In items 4.2, 8.4, 8.6(1), 8.6(2), 12.7, 15.8(1), and 19.1 expand "re-enforcement" to "with regard to enforcement".
 - b) Item 1.3 interpretation include a definition for absolute majority.
 - c) Item 10.16 delete the Note.
 - d) 17.2(2) place a comma after the word "thereof".

CARRIED 8/0 SPECIAL MAJORITY

Note: The Officer Recommended Resolution was changed by the Corporate Services Committee to include amendments to the document.

C098/03/03 REVIEW OF GRANTS COMMISSION METHODOLOGY (A0060-02)		
Proponent	Western Australian Local Government Grants Commission	In Brief To review the draft report on the Western Australian Local Government Grants Commission allocation methodology and make comment in relation to some of the discussion points. The submission comments are required by 15 March, 2003.
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	26/02/03	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

In July 2002, the Western Australian Local Government Grants Commission announced a review of their methodology and released an issues paper for comment. The Commission has now provided a copy of their draft report for further consideration and comment prior to finalising their review. **A copy of the report is included with the attachments and marked C098/03/03.**

Comments

A forum on the draft report was held at the City of South Perth on 20 February 2003. This forum was attended by Councillors Star and Simpson and the Director Corporate Services. At the commencement of the forum the Grants Commission Chair announced that much of the response from local government indicated that no change in the methodology was the preferred option. It was also proposed that any changes considered for approval in the report would not be considered until the 2003/04 determination of allocations.

No models had been run to provide any possible effect of the discussed changes on any local government’s allocation. Therefore the impact of any changes is difficult to gauge.

Currently areas such as sanitation, education and welfare, community amenities and economic services are not included in the calculation of the grant. The consideration is that these areas are treated differently at each local government and it is difficult to determine a standard to consider for disability. The draft report gives comment that by considering all areas of expenditure a better picture may be determined. The Commission does not have current figures for these areas and has not run any models to give an indication of the effect of including these areas to the equation. Some comment has been forwarded that this will not influence the way funds are currently allocated in any significant way.

The Commission proposes that consideration of all expenditure areas should be made based on the discussions of cost shifting that have recently taken place in the industry. Serpentine-Jarrahdale for example are currently looking at areas such as weed control that was previously provided by the State Government. Weed Control comes under the economic services function and is not considered at all in the current model, however in our situation it could well be regarded as a disability.

Comment was also provided on the issue of the Commission “netting out” expenditure on the areas that it does collect information on. “Netting out” is where the Commission takes off any revenue received to the expenditure of that area. (ie If a local government spent \$100,000 per year on Governance but also collected \$10,000 in revenue – the Commission will calculate the disability on \$90,000). There may be some disadvantage to smaller local governments with this change in that the larger local governments with greater populations may be able to achieve larger revenue bases to offset there costs compared to smaller local governments. The current assessment may see the “netted out” expenditure of larger local

governments much lower than the actual expenditure amount. Therefore it is recommended that the status quo remain in place on this issue.

The Commission has advised that they will be removing some disability factors as a result of the Emergency Services Levy being applied by the Fire and Emergency Services Authority to fund fire brigades and volunteer fire brigades. These factors include hobby farms and terrain and whilst it appears a straight forward consideration for actual fire fighting, these factors should also be considered in relation to fire education programs and ensuring water access infrastructure. These disabilities are also used for consideration of animal control and other non fire related infrastructure. Therefore it is recommended that the Commission consider not removing these factors without further consultation with local governments.

The Review also gives consideration to including revenues from other sources such as ex-gratia rates and other significant revenues, such as private works or airport revenue. This would not influence the revenue capacity of Serpentine-Jarrahdale and is recommended that this should be supported. The Review also suggests that the assessed grant could also be removed from the equation. This would result in more metropolitan Council's moving towards a minimum grant situation. It is not expected that it would make any significant difference to allocations in general but is considered a practical approach to the assessment process.

A request was received from two local governments providing that they would be more inclined to amalgamate if the Commission could provide written confirmation that their current Grant allocations would remain the same for the next five years. This received some debate at the forum. It is recommended that the current approach of providing two years guarantee be supported by Council, as there should be many financial benefits to an amalgamation process. The Grant allocation may be one of the catalyst for an amalgamation but should not be the main catalyst.

Whilst options for support or not to support some of the review points have been provided in this report, it is not considered that any significant change to the allocation assessment will result. Therefore it is recommended that Serpentine-Jarrahdale make comment on the issues raised in this report on the understanding that it is unlikely any changes will occur to our general allocation, and ensure that any changes resulting from the introduction of the Emergency Services Levy be more fully considered before being undertaken.

Sustainability Statement

The allocation of this grant accounts for approximately 17% of revenue for the Shire of Serpentine-Jarrahdale. The principle of the grant is to enable each local government to function, by reasonable effort, at a standard not lower than the average standard of other local governments. The grant allocated does not meet 100% of the requirements of local government in the State and in any given year local government receives only 80% of it's determined requirement.

<u>Statutory Environment:</u>	Local Government Finance Assistance Act 1995
<u>Policy Implications:</u>	No Policy implications
<u>Financial Implications:</u>	As no modelling of the suggested changes has taken place it is difficult to estimate any financial impact.
<u>Strategic Implications:</u>	No strategic implications
<u>Community Consultation:</u>	No community consultation required
<u>Voting Requirements:</u>	Normal

Officer Recommended Resolution

The Shire of Serpentine Jarrahdale forward the following comments to the Western Australian Local Government Grants Commission Methodology Review Draft Report,

1. Does not support the inclusion of sanitation into the assessment as it may provide an incentive to keep revenue recovery lower than the cost to provide the service,
2. Supports the consideration to include Other Economic Services in the assessment as many local governments are undertaking services previously provided by State Government,
3. Does not support the removal of “netting out” expenditure as the current model provides a good indication of a local government’s ability to receive revenue,
4. Does not support the removal of any disability factors as a result of the introduction of the Emergency Services Levy before a review of the effect of the Levy can be determined. Any review should wait until twelve months after the introduction of the levy,
5. Supports the inclusion of other revenue significant revenue sources in the assessment and the inclusion of the assessed grant being included in the assessment, and
6. Does support grant funding of up to two years for amalgamating local governments.

CRC098 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Needham

The Shire of Serpentine Jarrahdale forward the following comments to the Western Australian Local Government Grants Commission Methodology Review Draft Report,

1. Does not support the inclusion of sanitation into the assessment as it may provide an incentive to keep revenue recovery lower than the cost to provide the service,
 2. Supports the consideration to include Other Economic Services in the assessment as many local governments are undertaking services previously provided by State Government,
 3. Does not support the removal of “netting out” expenditure as the current model provides a good indication of a local government’s ability to receive revenue,
 4. Does not support the removal of any disability factors as a result of the introduction of the Emergency Services Levy before a review of the effect of the Levy can be determined. Any review should wait until twelve months after the introduction of the levy,
 5. Supports the inclusion of other revenue significant revenue sources in the assessment and the inclusion of the assessed grant being included in the assessment, and
 6. Does support grant funding of up to two years for amalgamating local governments.
 7. Council does not support the concept of minimum grants for local government.
- CARRIED 8/0

Note: The Officer’s Recommendation was changed by the Corporate Services Committee to include the comment on minimum grants.

C099/03/03 COUNCILLOR TELECOMMUNICATION ALLOWANCE (A0906)		
Proponent	Local Government Act 1995	In Brief To introduce an annual allowance of \$744 per councillor per year for telecommunication, facsimile and internet requirements.
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	28/02/03	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

With the introduction of laptop computers and electronic connection for Councillors, new ISDN telephone lines have, or are to be for some councillors, been installed to allow for access to the internet with some bandwidth and an internet connection account established for each Councillor. As a result of the installation an increase in line rental costs will be incurred for Councillors providing their own telephone connection. It is therefore considered appropriate to establish an allowance under the provisions of the Local Government Act 1995 to reimburse the cost of this service requirement. Currently Council contributes \$7,000 per year towards telecommunication costs.

Comments

As part of the Information Systems Plan adopted by Council in June 2001 laptop computers were acquired for each Councillor for the purpose of Council use. This includes the ability to communicate with Council through electronic means and to receive information, such as agendas, from staff electronically. This allows easier dissemination of information and is a more environmentally friendly form of communication.

The first stage of this implementation took place in January 2002, with the laptops being issued. Councillors now receive their agendas and minutes with attachments on disk rather than in paper form. The next step is to allow the agenda to be distributed electronically and received via email. To do this each Councillor has now been provided with access to the internet via their laptop computer. An ISDN telephone line has been installed to allow downloading to occur at the best possible speed available with current Telstra infrastructure in the area. Some Councillors receive this service through the provision of their own telephone line and some Councillors receive this service via a Council owned telephone line. Whilst either set up has not been difficult to manage administratively, there is requirement to ensure that the telephone lines are changed into Councillor names when their office membership ceases with Council. It is therefore suggested that all telephone connections be placed in the name of the Councillor and that an annual reimbursement allowance, paid in similar monthly instalments as the annual sitting fee allowance, be established in accordance with section 5.99A(b) of the Local Government Act 1995.

This section of the Act provides that telephone, facsimile machine rental charges and other telecommunication expenses may be paid by a set allowance not exceeding \$2,000 per annum per Councillor. Therefore the cost of installation, operation and estimated call costs can be included in an annual allowance to council members. The current internet connection is paid for by Council direct and incurs no cost to individual Councillors. The ISDN line rental is \$42.00 per month. The ISDN line allows the phone fax to also be attached. A set amount could be determined for call costs for council purposes. An estimate of these could be \$10.00 per month for internet access and \$10.00 for voice calls. The total allowance for each Councillor would be based on \$62.00 per month or \$744 per year.

Sustainability Statement

Statutory Environment: Section 5.99A of the Local Government Act 1995 and Regulation 34A of the Local Government (Administration) Regulations 1996.

Policy Implications: No policy implications

Financial Implications: Reimbursement costs will increase by approximately \$220 per year as a result of the new line rental charges.

Strategic Implications: No strategic implications

Community Consultation: Not required

Voting Requirements: Normal

Officer Recommended Resolution

Council introduce an annual allowance of \$744 per Councillor for telecommunication costs associated with their telephone, facsimile and internet requirements in accordance with the provisions of section 5.99A of the Local Government Act 1995.

CRC099 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Murphy seconded Cr Hoyer
This item be deferred for further review during the budget deliberations.
CARRIED 8/0

Note: This Officer Recommended Resolution was changed by the Corporate Services Committee to allow a further analysis of current actual telecommunication costs.

C100/03/03 RATE PAYMENT INCENTIVE REVIEW – WORKING GROUP (A1075)		
Proponent	Executive Management Team	In Brief Form a working group of two councillors, the Director Corporate Services and Manager Finance to review rate payment incentives.
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	04/03/03	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

Each year Council has offered a rate discount to encourage ratepayers to make payment in full prior to the end of the 35 day rate period. This incentive is to assist Council in the receiving of cashflow at the beginning of the financial year. This discount was originally adopted in 1984 and reviewed in 1999. The discount adopted by Council in 2002/2003 was 3%.

Comments

Since the introduction of instalment options under the Local Government Act 1995 a general trend has developed whereby more ratepayers are choosing the instalment option over the discount incentive. Council currently discounts \$53,000 of its rate income to provide the discount which equates to \$1,766,000 in rate income being received within the first 35 days

of issue. This is out of a total of \$3,813,463 raised this current financial year, or 46% of total rates.

It is considered an appropriate time to review the effectiveness of this incentive option in regards to assessing whether other incentives may return an improved response for the \$53,000 investment.

To undertake this review it is suggested that a working group of Councillors and staff be formed so that a decision may be made in time for the finalisation of the new budget. It is suggested that two councillors from this committee, with the Director Corporate Services and Manager of Finance.

<u>Statutory Environment:</u>	No statutory environment
<u>Policy Implications:</u>	CSP11 currently provides that a rate discount be provided.
<u>Financial Implications:</u>	Currently \$53,000 per year is provided to the discount.
<u>Strategic Implications:</u>	No strategic implications
<u>Community Consultation:</u>	Not required
<u>Voting Requirements:</u>	Normal

Officer Recommended Resolution

A working group made up of Councillor _____, Councillor _____, the Director Corporate Services and Manager Finance be formed to review rate payment incentive options and any proposals be forwarded back to the Corporate Services Committee for consideration.

CRC100 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Needham seconded Cr Hoyer
A working group made up of Councillors Murphy, Simpson, Hoyer, the Director Corporate Services and Manager Finance be formed to review rate payment incentive options and any proposals be forwarded back to the Corporate Services Committee for consideration.
CARRIED 8/0

Note: The Officer Recommended Resolution was amended as the committee accepted three nominations put forward.

C106/03/03 SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE – COMMUNITY SPORT AND RECREATION FUNDING (A0900-03)		
Proponent	Council	In Brief Approve the amended funding arrangements for the draft Forward Financial Plan 2003-2008 and authorise commencement of the design and construction in accordance with the 2002/2003 budget.
Officer	G.R Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	07/03/03	
Previously	CRD04/10/02	
Disclosure of Interest		
Delegation	Council	

Background

Councillors will recall in October 2002 that a submission for funding of \$1,496,000 was made with the Ministry of Sport and Recreation for the Serpentine Jarrahdale Recreation Centre. 667 The total cost of the project was estimated at \$4,492,000 in this submission, with Council to borrow \$2,300,000 for the construction.

Comments

The Ministry of Sport and Recreation announced on Friday 7 March, 2003, that an allocation of \$1,000,000 has been approved by the State Government for this project. The funds will be allocated over a two year period (\$500,000 each year). This allocation is \$496,000 less than requested in the submission. As a result the loan funds for the building construction have been increased to \$3,000,000 which is \$700,000 above the original figure suggested. This will require an additional \$73,754 in loan principal and interest repayment per year over the fifteen year life of the loan calculated on 6% interest. (Note: This is described in more detail in the Financial Implications section of this item) The draft 2003-2008 Forward Financial Plan has included this modification with the change in loan funds and loan repayments.

Council approval is now sought to continue with the undertaking of the design and construct tender in accordance with the 2002/2003 budget allocation in consideration of these changes to the funding arrangements.

Sustainability Statement

Statutory Environment: Local Government Act 1995

Policy Implications: No policy implications

Financial Implications: An additional \$700,000 in loan funds and \$73,754 in principal and interest repayments based on a fifteen year loan at 6% interest.

The additional \$700,000 in loan funds are required to cover the \$500,000 shortfall in State Government CSRFF funding applied for by Council and approximately \$150,000 shortfall in Commonwealth funding (\$477,000) which was originally applied for unsuccessfully under the Dairy Regional Assistance Program.

Council has now sought Commonwealth funding of \$340,500 via the Regional Solutions Program. No response on the success of this application has been received at this time.

Strategic Implications: Will satisfy objective 1.1.1 of the Strategic Plan “Seek funds to implement plans for the Recreation Centre in Byford”.

Community Consultation: Community consultation has already taken place in respect of the Recreation Centre, the draft Forward Financial Plan will be advertised for a period of 42 days prior to being finalised by Council.

Voting Requirements: Normal

Officer Recommended Resolution

Council authorises the amended funding arrangements in the draft Forward Financial Plan 2003-2008 and approves the commencement of the design for construction as provided in the 2002/2003 budget.

CRC106 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Scott

1. Council authorises the amended funding arrangements in the draft Forward Financial Plan 2003-2008 and approves the calling of tenders to commence the design and construction of the Serpentine Jarrahdale Recreation Centre as provided in the 2002/2003 budget.
2. The facility is to be designed to reflect optimum energy efficiency, acoustic and sustainability principles taking into consideration Council’s financial commitment.

CARRIED 8/0

Note: The Officer Recommended Resolution was changed by the Corporate Services Committee to reflect optimum energy efficiency and acoustic consideration in the building design.

7.2 Asset Services – 10th March, 2003

COUNCIL DECISION

Moved Cr Kirkpatrick seconded Cr Scott
That the minutes of the Asset Services Committee Meeting held on 10th March, 2003 be received.
CARRIED 8/0

AS041/03/03 MULTIPLE USE TRAILS EMERGENCY ACCESS GATES REMOVAL REQUEST (A0494)		
Proponent	Trails Working Group	<i>In Brief</i> <i>Council's Trails Working Group has requested that gates at the entry to multi use trails installed to preclude vehicular access be left open or removed. It is recommended the request not be agreed to.</i>
Officer	Robert Harris Director Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Council	

Background

Many of Council's multiple use trails have an emergency fire access function to permit fire and emergency vehicle access in the event this is required. These trails have locked gates at the entry points from local roads to prevent unauthorised vehicular access. Fire and emergency vehicles, Rangers, Police and Council maintenance staff have keys to access the areas on a needs basis. Access openings adjacent to gates are sufficiently wide to permit pedestrians, cyclists, horses and prams gain unimpeded access, but prevent vehicular access.

A number of commercial horse trotting trainers have sought access to the gated trails by trotters and trotting carts to conduct training activities. The trotting carts and other horse drawn carriages are not accommodated by the access openings adjacent to the gates.

The Council Trails Working Group was established to provide input into Council's Trails Master Plan and to provide advice to Council on the planning and development of Council's trails network.

At its meeting on 11 February 2003 the Working Group discussed the issue of the gates at entry points to a number of trails and resolved to request to Council that the gates be left open to permit trotting cart and horse drawn cartage access.

Comments

The opening of the access gates permitting unhindered vehicular access to the trails raises a number of issues requiring consideration in determining whether this is an appropriate course of action.

- Use of the trails for commercial training of trotters raises potential conflicts with recreational users. Children on ponies, cyclists and parents with prams etc who were primary users contemplated in developing the trails network are likely to feel intimidated if confronted by an approaching trotting cart, raising the risk of incidents and potential Council liability for any injury or loss if an incompatible use of the trails is endorsed.
- Speeding and policing of trails is already an emerging issue. Whilst it is considered by the Trails Working Group that local community organizations such as the Oakford Trails Management Association and Darling Downs Management Committee could ensure appropriate use of the trails, this is not considered a role or capability of such

groups. Darling Downs Management Committee members are regularly seeking Council intervention on matters of inappropriate trail use, with the frequency of requests increasing. Most calls for Council action from the community relate to motorcycle, vehicles, and excessive speed of horses/buggies on trails. The ungated trails have highest frequency of issues, with very few incidents arising on gated trails.

- The standard of construction of the trails has generally not been to a standard suitable for regular vehicular traffic. The trail widths are generally inadequate for two oncoming vehicles or carts to safely pass. Significant sections of trail have a raised formation with edges unsuitable for vehicles to readily move off the track if required. Accommodating two vehicles would involve widening or edge reforming, drainage structure extending and adjacent vegetation trimming.
- The regular use of the trails by additional and wheeled traffic will substantially increase maintenance and resurfacing requirements to meet the ongoing safety, drainage and serviceability needs of users, and to satisfy public liability requirements. The standard of ongoing maintenance to accommodate carts and carriages is higher to ensure a sufficiently sound running surface, most particularly along the outer wheel path, but more generally to retain a tightly bound surface.
- Many of the trails form recreational links between adjacent roads and cul-de-sacs. Opening the trails to allow vehicular traffic will lead to people using the trails as short cuts between their premises and local distributor roads. This introduces hazards to other users, deteriorates the trails, creates neighbourhood amenity issues, and leads to policing requirements.
- Allowing vehicular access to the trails and adjacent reserves will lead to adjoining property owners using the reserves/trails as defacto rear driveways to routinely access their properties with consequences as above.
- There is no demonstrable widespread community support to open the gates. Aside from the sectorial interests of a number of people seeking wheeled trotting cart access for their own purposes, the preferences of other users and adjoining landowners are largely unknown. A number of landowners aware there are parties seeking to have the gates opened/removed have sought assurance this will not occur. Earlier advice has been that Council has no current plans, however if contemplated consultation would occur.
- There are currently public trotting training facilities available in the Shire at Darling Downs and Mundijong operated by the industry. In addition many trainers have training tracks on their own property. The use of Council's multi-use paths and trails for this purpose will result in a shift in the cost for training tracks from the industry/users to the Council.

It is also considered by a number of people that the locked gates could impede emergency access when required, and could preclude emergency escape by property owners in the event of fire. The primary function of the emergency accesses is to allow emergency vehicles ready access if required. The time taken to open gates is minimal, and having the trails used by other parties in an uncontrolled manner during an emergency would jeopardise emergency response and safety.

If the Council was of a view that the gates could potentially be opened or removed to provide community benefits outweighing the costs and ongoing management requirements, it would be appropriate that any action be initially restricted to a specific area for a limited trial period following consultation with, and the general agreement of the affected community. Prior to a trial period commencing the relevant area trails would need to be assessed and any required improvements carried out. The preparatory works could potentially be funded from forward trails' capital works funds allocated in Council's five year financial plan.

A six month trial in the Darling Downs and/or Oakford area could be contemplated with all residents initially advised of the proposal, and being invited to submit comment to Council for its consideration before proceeding. If a trial were contemplated, it should be required that measures be in place beforehand to canvas and consider public comments, and to assess operating and maintenance issues, at the conclusion of the trial to determine how to proceed beyond the trial period.

Sustainability Statement

The development and operation of a rural multi-use trail network is a substantial objective of the Council.

The success of achieving the objective will be measurable by not only the development of the network, but also the capacity of the Council to maintain the infrastructure in a sound condition.

Extending the role and function of the trail network to a wider user group and limiting access restrictions will incur increased operating costs with impacts on the long term sustainability of the network.

Statutory Environment: Local Government Act 1995.

Policy Implications: Nil at this stage.
Removal of gates will impact on emergency access requirements policy and on construction standards for multi-use paths and trails.

Financial Implications: Nil at this stage.
Construction of trails to accommodate trotting carts will increase costs .
Maintenance of trails used by trotting carts will incur increased costs.

Strategic Implications: Nil at this stage.
Proposal would impact on Council capacity to develop and maintain the proposed trail network within desired time frame and budget

Community Consultation: Not required at this stage.
Required with affected communities if any change from status quo proposed.

Voting Requirements: Normal.

Officer Recommended Resolution

1. That emergency access gates on access tracks and trails remain closed and locked.
2. That trotting training cart use on Council multi-use trails be restricted to movements between stabling and training facilities at slow speed.

ALTERNATIVE MOTION

Moved Cr Price seconded Cr Murphy

1. That emergency access gates on access tracks and trails should be open to all permitted users.
2. That trotting training cart use on Council multi-use trails be restricted to movements between stabling and training facilities at walking speed.

LOST 2/6

CRAS041 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Hoyer

1. That emergency access gates on access tracks and trails remain closed and locked, except that the three gates on the Peters Way trail be opened for a six months trial if community consultation on the trial is found favourable and following referral back to Council.
2. That trotting training cart use on Council multi-use trails be restricted to movements between stabling and training facilities at walking speed.

CARRIED 7/1

Note: The Officer Recommended Resolution was changed by the Asset Services Committee to allow a trial period in an area subject to consultation with residents in the area.

Cr Price requested that he be recorded as voting against this motion.

AS043/03/03 SUBDIVISION GUIDELINES POLICY (A0567)		
Proponent	Shire of Serpentine Jarrahdale	In Brief
Officer	Mick Beaverstock Manager Asset Services	<i>Council is requested to adopt a new policy to ensure industry best practice and sustainability objectives are met in subdivisional development within the Shire.</i>
Signatures - Author:		
Senior Officer:		
Date of Report	24 February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Preamble

A new policy is proposed to ensure all civil construction undertaken within the Shire as part of sub divisional development is to an acceptable industry standard and in accordance with current best practice.

Background

The Shire has, over a number of years, prepared a number of guidelines for engineering standards for subdivisional development. Previous documents have been based on a variety of standards utilised throughout the industry however many of these have become outdated.

In 1998 the Institute of Public Works Engineering Australia (WA Division) prepared a set of guidelines for Local Government with the intention being to provide consistency across all Councils. Further to this document, other guidelines such as Liveable Neighbourhoods (WA Planning Commission), Urban Stormwater Quality Management (Water & Rivers Commission) and Land Development Sites & Impacts on Air Quality (WA Department of Environmental Protection) have been released.

Given the development potential within the Shire, it is important that consulting engineers and developers are aware of these requirements to ensure that all infrastructure inherited by the Shire is built to a suitable standard, and that development impact on the community and environment is minimised.

Comments

The *Shire of Serpentine Jarrahdale Engineering Standards For Subdivisional Development, March 2003* is a document based on current best practice within the civil construction

industry. While Planning Conditions provide generic conditions for development, this document details specific requirements for construction and will ensure all future infrastructure provided for the community carries minimal cost liability.

Adoption of the document as a policy of Council will provide officers with a means of control over private works and dictates the minimum standard of development that will be acceptable.

As the document has required a significant amount of officer time to prepare, and will have a cost component in production, it is recommended that a fee of \$25.00 (including GST) be charged for copies to recover this cost.

A copy of Shire of Serpentine Jarrahdale Engineering Standards For Subdivisional Development, March 2003 is with attachments marked AS043/03/03.

The following policy is proposed for adoption by Council:

“AP22 SUBDIVISIONAL DEVELOPMENT – ENGINEERING STANDARDS

Where subdivision or development is proposed within the Shire, construction shall be undertaken in accordance with *Shire of Serpentine Jarrahdale Engineering Standards for Subdivisional Development, March 2003.*”

Sustainability Statement The proposed policy is intended to ensure all development within the Shire is undertaken in accordance with industry best practice. This will result in future development meeting sustainability objectives.

Statutory Environment: Local Government Act 1995 (as amended)
Local Government (Miscellaneous Provisions) Act 1960

Policy Implications: New policy

Financial Implications: The production of the document will be cost neutral with a fee of \$25.00 proposed to be charged to offset this cost.

Strategic Implications: The proposed policy and development standards are in accordance with the Objectives and Strategies of the Serpentine Jarrahdale Strategic Plan 2003.

Community Consultation: Not required

Voting Requirements: Normal

CRAS043 Committee/Officer Recommended Resolution

1. That Council adopts the following policy:

“AP22 SUBDIVISIONAL DEVELOPMENT – ENGINEERING STANDARDS

Where subdivision or development is proposed within the Shire, construction shall be undertaken in accordance with *Shire of Serpentine Jarrahdale Engineering Standards for Subdivisional Development, March 2003.*”

2. That a fee of \$25.00 (including GST) be charged for copies of the document.

CRAS043 COUNCIL DECISION

Moved Cr Wigg seconded Cr Kirkpatrick

1. That Council adopts the following policy with suggested amendments to be referred to the Asset Services April 2003 committee meeting for ratification:

“AP22 SUBDIVISIONAL DEVELOPMENT – ENGINEERING STANDARDS

Where subdivision or development is proposed within the Shire, construction shall be undertaken in accordance with *Shire of Serpentine Jarrahdale Engineering Standards for Subdivisional Development, March 2003.*”

2. That a fee of \$25.00 (including GST) be charged for copies of the document.
CARRIED 8/0

Note: The Committee/Officers Recommended Resolution was changed by Council as a point of clarification regarding the process for suggested amendments to be made to the policy.

AS045/03/03 LONG VEHICLE APPLICATION – SOFTWOOD LOGGING SERVICES (A0512-03)		
Proponent	Softwood Logging Services	In Brief <i>An application has been made by Softwood Logging Services for Council consent to use long vehicle truck and trailer combinations to cart Blue Gum woodchips from a plantation in River Road. Conditional consent is recommended.</i>
Officer	Mick Beaverstock Manager Asset Services	
Signatures - Author:		
Senior Officer:		
Date of Report	24 February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

Softwood Logging Services has submitted an application seeking Council consent to the use of Prime Movers with tri-axle front trailer, 2 axle dolly and tri-axle rear trailer (Pocket Road Trains) under 27.5 metres in length to transport Blue Gum woodchips from a plantation in River Road, Peel Estate.

Comments

As part of a scheduled logging program, the Forest Products Commission has requested that Softwood Logging Services transport woodchips from the plantation.

The applicant requests approval for the issuance of a permit for River Road (Henderson Road to Karnup Road) and Karnup Road (River Road to the Western Shire Boundary).

It is proposed to undertake the logging program for a period of 12 months with woodchips transported on Shire Roads between the hours of 6am and 6pm, Monday to Saturday. The permit application nominates two trucks which will undertake up to 3 deliveries per day each.

Karnup Road is sealed to a width which will allow access of large vehicles with minimal impact on other traffic. River Road is sealed, however its width is reduced and both trucks and other vehicles would need to drive partially on the shoulder to pass safely. While this is less than desirable, the number of trucks and potential conflicts would be doubled if the

application is not approved and “as of right” vehicles are utilised. It should be noted that Council is not able to apply conditions on operating times or routes for “as of right” vehicles.

The proposed route does not result in these vehicles passing through major townsites within the Shire which is preferable. Council officers have had discussions with Main Roads Heavy Vehicle Operations to advise of the preference for permit vehicle consent to use the Kwinana Freeway as this reduces the reliance on permit vehicles to access South Western Highway via townsites.

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

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

Sustainability Statement

Properly managed permit vehicle operations have potential sustainability benefits in reduced social impact from transport vehicles, reduced environmental emissions and reduced transport and road maintenance costs.

Sustainable permit vehicle operations should be contingent upon the operations being demonstrated to be properly managed to realize the potential benefits.

Statutory Environment: Motor Vehicle Act and Regulations

Policy Implications: No implications to Councils present permit vehicle operation position.

Financial Implications: Nil

Strategic Implications: Consistent with strategic objectives of facilitating local economic development.

Community Consultation: Nil

Voting Requirements: Normal

Officer Recommended Resolution

Consent be conditionally granted to the use of Prime Movers with tri-axle front trailer, 2 axle dolly and tri-axle rear trailer up to 27.5 metres in length by Softwood Logging Services, for a period of 12 months from the date of Shire Approval, and restricted to River Road (Henderson Road to Karnup Road) and Karnup Road (River Road to the Western Shire Boundary), subject to the following conditions:

1. Verification of intersection suitability and issue of permits by Main Roads WA;
2. Vehicle speeds on River Road are not to exceed 60km/h;
3. Vehicle speeds on Karnup Road are not to exceed 90km/h;
4. Vehicles are only to operate between the hours of 6am and 6pm (excluding school bus hours), Monday to Saturday; and
5. Copies of permits, including truck and trailer registration numbers, as issued by Main Roads Western Australia are to be submitted to Council prior to commencement of operations.

ALTERNATIVE MOTION

Moved Cr Hoyer seconded Cr Murphy

That this matter be deferred to the April 2003 Asset Services Committee meeting for further discussion.

LOST 4/5

Note: Due to an equality of votes the Presiding Member cast a second vote.

CRAS045 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Kirkpatrick Consent be conditionally granted to the use of Prime Movers with tri-axle front trailer, 2 axle dolly and tri-axle rear trailer up to 27.5 metres in length by Softwood Logging Services, for a period of 12 months from the date of Shire Approval, and restricted to River Road (Henderson Road to Karnup Road) and Karnup Road (River Road to the Western Shire Boundary), subject to the following conditions:

1. Verification of intersection suitability and issue of permits by Main Roads WA;
2. Vehicle speeds on River Road are not to exceed 60km/h;
3. Vehicles are only to operate between the hours of 6am and 6pm (excluding school bus hours), Monday to Saturday; and
4. Copies of permits, including truck and trailer registration numbers, as issued by Main Roads Western Australia are to be submitted to Council prior to commencement of operations.
5. The proponent contribute towards the maintenance of the gravel section of River Road during the cartage period.

CARRIED 7/1

Note: The recommendation was changed to require a maintenance contribution from the proponent.

Note: Information be sought from WALGA on the outcomes of Plantations 2020 on the use of local roads by plantations.

Note: That an alternative route be canvassed in consultation with Main Roads and other local authorities.

Cr Hoyer requested that he be recorded as voting against this motion.

AS046/03/03 RECONSTRUCTION OF RICHARDSON STREET, MUNDIJONG (R0088) (R0092)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief <i>Council is requested to approve the reallocation of funds allocated for Resealing to allow the reconstruction of Richardson Street, Mundijong to be undertaken.</i>
Officer	Patrick Rose Technical Officer - Design	
Signatures - Author:		
Senior Officer:	Mick Beaverstock	
Date of Report	25 th February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

The 2002/2003 budget includes provision of \$60,000.00 for improvement works on Adams Street, Mundijong. As part of the continuing asset improvement program, the upgrading of Richardson Street has been included in the Principal Activities Plan with expenditure of \$60,000 proposed for 2003/2004. The upgrading of Livesey Street will also be required at some stage in the future.

To reduce design costs, quotes were sought in December 2003 to provide a design for improvements to Adams, Livesey and Richardson Streets. WML Consultants were engaged to provide a detailed survey and design plans.

A copy of the preliminary drawing is with attachments marked AS046/03/03.

Comments

Adams Street will eventually continue south of Richardson Street with future subdivision of land. At present Adams Street is connected to Richardson Street via a tight bend at what will become a future "T" intersection. As a result of the current configuration, the majority of traffic using Adams Street to access Mundijong Townsite also uses Richardson Street.

Officers have determined that a cost saving will be achieved by undertaking works on Adams and Richardson Streets as a single project. In addition to the cost benefit, the social impact of the works will also be reduced. Disruption due to road works impacting on property access, detours, etc are minimised and better endured by the public when undertaken as a single project compared to two separate periods of works.

Due to the reduction in funding through the Roads to Recovery Grant, Operations will complete 2003/2004 capital road projects early. An analysis of the labour cost component within remaining budget allocations indicates that there will likely be insufficient work available for the Operations workforce. Where possible, works traditionally undertaken by contract are now being completed by in-house labour, however a shortfall is still likely.

It is recommended that the Richardson Street upgrading be brought forward both to reduce overall cost and community impact, and ensure sufficient work will be available for the remainder of the financial year. It is proposed to fund this change through currently unexpended monies allocated to the resealing program, a wholly contract based program.

To ensure that this strategy will not be detrimental to the road network condition, it is proposed that funding nominated for the resealing program in 2003/2004 be increased by the value of the Richardson Street works. Advice of external funding committed for road works indicates that bringing forward the Richardson Street project will not have an impact on the quantity of work available for Operations staff in 2003/2004.

Sustainability Statement

The undertaking of improvements to Richardson Street in association with Adams Street will result in overall cost savings and minimise the impact of disruptions to the community due to roadworks. Both economic and social objectives will be met through this approach.

Statutory Environment: Local Government Act 1995.

Policy Implications: Accords with Council's road safety policy objectives.

Financial Implications: There is no net cost implication to Council as the reallocation of funds can be accommodated within the current budget provision.

Strategic Plan Implications: Accords with Council's infrastructure provision strategy.

Community Consultation: Not required for the reallocation of funds however consultation will be undertaken with residents directly effected by these works.

Voting Requirements: **ABSOLUTE MAJORITY**

CRAS045 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Kirkpatrick

1. That Council reallocates \$60,000 from the Reseals Account (MOR805) to Adams Street Road Construction Account (RC092) to undertake the reconstruction of Richardson Street in the current financial year.
2. That the funding proposed in the Principal Activities Plan for Resealing Account in 2003/2004 be increased by \$60,000 and the reconstruction of Richardson Street be removed

CARRIED 8/0 **ABSOLUTE MAJORITY**

AS047/03/03 EMERGENCY SERVICE LEVY – SERVICE CATEGORY BOUNDARIES (A1139)		
Proponent	Fire and Emergency Services Authority	In Brief <i>Endorsement of the proposed boundaries for the emergency services levy.</i>
Officer	G.R. Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	28 February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

Fire and Emergency Services Authority (FESA) has provided a copy of the service category boundaries for the new levy to take effect from 1 July 2003. Whilst the boundaries need to be set for this time to allow the levy to be raised, the actual levy effective date is from 1 January 2004.

Comments

Fire & Emergency Services Authority has provided a map indicating service category three will include properties to Mundijong Road. Service category three is a rate in the dollar charge based on property gross rental valuations. This boundary runs along Mundijong Road north between the western boundary and South Western Hwy. It then travels up the western side of South West Hwy to Kiln Road and encompasses all properties north of Kiln Road to the western side of the scarp. The boundary then aligns with the northern side of Nettleton Road to Admiral Road. All properties south of this alignment are in category five which is a fixed value of approximately \$35.00 per property.

The Fire and Emergency Services Officer has requested Council consider requesting Fire & Emergency Services Authority to include north of Phillips Road and Wedgetail Drive in category three as well.

Fire & Emergency Services Authority will be required to have these boundaries gazetted for the purposes of establishing the levy. A copy of the maps will be available for inspection on meeting day.

Sustainability Statement

The Emergency Services Levy will assist in the majority of funding required in the operation of the volunteer bushfire brigades and state emergency services.

Statutory Environment: Emergency Services Levy legislation.

Policy Implications: No policy implications

Financial Implications: No financial implications

Strategic Implications: No strategic implications

Community Consultation: No consultation required at this time.

Voting Requirements: Normal

Officer Recommended Resolution

Council endorse the Emergency Services Levy Category Boundaries for the Shire of Serpentine Jarrahdale as provided by the Fire and Emergency Services Authority, and request that properties located on the northern side of Phillips Road and properties located on Wedgetail Drive be included in category three.

CRAS047 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Needham

1. Council endorse the Emergency Services Levy Category Boundaries for the Shire of Serpentine Jarrahdale as provided by the Fire and Emergency Services Authority, and request that properties located on the northern side of Phillips Road and properties located on Wedgetail Drive be included in category three.
2. That any realignment of the Fire District boundaries affecting any Shire brigade areas be subject to consultation with Council.

CARRIED 8/0

Note: The recommendation was changed to include consultation with Council in any realignment of Fire District boundaries.

AS049/03/03 DISPOSAL OF FIRE FIGHTING UNIT 1BFH697 [BYFORD 2·4] (A0191)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief
Officer	Robert Harris Director Asset Services	<i>Submissions on the proposed sale of fire fighting unit 1BFH679 (Byford 2·4)</i>
Signatures - Author:		
Senior Officer:		
Date of Report	10 March 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Background

The Director Asset Services reported that in accordance with Section 3·5(3) of the Local Government Act the proposed disposal of Isuzu FSS500 Fire Fighting Unit Registration Number 1BFH679 as per Council's approved 2002/03 budget to the Shire of Plantagenet for the amount of \$90,000 was advertised in the West Australian newspaper inviting public submissions.

At the closing of the submission period no submissions had been received.

CRAS049 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Wigg

There being no public submissions on the proposed sale of Council's Isuzu FSS500 Fire Fighting unit Registration Number 1BFH679 to the Shire of Plantagenet for the sum of \$90,000.00, for the sale proceed.

CARRIED 8/0

7.3 Community & Recreation Development Meeting – 10th March, 2003

COUNCIL DECISION

Moved Cr Price seconded Cr Needham
 That the minutes of the Community & Recreation Development Committee Meeting held on 10th March, 2003 be received.
 CARRIED 8/0

CRD16/03/03 JARRAHDAL SKATE PARK (AND REALLOCATION OF EQUIPMENT) (P05576)		
Proponent	Youth Representatives for Jarrahdale Community Association Interim Steering Committee	In Brief Council is asked to nominate three Councillors to form a working group to report back to the April Community & Recreation Development Committee in order to provide the Youth Representatives of Jarrahdale Community Association Interim Steering Committee with a formal response on proposals for a skate park in Jarrahdale, as well as confirming what is likely to happen to the old Jarrahdale skate park equipment.
Officer	C McKee - Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	26.02.03	
Previously	CRD34/02/02, CRD25/12/01, D18/10/01, CRD29/03/01, P025/08/00, CRD04/07/00	
Disclosure of Interest		
Delegation	Council	

Background

At the Jarrahdale Forum on February 11, 2003, which saw the creation of an interim steering committee whose aim is to develop a Jarrahdale Community Association, a request was made by the large contingent of around 20 youth who attended.

This request of Council was for a formal response as to proposals for a skate park in Jarrahdale, as well as confirmation as to what will happen to the old Jarrahdale skate park equipment.

In order to provide an immediate informal response, the Youth Liaison Officer met with one of the Youth Representatives and his parents on the Heritage Park site, and provided them with an indication of where a skate park is being proposed in the Plans for the Heritage Park. This was then communicated back to the Jarrahdale Community Association Interim Steering Committee.

The Jarrahdale skate park was removed from the tennis court site in 2002 with no alternative sites being identified as suitable until the Heritage Park was developed. The equipment has been stored in the Council depot since then.

CRD34/02/02 COUNCIL DECISION

Moved Cr Price seconded Cr Hoyer that Council close down the Jarrahdale Skate park, where it is currently located at the tennis courts, because of the noise emanating from the current location and the Council make a commitment to the community to consider the skatepark within the Jarrahdale Heritage Precinct.

Since then the Heritage Park has been identified as a suitable alternative through a public consultation period. It is the opinion of technical officers that the most appropriate skate park for this site would be the free form concrete type.

With the old Jarrahdale skate park equipment being visible from the depot, there have been a number of verbal requests to Councillors and the Youth Liaison Officer for the relocation of the equipment to other areas across the Shire, in particular Mundijong and Serpentine.

Comments

The Principal Activity Plan indicates that the next allocation of funds towards a locality skate park in Serpentine Jarrahdale will not be until 2006/07.

There are, however, opportunities worth pursuing with regard to the Heritage Park which could see a skate park in this area sooner.

Council is currently considering Telstra Rally Australia's proposal to host this event in Jarrahdale in August/September 2003. This would involve utilising the Heritage Park site. As part of this discussion, Council has requested that Telstra Rally Australia undertake the earthworks for the proposed skate park site.

Funding opportunities are currently being identified to be pursued towards the design and free form concrete components, and there is the possibility that Council may be able to consider contributing an allocation from Council's annual hardcourt funds, in order to attract major funding for the project.

Alternative options for Jarrahdale have also been discussed with the technical officers as follows:

Based on the Telstra Rally Australia scenario where they may be able to undertake the earthworks, the option of Council creating a hard base for the existing skate park equipment to be located on this site was considered.

This was considered to be inappropriate due to the equipment's perceived lack of suitability for the site in the long term both from a noise level and aesthetics point of view. As a short term temporary solution, the \$25,000 needed to create the surface was not considered an appropriate allocation of funds if the surface would then have to be destroyed for the long term plans of the park to be implemented.

Alternative options have also been discussed with technical officers in relation to the relocation of the old Jarrahdale skate park equipment. These are as follows:

Serpentine:

- A location is being considered on the east side of the Serpentine oval, north of tennis courts and incorporating the handball court and wall (west side wall with wall as a buffer to nearest residence). This is considered to be an appropriate site in principle (subject to community consultation and an acoustics survey).
- Funding may be considered in the 2003/04 budget through the re-allocation of hardcourt and playground equipment funds for Serpentine, subject to consultation with Serpentine community.

Mundijong:

- Three locations have been suggested. One using the old tennis courts to the south west side of the Mundijong Oval, one using the south end of the Mundijong Hall car park, and the third being the Linear Park.
- There is no option for reallocation of playground equipment funds so financially Mundijong is not in a position to reallocate funds.
- The tennis court option may be too close to residences but is the only option that warrants further investigation. The car park option is not considered viable due to plans being considered in relation to the proposed High School. The Linear Park option is considered too close to residences.

Sustainability Statement

The proposals for the location of the proposed Jarrahdale skate park and relocation of the old Jarrahdale equipment aim to blend in with the environments in which they are placed, causing minimum environmental damage.

The proposal for Jarrahdale aims to maximise resources available through pursuing the option of having Telstra Rally Australia undertake the earthworks while they have earth moving equipment on site. A variety of funding options are also being pursued.

The proposals aim to engage the community through a consultation process regarding the location and design. This should in turn build a sense of community ownership and sense of responsibility for the facilities.

The proposals will aim to ensure that there is no social disadvantage to any groups. The proposal aims to provide facilities that will be an advantage to both youth, parents of youth and residents who are normally concerned that youth need activities to keep them occupied.

Statutory Environment: N/A

Policy Implications: Nil

Financial Implications: No skate park allocation in Principal Activities Plan until 2006/07
Jarrahdale Heritage Park option would be reliant on a combination of sponsorship, grants and possible reallocation of hardcourt funds. It is envisaged that the free form concrete component would cost approximately \$75,000, and the design component up to \$5,000.
The Serpentine option would be feasible during 2003/04 subject to reallocation of existing hardcourt and playground equipment funds, as well as community consultation. The acoustics survey would have to be included in these costs.
The Mundijong option has no access to sufficient funds.

Strategic Implications: Strategy 1.1 (People & Community) support establishing a strategy for community facilities and needs as population milestones are met.
Strategy 1.5 (People & Community) supports the strengthening of community groups and promoting of meaningful community input into Council decisions.
Strategy 1.6 (People & Community) Maintain the heritage character of the Shire and protect built and natural heritage for economic and cultural benefits.

Community Consultation: The community have already been consulted regarding the proposed location of a skate park in Jarrahdale Heritage Park.
The next community consultation phase with this project will be to consult the community regarding the design of the skate park.

Voting Requirements: Normal

Officer Recommended Resolution

That Council nominates three Councillors to form a working group to report back to the April Community & Recreation Development Committee in order to provide the Youth Representatives of Jarrahdale Community Association Interim Steering Committee with a formal response on proposals for a skate park in Jarrahdale, as well as confirming what is likely to happen to the old Jarrahdale skate park equipment.

CRCRD16 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Kirkpatrick

- 1 That Council investigates and progresses the relocation of existing Jarrahdale skate park equipment to the Jarrahdale Heritage Park as soon as possible.
- 2 That skate parks for Mundijong and Serpentine be investigated through the Principal Activities Plan.

CARRIED 7/1

Note: The Officer Recommended Resolution was changed as the Committee felt it was unnecessary to form a working group.

Cr Hoyer requested that he be recorded as voting against this motion.

7.4 Strategic Management Committee Meeting – 17th March, 2003

COUNCIL DECISION

Moved Cr Price seconded Cr Kirkpatrick

That the minutes of the Strategic Management Committee Meeting held on 17th March, 2003 be received.

CARRIED 8/0

SM045/03/03 FORWARD FINANCIAL PLAN 2003-2008 (A0119/02)		
Proponent	Local Government Act 1995	In Brief To authorise the advertising of the Draft Forward Financial Plan in accordance with section 5.57 of the Local Government Act 1995.
Officer	G R Dougall – Director Corporate Services	
Signatures - Author:		
Senior Officer:		
Date of Report	05/03/03	
Previously	SM025.10/11/02	
Disclosure of Interest		
Delegation	Council	

Background

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

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

The draft plan has been produced as a five year financial plan as in the previous year based on operating costs from the 2002/2003 statutory budget.

Comments

This plan presents the forward summary to reflect required rate increase over the life of the plan and as per last year a 2% inflation factor on income and expenditure for most areas. It is provided in a similar format to that of last year with links to the Strategic Plan key result areas.

A hard copy of the Strategic Plan is with the attachments marked SM045.1/03/03.

The plan has been developed based on expenditure and income operating allocation in the 2002/2003 budget to ensure that all activities provided are realistically achievable. Subject to Council income growth being monitored and no major changes to the activities as presented, this document is a basis for a five year budget. This plan will see the level of borrowings increase by \$4,060,000 over the next four years representing annual loan repayments of 13% of current rate income over the next ten years provided current interest rates are maintained. The Plan provides for the repayment of \$457,000 in Jarrahdale Heritage Park loans through the subdivision and sale of a portion of the land for residential purposes. The Plan also provides for the development of a Reserve fund to provide some of the funding for implementation of the concept plan for the park. \$400,000 of loan funds is for the development of the light industrial area in Byford and should be repaid over time from the sale of the land. Loan funds of \$3,000,000 will be raised for the development of the Recreation Centre over the next two years which will also receive Ministry of Sport and Recreation funding of \$1,000,000 over a two year period.

The current loans held by Council will mature at the following dates;

Loan 74	Lightweight Motorcycle Club Rooms	\$10,104 per annum	October 2003
Loan 79	Mundijong Sale Yards	\$22,375 per annum	April 2009
Loan 80	Briggs Park Pavilion	\$22,043 per annum	July 2009
Loan 82	Road Plant	\$55,680 per annum	January 2005
Loan 83	Jarrahdale Heritage Park Land	\$71,075 per annum	March 2010 (2004 in Forward Plan)
Loan 84	Jarrahdale Heritage Park Land	\$14,242 per annum	March 2010 (2004 in Forward Plan)
Loan 85	Serpentine Sports Reserve Upgrade	\$22,814 per annum	June 2010
Loan 86	Serpentine Golf Club Reticulation	\$4,717 per annum	June 2012
Loan 87	Oakford Community Centre	\$7,800 per annum	June 2012
Loan 88	Serpentine Sports Reserve Upgrade	\$20,055 per annum	June 2012

The Local Government Act 1995 requires Council to advertise this document for a period of at least 42 days seeking public comment on the plan. After this advertising period Council is to consider any submissions received prior to final adoption of the plan. This advertising will be provided through a local newspaper advertisement. Advertising this plan in March will provide sufficient time for the final plan to be adopted in May prior to the finalisation of the budget.

Councillors input into this draft plan were canvassed in November 2002 with four councillor comments being received. The items raised have been summarised below;

SUBMISSION	RESPONSE
Armadale Home Help want to establish a men in sheds program in S-J	Discussions have commenced with AHH looking at the meeting place gardens for accommodation.
Respite House for carers	This may be assisted through Community Funding Program
Polmac trailer for Community Bus	Rotary, Lions or Community Funding Program may assist with this request.
Concept Plan for Serpentine Heritage Precinct	This is to be funded from the townscape planning funds in year 2003/04
Concept Plan for Hopeland Village	Funds placed in 2007/08.
Screen BMX track Serpentine	To be considered in reserve management budget.
Skatepark for Serpentine	Suggested unused track be relocated to Serpentine in this financial year.
Upgrade Kingsbury Drive	Provided in year 2007/08
Upgrade Gobby Road	No allocation provided.
Underground power program	No allocation provided.

The Serpentine Jarrahdale Landcare Committee is pursuing provision under the Soil and Land Conservation Act 1945 (section 25A) to impose a rate in respect of a district or part of a district for their future funding requirements. The request must be approved by the Minister for Lands and gazetted in accordance with the Act and made by the district committee of the land conservation district. This process is expected to take 12 months to finalise. A rate can only be imposed up to 6 cents for gross rental valuations and 2 cents for unimproved valuations after consultation with the local government.

The Forward Plan currently provides a 3% rate increase in year one to assist with the future revenue needs of Landcare in 2003/2004.

Adding to the rate charge imposed by Council to all properties in the district is an easier process as it only requires Council sign off at budget adoption (with Ministerial approval for differential rates), whilst the Soil and Conservation Act 1945 requires Ministerial approval through community consultation and then gazettal. It is considered by Executive that the preference would be for the Landcare Committee to instigate a gazettal through the Soils and Conservation Act and provide a contribution through Council rates to allow sufficient time for the Landcare committee to undertake the required consultation and approval process.

Sustainability Statement

The Forward Financial Plan allows Council to ensure the achievement of its key objectives provided in the Strategic Plan within the resources allocated each year. It provides a direct link between these objectives and the ability for these objectives to be resourced.

Statutory Environment: Section 5.56 of the Local Government Act 1995

Policy Implications: No policy implications

Financial Implications: Indicates the financial requirements of Council over the next five years.

Strategic Implications: Linked directly to the key result areas of the Strategic Plan.

Community Consultation: Six week consultation period required in accordance with section 5.57 of the Local Government Act 1995.

Voting Requirements: Normal

CRSM045 Committee/Officer Recommended Resolution

The Draft Forward Financial Plan 2003-2008 with the following amendments be advertised for public comment in accordance with Section 5.57 of the Local Government Act 1995:

Increase Industrial Park Expenditure to \$800,000
Add Government Contribution to Industrial Park - \$400,000
Reduce Trails Construction and Expenditure Year 1 to \$25,000
Split Jarrahdale Road over Year 1 and 2
Move Elliott Road to Years 3 and 4
Move Michael Street to Year 2
Move Yangedi Road North to Year 2

Note: The Officer Recommended Resolution was altered to amend some of the allocations provided in the Plan.

SUPPLEMENTARY REPORT:

Subsequent to the Strategic Management Committee meeting held on 17 March 2003, the following adjustments have been made to the Plan as presented:

Sitting Fees

Councillors have requested that consideration be made to increasing the sitting fees to the maximum allocation of \$6,000 per Councillor. An additional \$10,000 has been included in the Plan under Asset Acquisition and Replacement providing for this increase.

Roads

Director Asset Services and Manager Asset Services have undertaken a review of aspects of the draft Principal Activities Plan. Updating of parts of the draft plan are indicated as being required to reflect recent events, including:

- * Main Roads advice of Regional Road Group funding of projects for 2003/2004,
- * Changes in external (State and Federal) road project funding criteria affecting the eligibility of projects for grant contributions,
- * Outcomes from staged projects from 2002/2003 and earlier, affecting forward project stages,
- * Re-allocation of 2002/2003 funding to bring forward planned 2003/2004 projects, and,
- * Evaluation of projects against current warrants justifying works and overall priority ranking on capital road works program.

The following adjustments to the draft Principal Activities Plan for the 2003/2004 financial year have been made to reflect the outcomes of the review:

Nettleton Road

\$210,000 Expenditure under Main Roads WA funded improvement deleted.

\$140,000 Income under Main Roads WA grant deleted.

Main Roads WA has advised Council its funding application for this project for improvements between South Western Highway and Old Brickworks Road has been unsuccessful. Preservation works to protect and maintain this road pending a future further application are proposed in the current financial year (2002/2003) from road preservation and maintenance funding allocations in conjunction with budgeted footpath construction works along the road.

Lightbody Road

\$140,000 Expenditure for 2003/2004 under Shire funded improvements deleted.

Improvements to the formation, drainage and pavement on the northern and southern sections of Lightbody Road under previous stages of improvement funding allocations have

extended beyond that foreshadowed. The \$100,000 allocation notionally allocated for the 2004/2005 financial year is expected to suffice to satisfactorily complete this project.

Kiln Road

\$150,000 Expenditure indicated for 2007/2008 brought forward to 2003/2004. Reconstruction of the western portion of Kiln Road was initially scheduled for 2002/2003 and deferred at 2002 budget time when Federal Roads to Recovery grant funding for 2002/2003 was reduced. This project is urgently required and cannot be deferred until 2007/2008. The funding allocated for this project in 2007/2008 has been notionally reallocated to Minor Local Road Enhancements.

Richardson Street

\$60,000 Expenditure indicated for 2003/2004 under Shire funded improvements deleted. A separate item in this meeting agenda (CRAS046/03/03) proposes improvements intended for Richards Street in 2003/2004 be brought forward to 2002/2003 concurrent with improvements to Adams Street, Mundijong, and be funded from 2002/2003 reseal budget funds, with adjustment to 2003/2004 funding allocations.

Reseals

\$60,000 Expenditure added to 2003/2004 reseal allocation to reflect reallocation of funding from this area in 2002/2003 for Richardson Street improvements as above.

Local Roads Traffic Management

\$40,000 Expenditure allocated to new project category under Shire funded improvements for local road minor traffic management projects such as intersection improvements. These funds may be supplemented with external grant funding for identified successful projects under State and Federal road safety programs.

Trails Construction

\$20,000 Expenditure added to 2003/2004 Trails Construction allocation to restore the next financial year allocation to \$45,000.

The net effect on the total road funding allocations in the Principal Activities Plan for 2003/2004 and future years is nil.

Further evaluation of road improvement projects shown in the Principal Activities Plan for years post 2003/2004 is required to ascertain eligibility under road standard warrants and external funding criteria. A further review is intended on these projects and a report will be submitted to the Asset Services Committee on a forward road works program before development of the draft review of the Plan in 2004.

Landcare

Landcare SJ have provided estimates of the actual contribution required to fund their operations for an interim period of twelve months whilst they undertake to seek Ministerial approval to impose a rate on properties within the Shire under the Soil and Land Conservation Act 1945. The proposed projects for funding are:

STAFF

Position: **Bushland Officer (1 F.T.E.)**

Salary \$42,000:-
On-Costs \$8,600:-

Operating costs:

Vehicle Lease & Running Costs \$13,000:-

Communication & Awareness Raising	\$750:-
Monitoring & Evaluation	\$500:-
Subtotal:	\$64,850:-

Position: **Landcare Officer (0.6 F.T.E.)**

COSTS BASED ON 0.6 F.T.E.

Salary	\$25,200:-
On-Costs	\$5,040:-

Operating costs:

Mileage Costs for use of Personal Car	\$2,150:-
Communication & Awareness Raising	\$1,750:-
Monitoring & Evaluation	\$250:-

Total: **\$34,390:-**

ON GROUND PROJECTS ON SHIRE LAND

Free Verge Plants Scheme \$5,200:-

On-Ground Works in Specific Bushland Reserves
Undertaken with Community Groups \$12,800:-

Sponsored Planting programs in Shire Bushland
Reserves \$10,000:-

Total: **\$28,000:-**

(Actual Cost to Budget \$18,000:-)

COMMUNITY CAPACITY BUILDING PROGRAMS

Heavenly Hectares Presentations	\$4,000:-
Perennial Pastures	\$2,900:-
1080 Fox & Rabbit Bating Programs	\$1,250:-
Development of Landcare Landscapes Program	\$750:-

Subtotal: **\$8,900:-**

LANDCARE CENTRE OPERATING COSTS (not covered by Shire in-kind support)

General Administration \$2,400:-

Stationary and Consumables \$1,800:-

Computer support and maintenance \$1,800:-

Total **\$6,000:-**

OVERVIEW

Item & Description	Actual Cost
Staff: 1.0 F.T.E. & 0.6 F.T.E.	\$99,240:-
On-Ground Projects on Shire Land	\$18,000:-
Community Capacity Building Projects	\$8,900:-
Landcare Centre Operating Costs	\$6,000:-

TOTAL	\$132,140:-
=====	

NOTE:

Whilst not guaranteed, with an element of continuity from Federal/State Government to supporting the Landcare Network throughout 2003/04 it is envisaged that the expenditure of funds (\$28,000:-) on On-Ground Projects on Shire Land would be leveraged to provide at least a matching amount thus providing an outcome equivalent to in excess of \$56,000:- of actual on-ground works.

This budget does not account for additional sources of corporate funding and sponsorship which will be accessed during the fiscal year and will provide additional on-ground outcomes throughout the Shire.

It should be noted that in previous fiscal years the Shire has provided in-kind support for the Landcare centre in terms of Building, Communications, Office Services, Payroll etc. which could be evaluated at approximately \$58,000:- per annum. This is in addition to a direct grant of \$52,000:- specifically designated for on-ground works on Shire land, an example being the free verge plants scheme.

CRSM045 COUNCIL DECISION

Moved Cr Hoyer seconded Cr Needham that the Draft Forward Financial Plan 2003-2008 with the following amendments be advertised for public comment in accordance with Section 5.57 of the Local Government Act 1995:

- Increase Industrial Park Expenditure to \$800,000
 - Add Government Contribution to Industrial Park - \$400,000
 - Split Jarrahdale Road over Year 1 and 2
 - Move Elliott Road to Years 3 and 4
 - Move Michael Street to Year 2
 - Move Yangedi Road North to Year 2
 - Adjust Townscape Funding to reflect \$35,000 in Year 1 and \$40,000 in Year 2
- CARRIED 7/1

Note: The Committee/Officers Recommended Resolution was changed by Council amending the following: deleting "Reduce Trails Construction and Expenditure Year 1" and adding the adjustment to the Townscape Funding.

Note: A copy of the second draft Forward Financial Plan 2003-2008 is attached to these minutes and marked "second draft - SM045/03/03"

SM046/03/03 INFORMATION REPORT		
Proponent	Chief Executive Officer	In Brief Information Report.
Officer	D.E Price – Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	26 February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

SM046.1/03/03 HARVEST HIGHWAY MEETING MINUTES – FEBRUARY 2003 (A1151)

The Minutes of the Harvest Highway Steering Committee meeting held on 11 February 2003 are in the attachments marked SM046.1/03/03.

SM046.2/03/03 COMMON SEAL REGISTER REPORT – FEBRUARY 2003 (A1128)

The Common Seal Register Report for the month of February 2003 as per Council Policy CSP30 Use of Shire of Serpentine Jarrahdale Common Seal is with the attachments marked SM046.2/03/03.

SM046.3/03/03 PEEL ECONOMIC DEVELOPMENT UNIT – EXECUTIVE GROUP MINUTES FEBRUARY 2003 (A0839-06)

The minutes of the Peel Economic Development Unit Executive Group meeting held on 4th February 2003 are in the attachments marked SM046.3/03/03

SM046.4/03/03 JARRAHDALÉ HERITAGE PARK DRAFT MASTERPLAN (P05576)

The draft Management Strategy was received for comment late 2002. The plan has been reviewed by community, technical staff and the JHP management committee.

The final draft of the Jarrahdale Heritage Park Management Strategy has been received for review and comment to be integrated into the final report.

The masterplan was placed in the Gianatti Store and the Old Store at Jarrahdale for community input and the management plan was available for viewing at the Shire Office. 2 written comments were received and a phone call to discuss issues.

A meeting was held on 21st January to coordinate the response from Council Officers and Councillors and on 6 February 2003 to coordinate the response from the Jarrahdale Heritage Park Management Committee (SJ, Peel Development Corporation and National Trust) was held.

Coordinated comments on the draft were formulated and a meeting was held with the consultants on 26 February 2003 to discuss these.

The consultants will shortly be advising of a completion date based on the comments received and discussed.

The comments which are with the attachments marked SM046.4/03/03 are the coordinated response from the Jarrahdale Heritage Park Committee, Council's Technical Officers and community responses given to the consultants to be incorporated into the final management plan document.

CRSM046 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Scott seconded Cr Price that the Information Report to 12 March 2003 be received.
CARRIED 8/0

J Abbiss and M Beaverstock declared an interest in Item SM047/03/03 and left the meeting at 8.54pm.

SM047/03/03 REVIEW OF ORGANISATIONAL STRUCTURE AND STAFF APPOINTMENTS (A1169)		
Proponent	Chief Executive Officer	In Brief Council to: 1. Agree on the revised organisational structure. 2. Appoint senior staff to fill vacant positions. 3. Review remuneration packages of Manager positions
Officer	D.E Price - Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	14 March 2003	
Previously		
Disclosure of Interest	J Abbiss & M Beaverstock	
Delegation	Council	

Background

The Director Sustainable Development, Mr Andrew Watson, and Director of Asset Services, Mr Robert Harris have both tendered their resignation from Council in accordance with their employment contracts.

The Director Asset Services finishes on Friday 11 April 2003 to take up the position of Director of Engineering at a Council in South Australia.

In his letter of resignation Mr Harris advised that it has been an ambition of his family to be located closer to each other, and this appointment will enable that to occur. Mr Harris noted that the time he has spent at Serpentine Jarrahdale no doubt assisted in his capabilities to secure his new position. He also recorded his appreciation of the assistance and support provided by the Council, Chief Executive Officer, executive team and all staff over the past three years.

The Director Sustainable Development will finish on Thursday 17 April 2003 to take up a position in New South Wales.

Mr Watson noted in his letter of resignation that he considers the appointment to be a significant career advancement, though one that would have been all the more difficult without the skills and experience gained from his five years at Serpentine Jarrahdale. It also allows him to move closer to his family in New South Wales. Mr Watson also expressed his thanks and best wishes to Council and the Chief Executive Officer.

Comments

The Local Government Act 1995 (The Act) s5.37 refers to Senior employees and s5.40 refers to Principles Affecting Employment by Local Governments.

“Senior Employees” - s5.37 of the Act requires the Chief Executive Officer to inform the Council of each proposal to employ a senior employee, and describes the detail required to be included in the advertisement relating to salary and total remuneration, where a local government advertises the position of a senior employee.

Section 5.37 of the Act refers to the requirements to be followed “where a local government advertises the position of a senior employee”. It does not prescribe the requirement to advertise vacant senior employee positions.

This has been clarified and confirmed by Council’s industrial advocates, Chamber Commerce and Industry (CCI) who have advised that Council may make internal appointments.

However, the s5.40 of the Act prescribes “Principles Affecting Employment by Local Governments”

The following principles are to apply to the employment of employees by a local government:–

- a) Employees are to be selected and promoted in accordance with principles of merit and equity.
- b) No power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage.
- c) Employees are to be treated fairly and consistently.
- d) There is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the Equal Opportunity Act 1984 or any other ground.
- e) Employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and
- f) Such other principles, not inconsistent with this Division as may be described.

The Staff Management Committee members and the Chief Executive Officer held a workshop on Friday 14 March 2003 to discuss the organizational structure (which is contained within the recommendation and reflects the changes described below) and the subsequent filling of two (2) vacant senior employee positions as a result of the resignation of Mr Harris and Mr Watson.

Based on the principles of merit and equity, the Staff Management Committee members and the Chief Executive Officer are supportive of internal appointments to fill the two vacant Directors positions.

The Chief Executive Officer was requested to have discussions with the current Manager Asset Services, Mr Mick Beaverstock with a view to establishing his level of interest in the position of Director Asset Services. Mr Beaverstock has considered the position description and draft contract and is willing to accept the position. Members of the Staff Management Committee also reviewed the draft contract documentation and position description at the workshop held on Friday 14 March 2003. It is proposed that a copy of the contract will be circulated to Councilors confidentially with the Council agenda. (Councilors wishing to view the document earlier may do so by contacting the Chief Executive Officer).

In relation to s5.40(a) “*employees are to be selected and promoted in accordance with principles of merit and equity*”, the Staff Management Committee members and the Chief Executive Officer are of the view that the appointment of Mr Beaverstock to the position of Director Asset Services is recommended on the principles of merit and equity for the following reasons;

Mr Beaverstock is currently the Manager Asset Services. He was appointed to the position following Council advertising in a State wide newspaper and conducting formal interviews in September 2002 for the position of Manager Asset Services.

Mr Beaverstock has formal qualifications in Engineering (Bachelor Engineering). This is a qualification required in the position of Director Asset Services, and one which will not be held by any other qualified officer of Council. Mr Beaverstock has previously demonstrated that he is capable of fulfilling the position of Director Asset Services through acting

opportunities he has undertaken both at this Council and with his previous employer, the City of Mandurah.

The current incumbent, Mr Harris, from his knowledge of recent movements in similar senior local government engineering positions considers it may be difficult to secure a more suitable candidate than Mr Beaverstock. He considers that the employment history and the commitment and competence displayed by Mr Beaverstock in his role since being engaged with the Shire would enable him to assume the duties and responsibilities of the position of Director Asset Services to Councils satisfaction.

In regards to the vacant Director Sustainable Development position, it is proposed that the Manager Sustainable Development, Ms Joanne Abbiss is given the opportunity to undertake this role for twelve months. Prior to the completion of this twelve month period, the Staff Management Committee members and the Chief Executive Officer will determine the most appropriate action to appoint a person to the position of Director Sustainable Development in accordance with the provisions of the Local Government Act 1995 for Senior employees.

It is proposed that the salary for this position during the twelve month period be \$72,000 per annum with all other current conditions of her current employment contract maintained.

Members of the Staff Management Committee also reviewed a draft letter of offer to Ms Abbiss that the CEO has had prepared by Council Industrial Advocates CCI at the workshop held on Friday 14 March 2003.

In relation to s5.40(a) "employees are to be selected and promoted in accordance with principles of merit and equity", the Staff Management Committee members and the Chief Executive Officer are of the view that the twelve month appointment of Ms Abbiss to the position of Director Sustainable Development is recommended on the principles of merit and equity for the following reasons;

Ms Abbiss is currently the Manager Sustainable Development, and has previously demonstrated that she is capable of fulfilling the position of Director Sustainable Development through acting opportunities she has undertaken at this Council. The restructure also removes the previous requirement for the Director Sustainable Development to be qualified in planning and offers a balanced approach which will enable Ms Abbiss to gain further experience in the Director Sustainable Development position. Ms Abbiss is qualified, with a Bachelor of Science degree; she is well regarded amongst Councillor's, staff and her peers.

The structure now also introduces a Sustainability Unit, which re-enforces the focus on core areas of Council business such as Sustainability, Cities for Climate Protection (CCP), Water Campaign, Environment, Economic and Tourism Development, Community Development, Youth, Byford Structure Planning and the Jarrahdale Heritage Park. It is proposed that Council's Sustainable Development Project Officer position title be amended to Manager Sustainability Unit, and the current incumbent manage this unit. It is proposed that the salary for this position be increased from Level 9.1 to level 9.4 (of the Local Government Officers (WA) Award), with all other current entitlements being maintained.

The proposed structure and above appointments also provide Council with the opportunity to introduce a new Manager Planning and Regulatory Services position to manage the Planning, Health, Building and Rangers Teams. It is anticipated that this position will need to have a salary in the order of \$70,000 per annum, plus a car with private use to attract the senior level planning skills Council requires.

Council will need to attract a suitably qualified Manager Asset Services to replace Mr Beaverstock to the vacant Manager Asset Services position. It is also anticipated that this position will continue to have a salary in the order of \$65,000 per annum, plus a car with private use.

It is also appropriate to review the remaining two Managers positions, Manager Information Services and the Finance Manager to ensure that Council remains competitive in its remuneration of all senior staff.

The Manager Information Services who has responsibility for Records, Customer Service, Information Technology and Library Services teams is a senior Manager. It is suggested that the remuneration package for this position is increased to match the Manager Sustainability Units package. It is therefore proposed that this position be increased from Level 9.1 to level 9.4 (of the Local Government Officers (WA) Award).

Council also pays an over award payment of \$2,500 per annum as a travel allowance to the Manager Information Services. It is proposed that this arrangement be discontinued and that the Council vehicle that was previously allocated to the Senior Planner be made available to Corporate Services as a pool car, with access being granted to the Manager Information Services for commuter and restricted private use in accordance with Council Policy and Work Procedures. This would effectively reallocate an existing pool vehicle to the Corporate Services Directorate.

At the conclusion of the Council administering the Regional Energy Co-ordinators position in June 2003, an additional Council pool vehicle that is currently provided under this arrangement should be retained and at the appropriate time allocated to the Planning area by the Chief Executive Officer.

The Finance Manager has only recently been appointed to this position. His contract of appointment does already provide the opportunity for his salary level to be increased from level 8 to level 9 (of the Local Government Officers (WA) Award) subject to satisfactory performance. This will be reviewed at his next performance review. It is however also considered reasonable to offer a travel allowance of \$2,500, similar to that paid to the Manager Information, as Council is unable to offer another dedicated vehicle to the Corporate Services area, which could be made available for any commuter or private use by the Finance Manager.

Sustainability Statement

Not applicable

Statutory Environment:

s5.41 of the Act - Functions of the CEO – s5.41 (g) requires the CEO to be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to s5.37(2) in relation to senior employees)

s5.37 (2) of the Act requires the CEO to inform the Council of each proposal to employ or dismiss a senior employee and the Council may accept or reject the CEO's recommendation but if the Council rejects the CEO's recommendation, it is to inform the CEO of the reasons for its doing so.

Policy Implications:

No Policy Implications

Financial Implications:

Any Financial Implications outside of current budgets will be dealt with as part of the 2003/2004 budget. Total value of salaries associated with the recommendations made is in line with 2003-2004 salary estimates.

Should Ms Abbiss not be appointed to the position of Director Sustainable Development at the conclusion of the twelve month period, then she will return to her position as Manager Sustainable Development, with responsibilities for Health, Building and Ranger Services. This outcome would require Council to find funding to top

up any shortfall in salary which may not be budgeted at that time.

Strategic Implications: No Strategic Implications are known.

Community Consultation: It is proposed that a media release be prepared and provided to local newspapers advising of the resignation of Mr Harris and Mr Watson and the recommended replacements. It is suggested that this media release be prepared and circulated before the Council meeting to ensure that members of the community are made aware of the recommendations.

Voting Requirements: Normal

CRSM047 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Needham seconded Cr Kirkpatrick that

1. Council formally thanks and acknowledges the significant contribution made to the Shire of Serpentine Jarrahdale by Mr Andrew Watson during his five (5) years of service to Council in the position of Director Sustainable Development.
2. Council formally thanks and acknowledges the significant contribution made to the Shire of Serpentine Jarrahdale by Mr Robert Harris during his three (3) years of service to Council in the position of Director Asset Services.
3. Council accepts the amendments proposed to the organisational structure as shown below and request the Chief Executive Officer to commence implementation to ensure its effect from 22 April 2003.
4. Council appoints Mr Mick Beaverstock to the "senior employee" contract position of Director Asset Services for the period 14 April 2003 to 30 June 2007, with a commencement salary of \$80,000 per annum and a total remuneration package value of \$99,200 (with no further salary increase to be considered until after 30 June 2004). Council authorises the Chief Executive Officer to seal and execute the contract document.
5. Council appoints Ms Joanne Abbiss to the "senior employee", contract position of Director Sustainable Development, subject to acceptance of the conditions associated with the appointment which will be outlined in a letter of offer, for a period of twelve months commencing 22 April 2003, with a commencing annual salary of \$72,000 per annum and a total remuneration package value of \$91,600 (with no further salary increase to be considered until after 30 June 2004). All other conditions of her current employment contract are maintained. Prior to the completion of this twelve (12) month period, the Staff Management Committee members and the Chief Executive Officer will meet to determine the most appropriate action to appoint a person to the position of Director Sustainable Development in accordance with the provisions of the Local Government Act 1995 for Senior employees.
6. Council re-names the Sustainable Development Project Officer position to Manager Sustainability Unit. The salary level for this position is increased from level 9.1 to level 9.4, effective from the pay period commencing after 22 April 2003, with all other current entitlements maintained to reflect the change in position title. In this case the next annual performance review will be conducted around May 2004, with any future salary increase being in accordance with movements in the Local Government Officers Award, effective from July 2004.
7. Council agrees to the Manager Information Services position salary level being increased from level 9.1 to level 9.4, effective from the pay period commencing after 22 April 2003. In the case of the next annual performance review will be conducted around May 2004, with any future salary increase being in accordance with movements in the Local Government Officers Award, effective from July 2004. At the earliest opportunity a Council vehicle will be made available to the Manager Information Services for commuter and restricted private use in accordance with

Council Policy and Work Procedures at which time the over award payment currently in place for travel allowance will cease.

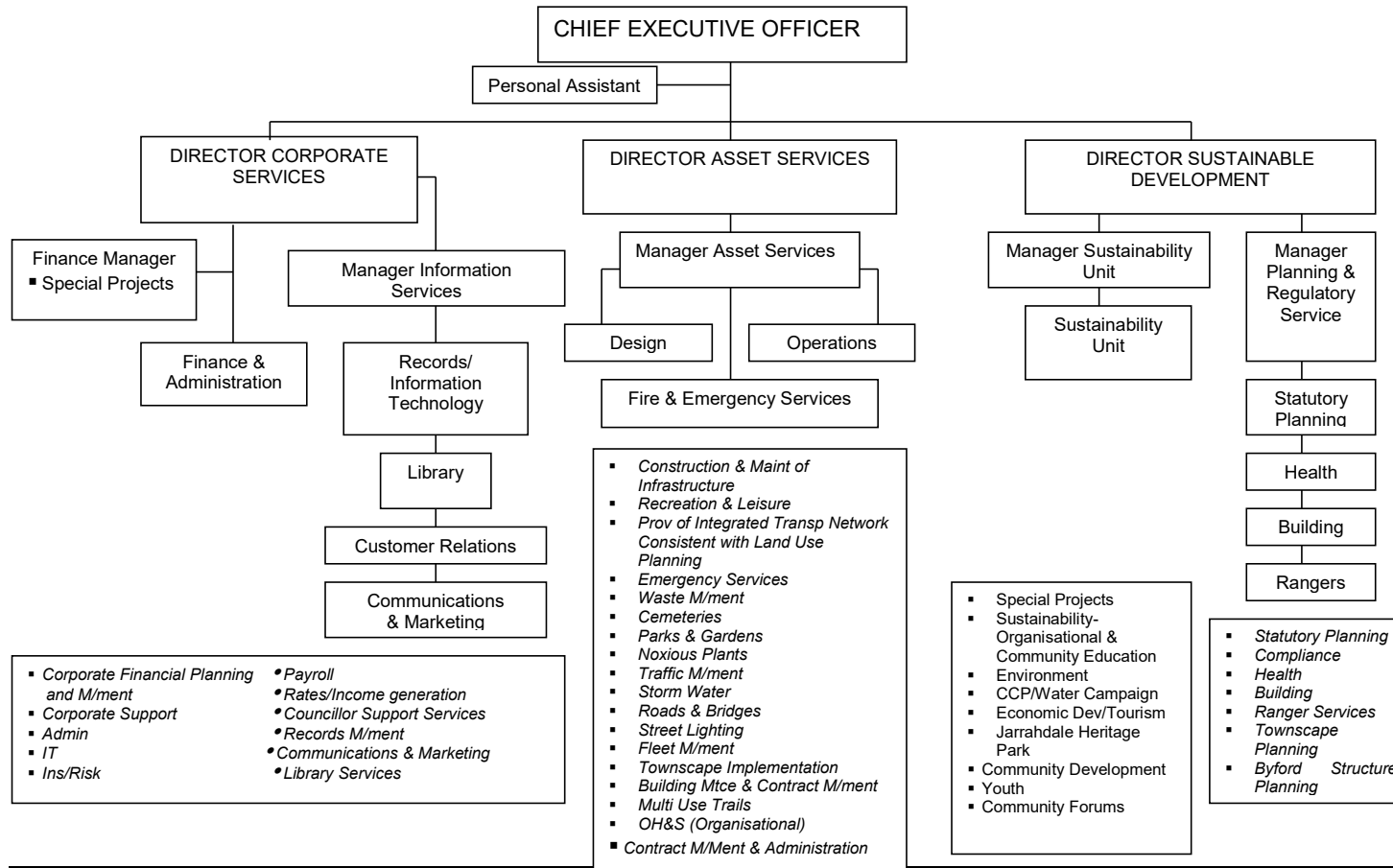
8. At the conclusion of the Council administering the Regional Energy Co-ordinators position in June 2003, an additional Council pool vehicle that is currently provided under this arrangement is to be retained and at the appropriate time allocated to the Planning area by the Chief Executive Officer.
9. Council agrees to the Finance Manager position being offered a travel allowance of \$2,500 in lieu of a Council vehicle, and that the position salary level be increased from level 8 to level 9.1, effective July 2003, subject to a satisfactory performance review in May 2003.

CARRIED 8/0

J Abbiss and M Beaverstock returned to the meeting at 8.59pm.



ORGANISATIONAL CHART



7.5 Planning Development & Environment Meeting – 17th March, 2003

COUNCIL DECISION

Moved Cr Murphy seconded Cr Price
That the minutes of the Planning Development & Environment Committee Meeting held on 17th March, 2003 be received.
CARRIED 8/0

E018/03/03 PERTH BIODIVERSITY ROUND 2 SUBMISSIONS FOR FUNDING (A0397)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief
Officer	Dr Sue Osborne - Environmental Officer	Request for Council to allocate funds for next financial year (2003 – 2004) as a contribution towards successful bids for round 2 Perth Biodiversity Projects.
Signatures - Author:		
Senior Officer:		
Date of Report	28th February 2002	
Previously	E011/12/02	
Disclosure of Interest		
Delegation	Council	

Background

A request for Council endorsement of funding applications for round 2 of the Perth Biodiversity Project funds and for the allocation of Shire funds to support these applications was forwarded to Council in December 2002. Council resolved:

“CRE011 COUNCIL DECISION/Committee/Officer Recommended Resolution

*Moved Cr Richards seconded Cr Scott that Council endorses the applications for funds under the Perth Biodiversity Round 2 program and will consider allocations of Shire funds for the 2003/2004 financial year as a contribution towards any of the above projects that are successful as part of the Principal Activities Plan process.
CARRIED 9/0”*

Comments

Following advice from Perth Biodiversity Project officers, the Shire of Serpentine Jarrahdale, in partnership with the Community Landcare Centre, LCDC, Murdoch University, Worldwide Fund for Nature and Greening Australia submitted two funding applications covering three of the projects outlined in the December agenda item:

Project 1

Development of a Biodiversity Strategy to establish a biodiversity inventory and prioritisation framework.

Projects 2 and 3

Preparation of outcome based reserve management plans

On ground works in Brickwood Reserve.

Both of these applications were successful with the receipt of nearly \$29,000 from the Perth Biodiversity Project.

This agenda item seeks a Shire funding contribution of:

Project 1	\$ 4 000
Projects 2 and 3	\$ 9 000
TOTAL	\$13 000 to support these projects during 2003/2004

The planned outcomes of these projects are as follows:

An inventory of biodiversity values throughout the Shire;

- A prioritisation framework for the funding of biodiversity / conservation projects across four programs:
- Management of biodiversity values on Shire vested lands;
- Management of biodiversity values on private lands;
- Management of biodiversity values on lands vested in other agencies; and,
- State of the environment reporting;
- Establishment of a planning and management framework for Shire reserves;
- A management plan for Brickwood Reserve;
- A management plan for Serpentine Sports Reserve; and,
- On ground operations to control weeds and dieback in Brickwood Reserve.

Sustainability Statement

Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?

Additional funding for the environmental projects listed above will enhance the natural environment and minimise environmental damage through best practice in its field.

Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?

Techniques to be used will minimise the use of energy and protect soil, land and water.

Does the proposal/issue use locally available or produced resources?

Not applicable

Will the proposal/issue be economically viable in a way that incorporates its external costs?

Best environmental management practices will be used.

Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?

Effective community involvement is essential for effective biodiversity management within the Shire. Community involvement is a component of each of the proposed projects.

Does the proposal/issue disadvantage any social groups?

No group(s) will be disadvantaged.

Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?

The environmental projects proposed do not create long term employment, but short term employment would be involved.

Statutory Environment:

The status of biodiversity values under State and Commonwealth statutes will be taken account of when

determining criteria for prioritisation and resource allocation.

Local, state and Commonwealth statutes will be referred to during the planning processes of reserves.

Policy Implications:

A new Shire reserves planning and management framework is to be developed.

Financial Implications:

The proposed projects will require additional allocations of Shire funds next financial year to secure their success as follows:

Proposed project	Funding required next financial year
Biodiversity strategy	\$4000
Development of management plans	\$6000
Brickwood Reserve on ground works	\$3000

Funding for those projects is included in the draft Forward Financial Plan (refer SM046/03/03) and sources of funding were outlined in E011/12/02.

Strategic Implications:

This proposal for environmental project funding relates to strategy 2.1 and 2.2 of the Environmental Key Result Area in Council's Strategic Plan which is:

	Strategy
2.1	Encourage best practise environmental management.
2.2	Make best practice environmental management a foundation of Shire business.

In addition, the following objective and key result areas are listed in the Strategic Plan:

“Objective

To protect and repair the soil, vegetation, water and air resources of the Shire.”

Key performance indicators

- To have all significant conservation assets within Shire identified and protected through appropriate mechanisms;
- To build a working plan for landcare which the majority of landholders support and work towards; and
- To build a network of green links throughout the Shire for their conservation, water management and recreational values.

Community Consultation:

The projects are to be managed by a steering committee that will include members from all application partners. The local community is well represented on this steering committee with the Community Landcare Centre and LCDC partners.

Voting Requirements:

ABSOLUTE MAJORITY

CRE018 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Hoyer seconded Cr Murphy that Council allocates \$13 000 in the 2003/2004 draft budget to support Perth Biodiversity funded projects to prepare a biodiversity inventory and prioritisation framework, develop management plans for Brickwood and Serpentine Sports Reserve and undertake on-ground works in Brickwood Reserve.
CARRIED 8/0 ABSOLUTE MAJORITY

E019/03/03 DRAFT SHIRE RESERVES PLANNING AND MANAGEMENT FRAMEWORK (A0314)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief A draft Shire reserves planning and management framework has been prepared in consultation with members of the community. Council is requested to consider the draft framework and to support the establishment of a community Reserves Advisory Group to assist with the development of management plans (the framework will be resubmitted to Council in April for endorsement following any additional consultation required by Council).
Officer	Dr Sue Osborne – Environmental Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	24 th February 2003	
Previously	E012/01/03	
Disclosure of Interest		
Delegation	Council	

Background

An information report was forwarded to Council in January regarding the direction and progress of developing a planning and management framework for Shire vested reserves.

Following the receipt of advice from Council and additional community consultation, a draft Shire Reserves Planning and Management Framework has been developed to address the following Shire reserves management objectives:

- To operate within the framework of a well researched, well reasoned strategic overview of biodiversity values and objectives within the Shire;
- To embrace environmental best practices in relation to:
 - the structure of management plans;
 - participatory planning and management processes; and,
 - the design and implementation of management strategies;
- To establish and maintain harmonious partnerships between and the Shire and sectors of the community.

This draft framework, if adopted, would see the formal establishment of two groups:

- A community based Reserves Advisory Group (RAG) to provide advice to Council on the development, implementation and audit of management plans; and,
- A Shire staff and community Reserves Working Group (RWG) to co-ordinate on-ground works within Shire reserves in accordance with management plans or as deemed necessary for public safety and the protection of other reserve values in the absence of a management plan.

This agenda item includes the following draft documents:

Draft Shire Reserves Planning and Management framework;

Terms of reference for proposed Reserves Advisory Group;
Code of Conduct of proposed Reserves Advisory Group;
Notes on the structure of reserve management plans.

Council is requested to consider the draft documents and endorse the commencement of establishing the proposed Reserves Advisory Group. This is requested so that the development of reserve management plans can commence within the time frames required by external funding agencies (Perth Biodiversity Project). The planning and management framework will be resubmitted for Council endorsement at the April meeting following the completion of any additional community consultation required by Council.

The Draft Shire Reserves Planning and Management Policy refers to the Shire *Biodiversity Strategy: Inventory and Prioritisation Framework* which is to be developed during the next 18 months to two years. This strategy will document all significant biodiversity values throughout the Shire including those on Shire lands, private lands and lands vested in other agencies. The strategy will also provide a prioritisation framework for the identification of priority works to protect and enhance biodiversity values within the following four programs:

Management of Shire reserves;
Management of biodiversity on Private lands;
Management of biodiversity on lands vested in other agencies; and,
State of the environment reporting.

The Shire has received \$12,700 from round 2 of the Perth Biodiversity Project to assist in the preparation of the Shire *Biodiversity Strategy: Inventory and Prioritisation Framework*.

a) Draft Shire Reserves Planning and Management Policy

Scope

This document relates to all Shire vested lands other than road reserves.

Reserve Objectives

The objectives of Shire reserves are:

- To complement State Government reserves and other biodiversity areas by preserving representative and special ecosystems within the Shire: and,
- To put a formal management framework in place to ensure that the various uses of Shire reserves are managed in an equitable, integrated and sustainable manner.

Information Management

The Shire will develop and maintain a data base of Shire vested lands that includes links to management plans, monitoring and management data plus audit reports. The community is to be encouraged to add to the data base and data will be shared with community partners.

Allocation of Resources

Resources are to be allocated in the knowledge that reserve management includes both proactive and reactive components. Unforeseen circumstances may require a reassessment of priorities during the annual cycle of planning.

The allocation of biodiversity management resources is to be in accordance with the *Shire Biodiversity Strategy: Inventory and Prioritisation Framework*. In cases where this document does not provide direct guidance on prioritisation for resource allocation towards biodiversity

objectives, resources are to be allocated to management tasks that provide the greatest benefit to biodiversity values and fulfill statutory responsibilities to protect the environment.

Management plans are to be appended with a statement of resource requirements for their implementation.

Annual works programs for the planning, management and audit of biodiversity values within Shire reserves are to be developed by the Shire in partnership with the community and endorsed by Council. Significant departures from this annual works program require further Council endorsement.

Reserves Advisory Group

The Reserves Advisory Group (RAG) is to consist of no more than 8 members of the community and will be supported by Shire staff who will arrange for guest presenters, facilitate community consultation.

Membership is to be sought through a combination of advertisement and invitation and members are to be appointed by Council for a term of two years. Terms of office can be renewed.

Members are to be people who are well respected by the local community and have a high level of knowledge, expertise or experience in one or more of the following areas:

Biodiversity and conservation;
Natural resource management
Sport and recreation
Indigenous and other cultural values;
Equine expertise; and
Commercial tourism, wildflower and seed picking.

The combined knowledge, expertise or experience of all group members is to cover all of the topics listed above.

The RAG will:

- Provide advice to Council in relation to reserve values, threats to those values, management targets and management strategies that will protect the ecological and social values and take account of community aspirations for the future management of each reserve;
- Provide advice to Council and the Reserves Working Group in relation to on-ground management programs and issues; and,
- Undertake audits of reserve management plans and advise Council of audit results.

Reserve Advisory Group members are not to protect the perspectives of individual stakeholder groups but instead are to contribute in a non-representative manner in pursuit of management outcomes that take account of all sustainable activities within legislative and policy constraints.

The RAG is to function in accordance with the *Terms of Reference* and *Code of Conduct* endorsed by Council. The *Terms of Reference* is to provide guidance to RAG members in relation to their responsibilities by including an explanation of:

Shire reserve objectives;

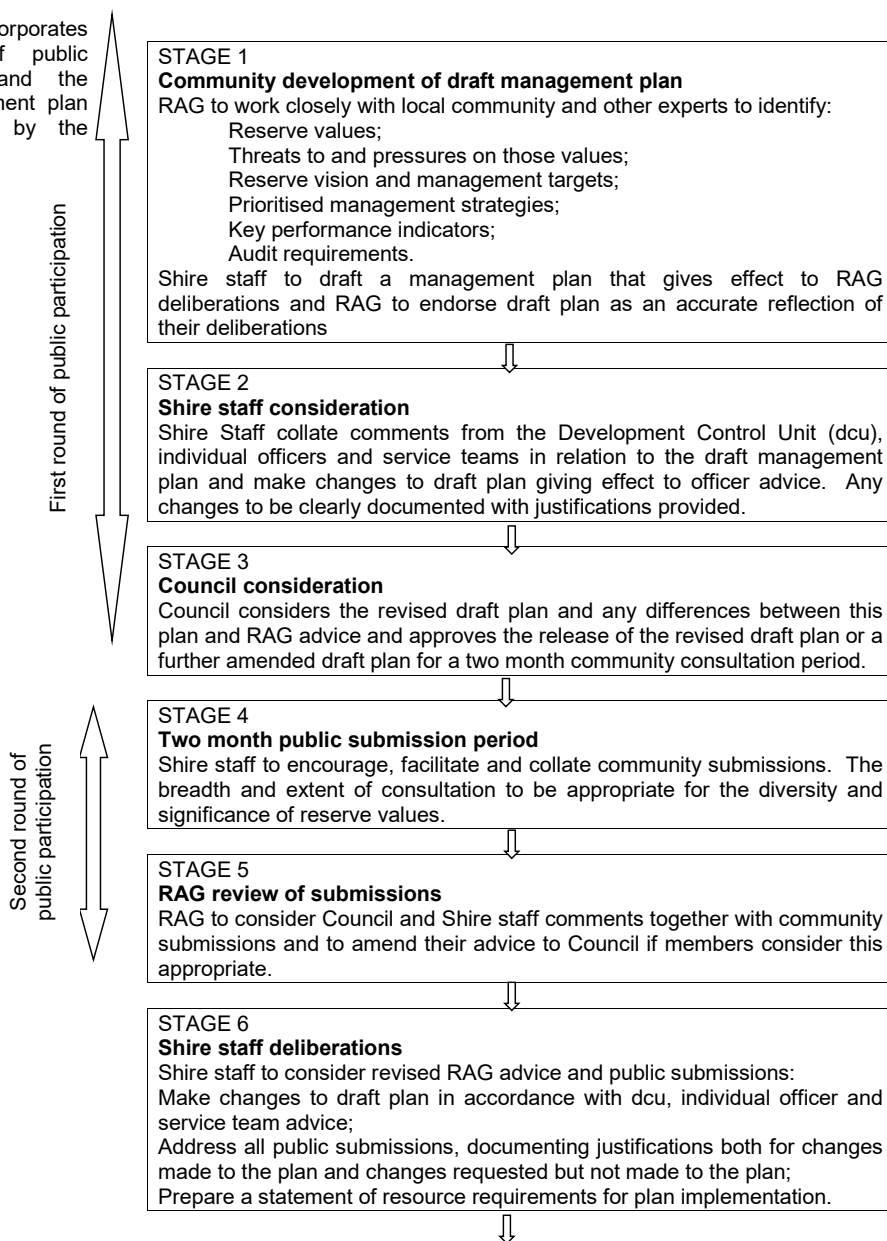
- The roles and responsibilities of the Council, Shire staff and Reserves Advisory Group members;
- Shire reserve planning and management processes;
- Shire reserve management plan structures; and,
- Reserve management strategies.

The *Code of Conduct* is to address the issue of RAG accountability. It is to promote good practice by including information about personal behaviour relating to conflict of interest, and access to confidential information and it is to document the levels of support and respect that members can expect from Shire staff and Council.

Reserve Planning Processes

Shire reserves that will require extensive community consultation because they have high biodiversity, conservation values, multiple uses or potentially conflicting uses are to be identified for **planning process A**. Other reserves with little or no biodiversity value and with no potential for conflict are to be identified for **planning process B**.

Process A incorporates 2 rounds of public participation and the draft management plan is developed by the community:



STAGE 7
Council endorsement
Council to:
Consider the revised draft management plan, Staff justifications for changes, community submissions and statement of resource requirements for implementing the plan;
Finalise the management plan giving due consideration to all documents and advice provided;
Allocate resources as they become available.



STAGE 8
Implementation
Shire staff to implement the management plan in partnership with the community.



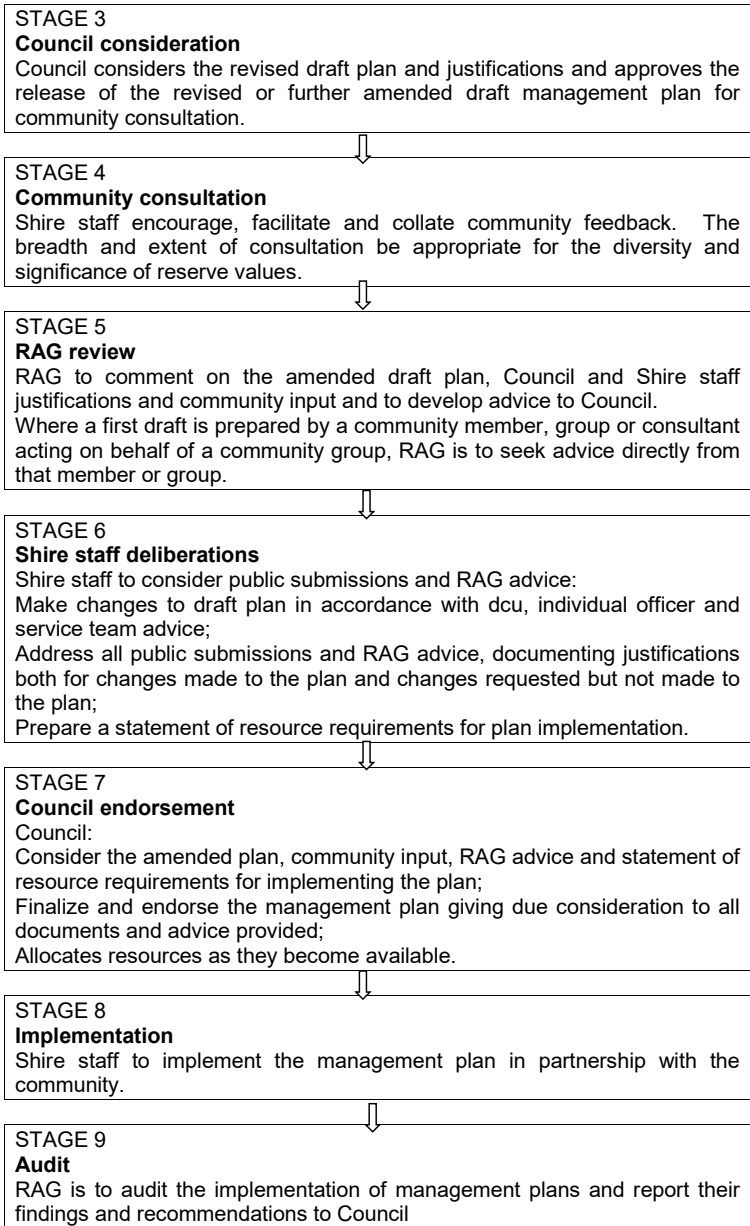
STAGE 9
Audit
RAG to audit the implementation of management plans and report their findings and recommendations to Council.

Process B incorporates 1 round of public participation and the draft management plan is generated by a professional or community group

STAGE 1
Preparation of draft management plan
Reserve management plan drafted by Shire staff, external person or organisation in consultation with local community and other experts where appropriate and in accordance with endorsed management plan structure which requires identification of:
Reserve values;
Threats to and pressures on those values;
Reserve vision and management targets;
Prioritised management strategies;
Key performance indicators;
Audit requirements.



STAGE 2
Shire staff consideration
Where the first plan draft is prepared by a Shire staff member or consultant acting on behalf of the Shire, the Shire is to amend the first draft giving effect to advice from the Development Control Unit (dcu), individual officers and service teams.
Where the first plan draft is prepared by a community member, group or consultant acting on behalf of a community group, the Shire is to document justifications for any changes made to first draft that give effect to advice from the Development Control Unit (dcu), individual officers and service teams.



Management Plans

Management plans are to include the following components:

- A statement of values;
- An assessment of the current status of reserve values;
- An assessment of threats to, and pressures on each of those values;
- Management objectives;
- Prioritised management strategies to protect threatened values at levels within prescribed management targets; and,
- A table of audit requirements.

Management plans are to cover periods of ten years. However, they can be revoked before the completion of ten years and they can remain operational beyond ten years.

Changes to reserve management plans require referral to the RAG and Shire staff for advice plus community consultation at a level appropriate to the proposed changes, importance and diversity of values and the potential for conflicting stakeholder viewpoints.

A full review and redrafting of reserve management plans requires the same A or B planning process that was used for the development of initial management plans. The planning process selected may not be the same as that used for the first management plan and is determined based on the importance of and multiplicity of values and the potential for conflicting viewpoints among stakeholders.

Revised reserve management plans require Council endorsement before implementation.

On-ground works

Community participation in on-ground works is to be encouraged and facilitated.

On-ground works are to be undertaken in accordance with Council endorsed annual works programs which are developed with reference to the resource allocation section of this policy.

When designing on-ground works, consideration is to be given to project objectives plus the implementation, assessment and maintenance phases of projects prior to their commencement. Projects to be undertaken within reserves with endorsed management plans should have objectives which relate to values, threats and management targets prescribed in the management plans.

Reserves Working Group

The Reserves Working Group (RWG) is to consist of Shire staff: (Reserves Officer, Environmental Officer, Peter Lockhart - Operations Team Leader and the Fire and Emergency Services Officer), Community Landcare Centre staff: (the Bushcare Officer), and two members of the community: at least one of which is to be nominated by the Land Conservation District Committee.

The RWG will meet monthly to coordinate and assess the progress of on-ground works and to consider reserve management issues relating to Shire reserves. Records of RWG meetings will be forwarded to the RAG for their information. The RWG may request advice from the RAG relating to Shire reserve management issues.

Audits

Management plan audits are to be conducted for reserves with biodiversity values in accordance with audit requirements specified in management plans. The audits are to be undertaken by the RAG as an independent group and Shire staff are to assist the RAG in carrying out this task. RAG is to provide audit results and advice to Council and to Shire staff. Shire staff are to provide a response to audit reports on request from Council or if they consider a response appropriate.

Review

The Shire Reserves Planning and Management Framework is to be reviewed following a two year period of operation.

b) Terms of Reference for Reserves Advisory Group members

1. Introduction

The Reserve Advisory Group (RAG) has been established to provide advice to the Serpentine Jarrahdale Council on the development, implementation and audit of reserve management plans. Members are appointed by Council to undertake an important public interest role in facilitating broad community input into planning and management processes.

This document has been produced to provide guidance to RAG members. It sets out a broad Council-endorsed framework to ensure that the advice provided by RAG is ecologically sound and gives due consideration to sustainable management of human activities in an equitable and integrated manner.

2. Background

There are over 170 reserves vested in the Serpentine Jarrahdale Shire. Many are of high conservation and/or recreational value and yet some reserves are under significant levels of threat. As urbanization encroaches within the Shire, pressures are increasing and there is a need to manage reserves in a coordinated and orderly fashion. The biodiversity values of some reserves are of regional, Statewide and in some cases, national significance and this status is encapsulated in local, State and Commonwealth legislation and policies. The development of management plans not only provides an opportunity to develop a shared community vision for reserves within the Shire but also ensures that statutory and policy obligations and procedures are adhered to.

The Shire of Serpentine Jarrahdale has long relied on the expertise and dedication of the local community for many aspects of reserve management. As both the number of reserves and threats to biodiversity within those reserves increase, the continuation of community involvement in all aspects of planning, on-ground management and auditing is essential to ensure the protection of reserve values.

3. Roles and responsibilities

3.1 The Council

- Provide a planning and management framework that includes decision making, implementation and audit processes plus reporting requirements for Shire reserves;
- Appoint and support Reserve Advisory Group members;
- Review and endorse draft management plans while taking account of Shire staff recommendations, public submissions and statements of resource requirements;
- Endorse annual works programs on Shire reserves.

- Allocate resources for reserve planning, management and audit functions;

3.2 Shire Staff

- Prepare draft management plans that give effect to RAG deliberations;
- Provide, or arrange for others to provide, expert advice to RAG members in terms of environmental values, social values and management considerations within reserves under consideration;
- Coordinate broader public consultation with a focus on existing community groups that actively manage reserves;
- Facilitate appropriate input from State and Commonwealth government agencies;
- Provide regular progress reports to Council;
- Consider RAG advice and forward draft management plans to Council together with justifications for recommended changes, community submissions and statements of resource requirements for Council consideration;
- Implement management plans in partnership with the community;
- Assist RAG with the audit of management plans and address results.

3.3 Reserve Advisory Group

- Provide advice to Council on reserve values, threats to those values, management strategies and management targets;
- Develop draft management plans that include appropriate management strategies that will protect the ecological and social values and take account of community aspirations for the future management of Shire reserves;
- Consult with the broader community and work in partnership with existing community groups that actively manage reserves;
- Provide advice to Council and the Reserves Working Group relating to on-ground management.
- Audit management plans and advise Council of RAG recommendations.

3.4 Individual RAG members

Planning advisory committee members have a very important and sometimes difficult public interest role. Given the broad range of community interests and levels of statutory protection, there is need for members to take an expansive view of issues rather than a narrow personal or sectoral view. Members have been chosen for their knowledge and expertise and general standing in the community and as such they need to take a considered position on issues and actively promote balanced outcomes. RAG members need to work towards outcomes that are both within statutory and policy constraints and are in the community's long-term interest.

The responsibilities of individual members include:

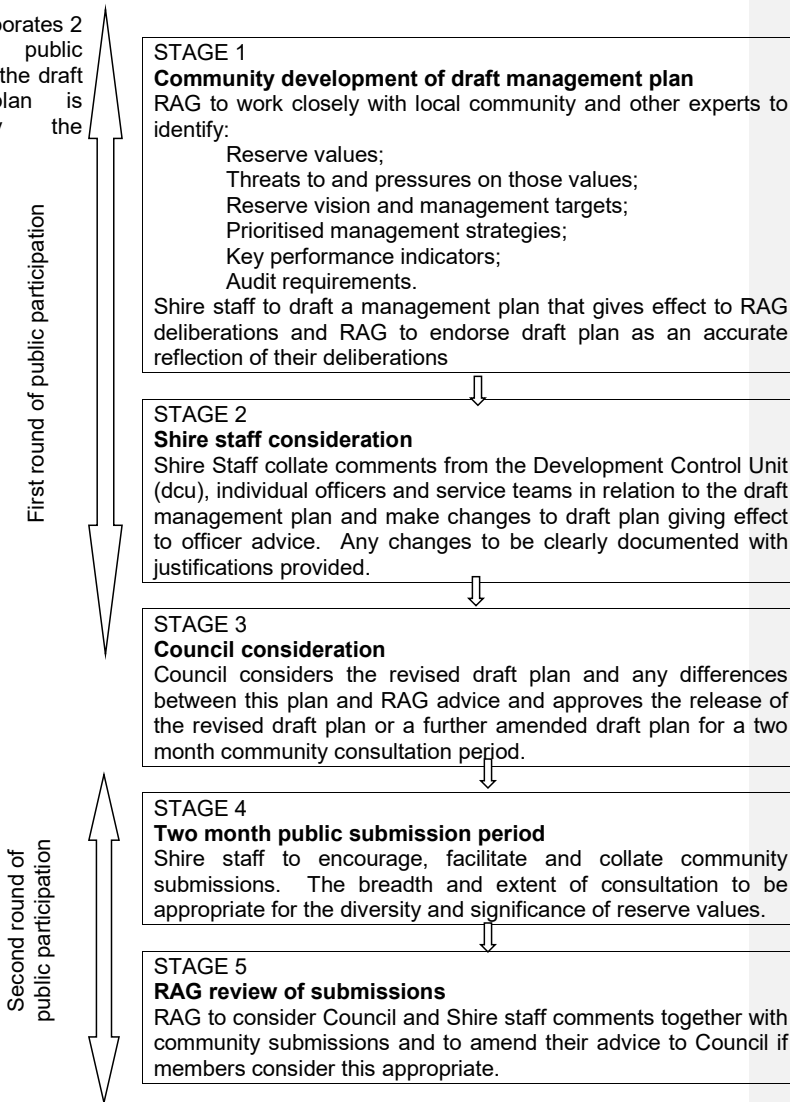
- * Observing the RAG Code of Conduct;
- * Working closely with local community groups which have a history of active management within a reserve;
- * Seeking and considering expert advice and the views of the broader community;
- * Contributing in a positive manner to the development of management options and working collaboratively with other RAG members towards consensus decisions.

4. Planning processes

Although RAG is a central focus of the public participation process for Shire reserve management, there is an additional need for consultation with community groups and institutional stakeholders. Given that RAG members are non-representative, that is, are not operating to protect the sectoral views of individual stakeholders, their effective

communication with experts and groups outside the RAG forum is particularly important in securing outcomes that are well informed and broadly supported by the community. Shire reserves that require extensive community consultation because they have high biodiversity/conservation values, multiple or potentially conflicting uses are planned using process A. Other reserves with little or no biodiversity/conservation value, and with no potential for conflict are planning using process B.

Process A incorporates 2 rounds of public participation and the draft management plan is developed by the community:



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STAGE 6
Shire staff deliberations
Shire staff to consider revised RAG advice and public submissions:
Make changes to draft plan in accordance with dcu, individual officer and service team advice;
Address all public submissions, documenting justifications both for changes made to the plan and changes requested but not made to the plan;
Prepare a statement of resource requirements for plan implementation.

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STAGE 7
Council endorsement
Council to:
Consider the revised draft management plan, Staff justifications for changes, community submissions and statement of resource requirements for implementing the plan;
Finalise the management plan giving due consideration to all documents and advice provided;
Allocate resources as they become available.

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STAGE 8
Implementation
Shire staff to implement the management plan in partnership with the community.

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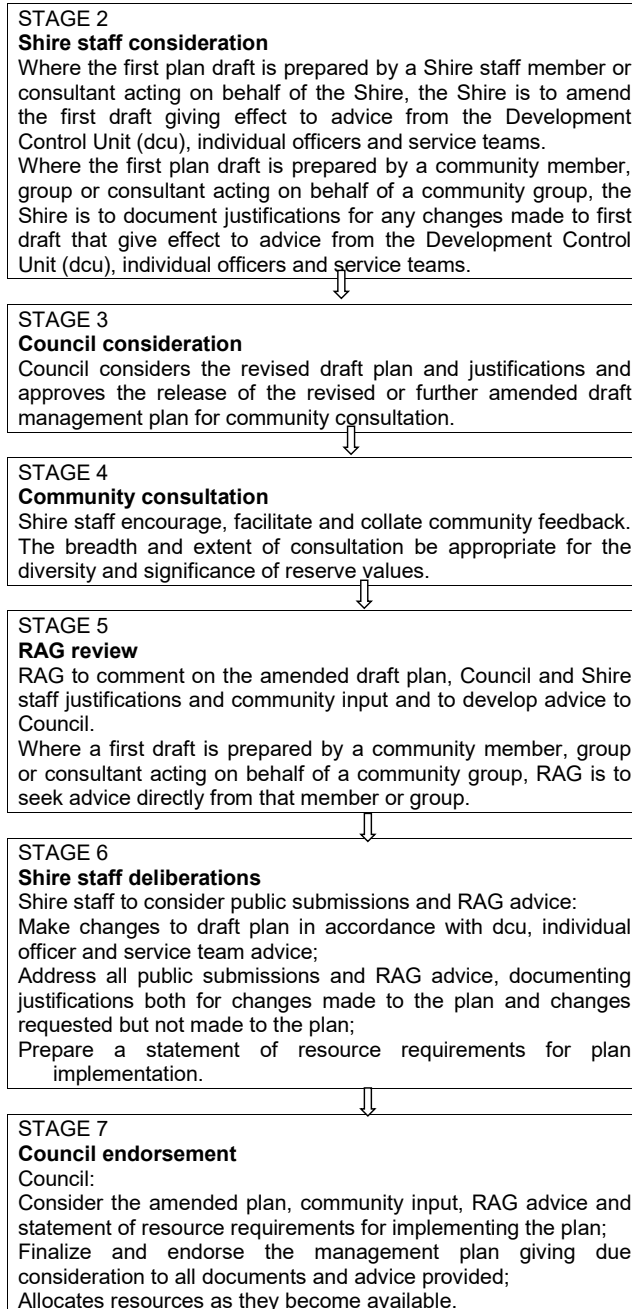
STAGE 9
Audit
RAG to audit the implementation of management plans and report their findings and recommendations to Council.

Process B incorporates 1 round of public participation and the draft management plan is generated by a professional or community group

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STAGE 1
Preparation of draft management plan
Reserve management plan drafted by Shire staff, external person or organisation in consultation with local community and other experts where appropriate and in accordance with endorsed management plan structure which requires identification of:
Reserve values;
Threats to and pressures on those values;
Reserve vision and management targets;
Prioritised management strategies;
Key performance indicators;
Audit requirements.

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STAGE 8
Implementation
Shire staff to implement the management plan in partnership with the community.



STAGE 9
Audit
RAG is to audit the implementation of management plans and report their findings and recommendations to Council

5. Developing a reserve management plan

5.1 Planning framework

The State and Commonwealth governments are committed to the establishment of a system of conservation reserves that are:

Comprehensive – include the full range of ecosystems that occur within each bioregion;

Adequate – include enough land to ensure ecological viability and integrity of populations, species and communities; and

Representative – include portions of all biological assemblages in a way that reflects the biotic diversity of each ecosystem.

This **CAR** system of reserves is also part of a wider international initiative and many of the reserves within the Shire of Serpentine Jarrahdale have the potential to play a significant role in contributing to this network of reserves.

5.2 Precautionary principle

The precautionary principle refers to the general approach to planning whereby if there are threats of serious or irreversible environmental damage, the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

5.3 Objectives

The objectives of Shire reserves are:

- To complement State Government reserves and other areas of high biodiversity value by preserving representative and special ecosystems within the Shire; and,
- To put a formal management framework in place to ensure that the various uses of Shire reserves are managed in an equitable, integrated and sustainable manner.

More specifically, the management plan should aim to provide for the maintenance or enhancement of biodiversity/conservation values and, as far as is practical, the maintenance of existing, and accommodation of proposed, human uses within an integrated, equitable and ecologically sustainable framework.

Conservation objectives:

- To maintain or enhance biodiversity;
- To maintain or enhance key processes and life support systems (ie, ecosystem structure and function).

Recreational objectives:

To facilitate and manage a diverse range of recreational activities within an equitable and ecologically sustainable framework.

Commercial objectives:

To facilitate, manage and, where appropriate, assist in the management of commercial activities in reserves within an equitable and ecologically sustainable framework.

Science and education objectives:

To promote education, nature appreciation and scientific research.

Operational objectives

- To conserve and enhance biodiversity and ecological integrity;
- To manage human pressures on the ecological values;
- To ensure that existing and future uses of reserves do not significantly impact on other social values;
- To encourage and facilitate community involvement in reserve management;
- To facilitate, where appropriate, recreation and commercial activities; and,
- To promote education, nature appreciation and scientific research.

5.4 Generic Management Strategies

There are five generic management strategies that are applicable to the management of Shire reserves. They are:

Administrative frameworks

Administrative frameworks include statutory considerations such as reserve vesting, State Government responsibilities, the management plan itself and any resultant zoning gazettals and regulations. An effective administrative framework also includes: resource considerations in terms of human, financial and infrastructure / plant; the development of operational procedures; and, the development of mechanisms to integrate State Government, Shire and community management efforts.

Science: Research and Monitoring

Effective management requires an adequate knowledge and understanding of the environment and an appreciation of the potential impacts of human activities on biodiversity / conservation values and uses of the ecosystem. Without this information, it is not possible to allocate resources to the most pressing problems and to assess whether management is achieving its objectives.

As such, a reserve plan should provide research and monitoring strategies that:

- Gain knowledge and understanding of the functioning of the ecosystem and the effectiveness of ecosystem restoration techniques;
- Understand the nature, trends and implications of human activities on the environment;
- Monitor and assess the health of ecosystems; and
- Monitor the effectiveness of management strategies

To achieve these outcomes, there will need to be areas that are not significantly influenced by human activities in order to allow for comparisons with areas that are impacted.

Communication: community education, interpretation and public participation

Shire reserves are community assets and as such there should be a major emphasis on encouraging community involvement in the management of reserves once established. This will only come about when the local community understands and appreciates the wide range of conservation, recreational, commercial and educational values within reserves and the need for effective management if these values are to be protected. It is therefore appropriate for management plans to include communication strategies that encourage public participation, educate the community and interpret the environment.

Compliance

Notwithstanding the emphasis on education and interpretation, the planning process must also ensure adequate strategies are included in the plan that provide an appropriate level of surveillance and enforcement of management controls within reserves.

Environmental restoration

In areas that have been damaged to a point beyond their natural capacity for repair, there is a need to implement artificial restoration techniques. These include stream restoration, revegetation programs in weed infested areas and artificial tree thinning.

There is significant flexibility in how these five management strategies are applied.

5.5 Plan Structure

In developing their planning advice to Council, RAG members are requested to work through the following stages:

- Identify all environmental, economic and social values within the reserve;
- Assess the current status of environmental, economic and social values;
- Identify threats to and pressures on each of those values;
- Identify and define auditable management objectives and targets or preferred outcomes for each value; and,
- Identify and prioritise appropriate management strategies to protect each value within target levels.

The draft management plan should contain objectives and strategies that are realistic, achievable and measurable. These should be developed on the basis of a risk assessment approach to ensure that available resources and management effort will be directed towards managing those activities and processes that most threaten the key ecological and social values.

5.6 Vestings

All Shire reserves are vested (owned on behalf of the community) in the Shire for a stated purpose. In many cases the recreational values of a reserve are stated in the vested purpose, but conservation values have been omitted. RAG may wish to advise Council regarding both the vested purpose and the agency in which the reserves are vested.

On-ground management

A program of works within Shire reserves is drawn up on an annual basis. Tasks are prioritised according to the biodiversity / conservation benefits that they will provide. RAG will be requested to provide advice both on the development and implementation of annual works programs for Shire reserves

Auditing

The audit process provides a mechanism to check that the management of reserves is achieving prescribed management objectives. The independence of auditors is important to ensure that audit results are placed in the public arena where they can be scrutinised and decisions regarding the need to adjust management practices can be made in an open and accountable manner.

The independence of RAG makes it well placed to undertake audits of Shire reserves in accordance with endorsed management plan requirements. RAG will need to forward the results of Shire reserve audits to Council along with any advice that members wish to provide in relation to the results.

c) Code of Conduct

Introduction

People in public office are in a position of trust and therefore have a responsibility towards the community. Along with that responsibility comes the need for accountability both for the decisions that are made and the way in which they are made. Shire staff and Councillors are bound by law to operate in an ethical manner and must abide by codes of conduct.

This document provides a summary of some aspects of the staff and Councillor codes of conduct to provide Reserves Advisory Group (RAG) members with guidance about ethical conduct.

It is also important for RAG members to remember that they have the right to be respected and supported at all times by Shire staff, Councillors and by each other in the execution of their public duties.

1. Personal behaviour

RAG members should:

Undertake their roles with honesty and integrity
Understand the committee's role and public duties

Gain a clear understanding of the role or purpose of the committee.
Stay informed about all relevant issues and activities affecting the committee.

Be Active

Attend all committee meetings. Where attendance is not possible members should submit an apology. If members neither attend nor give apologies for three consecutive meetings their membership will cease.

Participate actively and work cooperatively with fellow members and stakeholders to achieve agreed goals.

Prepare for meetings by reading and considering papers circulated with the agenda.

Respect each other

Treat each other with professionalism, courtesy and respect.

Not improperly influence other committee members.

Act loyally and in good faith.

Communicate

Consult stakeholders and affected parties about issues under consideration

Ensure that official statements made on behalf of the RAG are made by the Chairperson or deputy.

Raise concerns

Express concerns to the Chairperson or other relevant authority about decisions or actions contrary to the committee's public duty.

2. Use of confidential information

Sometimes highly sensitive matters are discussed during RAG meetings. These may be discussed only with other RAG members present and in strict confidence.

RAG members should:

Respect confidential information and observe any restrictions agreed by the committee (subject to Freedom of Information Act requirements).

Maintain confidentiality and not divulge information deemed confidential or sensitive. If members are uncertain they should seek direction from the committee Chairperson.

Not misuse information obtained in the course of committee duties for direct or indirect gain, or to do harm to other people or the committee.

Respect the privacy of individuals.

3 Conflicts of interest

3.1 Gifts and gratuities

Committee members should not accept gifts or benefits likely to place them under an actual or perceived financial or moral obligation to other organisations or individuals.

RAG members should:

Not demand or accept in connection with their official duties any fee, favour, reward, gratuity or remuneration of any kind, outside the scope of their entitlements as a committee member, unless authorised by the Chairperson of the committee.

Not use their public position for personal profit or gain.

Not accept a gift if it could be seen by the public, knowing the full facts, as intended or likely to cause a member to act in a particular way or deviate from public duty.

3.2 Private interests

The community will expect RAG members to place public interest above personal interests and not to use their position for personal gain.

Conflicts between private interests and public duties can arise when for example:

A RAG member or their family stands to make a financial gain from a committee decision.

A RAG member or their family holds membership of another organisation likely to benefit from a committee decision.

RAG members should:

Openly declare matters of a private interest such as investments, relationships, voluntary work and membership of other groups that may conflict or be perceived to conflict with the member's public duty.

Record any issues of conflict to ensure they are transparent and capable of review.

Declare and, if considered appropriate by other RAG members, disqualify themselves from any committee discussions and decisions where a conflict of interest has, or could occur.

Avoid any situation that could compromise their ability to make impartial decisions.

d) Draft Management Plan Structure

Background

The following management plan structure has been developed to operate as a checklist for planners to ensure that the planning process is thorough and decisions are sequenced in a manner that requires all aspects of reserve management to be considered. The structure requires planners to focus on managing threats to, and pressures on, reserve values and to identify the management strategies that are necessary in order to protect reserve values at, or within, defined management targets.

All management strategies, or tasks, identified within management plans prepared using this structure will relate directly to the protection of reserve values. The audit function therefore needs to focus not on whether the tasks have been undertaken, but on whether the desired outcomes, that is the protection of values, have been achieved.

Management plan audits play a vital role in determining the effectiveness of management effort in the achievement of management objectives.

Plan Structure

Introduction

The introduction would include some of the information gathered prior to commencement of planning for example reserve location, name and vesting, a brief description of the area, historical and current uses, and a description of current management.

Vision

This would be a short, broad statement encapsulating the desired endpoint for the reserve.

The main body of the plan would be set out as a series of tables or forms, one for each value as described below.

An inventory of major values that would then be considered separately:

Geology/ geomorphology

Ground and surface waters

Biota: natural communities, ecological processes plus scheduled and indicator species.

Indigenous values

European historical values

Recreational values

Commercial values

Science and education values

Current status

A statement of the extent and condition of each of the values under consideration

Threats/pressures

A prioritised inventory of potential threats to, and pressures on, each of the values under consideration.

Introduced pests: weeds and feral animals.

Dieback

Wild fire

Erosion

Neighbourhood land use

Recreational use

Commercial use

Planned development

Fragmentation

Pollution

Salination

Acid sulphate soils

Groundwater draw-down and drainage

Climate change

Ignorance

Management objectives

Management objectives identify what the primary aims of management are and reflect the statutory responsibilities of the Shire. For example, when considering geology/geomorphology, a management objective might be “To ensure that landforms within the reserve are not degraded by access and use”.

Management Strategies

Management strategies provide specific direction on how the management objective/s for each value might be achieved. All strategies can be prioritised to provide an indication of relative importance. Management strategies might include the following:

Science; Research and monitoring
Communication; education, interpretation and public participation
Administration; plans, licences, zoning, regulations, change of vested purpose
Compliance
Environmental repair.

Performance measures and trends

Performance measures are indicators of management effectiveness in achieving the reserve’s objectives and targets. They should be quantitative, representative and, where possible, simple and cost-effective.

For example when considering floral assemblages, a performance measure might be “area of intact native groundcovers” or “area of native tree and bush cover” and the trends might be “constant or positive”.

Targets and key performance indicators

Management targets represent the end points of management. Targets should be measurable, time bound and expressed spatially. Long-term targets provide a benchmark to assess the success of management actions within the life of the management plans. Short-term targets provide a benchmark for management to achieve within a specified time period and represent steps towards achieving long-term targets.

Key performance indicators (KPIs) are a measure of the overall effectiveness of management in relation to the strategic objectives of the reserve. KPI’s relate specifically to the management targets for key ecological, economic and social values and form a key element of the Shire’s audit process.

Prioritised work program

This section would include a prioritised inventory of management tasks, resources required to complete each task and required completion dates.

Audit requirements

This section would include a list of attributes to be audited and the required frequency.

Environment

The eventual adoption of this planning and management framework for Shire reserves will provide an improved framework in which the Shire, in partnership with the community can manage biodiversity / conservation values on shire lands.

Emergency Management

Emergency management on Shire lands will be addressed during the planning process for each reserve.

Sustainability Statement

Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?

The proposed planning and management framework will allow for the implementation of sound management decisions to enhance the environment and to minimise environmental damage using best management practices.

Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?

This issue will be addressed during the preparation of individual management plans.

Does the proposal/issue use locally available or produced resources?

This issue will be addressed during the preparation of individual management plans.

Will the proposal/issue be economically viable in a way that incorporates its external costs?

The responsible management of all lands is resource intensive. This proposal sets out a mechanism to determine the necessary resources required to achieve management objectives.

Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?

The establishment of the proposed RAG is expressly for the purpose of facilitating community participation and empowerment in the management of Shire lands.

Does the proposal/issue disadvantage any social groups?

Every effort is made to include the opinions and perspectives of all stakeholders in reserves management by including RAG members with a range of expertise and experiences.

Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?

Only volunteer opportunities.

Statutory Environment:

As the vesting body for over 170 reserves, the Shire is responsible for managing the biodiversity / conservation values on extensive areas of land. While many of these values are of local significance, others are covered by regional policies, Statewide legislation and policies and in some cases they are covered by Commonwealth legislation. Western Australia is currently undergoing significant changes to environmental legislation with imminent changes to the Environmental Protection Act introducing the concept of "environmental harm" and significant proposed changes to the Wildlife Conservation Act. The relevance of local, state and national statutes will be explained to RAG members.

Policy Implications:

It is recommended that following the completion of community consultation, Council adopt the draft planning and management framework as a policy during the April Council meeting.

Financial Implications:

The establishment and support of the proposed Reserves Advisory Group (RAG) will require funds for postage, advertising for expressions of interest, some minor catering and perhaps some vehicle reimbursement. These costs can be covered within existing environmental budgets during this financial year. The main resource investment in the establishment of the proposed RAG is the necessary staff time. Again this can be covered within existing budgets during this financial year.

The resources required to support the proposed RAG next financial year (2003 – 2004) are as follows:

Catering	\$300
Printing	\$300
Postage	\$100
Reimbursement for guest speakers	<u>\$300</u>
TOTAL	\$1000

Strategic Implications:

The establishment and efficient functioning of the proposed RAG would significantly contribute to the fulfilment of the Shire Strategic Plan Environmental objective:

“To protect and repair the soil, vegetation, water and air resources of the Shire.”

Community Consultation:

The proposed planning and management framework and the establishment of a Reserves Advisory Group has been discussed with Crs Star, Needham, Wigg, Murphy, Community Landcare Centre staff, Colleen Rankin, Nancy Scade, Rupert Richardson, Chris Wade and Ted Love. Further consultation is planned with Cr Hoyer, members of the Serpentine Sports Reserve Management Committee, Darling Downs Management Committee and the Oakford Catchment Group.

Voting Requirements:

Normal

CRE019 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Murphy seconded Cr Hoyer that

1. Council approves the commencement of establishing the proposed Reserves Advisory Group.
2. Council considers the allocation of \$1,000 to support a Reserves Advisory Group during the financial year 2003/2004.
3. Council advise of any additional requirements for community consultation.
4. Council further considers the draft planning and management framework which will be resubmitted for endorsement at the April Council meeting.

CARRIED 8/0

P233/03/03 PROPOSED CHANGE OF USE FROM RESIDENTIAL TO CONSULTING ROOMS – LOT 105 SOUTH WESTERN HIGHWAY (P01632)		
Proponent	J P & H P Hoey	In Brief Council to consider an application for refurbishment of the existing residence on the above lot within the Urban Development zone to accommodate Consulting Rooms. It is recommended that the application be refused.
Officer	Lilia Palermo - Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	5 February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Owner: J G & H P Hoey
 Owner's Address: PO Box 1, Byford
 Applicant: As above
 Applicant's Address: As above
 Date of Receipt: 4th October 2002
 Advertised: To adjoining property owners and Main Roads Department from 18 February 2003 to 11 March 2003
 Submissions: One objection received during the advertising period
 Lot Area: 1105m²
 L.A Zoning: Urban Development
 MRS Zoning: Urban
 Byford Structure Plan: Base Residential R20
 Rural Strategy Policy Area: N/A
 Rural Strategy Overlay: N/A
 Bush Forever: N/A
 Date of Inspection: 17 October 2002

Background

Council is in receipt of an application for a change of use from "Residential" to "Consulting" Rooms on Lot 105 South Western Highway, Byford.

Details of the development are with the attachments marked P233.1/03/03.

The proposal for a change of use from "Residential" to "Consulting Rooms" was advertised to the surrounding property owners and the Main Roads Department from 18 February 2003 to 11 March 2003. One objection was received during the advertising period.

A previous proposal for a Change of Use from "Residential" to "Commercial" on the subject property was recently considered by Council at its Planning Development and Environment Committee meeting of 16 September 2002.

The proposal was advertised to the affected neighbouring properties. One submission was received expressing objection to any change of use on the subject property from Residential due to the negative impact on the adjoining properties due to possible noise from customers' vehicles paring on the subject property.

The current proposal for a Change of Use from Residential to Consulting Rooms would have similar issues associated with it that might concern local residents. The issues raised in the submission received during the previous advertising period from one of the adjoining property owners is considered in this report.

The applicant was advised that an additional fee of \$100 was required for the application to be assessed. The applicant paid the required additional fee on 31 October 2002. Due to an administrative error the payments made by the applicant were not properly recorded and the assessment of the application was subsequently delayed.

Comments

Town Planning Scheme No 2

The subject land is zoned Urban Development in the TPS No.2.

Clause 5.18.7.3 of the TPS No.2 states the following in regards to development within the Urban Development Zone:

“Council may approve the development or use for other than a single house within the Urban Development zone subject to Council being satisfied that the nature or scale of such development or use will not have an adverse effect on:

1. *The preparation of a Structure Plan for, or*
2. *The orderly and proper planning of, or*
3. *The health, amenity, safety or convenience of the future occupants of,*

The area intended for the preparation of a Structure Plan”

The proposed change of use from Residential to Consulting Rooms on the subject property within the designated Residential Base R20 zone has a potential to affect the preparation of the Byford Structure Plan and the orderly and proper planning of the locality and may have a negative impact on safety of the residents in the area. Approval of such development might create a precedent for other property owners in the residential area to seek similar approvals.

Establishment of Consulting Rooms within the residential area may affect the safety of the residents and the amenity of the residential area due to increased traffic in the locality. Parking of the customer vehicles at the front of the property has the potential to obstruct the view of the motorists on the South Western Highway, which might result in a dangerous situation.

The future zone indicated on the Byford Structure Plan for the subject lot is Residential R20. Consulting Rooms is an “AA” use in the Residential zone, which means that Council may at its discretion permit the use. There are already similar establishments in the local area such as: Medical Centre on Clifton Street, Byford Health Care and a Dentist.

Council recently approved an application for a change of use from Residential to Office on the Corner of South Western Highway and Clifton Street. Due to the prominent corner location of the property in very close proximity to the designated Town Centre, in front of the shopping centre and across from the Byford Town Hall it was considered that the proposal was in accordance with the provisions of the Town Planning Scheme No. 2, Byford Structure Plan and State Planning Policy No. 9 – Metropolitan Centres Policy.

The subject property does not have the same locational attributes as the recently approved Office development mentioned above. It is considered that such development would be more suitable in Highway Commercial Zone or Mixed Business Zone or in designated neighbourhood centers identified on the Byford Structure Plan, where it would not create a negative impact on the adjoining properties.

Car Parking Requirements

The applicant applied for establishment of 3 (three) consulting rooms, as indicated on the plan submitted with the application. In accordance with the TPS 2 Table V – Parking Requirements, the applicant would be required to provide 6 (six) parking spaces for one practitioner plus 4 spaces for each additional practitioner. The proponent specified in the application that three consulting rooms are proposed to be established, which would require 14 car parking spaces to be provided.

Clause 7.7.2 of the Shire's TPS 2 states the following:

"7.7.2 Land and buildings shall not be used or developed:

- a) for any purpose mentioned in the Table 5 unless off street parking is provided in accordance with the requirements in that table;*
- b) for any purpose not mentioned in Table 5 unless off street parking as determined by the Council."*

The subject property is 1105m² in size and there would not be sufficient area for provision of required car parking spaces and boundary landscaping, as required by Clause 7.7.4 of the TPS 2 for open parking areas visible from a public street with more than five parking spaces.

Provision of sufficient parking for developments such as Consulting Rooms in a Residential area is crucial for maintaining safety and amenity of the locality. Insufficient parking has a potential to cause unsafe situations along South Western Highway.

Clause 7.8 – Joint Use of Parking Facilities and Clause 7.9 - Cash Payment in Lieu of Providing a Parking Area outline some options that are available to applicants who are unable to comply with the parking requirements.

Council would not be able to accept a cash payment in lieu from the applicant in this case due to the following reasons:

- There are no public car parks provided by Council in the vicinity of the subject lot
- There are no firm proposals for providing a car park nearby within a period of 18 months as required by the Clause 7.9 (B).

The applicant would not be able to arrange a joint use of parking facilities with other businesses or establishments, which operate at different times, as there are no existing land uses in the vicinity of the subject lot, with available constructed parking areas, which could be shared with the proposed "Consulting Rooms" development.

Draft Byford Structure Plan

The subject land is located within the area designated as Residential Base R20 on the draft Byford Structure Plan. The subject property is surrounded by existing residences.

The draft Byford Structure Plan designates a Town Centre and two neighbourhood centres within the Structure Planning area, where development such as proposed on the subject land would be suitable.

There is also an area of Mixed Business Development proposed within the southeastern section of the Structure Plan extending north and south of the proposed Orton Road, between the railway line and South Western Highway. As stated in the draft Byford Structure Plan this area will accommodate larger business type uses together with compatible service commercial and light industrial uses and the mixed business area will assist in providing local employment opportunities. Approval of the Consulting Rooms proposal in a Residential area has a potential to create a precedent for adjoining property owners to apply for approval of similar proposals on their properties. This can result in ribbon commercial development along South Western Highway in a Residential area.

SPP 9 Metropolitan Centres Policy

It is stated in SPP 9 in regard to office development that smaller scale office developments are encouraged in District Centres and Neighbourhood/Local Centres. This type of development will need to be designed to be compatible with the scale and character of the Centres and have regard to residential amenity of the surrounding areas. SPP No. 9 Clause 4.1.8 and 4.1.11 also states the following in regards to containing adhoc Commercial Ribbon Development:

“4.1.8. Except for designated areas, commercial developments should be located in defined centres in order to promote the centres and discourage the encroachment of commercial activities into residential areas.

4.1.11 Unless located in centres, retail and commercial developments along major roads will not be supported.”

The proposed establishment of Consulting Rooms outside the designated Town Centre on the draft Byford Structure Plan will create a precedent for adjoining properties along the South Western Highway, within the residential zone, to seek similar approvals, which can result in a spread of office/commercial ribbon development along the South Western Highway. The area on the other side of the South Western Highway across the road from the subject site is designated as Highway Commercial on the draft Byford Structure Plan. Uses, such as proposed for Lot 105 South Western Highway, would be suitable within the designated Highway Commercial zone.

The Draft Byford Structure Plan designates two Neighbourhood Centres, a Town Centre, Mixed Business Area and also Highway Commercial Zone, which is in accordance with the SPP9 recommendation stating that the size and location of Neighborhood Centres should be identified in the Local Planning Strategies, district and local structure plans for new urban growth areas.

Clause 4.2.5 of the SPP 9 discusses the importance of Neighbourhood Centres and Local Centres and states that they should be promoted for “convenience retailing”. It is also stated that “provisions should be made for small offices which serve the local community, as well as health, welfare and community facilities.”

It is indicated in the Clause 4.5.5 of the SPP 9 that location of new competing development outside local centers defined in Local Planning Strategies and structure plans is not supported.

Part 4 of the SPP 9 lists a number of General Policy Measures. The following Policy Measures relate to the current application for a change of use from Residential to Consulting Rooms and should be taken into account:

Concentration of activities

Retail, office, commercial, entertainment, recreational and community facilities should be located and concentrated in Centres.

Controlling the Spread of Commercial Development in the Inner Suburbs

Except for designated areas, commercial developments should be located in defined centres in order to promote the centers and discourage the encroachment of commercial activities into residential area.

Containing Ad Hoc Commercial Ribbon Development

Unless located in centers, retail and commercial developments along major roads will not be supported.

Promoting Sustainable Urban Development

Commercial services and employment opportunities should be concentrated in centers to decrease energy consumption through maximizing opportunities to use public transport.

Establishment of Consulting Room development outside the designated areas in the Byford Structure Plan is not in line with the general policy measures listed above and with the objective of the SPP 9 to promote Neighbourhood Centres and Local Centres as an important focus for neighbourhood services and community facilities.

Sustainability Statement

Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?

The proposal for a change of use from residential to Consulting Rooms may adversely affect the safety of the residents and the amenity of the residential area. Office use would be suitable within the Highway Commercial zone or Town Centre Precinct designated on the draft Byford Structure Plan.

Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?

Not applicable

Does the proposal/issue use locally available or produced resources?

There was no additional information supplied about the source of the materials to be used for the proposed development.

Will the proposal/issue be economically viable in a way that incorporates its external costs?

There are several similar types of uses in the locality along South Western Highway. There is an existing Doctor's Surgery on Clifton Street, there are also Dentist Surgery and Byford Health Care located in close proximity to the subject lot on South Western Highway.

Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?

The proposal for a change of use from "Residential" to "Consulting Rooms" was advertised to the surrounding property owners and local community was invited to submit their comments to Council for consideration.

Does the proposal/issue disadvantage any social groups?

The proposal to establish Consulting Rooms in a Residential area has a potential to negatively affect the amenity of the local residential area due to increased traffic and possible increased noise. Vehicles parking at the front of the subject property may obstruct the view for the drivers on the South Western Highway.

Does the proposal/issue create long-term employment or economic benefit to current and future residents of the shire?

The proposal may create economic and financial benefit for the applicants who are the current residents in the Shire.

Statutory Environment:

Town Planning and Development Act 1928
Shire of Serpentine – Jarrahdale Town Planning
Scheme No. 2.
Draft Byford Structure Plan

Policy Implications:

State Planning Policy No. 9 - Metropolitan
Centres Policy

Financial Implications:

Nil

Strategic Implications:

This application for a change of use from
residential to Consulting Rooms relates to

strategy 1.2 of the People and Community key result area in Council's Strategic Plan, which is:

"Plan and develop towns based on compatible mixed uses, local employment opportunities, and walkable neighbourhoods clustered in order to minimise car dependency."

Community Consultation:

advertised to the surrounding property owners and the Main Roads Department from 18 February 2003 to 11 March 2003

Voting Requirements:

Normal

CRP233 COUNCIL DECISION/Committee/Officer Recommended Resolution

Moved Cr Price seconded Cr Scott that Council refuses the application for change of use from Residential to Consulting Rooms in accordance with the application dated 4 October 2002 for the following reasons:

1. Proposal for a change of use from Residential to Consulting Rooms has a potential to create a precedent for adjoining property owners to apply for similar approvals
2. Proposed development is not in accordance with the requirements of the State Planning Policy No.9 – Metropolitan Centres Policy.
3. Proposal for establishment of Consulting Rooms within the designated Base Residential R20 area is not in accordance with the draft Byford Structure Plan;
4. Proposed development has the potential to have an adverse effect on:
 - The orderly and proper planning of the residential area;
 - The health, amenity, safety or convenience of the existing and future occupants.

CARRIED 8/0

P235/03/03 FINAL ADOPTION OF LOCAL PLANNING POLICY NO. 9 – MULTIPLE USE TRAILS WITHIN THE SHIRE (A1099)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief Council to finally adopt Local Planning Policy No. 9 – Multiple Use Trails following consideration of submissions made during advertising.
Officer	R Morup – Contract Strategic Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	6 March 2003	
Previously	P223/02/03, P194/12/02, P008/07/02, CRD13/09/01, P144/05/01	
Disclosure of Interest		
Delegation	Council	

Background

The Trails Master Plan is a comprehensive document which has been in development for several years, and some time is expected to elapse before it is finalised. Recognising the need for an immediate measure to ensure current development proposals do not preclude the future implementation of the Trails Master Plan, the Sustainable Development Team recommended to Council in June 2002 that a Local Planning Policy be initiated to ensure the linkages and specifications for trails development within the Shire could be implemented immediately.

At its meeting of 17th June 2002, Council adopted draft Local Planning Policy No. 9 for public advertising. Given the complexity and importance of the policy, Council resolved to advertise the draft local planning policy for eight weeks, which exceeds the twenty-one days (three weeks) required by the provisions of Part IX of Town Planning Scheme No. 2.

“CRP008 COUNCIL DECISION

Moved Cr Price seconded Cr Murphy that

1. *Council, pursuant to Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 resolves to advertise the Draft Local Planning Policy No.9 – Multiple Use Trails within the Shire of Serpentine-Jarrahdale subject to the following alterations and additions:*
 - *Multiple use trails in Langford Park should be mentioned and Serpentine Equestrian Grounds are not mentioned as a major facility in 5.2.*
 - *Serpentine National Park and Jarrahdale Heritage Park are not suitable for (horses) multiple use trails. It should be acknowledged that not all trails will be suitable for multiple use.*
 - *Revegetation is to occur on the trails and not on private property.*
 - *Inclusion of Map 6*
 - *Section 4, delete “these groups” and add “appropriate user groups”*
 2. *This report and draft Local Planning Policy be forwarded to the Department of Conservation and Land Management, Water Corporation, WA Government Railways Committee, Main Roads WA, Department of Planning and Infrastructure, surrounding Council’s, developers, Paul Andrews – Member for Southern River and Martin Whitely – Member for Roleystone for consideration.*
 3. *The Council acknowledges the work of the Trails Working Group on producing a document that will see the future development of trails within the Shire.*
- CARRIED 10/0”**

This report was previously presented to the Strategic Management/Planning development and Environment Committee in February 2003, however the item was deferred to Council’s March meeting, as it was discovered that the submission from the Trails Working Group had not been incorporated in the summary of submissions, meaning that the comments raised in the submission had not been considered for inclusion in the final Local Planning Policy.

Comments

A total of eleven (11) submissions were received during the public exhibition period. **A copy of the Schedule of Submissions is with the attachments marked P235.1/03/03.** Some of those submissions have prompted amendments to the Local Planning Policy and those amendments are described below:

Scope of Policy

The Department of Conservation and Land Management (CALM) highlighted that the policy could be strengthened by referring to single use trail types, where they already exist in the Shire; and including text to ensure existing single use trails do not become multiple use trails by default. This text was inserted in both the *Introduction* and *Section 5.1 – Other Trails*.

Trail Users

On request of the Trails Working Group, Section 4.0 of the policy was amended to list motorised wheelchairs and horse drawn carriages as permitted users of multiple use trails, and that alternative recreation opportunities needed to be found for trail bike riders, as their noise impact was incompatible with the permitted trail user groups.

Again on request of the Trails Working Group, Section 4.0 of the policy was amended to include the requirement that in providing trails during rezoning/subdivision, “all trails should

be accessible to all permitted users described in this policy, except where they [the trails] are specific to limited uses.”

Council staff sought to highlight the limitations in providing universal access; For example:

- some walk trails exist in sensitive environments that are incompatible with horses;
- some trails may not be wide enough to safely accommodate horse drawn carriages;
- providing wheelchair access on some historically single use trails may be inappropriate;
- engineering works may be prohibitively expensive, or adversely impact the environment.

As such, the statement was modified slightly to state as follows:

“All trails should be accessible to all permitted users described in this policy, however, this may not be possible where providing access for a particular user group would have an adverse impact on the environment, cost of construction and/or maintenance or the experiences and expectations of other users.”

Vegetation Impacts

Submissions 11120 and 11145 objected to the proposed construction of a trail on the south side of Mundijong Road, opposite the intersection with Pure Steel Lane. The basis for the objection was that the vegetation has conservation value and is actively managed by a National Heritage Trust (NHT) funded community group, the Serpentine-Jarrahdale Roadside Care Volunteers.

The vegetation in question is depicted in Map 1 which is with the attachments marked P235.2/03/03.

The area of vegetation in question is part of Bush Forever Site No. 360 and is also identified as a Conservation Category wetland (**refer Figure 2**).

To avoid any impact on the vegetation south of Mundijong Road, opposite Pure Steel Lane, the maps have been amended to delete this section of the trail network and to delineate the area as “subject to further investigation”, to allow further investigation and consultation to be undertaken with stakeholders prior to finalising any trail alignment affecting this area.

Drainage and Rail Reserve Access

Although Water Corporation and the Western Australian Government Railways Commission advised that they do not generally support multiple use trails within their reserves, they also indicated that they would give further consideration to the proposed use of their reserves if the following issues were addressed to their satisfaction:

Proposed trails must demonstrate management measures to prevent vegetation degradation and erosion, export of nutrient enriched stormwater, damage to drain infrastructure, or an increased risk to public safety or liability claims; to the satisfaction of the Water Corporation or WAGR Commission. The WAGR Commission has indicated that a trail within a rail reserve may need to be leased from WAGR and fenced to prevent access to the rail line.

This text was inserted into Sections 5.4 and 5.5 of the policy.

Main Road Reserve Access

MRWA stated they have already allocated funds for two underpasses (one at Southern River, and one between Rowley and Thomas Roads), however the installation of equine underpasses on the final extension of Tonkin Highway south of Thomas Road, will be subject to funding.

A new section, *Section 5.6 – Main Road Reserves*, has been created to highlight that trails will not be constructed within Main Road reserves, except where underpasses or overhead crossings have been constructed to the standard and specification of MRWA. This section also highlights that underpasses are preferred and the need to lobby MRWA to ensure the cost of the additional underpasses is budgeted into the final stage of the Tonkin Highway extension project.

Emergency Access

The policy already requires trail surfaces and drain crossings to be constructed to a standard that will allow use by emergency vehicles, however the Sections 8.3 and 8.5 of the policy were amended to require that access gates be keyed alike, and that copies of the keys be provided to local Bush Fire Brigades and other local emergency services. Section 8.2 was amended to give consideration to including existing emergency access tracks as part of the trail network, and to amend their vesting if appropriate.

Interpretive Signage

Section 8.6 was expanded to include the statement that the signs used within the trail system should be designed and sited to avoid possible harm or injury to trail users or horses, that all signs within the trail system be constructed to the specifications and satisfaction of Council, and that entrances to the trail network should feature a signpost describing the user groups permitted to access that particular trail.

Vehicle Access to Trail Network

The trail gate access construction specifications were varied on advice from CALM that small vehicles can successfully pass through a 1.7 metre wide opening. As such, Section 8.5 and Figure 3 were amended to specify an opening width of 1.5 metres. Section 4 was also expanded to incorporate the recommendation of the Trails Working Group that arrangements should be made with CALM and other stakeholders to provide recreation opportunities for motorcycle riders, as they will not be permitted on the trail network.

Concluding Remarks

Revised Local Planning Policy No.9 – Multiple Use Trails is with the attachments marked P235.3/03/03.

Sustainability Statement

Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?

The objectives of the policy are:

1. To guide the Council, other stakeholders and local volunteer groups in their recreation trail development activities within the Shire;
2. To develop an integrated network which generates both symbolic and physical unity between rural towns, just like railways in the past;
3. To focus on development of several strategic (longer term) trail projects which will give even greater prominence to the area and its trails network, and which will serve to attract additional visitors to the Shire and the Peel Region. This may include the development of a trail along drainage systems throughout the Shire, along the railway reserve and under the Tonkin Highway extension;
4. To provide guidelines on issues that need to be taken into consideration when assessing subdivision and rezoning proposals;
5. To outline the specifications for the construction of trails within the Shire;
6. To identify existing and potential trails within the Shire;

7. To implement Council's vision to provide a trails network that expands on the existing trails, and interlinks suburbs and communities.

Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?

Not applicable.

Does the proposal/issue use locally available or produced resources?

Not applicable.

Will the proposal/issue be economically viable in a way that incorporates its external costs?

The policy supports the Trails Master Plan by providing a statutory framework for the acquisition of the land and resources necessary to deliver a trail system to the community. Maintenance and management of the trail network will be funded by contributions from Council and land developers, and implemented by community volunteer groups.

Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?

The draft Local Planning Policy was publicly advertised for eight weeks, which exceeds the three weeks required by Council's Town Planning Scheme No. 2. The ten submissions received during this period were responded to as described in the Schedule of Submissions.

Does the proposal/issue disadvantage any social groups?

Although the trails are being developed as multiple use trails, the user groups are limited to horse-riders, cyclists and walkers. Trail bike riders will be disadvantaged once their informal trail system is formalized and their presence on all multiple use trails is prohibited.

Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?

The policy will provide some benefit to local suppliers of goods and services during construction and maintenance of the trails. Once established and operational, the trails have the potential to deliver benefits to the local economy through tourism.

Statutory Environment:

Town Planning and Development Act 1928 (as amended)
Town Planning Scheme No. 2
Rural Strategy/Rural Strategy Review

Policy Implications:

Creation of a new Local Planning Policy which will provide guidance to Council Officers when providing advice to the WA Planning Commission on subdivision applications.

Financial Implications:

Within budget. Policy requires developer contributions for construction/maintenance of trail works within or adjacent to subdivided lands.

Strategic Implications:

The creation of the Policy will further enhance Council's commitment to provide a trails network within the Shire.

Community Consultation:

Town Planning Scheme No. 2 provides the following process for consultation in the adoption of a local planning policy:

A Local Planning Policy shall become operative only after the following procedures have been completed:-

- a) *The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.*
- b) *The Council shall review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- c) *Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- d) *Where, in the opinion of the Council, the provisions of any Policy affects the interests of the WA Planning Commission, a copy of the policy shall be forwarded to the Commission*
- e) *The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*
- f) *Any amendment or addition to a Policy shall follow the procedures set out in a) to d) above.*

Voting Requirements: Normal

Officer Recommended Resolution

Council, pursuant to Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 resolves to adopt Local Planning Policy No.9 – Multiple Use Trails Within the Shire of Serpentine-Jarrahdale with modifications as appears in attachment P235.3/03/03 in accordance with clause 9.3 (b) of Town Planning Scheme No. 2.

CRP235 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Price seconded Cr Murphy that Council, pursuant to Part 9 of the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 resolves to adopt Local Planning Policy No.9 – Multiple Use Trails Within the Shire of Serpentine-Jarrahdale with the following modifications which also appear in attachment P235.3/03/03 in accordance with clause 9.3 (b) of Town Planning Scheme No. 2:

Section 1, fifth paragraph to read:

“..... motorised wheelchairs and gophers where appropriate.”

Section 4, first sentence:

Delete the following:

“Multiple use trails are used by a wide range of people. Such groups include:”

Permitted user groups are:

Section 5.2, to read:

“There are four main equine facilities within the Shire. These are:”

"a) The area can only be accessed by members of the Mundijong Thoroughbred Trainers Association which holds a current lease. This site has potential for development into a major equestrian training centre, and this....."

Add:

d) Serpentine Sports Equestrian Ground – located on Karnup Road between the Golf Club and Hall Road. This facility is used for polo crosse, eventing, pony club, hacking and dressage.

8.4 Revegetation and Landscaping

To read:

"On multiple use trails allowing horses, deep rooted non-invasive trees and grasses shall be planted along....."

Delete the following:

~~"Revegetation is to occur on private property rather than within the multiple use trail, unless the vegetation forms part of a nutrient stripping mechanism within a streamline, artificial basin or a specified water retaining area."~~

Replace Map 9 with a map that includes the following notation:

"Subject to further investigation" in respect of the trail on the north side of the Webb Road Reserve on Mundijong Road.

CARRIED 8/0

Note: The Officer Recommended Resolution was altered by the Planning Committee to include minor points of clarification and reference to Serpentine as a major equestrian facility in the Shire.

Cr's Star, Scott, Hoyer, Kirkpatrick, Needham and Price declared an interest of impartiality because they reside within the landscape protection area.

P237/03/03 PROPOSED SCHEME AMENDMENT NO. 129 - LANDSCAPE PROTECTION (A1159)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief Council to initiate an amendment to Town Planning Scheme No.2 to amend scheme text and introduce a Landscape Protection Policy Area Map into Appendix 5 of the Scheme.
Officer	Richard Morup – Contract Environmental Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	10 February 2003	
Previously	P014/07/02	
Disclosure of Interest		
Delegation	Council	

Background

In the months preceding July 2002, Council's attention was drawn to the absence of a direct link between the scheme text and the existing landscape protection provisions in scheme appendix 5, and the absence of a Landscape Protection Policy Area map in either the scheme text or scheme appendix 5.

These omissions highlighted the need for Council to improve the statutory rigor and applicability of their statutory landscape protection controls.

Accordingly, Council resolved (P014/07/02) at its Ordinary Meeting of 22 July 2002 to advertise *Local Planning Policy No. 8 – Landscape Protection* (LPP8) for public comment. At the same time, Council initiated an amendment to Town Planning Scheme No. 2 which sought to:

- * delete the existing scheme Appendix 5, and replace it with a map of a Landscape Protection Policy Area;
- * make minor amendments to the Scheme text to require that planning approval be obtained for any development within the Landscape Protection Policy Area.

The intended outcome of this resolution was that the landscape protection provisions of LPP8 would apply to all development on land within the Landscape Protection Policy Area, as depicted on the map to be included in Appendix 5.

After the conclusion of the public comment period for Local Planning Policy No. 8, Council formally adopted LPP8 at its Ordinary Meeting held on the 23 December 2002. However, the Scheme Amendment was unable to proceed on account of an unfortunate oversight during the compilation of the July 2002 Council Agenda.

Specifically, the oversight was that although Part 1 of Resolution A deleted the existing Appendix 5, Part 2 of Resolution A did not include the text required to insert the map of the proposed Landscape Protection Policy Area as the new Appendix 5.

In order to resolve this omission and proceed with the scheme amendment, this report recommends that Council first rescind Part 2 of Resolution A of the Ordinary Council Meeting of 22 July 2002 (P014/07/02), before initiating the new amendment as presented below, which includes the additional text and map necessary to resolve the oversight described above.

Sustainability Statement

This proposed Scheme Amendment will enhance not only the environment of the Darling Scarp but will also provide Council with a tool to ensure protection of the Scarp from developments that will affect the amenity of the area.

The Amendment in combination with the existing Local Planning policy further enhance Council's vision by encouraging development that values the Shire's natural beauty by requiring that environmental, amenity and risk management issues be taken into consideration.

Statutory Environment: Town Planning and Development Act 1928 (as amended); Town Planning Scheme No.2; Rural Strategy 1994 and Rural Strategy Review 2001-2002.

Policy Implications: Provision of statutory support to *Local Planning Policy No. 8 – Landscape Protection*.

Financial Implications: Nil

Strategic Implications: Controlled development of the Darling Scarp

Community Consultation: Advertising will be carried out in accordance with the advertising process for a Town Planning Scheme Amendment, as prescribed in the Town Planning and Development Act 1928 (as amended).

Voting Requirements: **ABSOLUTE MAJORITY**

CRP237 Committee/Officer Recommended Resolution

A. Council seeks to rescind Part A of motion P014/07/02 of 22 July 2002 viz:

“P014 Committee Decision/Officer Recommended Resolution

Moved Cr Hoyer, seconded Cr Murphy that

A. Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to initiate an amendment to the Shire of Serpentine-Jarrahdale Town Planning Scheme No.2 by:

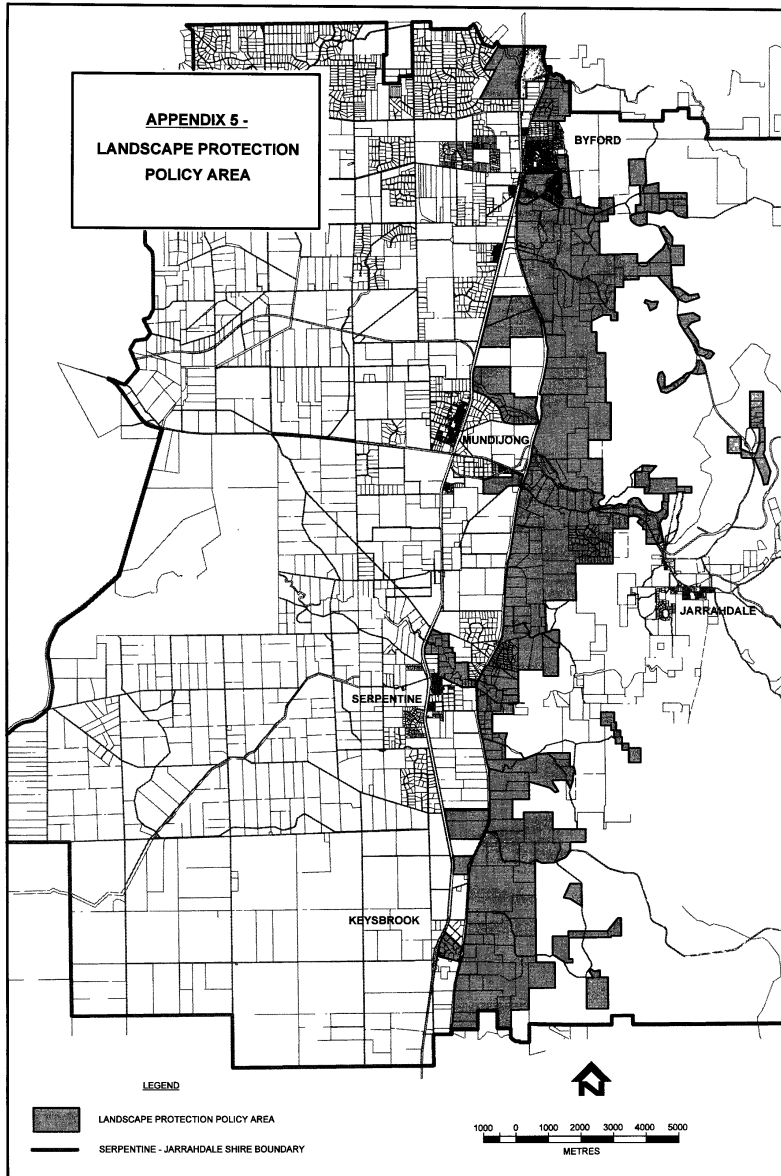
1. *Deleting Appendix 5 – Landscape Protection Policy from the Scheme*
2. *Inserting a new appendix 5 - Landscape Protection Policy Area to*
3. *Deleting clause 5.1.2d)*
4. *Inserting a new clause 5.1.2d) as follows:*

5.1.2 d) the erection of a single dwelling house, including ancillary outbuildings, on a lot in any zone where such use is a permitted use under Clause 3.2 of the Scheme except in the Jarrahdale Heritage and Townscape Precincts, Special Use Zone – Appendix 2 (Section 3) and the Landscape Protection Policy Area as shown in Appendix 5.

Moved Cr Price, seconded Cr Scott that

B. Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate Amendment 129 to the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 by:

- a) Deleting clause 5.1.2d)
- b) Inserting a new clause 5.1.2d) as follows:
 - 5.1.2 d) The erection of a single dwelling house, including ancillary outbuildings, on a lot in any zone where such use is a permitted use under Clause 3.2 of the Scheme except in the Jarrahdale Heritage and Townscape Precincts, Special Use Zone – Appendix 2 (Section 3) and the Landscape Protection Policy Area as shown in Appendix 5.
- c) Deleting scheme appendix 5, “Appendix 5 – Landscape Protection Policy”
- d) Inserting a new scheme appendix 5, “Appendix 5 – Landscape Protection Policy Area”



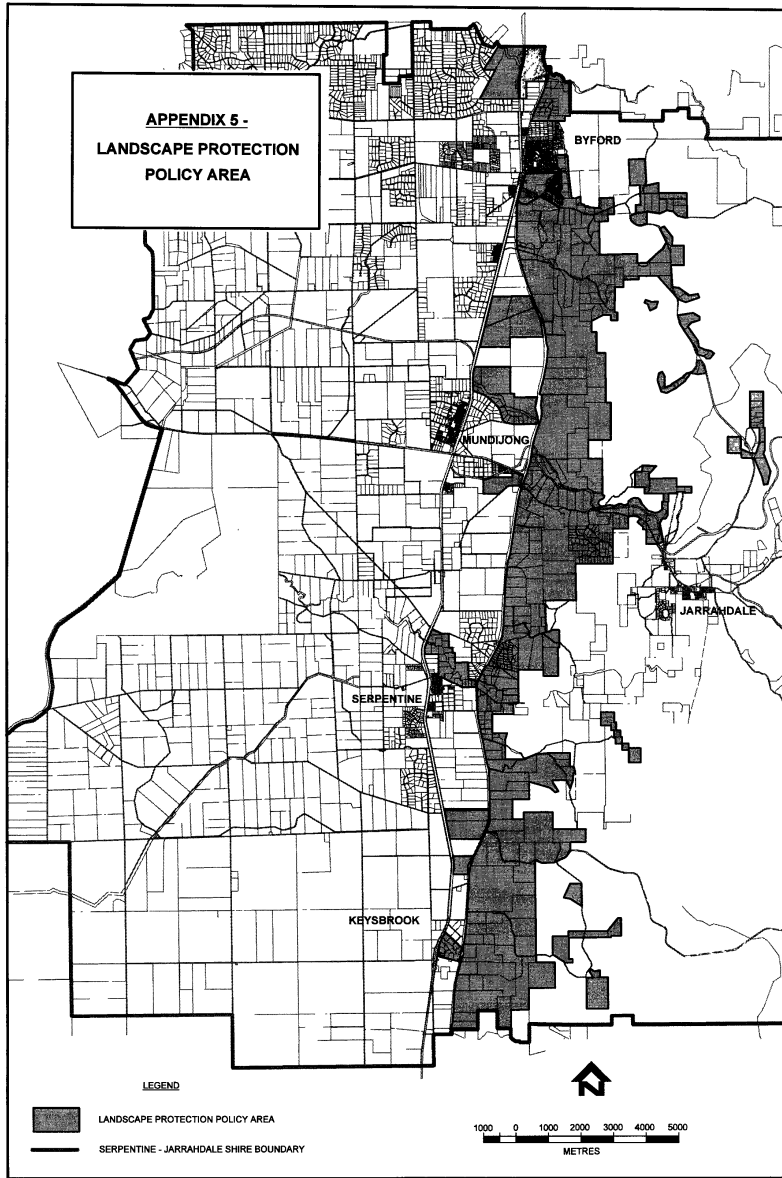
COUNCIL DECISION/REVOKING COUNCIL DECISION P014/07/02

Moved Cr Hoyer seconded Crs Scott, Murphy Neeham,
The revocation of Part A of resolution P014/07/02 of 22 July 2002 be supported.
CARRIED 8/0

CRP237 COUNCIL DECISION/Alternative Recommended Resolution

Moved Cr Scott seconded Cr Hoyer
That Part B of resolution P014/07/02 remains unchanged as follows:

- B. Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate Amendment 129 to the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 by:
- a) Deleting clause 5.1.2d)
 - b) Inserting a new clause 5.1.2d) as follows:
 - 5.1.2 d) The erection of a single dwelling house, including ancillary outbuildings, on a lot in any zone where such use is a permitted use under Clause 3.2 of the Scheme except in the Jarrahdale Heritage and Townscape Precincts, Special Use Zone – Appendix 2 (Section 3) and the Landscape Protection Policy Area as shown in Appendix 5.
 - c) Deleting scheme appendix 5, “Appendix 5 – Landscape Protection Policy”
 - d) Inserting a new scheme appendix 5, “Appendix 5 – Landscape Protection Policy Area”



CARRIED 8/0 ABSOLUTE MAJORITY

P238/03/03 PROPOSED REZONING – LOT 5 KARNUP ROAD, SERPENTINE (P02140/01)		
Proponent	The Planning Group	In Brief Application requests approval to rezone Lot 5 Karnup Road, Serpentine, from "Rural" to "Farmlet" under Town Planning Scheme No. 2 (TPS 2). It is recommended that Council initiate an amendment to rezone the subject land.
Officer	David Spencer – Senior Planner	
Signatures - Author:		
Senior Officer:		
Date of Report	24 February 2003	
Previously		
Disclosure of Interest		
Delegation	Council	

Owner: W Hodgen
 Owner's Address: 705 Karnup Road, Hopeland WA 6125
 Applicant: The Planning Group
 Applicant's Address: Mezzanine Level, Central Park
 152-158 St Georges Terrace
 Perth WA 6000
 Date of Receipt: 12 December 2002
 Advertised: Advertising to public and government agencies not required unless the Amendment is initiated by Council
 Submissions: Not applicable
 Lot Area: 12.28 hectares
 L.A Zoning: Rural
 MRS Zoning: Rural
 Byford Structure Plan: Not applicable
 Rural Strategy Policy Area: Farmlet Policy Area
 Rural Strategy Overlay: Not applicable
 Municipal Inventory: Not applicable
 Townscape/
 Heritage Precinct: Not applicable
 Bush Forever: Not applicable
 Date of Inspection: 25 February 2003

Background

1997

Council first considered an application, lodged by Brook & Marsh, to rezone Lot 5 Karnup Road from "Rural" to "Rural Living A" in August 1997. Consideration of the rezoning proposal was deferred until the Rural Strategy Review that was being undertaken at the time had been finalised.

2000

Council considered a second request, submitted by The Planning Group, in May 2000. At its Ordinary Meeting held 22 May 2000, it was resolved to initiate Amendment No. 109 to the Shire's TPS 2 to rezone the subject land from "Rural" to "Rural Living A". A subdivision guide plan was prepared by the applicant in support of the proposed Scheme Amendment, which depicted a total of 18 lots ranging in size from 0.4 hectares to 1.3 hectares.

In August 2000, Amendment No. 109 was forwarded to the WA Planning Commission requesting that the amendment be advertised for public comment. Subsequently, the rezoning was referred to pertinent government agencies for comment and recommendation.

2001

The advertising process was quite lengthy and involved discussions between the WA Planning Commission, Department of Environmental Protection (DEP), Water and Rivers Commission (W & RC) and the Shire. Negotiations centred on obtaining the approval of the relevant statutory bodies for subdivision of lots down to 4000m², however the WRC provided information stating that they opposed these small lot sizes within a Priority 2 Public Drinking Water Source Area (PDWSA).

The Amendment was not proceeded with as the only form of subdivision which is considered compatible by the W & RC is rural subdivision to a minimum lot size of 4.0 hectares.

In this respect, an application to rezone the subject land to "Farmlet" with lots no less than 4.0 hectares is now sought.

Comments

Site and Zoning Description

Lot 5 is currently zoned "Rural" under the provisions of Town Planning Scheme No. 2 (TPS 2), as well as the Metropolitan Region Scheme (MRS).

Site topography is characterized as flat to undulating sandplain with a discrete sand rise consisting of bleached grey sand. Elevation across the site is approximately 34-35m AHD.

The only significant vegetation on the site consists of a number of trees within the southernmost portion of the site. It is contained within the proposed Karnup-Dandalup Underground Water Pollution Control Area (UWPCA). The area is currently listed as a Priority 2 area. Restrictions on minimum lot sizes and land use will apply once the UWPCA is gazetted, which the Water and Rivers Commission (W & RC) have advised will be this year sometime. This matter is discussed further within this report.

Rezoning Proposal

As discussed earlier, the previous rezoning of Lot 5 Karnup Road was initiated by Council on 22 May 2000. However, the Amendment did not progress as a result of its incompatibility with the Water and Rivers Commission provisions for development within the Priority 2 PDWSA. As such, the proponent seeks Council's endorsement to modify Amendment No. 109, or alternatively, requests that Council initiate a new amendment to TPS 2. In view of the progression of Amendment No. 109 previously and that a new zoning is sought (i.e. "Farmlet" instead of "Rural Living A"), it is considered that the rezoning proposal put forward should be determined as a new or "fresh" application. It should be noted that the Amendment would also be assigned a new Amendment number.

The revised Subdivision Guide Plan submitted as part of this amendment proposes subdivision of Lot 5 into three (3) lots ranging in size from 4.0 hectares to 4.20 hectares.

A copy of the Subdivision Guide Plan is with the attachments marked P238.1/03/03.

The proponent provides the following justification in support of the proposed rezoning from "Rural" to "Farmlet":

"It is considered that the subject site is in a location appropriate for Farmlet development given:

- *the proximity of the site to services;*
- *the capability of the land to manage wastewater, drainage, vegetation and bushfires as demonstrated in Egis's Environmental Capability Assessment dated 13 December 1999;*
- *strong sales figures for similarly developed parcels of land;*

- *that the Serpentine-Jarrahdale's Rural Strategy formerly identified the site as being appropriate for development in accordance with the Farmlet zone prior to amending the Strategy for higher density development in accordance with the Rural Living A zoning; and*
- *the capability of a minimum lot size of 4 hectares with the WRC's P2 PDWSA provisions."*

It is considered that redevelopment of the site will not impact upon adversely upon the amenity of the locality. There is an existing subdivision area and a golf club that adjoin the subject land. Separation distances from these to the site are such that the amenity of future residents should not be detrimentally affected.

Scheme Provisions

Clause 5.13 of Council's TPS 2 is pertinent to the rezoning proposal as it relates to the Farmlet Zone. As such, the said clause states:

"5.13 FARMLET ZONE

The purpose and intent of the Farmlet zone is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning Commission dated April 1994.

- 5.13.2** *The Farmlet zone is intended to cater for a range of lots between four and forty hectares to allow for a variety of lot sizes in accordance with the objectives and guidelines of the Rural Strategy.*
- 5.13.3** *Before including land within the Farmlet zone, the Council will require the owners or developers of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.*
- 5.13.4** *A guaranteed rainwater supply of 90,000 litres will be required to new lots proposed on land within the Farmlet zone.*
- 5.13.5** *A description of the land included in the Farmlet zone together with land uses permitted and any special provisions relating to the land are set out in Appendix 4C.*
- 5.13.6** *There shall be a plan of subdivision entitled Subdivision Guide Plan for each specified parcel of land included in the Farmlet zone endorsed by the Shire Clerk and approved by the State Planning Commission.*
- 5.13.7** *In addition to the provisions contained in appendix 4C and other such provisions of the Scheme as may affect it, any land which is included as part of the Farmlet zone shall be subject to the following conditions:*
 - (a) *subdivision shall be in accordance with the appropriate Subdivisional guide Plan endorsed by the Shire Clerk but minor amendments to the plan of subdivision may be permitted subject to the approval of the Commission, and Council, however, lot sizes will not generally be permitted to be reduced;*
 - (b) *the relevant guidelines contained within the Council's Planning Guidelines for Nutrient Management, dated May 1993 (as amended) shall apply to development;*
 - (c) *a building envelope with an area not exceeding 4,000 square metres in area shall be defined in a portion to be agreed by the Council and no building envelope shall be closer than 20 metres to the primary*

street boundary or closer than 10 metres to any other lot boundary or SECWA easement;

- (d) no building shall be constructed on a lot other than within the approved building envelope without the written approval of the Council;*
- (e) stormwater drainage shall be designed to the satisfaction and specification of the Council. The developer of the estate shall obtain the approval of the Water Authority and Council for drainage proposals prior to commencement of site works;*
- (f) the landowner shall be responsible for the establishment and maintenance of firebreaks to the specification and satisfaction of the Council;*
- (g) the keeping of animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types;*
- (h) signs, hoarding or advertisements shall not be erected without prior written approval of the Council;*
- (i) no building shall be constructed within this zone of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality;*
- (j) no dwelling house shall be constructed with an internal floor area less than 110 square metres without the Council's consent;*
- (k) no dwelling house shall be occupied unless a roof water tank having a capacity not less than 90,000 litres, or some other approved supply of domestic water of no less capacity is provided;*
- (l) The Council may by notice served upon individual landowners or upon a subdivider of land within this zone require the preservation of any tree or group of trees and thereafter no landowner or subdivider shall cut, remove, or otherwise destroy any tree or trees so specified unless the Council withdraws the notice or order;*
- (m) lot boundary fencing shall be of post and rail or post and wire unless otherwise approved Council; and*
- (n) the subdivider shall provide suitable strainer posts at each corner boundary peg and change of direction of boundary to the satisfaction of Council."*

Shire's Rural Strategy 1994

It is considered that the rezoning proposal is in conformity with the Farmlet Policy area of the Shire's Rural Strategy 1994 (as amended).

The objective of the Farmlet policy area is to provide opportunities for:

small scale keeping and rearing of stock;
small scale commercial and alternative agricultural pursuits;
a "productive rural-living" lifestyle in close proximity to urban areas;
small scale, home based light industry; and
rural retreats.

The Rural Strategy also states that the Farmlet Policy Area provides a transitional zone between urban and rural areas where environmental values and their management become a focus and where a role may be performed in controlling drainage and removing nutrients exported from urban areas 'off-site'.

Statement of Planning Policy No. 2 & No. 11

The site is located within the Peel-Harvey Estuarine Catchment. Statement of Planning Policy No. 2 (SPP No. 2) is applicable to the site and contains requirements for nutrient management. The Shire's Rural Strategy incorporates the provisions in SPP No. 2. The requirements of the Government Sewerage Policy are also applicable to the site.

Lot 5 is considered to be characterised in the area zoned "Rural Smallholdings" under Statement of Planning Policy No. 11 (SPP No. 11). The following provisions apply as follows:

- "(a) lot sizes ranging from 4 ha to 40 ha or more depending on local conditions;*
- (b) design, development and management provisions to provide for a variety of housing and lifestyle opportunities;*
- (c) opportunities for home business, industry cottage, tourist and rural pursuits where part-time or full-time income may be derived from specialty agricultural production...."*

The following general provisions will also be applicable to the subject land under SPP No. 11:

- "(a) the requirement for a subdivision guide plan;*
 - restrictions on the type and scale of any agricultural land uses or rural pursuits;*
 - the identification of clearing, land management controls and environmental repair requirements including the retention of areas of remnant vegetation or regeneration of degraded areas;*
 - the identification of a building envelope, or building exclusion area, on each lot to which all development is restricted;*
 - the restriction of development to only one dwelling per lot;...."*

Fire Management

The fire hazard and management rating of the Lot 5 is categorized as moderate. However, it is considered that redevelopment of the subject land will assist to improve access for fire fighting. It should be noted that a fire station is located within one (1) kilometre of the site.

Conclusion

The rezoning proposal has been scaled down dramatically in terms of lots proposed, since an application was first made in 1997. The previous rezoning proposed "Rural Living A" lots, however this was not supported by the Water and Rivers Commission as the lots sizes were considered inappropriate for a Priority 2 Public Drinking Water Source Area.

The amendment proposal subject of this application proposes to rezone Lot 5 from "Rural" to "Farmlet". A total of three (3) lots are proposed under this new zoning with properties approximately 4.0 hectares in size.

The amendment is considered to be consistent with the intent and objectives of Council's Town Planning Scheme No. 2 (TPS 2), the Shire's Rural Strategy, as well as Statement of Planning Policies No. 2 & No. 11.

In view of the above, it is recommended that Council support the rezoning and resolve to initiate an amendment to the Scheme.

Sustainability Statement

Does the proposal/issue enhance the environment (built and natural) or minimise environmental damage through best practice in its field?

The current rezoning proposal is considered to be a less intensive use of the subject land which proposes to only create three (3) lots. The previous amendment sought “Rural Living A” properties down to a minimum of 4,000m² which would put more pressure on the land in terms of loss of natural areas, water quality, land degradation and the state of local flora and fauna.

Does the proposal/issue minimise resource use, eg. Energy, land, water, soil, compared to traditional development approaches?

There are no suggested alternatives of minimising resource use as a result of the proposed amendment. However, there will be inherent environmental benefits in reducing the number of lots on the subject land in terms of its potential impact upon the Underground Water Pollution Control Area (UWPCA).

Does the proposal/issue use locally available or produced resources?

There are no direct implications associated with the rezoning proposal in terms of locally produced resources.

Will the proposal/issue be economically viable in a way that incorporates its external costs?

It is considered that the proposed rezoning will be economically viable in a way that incorporates its’ external costs.

Is the proposal/issue designed to be socially and environmentally responsible through building up the community and enabling full participation in its implementation?

If the amendment is initiated by Council the local community and relevant government agencies will be notified of the proposed rezoning via written correspondence, a sign or signs will be placed on-site and an advert placed in the local newspaper.

Does the proposal/issue disadvantage any social groups?

At this stage in the rezoning process, it is considered that the proposal will not directly impact upon any social or community groups operating in the area.

Does the proposal/issue create long term employment or economic benefit to current and future residents of the shire?

The proposed amendment and future development of the land will provide an economic benefit to existing and potential residents in the area in terms of attracting more people to the region.

Statutory Environment:

Town Planning and Development Act 1928
Town Planning Scheme No. 2
Scheme Amendment No. 109

Policy Implications:

Shire’s draft Rural Strategy 1994 (as amended)
Statement of Planning Policy No. 2
Statement of Planning Policy No. 11

Financial Implications:

Not applicable

Strategic Implications: The proposed subdivision meets Strategy 2.1 of the Shire's Strategic Plan (2001-2005) which states:

"Encourage best practise environmental management."

Community Consultation: If Council resolves to initiate the rezoning, community and government agencies will be notified of the Amendment and invited to comment.

Voting Requirements: Normal

Officer Recommended Resolution

Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate an amendment to rezone Lot 5 Karnup Road, Serpentine, from "Rural" to "Farmlet", subject to:

- A. The subdivision guide plan being amended to the satisfaction of Council to reflect the following modifications:
1. Nomination of revegetation areas (local species) on subdivision guide plan at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management.
 2. A dual-use trail to be depicted on the subdivision guide plan along the entire length of the eastern and northern boundaries of the subject site.
 3. A notation to be placed on the subdivision guide plan stating that the existing dam located on the boundary between proposed lots 2 and 3 is to be filled with clean fill only, to the satisfaction of Council.
 4. Building envelopes and effluent disposal areas for each lot to be identified on the subdivision guide plan.
- B. The consultant preparing formal amending documentation which is to include the following Special Provisions and any other deemed appropriate by Council:
1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.

Use classes permitted (P)

Single House
Public Recreation
Public Utility

Discretionary Uses (AA)

Ancillary Accommodation
Home Occupation
Rural Use
Stables

All other uses are prohibited.

In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.

2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base

- of the system or the modified irrigation area being the required distance above the highest known water table.
3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and driveways.
 4. The subdivider shall, in accordance with the Subdivision Guide Plan, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner.
 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
 6. On those lots that contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock.
 7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire Emergency Services Authority.
 8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.
 9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertilizer application is promoted. Therefore the application, type and distribution of fertilizer to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.
 10. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the application pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation.
 11. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation of Western Australia By-Laws applying to underground water supply and pollution control.
 12. The subdivider shall drain the land in accordance with the Subdivision Guide Plan. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains.

CRP238 COUNCIL DECISION/Committee Recommended Resolution

Moved Cr Needham seconded Cr Hoyer that Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to initiate an amendment to rezone Lot 5 Karnup Road, Serpentine, from "Rural" to "Farmlet", subject to:

- A. The subdivision guide plan being amended to the satisfaction of Council to reflect the following modifications:
1. Nomination of revegetation areas (local species) on subdivision guide plan at the rate of 25% on each proposed lot at 600 stems per hectare and planted prior to clearance of subdivision in accordance with Council's Guidelines for Nutrient Management.
 2. A dual-use trail to be depicted on the subdivision guide plan along the entire length of the eastern and northern boundaries of the subject site.
 3. A notation to be placed on the subdivision guide plan stating that the existing dam located on the boundary between proposed lots 2 and 3 is to be filled with clean fill only, to the satisfaction of Council.
 4. Building envelopes and effluent disposal areas for each lot to be identified on the subdivision guide plan.
- B. The consultant preparing formal amending documentation which is to include the following Special Provisions and any other deemed appropriate by Council:

1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.

Use classes permitted (P)

Single House
Public Recreation
Public Utility

Discretionary Uses (AA)

Ancillary Accommodation
Home Occupation
Rural Use
Stables

All other uses are prohibited.

In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.

2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and driveways.
4. The subdivider shall, in accordance with the Subdivision Guide Plan, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner.

5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
6. On those lots that contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock.
7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire Emergency Services Authority.
8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.
9. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the application pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation.
10. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation of Western Australia By-Laws applying to underground water supply and pollution control.
11. The subdivider shall drain the land in accordance with the Subdivision Guide Plan. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains.

CARRIED 8/0

Note: The Officer Recommended Resolution was altered by the Planning Committee by deleting special provision 9 which is no longer a standard provision in view of the Drainage Guidelines for Nutrient Management.

8. MOTION OF WHICH NOTICE HAS BEEN GIVEN

CONFIDENTIAL MATTER

Moved Cr Kikpatrick seconded Cr Wigg that the meeting be closed to members of the public the Chief Executive Officer and Directors to allow Council to discuss item STM/03/03 – Chief Executive Officer Performance Review, because the information contained within and discussion relating to the item is of a confidential nature.
CARRIED 8/0

The member of the public, Chief Executive Officer, Director Asset Services, Director Corporate Services, Acting Director Sustainable Development and Manager Asset Services left the meeting at 9.14pm. The tape recorder was stopped at 9.14pm during discussion of this item.

CONFIDENTIAL REPORT		
STM/03/03	CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW (H0031)	
Proponent	Shire President	In Brief Council to endorse the recommendations of the Staff Management Committee members following the review of the Chief Executive Officers Performance over the last 12 months.
Officer	Shire President	
Signatures - Author:		
Senior Officer:		
Date of Report	14-03-02	
Previously	C137/02/01, C138/02/01, STM/02/02	
Disclosure of Interest		
Delegation	Council	

COUNCIL DECISION/Officer Recommended Resolution

Moved Cr Price seconded Cr Needham

a) Council has undertaken a review of the Chief Executive Officers performance over the past twelve (12) months and have determined that the performance of *the Chief Executive Officer consistently either meets or exceeds expectations for this position. The Chief Executive Officer knows and performs the job well. The Chief Executive Officer regularly demonstrates measurable contributions and/or initiatives significantly above what is expected for the position*

Council therefore agrees to: -

1. The Chief Executive Officers salary is adjusted from \$100,000 to \$104,000, with a total package value of \$128,310 effective from the next full pay period after the 14 February 2003.
2. The enrolment and associated membership of the Chief Executive Officer to attend a Company Directors Course tutorial program in Western Australia in 2003-2004.
3. The Shire President determining any suitable salary sacrifice options the CEO may like to enter into in accordance with Clause 11. "Flexibility of Components in Total Remuneration Package".
4. The Staff Management Committee reviewing the CEO performance criteria for 2003-2004 and the Shire President signing off on the new criteria with the CEO when finalised.

b) That the Director Corporate Services cash remuneration be adjusted from \$77,000 up to \$80,000, effective from the first full pay period commencing after 1 July 2003, Shire of Serpentine Jarrahdale

MEMORANDUM

TO: _____

cc: _____

FROM: _____

REF FILE NO: _____

DATE: _____ 17 AUGUST 2000 30 JUNE 1998

SUBJECT: _____

Formatted

Peter Kerp subject to a satisfactory performance review by the Chief Executive Officer.

CARRIED 8/0

The Chief Executive Officer, Director Asset Services, Director Corporate Services, Acting Director Sustainable Development and Manager Asset Services and member of the public returned to the meeting at 9.15pm

9. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING:

9.1 INCLUDING CHIEF EXECUTIVE OFFICER/OFFICER REPORTS

9.2 COUNCILLORS QUESTIONS

10. INFORMATION REPORT – COMMITTEE DELEGATED AUTHORITY

10.1 Corporate Services

C101/03/03 CONFIRMATION OF PAYMENT OF CREDITORS (A0917)		
Proponent	Director Corporate Services	In Brief To confirm the creditor payments made during February 2003
Officer	N. Jahn – Finance Officer	
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

CRC101 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Hoyer seconded Cr Kirkpatrick:
 Council notes the payments authorised and made by the Chief Executive Officer, exercising his delegated authority and detailed in the list of invoices for the month of February,

presented to the Corporate Services Committee and to Council, per the summaries set out above include Creditors yet to be paid and in accordance with the Local Government (Financial Management) Regulations 1996.
CARRIED 5/0

C102/03/03 DEBTOR ACCOUNTS WITH A BALANCE IN EXCESS OF \$1,000 (A0917)		
Proponent	Director Corporate Services	<u>In Brief</u>
Officer	N. Jahn – Finance Officer	To receive the statement of debtors over \$1,000 as at 28 February 2003
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

CRC102 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Murphy:
Council receive and note the report on Debtors accounts with a balance in excess of \$1,000 outstanding for 90 days or greater as at 28 February 2003.
CARRIED 5/0

C103/03/03 SUNDRY DEBTOR OUTSTANDING ACCOUNTS (A0917)		
Proponent	Director Corporate Services	<u>In Brief</u>
Officer	N. Jahn – Finance Officer	To receive the sundry debtor balances as at 28 February 2003
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

CRC103 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Kirkpatrick seconded Cr Murphy:
Council receive and note the report on Sundry Debtor Outstanding Accounts as at 28 February 2003.
CARRIED 5/0

C104/03/03 RATE DEBTORS REPORT (A0917)		
Proponent	Director Corporate Services	<u>In Brief</u>
Officer	R. Pryce – Senior Finance Officer - Rates	To receive the rates report as at 28 February 2003
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

CRC104 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Murphy seconded Cr Kirkpatrick:
Council receive and note the report the Rate Debtors accounts as at 28 February 2003.
CARRIED 5/0

C105/03/03 INFORMATION REPORT		
Proponent	Director Corporate Services	In Brief
Officer	Various	To receive the information report to 28 February 2003.
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

CRC105 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Hoyer seconded Cr Kirkpatrick:
The information report to 28 February 2003 be received.
CARRIED 5/0

10.2 Asset Services

AS042/03/03 BISHOP ROAD CONSTRUCTION 2002/03 COST REPORT (R0012)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief
Officer	Patrick Rose	<i>Report on costs associated with the construction of Bishop Road by Councils Operations Section in accordance with the negotiated best value agreement.</i>
Signatures - Author:		
Senior Officer:	Mick Beaverstock	
Date of Report	11 th February 2003	
Previously		
Disclosure of Interest		
Delegation	Committee - In accordance with Resolution SM065/05/02	

CRAS042 COMMITTEE/Officer Recommended Resolution

Moved Cr Star seconded Cr Simpson that the Bishop Road Construction 2002/03 Cost Report be received.
CARRIED 5/0

AS044/03/03 MAIN ROADS' GUIDELINES FOR ASSESSING MULTI-COMBINATION PERMIT VEHICLE ROUTES (A0512-03)		
Proponent	Main Roads WA	In Brief
Officer	Robert Harris Director Asset Services	Comment is sought from Council on Draft Main Roads' Guidelines for assessing routes for multi-combination vehicle routes. It is recommended the guidelines be endorsed.
Signatures - Author:		
Senior Officer:		
Date of Report	20 February 2003	
Previously		
Disclosure of Interest		

Delegation	Committee in accordance with resolution SM065/05/02	
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CRAS044 COMMITTEE/Officer Recommended Resolution

Moved Cr Star seconded Cr Simpson:-

1. Main Roads' policy on Community involvement on Long Vehicle and Road Train Routes Document No.37/02/04 Dated 20 September 2002 be endorsed.
2. Main Roads' Guidelines for Assessing the Suitability of Routes for Multi-Combination Vehicles Document No.37/2-07 Draft Version 3 January 2003 be endorsed with the following comment;
 - Appendix 3 Minimum Carriageway widths be amended to permit multi-combination vehicle use on appropriate unsealed local roads for traffic with an origin or destination on the road subject to local government endorsement.

CARRIED 5/0

AS048/02/03 INFORMATION REPORT		
Proponent		In Brief To receive the information report to 28 February 2003
Officer		
Signatures - Author:		
Senior Officer:		
Date of Report		
Previously		
Disclosure of Interest		
Delegation	Committee – In accordance with resolution SM065/05/02	

CRAS048 COMMITTEE/Officer Recommended Resolution

Moved Cr Richards seconded Cr Simpson that the information report to the 28 February 2003 be received.
 CARRIED 5/0

10.3 Community & Recreation Development

CRD17/03/03 INFORMATION REPORT		
Proponent		In Brief <i>Information Report</i>
Officer	Carole McKee - Community Development Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	26.02.03	
Previously		
Disclosure of Interest		
Delegation	Committee – in accordance with resolution SM065/05/02	

COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Wigg seconded Cr Murphy that Council accepts the February 2003 Information Report.
 CARRIED 5/0

10.4 Building Services

B20/03/03 INFORMATION REPORT		
Proponent	N/A	<u>In Brief</u> Information report
Officer	Wayne Chant - Principal Building Surveyor	
Signatures - Author:		
Senior Officer:		
Date of Report	10.03.03	
Previously		
Disclosure of Interest		
Delegation	Committee – in accordance with resolution SM065/05/02	

COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Murphy seconded Cr Scott that Council accepts the February 2003 Information Report.

CARRIED 5/0

10.5 Health Services

H10/03/03 INFORMATION REPORT		
Proponent	N/A	<u>In Brief</u> Information report
Officer	Joanne Abbiss	
Signatures - Author:		
Senior Officer:		
Date of Report	10.03.03	
Previously		
Disclosure of Interest		
Delegation	Committee – in accordance with resolution SM065/05/02	

COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Price seconded Cr Murphy that Council accepts the information report for February 2003.

CARRIED 5/0

10.6 Planning Development & Environment

E017/03/03 REHABILITATION RESEARCH IN MANJEDAL BROOK RESERVE (RS0053)		
Proponent	Shire of Serpentine-Jarrahdale	In Brief Council to request Men of The Trees to review their objectives to include biodiversity conservation so that rehabilitation works can be accelerated and additional scientific experiments can be conducted within the Shire.
Officer	Dr Sue Osborne – Environmental Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	4 th February 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

Officer Recommended Resolution

- A. Council supports continuing discussions between Men of the Trees, Murdoch University and Shire officers to seek opportunities for reinstating the natural communities at Manjedal Brook and the undertaking of rehabilitation experiments.
- B. Council writes to Men of The Trees requesting that their organisation may like to conduct a review of their objectives to facilitate more effective partnerships in reinstating strategic buffers and corridors within the Shire as follows:-

It has been brought to the attention of Council that Men of The trees sought to plant 20,000 trees and large shrubs on Shire land next winter. We are keen to develop a partnership with your organisation and although disappointed that planting cannot proceed next winter we see great potential for us to work cooperatively in future years.

I would like to take this opportunity to explain Council's approach to reserve management so that we can perhaps overcome the issues that have prevented planting next winter. Council's conservation resources are focussed primarily on the identification, assessment, improvement, maintenance and protection of existing remnant bushland. Much of the remaining resources go towards the reinstatement of natural communities within strategic buffers and along connecting corridors between these remnants. Because the objectives of reinstating buffers and corridors are specifically to provide natural habitats we need to be cautious that planting for carbon sequestration does not hinder the achievement of this objective. In seeking reassurances regarding this issue for planting at the Manjedal Brook site next winter, it became apparent that there is much conflicting advice as to the likely effectiveness of sequencing the planting of trees and tall shrubs followed by groundcover species at a later date.

Council is keen to undertake experiments in partnership with Murdoch University to look at cost effective methods of transforming your plantings into local natural communities. However, it is unlikely that Council would be able to commit to the large amounts of small shrub and groundcover plants that would be necessary to keep pace with the large plantings proposed by your organisation and we would be unable to provide all of the necessary ongoing weed and fire hazard reduction management.

To maximise your organisation's planting access to Shire lands and to significantly enhance the environmental outcomes of your work, Council encourages your

organisation to consider broadening your objectives to include biodiversity. More specifically that you develop an option to market areas of reinstated bushland.

CRE017 COMMITTEE DECISION

Moved Cr Murphy, seconded Cr Hoyer that

- A. Council supports continuing discussions between Men of the Trees, Murdoch University and Shire officers to seek opportunities for reinstating the natural communities at Manjedal Brook and the undertaking of rehabilitation experiments.
- B. Council writes to Men of The Trees requesting that their organisation may like to conduct a review of their objectives to facilitate more effective partnerships in reinstating strategic buffers and corridors within the Shire as follows:-

It has been brought to the attention of Council that Men of The trees sought to plant 20,000 trees and large shrubs on Shire land next winter. We are keen to develop a partnership with your organisation and although disappointed that planting cannot proceed next winter we see great potential for us to work cooperatively in future years.

I would like to take this opportunity to explain Council's approach to reserve management so that we can perhaps overcome the issues that have prevented planting next winter. Council's conservation resources are focussed primarily on the identification, assessment, improvement, maintenance and protection of existing remnant bushland. Much of the remaining resources go towards the reinstatement of natural communities within strategic buffers and along connecting corridors between these remnants. Because the objectives of reinstating buffers and corridors are specifically to provide natural habitats we need to be cautious that planting for carbon sequestration does not hinder the achievement of this objective. In seeking reassurances regarding this issue for planting at the Manjedal Brook site next winter, it became apparent that there is much conflicting advice as to the likely effectiveness of sequencing the planting of trees and tall shrubs followed by groundcover species at a later date.

Council is keen to undertake experiments in partnership with Murdoch University to look at cost effective methods of transforming your plantings into local natural communities. However, it is unlikely that Council would be able to commit to the large amounts of small shrub and groundcover plants that would be necessary to keep pace with the large plantings proposed by your organisation and we would be unable to provide all of the necessary ongoing weed and fire hazard reduction management.

To maximise your organisation's planting access to Shire lands and to significantly enhance the environmental outcomes of your work, Council encourages your organisation to consider broadening your objectives to include biodiversity. More specifically that you develop an option to sell the carbon credit that is absorbed per unit area of reinstated bushland ie per hectare, as opposed to selling the carbon credits that is absorbed per unit tree stem.

CARRIED 5/0

Note: The Officer Recommended Resolution was altered to clarify the measurement methodology for calculating carbon credits. The Presiding Officer did not consider this substantially altered the Officer Recommended Resolution.

E020/03/03 INFORMATION REPORT		
Proponent	Environmental Officer	In Brief Information Report.
Officer	Dr Sue Osborne – Environmental Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	25 February 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

CRE020 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Price, seconded Cr Hoyer that the Information Report to 7 March 2003 be received.

CARRIED 5/0

P230/03/03 PROPOSED EXTENSION TO PLANNING APPROVAL FOR GO-KART TRACK FACILITY – LOT 301 BOOMERANG ROAD, OLDBURY (P00148/01)		
Proponent	K Ditchfield	In Brief That Council approves an application dated 24 December 2002 for an extension to an existing approval for a Go-Kart Track Facility on Lot 301 Boomerang Road, Oldbury subject to conditions.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	11 February 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

CRP230 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Price, seconded Cr Hoyer that Council approves an application dated 24 December 2002 for Private Recreation (Go-Kart Track Facility) on Lot 301 Boomerang Road, Oldbury subject to the following conditions:

1. Not more than 15 race meetings in any one calendar year are to be held on site;
2. Driver training plus mechanical tuition to be limited to the hours of 1.00pm to 2.30pm on Tuesday's;
3. Operating hours is to be limited to between the hours of 10.00am to 5.00pm;
4. This approval is for a period of two (2) years only, after which time a new application must be lodged with Council for consideration of continuation of the development/land use;
5. The applicant shall take all reasonable and practicable measures to prevent visible dust emissions as a result of the traffic generated by the track facility on Boomerang Road between Banksia Road and the subject property to the satisfaction of Council;
6. Control dust such that no visible dust exits the subject premises boundary as a result of the track facility operations;
7. Applicant to submit an operational noise survey of the site by 1 June 2003 and prepare an action plan to reduce noise levels by 1 August 2003 to Council's satisfaction. Proposed mitigation measures shall be identified such as earth bunds;

8. Applicant to implement action plan referred to in condition 7 in accordance with timeframes established in the action plan and approved by Council.
9. The applicant is to submit to Council an Emergency Management/Response Plan by 1 June 2003 to the satisfaction of Council to ensure that the following emergency issues:
 - i) Vehicle management and parking areas to ensure clear ways are maintained during events;
 - ii) Crowd control and management measures;
 - iii) Response mechanisms for accident prevention, including vehicle accidents;
 - iv) Evacuation plan; and
 - v) Plans to prevent fire hazards and oil spills;
10. Any proposed storage of chemicals, flammable liquids or fuel will require separate written approval from Council;
11. The proponent shall keep a register of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a logbook to be kept on-site and available for immediate inspection by the Shire of Serpentine-Jarrahdale;
12. Separate approval is to be obtained from the Shire of Serpentine Jarrahdale's Health Services for the canteen upgrade. Application is to be lodged with Council by 1 June 2003;
13. Separate approval is to be obtained from the Shire of Serpentine Jarrahdale's Health Services for the toilet facilities. Application is to be lodged with Council by 1 June 2003.

Advice Notes:

1. In relation to Condition 10, if it is intended to store any flammable liquids such as fuel, application must be made to the Department of Minerals and Energy for a Licence to Store Dangerous Goods;
2. In relation to Condition 5, an example of a measure to control dust on Boomerang Road would be to utilise an approved water cart prior to and during a race event.

CARRIED 5/0

P228/03/03 PROPOSED ROAD NAMES – SUBDIVISION OF LOTS 267, 268 & 269 KARGOTICH ROAD, OAKFORD (S116793)		
Proponent	Nino Gangemi	In Brief That Council supports the name Gangemi Road for the internal road within the subdivision of Lot 267, Lot 268 and Lot 269 Kargotich Road, Oakford.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	19 February 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

CRP228 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Scott, seconded Cr Hoyer that

1. Council supports the name Gangemi Road for the internal road within the subdivision of Lot 267, Lot 268 and Lot 269 Kargotich Road, Oakford.
2. Council writes to the Department of Land Administration advising that Council supports the name Gangemi Road.

CARRIED 5/0

P229/03/03 PROPOSED OVERSIZED SHED – LOT 29 GORDIN WAY, BYFORD (P04809/02)		
Proponent	Norman Wood	In Brief That Council refuses an application dated 2 December 2002 for an oversized shed on Lot 29 Gordin Way, Byford for reasons outlined below.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	20 February 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

CRP229 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Needham, seconded Cr Murphy

A. Council refuses an application dated 2 December 2002 for an oversized shed on Lot 29 Gordin Way, Byford due to the following reasons:

1. The proposed shed exceeds the 'Acceptable Development' provisions for outbuildings as specified in the document 'Residential Design Codes of Western Australia' published by the Western Australian Planning Commission in October 2002. The Residential Design Codes provides for outbuildings of less than 60 m2 in area and no more than 2.4 metres in wall height. The proposed shed exceeds the maximum allowable floor area by 40m2 (66%) and the maximum allowable wall height by 1.8 metres (75%).
2. The proposed shed exceeds the provisions of draft Local Planning Policy No.17 - RESIDENTIAL AND INCIDENTAL DEVELOPMENT WITHIN THE SHIRE OF SERPENTINE JARRAHDAL in respect to the maximum height of outbuildings in the Urban Development Zone. Draft Local Planning Policy No.17 allows for a shed with a maximum wall height of 2.4 metres, the proposed shed exceeds this provision by 1.8 metres (75%);

B. Council supports an application for a shed of 100m2 in area on Lot 29 Gordin Way, Byford subject to the following conditions:

1. A building licence is to be obtained prior to the commencement of development;
2. Shed is to be constructed of new materials;
3. Shed is to have a maximum wall height of 2.4 metres and a maximum ridge height of 4.2 metres;
4. Shed 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 Legislation. Please contact Council's Health Services for setbacks and requirements to other systems;
5. Only colours and materials identified in the Schedule of Colours and Materials dated 6 December 2002 are to be used in the construction of the shed.

C. Council grants delegated authority to the Director Sustainable Development to approve an application for a shed of 100m2 on Lot 29 Gordin Way, Byford subject to those conditions in B above.

CARRIED 5/0

P231/03/03 PROPOSED TOILET BLOCK – RESERVE NO. 40950 – LIGHTWEIGHT MOTORCYCLE CLUB (RS0059)		
Proponent	Lightweight Motorcycle Club Incorporated	In Brief That Council approves an application dated 3 December 2002 for a toilet block on Reserve 40950 subject to conditions.
Officer	Michael Davis – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	11 February 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

Officer Recommended Resolution

Council approves an application dated 3 December 2002 for a toilet block on Reserve 40950 subject to the following conditions:

1. A building licence is to be obtained prior to commencement of development;
2. Separate approval is to be obtained from the Shire of Serpentine Jarrahdale's Health Services prior to a building licence being issued;
3. The proposed toilet block is to be relocated to avoid the removal of any native vegetation.

Advice Notes:

1. The property is affected by land reserved in the Metropolitan Region Scheme as shown on the enclosed extract of Main Roads' drawing 8321-30-02 and will be required some time in the future;
2. The proposed future upgrade of the existing toilet facilities will require separate approval from Council.

CRP231 COMMITTEE DECISION

Moved Cr Hoyer, seconded Cr Price that

A. Council approves an application dated 3 December 2002 for a toilet block on Reserve 40950 subject to the following conditions:

1. A building licence is to be obtained prior to commencement of development;
2. Separate approval is to be obtained from the Shire of Serpentine Jarrahdale's Health Services prior to a building licence being issued;
3. The proposed toilet block is to be relocated to avoid the removal of any native vegetation.

Advice Notes:

1. The property is affected by land reserved in the Metropolitan Region Scheme as shown on the enclosed extract of Main Roads' drawing 8321-30-02 and will be required some time in the future;
2. The proposed future upgrade of the existing toilet facilities will require separate approval from Council.

B. Officers hold discussions with the Lightweight Motorcycle Club regarding dieback management and revegetation along the highway.

CARRIED 5/0

Note: The Officer Recommended Resolution was altered by adding Part B which requires discussions in relation to dieback management and revegetation. The Presiding Officer did not consider this substantially altered the Officer Recommended Resolution.

P232/03/03 DEVELOPMENT APPLICATION, PROPOSED EXTRACTIVE INDUSTRY – LOT 1304 COYLE ROAD, OLDBURY (P03215/01)		
Proponent	NLG Sand Supplies	In Brief Council to consider a development application for the proposed continuation of the existing extractive industry – Sand Extraction on Lot 1304 Coyle Road, Oldbury. It is recommended that conditional approval be granted for a period of five years.
Officer	Lilia Palermo – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	28 January 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

Officer Recommended Resolution

- A. Council approves the application to undertake Industry – Extractive (Sand Excavation) on Lot 1304 Coyle Road, subject to the following conditions:
 - 1. Development shall be in accordance with the plan entitled “NLG Sand Supplies - Revision of Staging; Lot 1304 Coyle Road, Oldbury” dated 6 November 2001, and subject to any modifications required as a consequence of any conditions of this approval.
 - 2. This approval is only applicable to Stages 1, 2, 3, 4 and 5, as marked on the approved plan. Proposed Stages 6, 7, and 8 are excluded from this approval.
 - 3. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council.
 - 4. This approval supercedes any previous approvals granted by Council;
 - 5. This approval is for a period of five (5) years only, after which time a new application must be lodged with Council for consideration of continuation of the development/land use.

EXTRACTIVE INDUSTRY LICENCE

- 6. No development or use of the site for Extractive Industry shall be undertaken without the landowner holding a valid Extractive Industry License, issued by Council under the provisions of the Shire of Serpentine-Jarrahdale Local Laws for Extractive Industries.

VEHICLES AND HAULAGE

- 7. Unless otherwise stated in a Traffic Management Plan approved by the Director Sustainable Development, this extractive industry (including vehicle movements) may operate between the hours of 7.00am and 5.00pm Monday to Saturday, except on public holidays when operations are limited to between the hours of 9.00am and 5.00pm.
- 8. Unless otherwise stated in a Traffic Management Plan approved by the Director Sustainable Development, no more than 10 laden trucks shall leave the site per day.
- 9. Prior to the commencement of extractive industry operations the proponent shall prepare, and thereafter implement to the satisfaction of the Director Sustainable Development, a Traffic Management Plan that details the haulage route and the

types of haulage vehicles to be used in association with this proposal. The Plan will be valid for a period no longer than twelve months and must be renewed annually.

10. The proponent shall take all measures to ensure that noise from machinery and vehicles complies with the Environmental Protection (Noise) Regulations 1997.

DUST AND EROSION

11. The proponent shall take all measures to ensure dust emissions and/or wind-borne sediments do not travel beyond the property boundaries, to the satisfaction of the Director Sustainable Development.

CONTAINMENT

12. The proponent shall ensure all haulage vehicles associated with the extractive industry are covered and/or sealed to prevent the leakage of dust or other materials during transport, to the specification and satisfaction of the Shire of Serpentine - Jarrahdale.
13. The proponent shall at its expense, clean and remove any materials spilt or spread onto public roads by vehicles associated with this extractive industry, to the specification and satisfaction of the Shire of Serpentine - Jarrahdale.

VEGETATION PROTECTION

14. Within 60 days of the date of this approval, the applicant shall install and thereafter maintain fencing to protect the existing remnant vegetation within Stage 1 and 3, from degradation or encroachment by machinery, erosion or sedimentation, to the satisfaction of the Director Sustainable Development.
15. Prior to commencing extraction works within Stages 2,3 4 or 5; the proponent shall submit for approval by the Director Sustainable Development and thereafter implement a plan to undertake revegetation works within proposed stage 7, in order to establish, and thereafter maintain a 60 metre wide vegetated linkage between the vegetation on Lot 1304 and the adjacent Bush Forever site on Lot 442;
16. Prior to commencing any site works (including any vegetation clearing or earthworks), the proponent shall establish fencing to protect all vegetation within 30 metres of the western boundary, and prevent uncontrolled vehicle access or vegetation degradation within proposed Stages 6,7 and 8. The fencing shall be of a standard able to prevent native vegetation being damaged by vehicles, erosion, and sedimentation.
17. The proponent shall manage this proposal so as to prevent the spread of weeds and dieback into the on-site remnant native vegetation, and the Banksia Road Nature Reserve;

WETLAND PROTECTION

18. Prior to commencing extraction works within Stages 2,3 4 or 5; the proponent shall prepare and once approved by the Director Sustainable Development, thereafter implement a Wetland Revegetation and Rehabilitation Plan to re-establish local native species within 50 metres of the furthest extent of wetland dependent vegetation.
19. The revegetation works should use local native species, incorporate a weed management plan, and fencing shall be of a standard to prevent the vegetation from being damaged by vehicles, erosion, or sedimentation.
20. Filling of the wetland area shall only occur with the prior written approval by the Director Sustainable Development. These earthworks once approved, can only be undertaken under the supervision of Council's Environmental Officer.
21. The proponent shall manage this proposal so as to prevent the spread of weeds and dieback into the Conservation Category wetland and buffer.

FIRE MANAGEMENT

22. Prior to commencing any site works (including any vegetation clearing or earthworks), the proponent shall prepare a Fire Management plan to the satisfaction of the Director Sustainable Development. Firebreak are to be designed and constructed to prevent any degradation to the Banksia Road Nature Reserve and other protected vegetation on Location 1304;

VISUAL IMPACT

23. No development shall occur within Stage 4 until an Extraction and Rehabilitation Plan is prepared to the satisfaction of the Director Sustainable Development. This plan should be form a separate component of the Extraction Program required to be prepared as part of an Application for an Extractive Industry License, and comprehensively detail the management of works within the Coyle Road Buffer Zone.
24. The Plan should propose to undertake all extraction and rehabilitation works between April and July of a particular calendar year, detail measures to contain all dust and air borne sediment within the site boundaries, and detail the chosen methods and performance criteria for stabilising, revegetating and maintaining the Coyle Road buffer.

Advice Notes:

1. The construction or installation of buildings, sheds, fuel storage tanks or any other structure may require a separate and additional planning approval of Council. The proponent should seek written advice from the Shire of Serpentine Jarrahdale, prior to commencing any development that may be beyond the scope of this approval.
 2. The property is located within the Peel-Harvey Coastal Catchment and any groundwater extraction would require licensing;
 3. The developer is encouraged to liaise with the Environmental Officer regarding scientific monitoring of rehabilitation techniques.
 4. The applicant is advised that in seeking an extractive industry license, Council will require the license application to be accompanied by a Revegetation and Rehabilitation Plan addressing in detail, the means of implementing the revegetation requirements of this planning approval;
 5. The applicant is advised that in seeking an extractive industry license, Council will require the license application to be accompanied by a Weed and Dieback Management Plan prepared to the satisfaction and specification of the Director Sustainable Development.
 6. Use of any additional machinery on site including screening or processing equipment would require a separate application for Planning Approval;
 7. With regard to Condition 8, the approved Traffic Management Plan may either increase or reduce the number of laden trucks.
- B. Council requests that the Western Australian Planning Commission in determining whether to grant planning consent for the extraction of sand from Lot 1304 Coyle Road, Oldbury under the Metropolitan Region Scheme have regard for the conditions included in the Council's Approval to Commence Development at part A of this resolution.

CRP232 COMMITTEE DECISION

Moved Cr Price, seconded Cr Scott that

- A. Council approves the application to undertake Industry – Extractive (Sand Excavation) on Lot 1304 Coyle Road, subject to the following conditions:
1. Development shall be in accordance with the plan entitled “NLG Sand Supplies - Revision of Staging; Lot 1304 Coyle Road, Oldbury” dated 6 November 2001, and subject to any modifications required as a consequence of any conditions of this approval.
 2. This approval is only applicable to Stages 1, 2, 3, 4 and 5, as marked on the approved plan. Proposed Stages 6, 7, and 8 are excluded from this approval.
 3. If the development, subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without further approval being sought and obtained from Council.
 4. This approval supercedes any previous approvals granted by Council;
 5. This approval is for a period of five (5) years only, after which time a new application must be lodged with Council for consideration of continuation of the development/land use.

EXTRACTIVE INDUSTRY LICENCE

6. No development or use of the site for Extractive Industry shall be undertaken without the landowner holding a valid Extractive Industry License, issued by Council under the provisions of the Shire of Serpentine-Jarrahdale Local Laws for Extractive Industries.

VEHICLES AND HAULAGE

7. Unless otherwise stated in a Traffic Management Plan approved by the Director Sustainable Development, this extractive industry (including vehicle movements) may operate between the hours of 7.00am and 5.00pm Monday to Saturday, except on public holidays when operations are limited to between the hours of 9.00am and 5.00pm.
8. Unless otherwise stated in a Traffic Management Plan approved by the Director Sustainable Development, no more than 10 laden trucks shall leave the site per day.
9. Prior to the commencement of extractive industry operations the proponent shall prepare, and thereafter implement to the satisfaction of the Director Sustainable Development, a Traffic Management Plan that details the haulage route and the types of haulage vehicles to be used in association with this proposal. The Plan will be valid for a period no longer than twelve months and must be renewed annually.
10. The proponent shall take all measures to ensure that noise from machinery and vehicles complies with the Environmental Protection (Noise) Regulations 1997.

DUST AND EROSION

11. The proponent shall take all measures to ensure dust emissions and/or wind-borne sediments do not travel beyond the property boundaries, to the satisfaction of the Director Sustainable Development.

CONTAINMENT

12. The proponent shall ensure all haulage vehicles associated with the extractive industry are covered and/or sealed to prevent the leakage of dust or other materials during transport, to the specification and satisfaction of the Shire of Serpentine - Jarrahdale.

13. The proponent shall at its expense, clean and remove any materials spilt or spread onto public roads by vehicles associated with this extractive industry, to the specification and satisfaction of the Shire of Serpentine - Jarrahdale.

VEGETATION PROTECTION AND REHABILITATION

14. Within 60 days of the date of this approval, the applicant shall install and thereafter maintain fencing to protect the existing remnant vegetation within Stage 1 and 3, from degradation or encroachment by machinery, erosion or sedimentation, to the satisfaction of the Director Sustainable Development.
15. Prior to commencing extraction works within Stages 2,3 4 or 5; the proponent shall submit for approval by the Director Sustainable Development and thereafter implement a plan to undertake revegetation works within proposed stage 7, in order to establish, and thereafter maintain a 60 metre wide vegetated linkage between the vegetation on Lot 1304 and the adjacent Bush Forever site on Lot 442;
16. Prior to commencing any site works (including any vegetation clearing or earthworks), the proponent shall establish fencing to protect all vegetation within 30 metres of the western boundary, and prevent uncontrolled vehicle access or vegetation degradation within proposed Stages 6,7 and 8. The fencing shall be of a standard able to prevent native vegetation being damaged by vehicles, erosion, and sedimentation.
17. The proponent shall manage this proposal so as to prevent the spread of weeds and dieback into the on-site remnant native vegetation, and the Banksia Road Nature Reserve;
18. On expiry of this approval, the applicant shall have landscaped and revegetated the subject land to resemble as close as practicable, the natural contours and native vegetation that would have been present in its undisturbed state.
19. To ensure satisfactory rehabilitation occurs progressively throughout the life of the quarry, the applicant shall within 90 days of this approval being granted prepare to the satisfaction of Director Sustainable Development (and thereafter implement) a comprehensive Quarry Rehabilitation and Decommissioning Plan. The plan shall detail the timetable and performance criteria for revegetation, and set deadlines for when the performance criteria must be satisfied. Renewal of any Extractive Industry Licence will be dependent on complete compliance with this plan.

WETLAND PROTECTION

20. Prior to commencing extraction works within Stages 2,3 4 or 5; the proponent shall prepare and once approved by the Director Sustainable Development, thereafter implement a Wetland Revegetation and Rehabilitation Plan to re-establish local native species within 50 metres of the furthest extent of wetland dependent vegetation.
21. The revegetation works should use local native species, incorporate a weed management plan, and fencing shall be of a standard to prevent the vegetation from being damaged by vehicles, erosion, or sedimentation.
22. Filling of the wetland area shall only occur with the prior written approval by the Director Sustainable Development. These earthworks once approved, can only be undertaken under the supervision of Council's Environmental Officer.
23. The proponent shall manage this proposal so as to prevent the spread of weeds and dieback into the Conservation Category wetland and buffer.

FIRE MANAGEMENT

24. Prior to commencing any site works (including any vegetation clearing or earthworks), the proponent shall prepare a Fire Management plan to the satisfaction of the Director Sustainable Development. Firebreak are to be designed and constructed to prevent any degradation to the Banksia Road Nature Reserve and other protected vegetation on Location 1304;

VISUAL IMPACT

25. No development shall occur within Stage 4 until an Extraction and Rehabilitation Plan is prepared to the satisfaction of the Director Sustainable Development. This plan should be form a separate component of the Extraction Program required to be prepared as part of an Application for an Extractive Industry License, and comprehensively detail the management of works within the Coyle Road Buffer Zone. The Plan should propose to undertake all extraction and rehabilitation works between April and July of a particular calendar year, detail measures to contain all dust and air borne sediment within the site boundaries, and detail the chosen methods and performance criteria for stabilising, revegetating and maintaining the Coyle Road buffer.

Advice Notes:

1. The construction or installation of buildings, sheds, fuel storage tanks or any other structure may require a separate and additional planning approval of Council. The proponent should seek written advice from the Shire of Serpentine Jarrahdale, prior to commencing any development that may be beyond the scope of this approval.
 2. The property is located within the Peel-Harvey Coastal Catchment and any groundwater extraction would require licensing;
 3. The developer is encouraged to liaise with the Environmental Officer regarding scientific monitoring of rehabilitation techniques.
 4. The applicant is advised that in seeking an extractive industry license, Council will require the license application to be accompanied by a Revegetation and Rehabilitation Plan addressing in detail, the means of implementing the revegetation requirements of this planning approval;
 5. The applicant is advised that in seeking an extractive industry license, Council will require the license application to be accompanied by a Weed and Dieback Management Plan prepared to the satisfaction and specification of the Director Sustainable Development.
 6. Use of any additional machinery on site including screening or processing equipment would require a separate application for Planning Approval;
 7. With regard to Condition 8, the approved Traffic Management Plan may either increase or reduce the number of laden trucks.
- B. Council requests that the Western Australian Planning Commission in determining whether to grant planning consent for the extraction of sand from Lot 1304 Coyle Road, Oldbury under the Metropolitan Region Scheme have regard for the conditions included in the Council's Approval to Commence Development at part A of this resolution.

CARRIED 5/0

Note: The Officer Recommended Resolution was altered by adding condition 18 and 19 requiring preparation of a rehabilitation plan and staged implementation of such plan. The Presiding Officer did not consider this substantially altered the Officer Recommended Resolution.

P234/03/03 BYFORD EAST DETAILED AREA PLAN (A1142)		
Proponent	Director Sustainable Development	In Brief
Officer	A. Watson - Director Sustainable Development	Council to adopt a project brief and call for tenders for the preparation of the Byford East Detailed Area Plan.
Signatures - Author:		
Senior Officer:		
Date of Report	12 March 2003	
Previously	N/A	
Disclosure of Interest		
Delegation	Committee In Accordance With SM065/05/02 Resolution	

Officer Recommended Resolution

- A. Council adopts the following objectives for preparation of the Byford East Detailed Area Plan:
1. To provide a statutory instrument for the preparation of Plans of Subdivision which will dictate the future development within the study area;
 2. Review all relevant documentation and examine key issues in more detail, in particular stormwater management;
 3. Involve the community and key stakeholders in the preparation of a sustainable plan to guide future growth within the Byford Townsite;
 4. Recognition of the important character of the existing Byford Townsite for any infill development.
- B. Council approves the project brief for the Byford East Detailed Area Plan at attachment P234.1/03/03.
- C. Council calls for tenders for the preparation of the Byford East Detailed Area Plan.
- D. Council establishes a Steering Committee to oversee the Byford East Detailed Area Plan comprising the following person/s groups or organisation representatives:
- Presiding Member, Council's Strategic Management Committee
 - Presiding Member, Council's Planning Development and Environment Committee
 - Director Sustainable Development;
 - Department for Planning and Infrastructure; and
 - Department of Environment Water and Catchment Protection

CRP234 COMMITTEE DECISION

Moved Cr Price, seconded Cr Hoyer that

- A. Council adopts the following objectives for preparation of the Byford East Detailed Area Plan:
1. To provide a statutory instrument for the preparation of Plans of Subdivision which will dictate the future development within the study area;
 2. Review all relevant documentation and examine key issues in more detail, in particular stormwater management;
 3. Involve the community and key stakeholders in the preparation of a sustainable plan to guide future growth within the Byford Townsite;
 4. Recognition of the important character of the existing Byford Townsite for any infill development.
- B. Council approves the project brief for the Byford East Detailed Area Plan at attachment P234.1/03/03.
- C. Council calls for tenders for the preparation of the Byford East Detailed Area Plan.

- D. Council establishes a Steering Committee to oversee the Byford East Detailed Area Plan comprising the following person/s groups or organisation representatives:
- Presiding Member, Council’s Strategic Management Committee
 - Presiding Member, Council’s Planning Development and Environment Committee
 - Director Sustainable Development;
 - Department for Planning and Infrastructure; and
 - Department of Environment Water and Catchment Protection
 - Cr Thomas Hoyer

CARRIED 5/0

Note: The Officer Recommended Resolution was altered by adding Cr Hoyer to the Steering Committee. The Presiding Officer did not consider this substantially altered the Officer Recommended Resolution.

P236/03/03 PROPOSED SHADE HOUSE - LOT 110 KARGOTICH ROAD, OAKFORD (P00105/02)		
Proponent	E Dekkers	In Brief It is an application to construct a Shade House on the property for the purpose of establishing a hobby type nursery growing potted cacti species. It is recommended that the application be conditionally approved.
Officer	Lilia Palermo – Planning Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	22 January 2003	
Previously		
Disclosure of Interest		
Delegation	Committee In Accordance With Resolution SM065/05/02	

CRP236 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Hoyer, seconded Cr Price that the proposed Rural Use – Hobby Cacti Nursery on Lot 110 Kargotich Road, Oakford be approved in accordance with the application dated 18 November 2002 subject to the following conditions:

1. A Building Licence is to be obtained prior to the commencement of development;
2. A Schedule of Colours and Materials for the proposed shade house is to be submitted for approval by the Director Sustainable Development prior to issue of a Building Licence;
3. Proponent shall plant and maintain vegetated buffers around the proposed shade house building and along property boundaries. Planting of the buffers is to be completed by 31 August 2003 in accordance with the Local Planning Policy No. 4 – Revegetation Policy.
4. All the stormwater is to be contained on site;
5. Direct discharge of stormwater into the off-site drainage network is not permitted;
6. Applicant to submit a Drainage Management Strategy to Council for approval prior to commencement of development;
7. No chemicals associated with the business other than those specified in the letter dated 7 January 2003 to be stored on the property;
8. Storage of fertilizer is to be in accordance with the requirement of the Health Local Law 1999;
9. Retail sales on site are not permitted
10. Signage advertising the proposed business is not permitted;
11. Employment of people other than the members of applicant’s immediate family is not permitted.
12. Shade cloth used for the construction of the Shade House is to be maintained in good condition at all times and repaired or replaced if it becomes unsightly or damaged;

13. Shade House 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 Legislation. Please contact Council's Health Services for setbacks and requirements to other systems.
14. Applicant to ensure that there is an emergency services water supply draft point installed on the water tanks to the Shire's specifications facing and accessible from the internal driveway.

Advice Notes:

1. In regards to Condition 4 please contact Shire's Environmental Officer to obtain a list of suitable plant species to be used.
2. Applicant to refer to the Waters and Rivers Commission Water Quality Protection Note attached for the recommended best management practices for nurseries and other horticultural businesses.
3. In regards to Condition 11 any proposals for expansion of the business would require a separate assessment and a new Planning Application.

CARRIED 5/0

P239/03/03 INFORMATION REPORT			
Proponent	Director Sustainable Development		In Brief Information Report.
Officer	Lisa Fletcher – Support Officer Sustainable Development		
Signatures - Author:			
Senior Officer:			
Date of Report	25 February 2003		
Previously			
Disclosure of Interest			
Delegation	Committee In Accordance With Resolution SM065/05/02		

CRP239 COMMITTEE DECISION/Officer Recommended Resolution

Moved Cr Price, seconded Cr Scott that the Information Report to 12 March 2003 be received.

CARRIED 5/0

11. CLOSE

There being no further business the meeting closed at 9.16pm.

I certify that these minutes were confirmed at the ordinary council meeting held on 28th April, 2003

.....
 Presiding Member

.....
 Date