



Shire of  
Serpentine  
Jarrahdale

# Ordinary Council Meeting Minutes

7pm

Monday, 14 April 2025

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Open Monday to Friday 8.30am-5pm (closed public holidays)



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## Ordinary Council Meeting Minutes Monday, 14 April 2025

### Councillor Attendance Register

In accordance with the 11 April 2022 Ordinary Council Meeting, Council Resolution OCM067/04/22, clause 1 - "That Council requests the Chief Executive Officer maintain a Councillor Attendance Register recording Councillor Attendances at Ordinary Council Meetings, Special Council Meetings, Q & A briefings for Ordinary Council Meetings, Q & A briefings for Special Council Meetings, Councillor Workshops held for Project Briefings, Councillor Workshops held for Budget Preparations and Policy Concept Forums."

In accordance with the 12 December 2022 Ordinary Council Meeting, Council Resolution OCM313/12/22, clause 6 - "That Council requests that the Councillor Attendance Register published in the Agenda and Minutes displays attendances for the calendar year and notes that the full Councillor Attendance Register, including previous calendar years, will continue to be published on the Shire's website."

Date	Type	President Coales	Cr Bishop	Vacant	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
10/3/25	Q&A (OCM)	✓	EP		✓	✓	✓	✓
3/4/25	WORKSHOP	✓	A		✓	A	✓	✓
		President Coales	Cr Bishop	Cr Byas	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
24/3/25	PCF	✓	A	A	✓	✓	✓	✓
17/3/25	OCM	✓	✓	A	✓	✓	✓	✓
10/3/25	Q&A (OCM)	✓	EP	A	✓	✓	✓	✓
5/3/25	SCM	✓	A	LoA	✓	✓	✓	A
4/3/25	Q&A (SCM)	✓	EP	LoA	✓	✓	✓	A
24/2/25	PCF	✓	A	LoA	✓	✓	✓	✓
17/2/25	PCF	EP	EP	LoA	✓	✓	✓	✓
10/2/25	OCM	✓	✓	LoA	✓	✓	✓	✓
3/2/25	Q&A (OCM)	✓	EP	LoA	✓	✓	✓	✓
28/1/25	PCF	✓	EP	A	✓	✓	✓	✓

**Key:**

✓ - Attended

A - Apology

LoA - Leave of Absence

NA - Non Attendance

EPNG - Electronic Participation Not Granted

EP - Electronic Participation



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The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware of the provisions of the *Local Government Act 1995* (section 5.25(1)(e)) and Council's *Standing Orders Local Law 2002 (as Amended)* - Part 14, Implementing Decisions. No person should rely on the decisions made by Council until formal advice of the Council resolution is received by that person.

The Shire of Serpentine Jarrahdale expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

Council and Committee Meetings will be live streamed and audio recorded. If you are asking a public question or making a statement or deputation to the meeting this will be live streamed and audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.



## Ordinary Council Meeting Minutes Monday, 14 April 2025

Minutes of the Ordinary Council Meeting of the Shire of Serpentine Jarrahdale held on Monday, 14 April 2025 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong.

President Coales declared the meeting open at 7.06pm and welcomed Councillors, Staff, and members of the gallery.

President Coales advised members of the gallery that tonight's meeting will be live streamed and audio recorded.

President Coales advised members of the gallery that a timer will be used when members of the gallery are making deputations and public statements.

When asking a public question or making a statement or deputation to the meeting, members of the gallery are requested to take a seat at the table.

Members of the gallery are reminded that no other visual or audio recording of this meeting by any other means is allowed.

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### Agenda

#### 1. Attendances and apologies (including leave of absence):

**President:** R Coales.....Presiding Member

**Councillors:** N Bishop

T Duggin

S Mack

R Jerrett

C Mazzini

**Officers:** Mr P Martin.....Chief Executive Officer

Mr N Scidone.....Acting Director Infrastructure Services

Mr A Trosic .....Director Development Services

Mr F Sullivan ..... Director Corporate Services

Mr B Oliver..... Director Community Engagement

Ms D Merritt.....Acting Manager Corporate Performance

Ms J Bavaro.....PA to Director Corporate Services (Minute Taker)

**Leave of Absence:**

**Apologies:**

**Observers: 19**



## 2. Public question time:

### 2.1 Response to previous public questions taken on notice:

Questions asked by **Mrs Lee Bond** at the Ordinary Council Meeting, Monday, 17 March 2025. Correspondence was sent to Mrs Bond on 31 March 2025 (OC25/4422).

#### Question 3

What are the rules regarding those community groups which are provided with the yellow bags by the Shire to collect roadside rubbish for which we pay them, is it appropriate to leave the bags on roads throughout the Shire until the bag turns yellow and starts to fall apart and lots of other rubbish is thrown on and around these piles?

#### *Response (Executive Manager Operations)*

*Thank you for your question regarding the collection and management of roadside rubbish bags provided to community groups by the Shire. We appreciate the efforts of these groups in helping to keep our roadways clean however we acknowledge the concerns you have raised with how quickly bags get collected.*

*The Shire is notified when one of the volunteer organisations is completing a litter collection. Once the job is complete, the Shire arranges for in-house staff or, in areas where the road speed limit exceeds 80 km/h, our contractor to collect the bags. This collection process can take between one and three weeks. We acknowledge however that this needs to be improved.*

*If any community members notice yellow bags that appear to have been left unattended for an extended period, we encourage them to report the location to the Shire by using the CRM system so that we can investigate and take appropriate action. The Shire remains committed to maintaining clean and safe roadways and will continue working with community groups to improve the efficiency of this program.*

Questions asked by **Mr Brian Manning** at the Ordinary Council Meeting, Monday, 17 March 2025. Correspondence was sent to Mr Manning on 31 March 2025 (OC25/4421).

#### Question 2

I've been on Leipold Road today. Now a lot of signs are going up around the Shire. 50km signs. Leipold Road was used for a transfer for Mundijong while they were upgrading it. I went down there with an empty water truck today and nearly got thrown out of the seat and I wasn't exceeding the speed limit, and my seat belt was on. The road is still signposted in both directions 80 kilometres an hour. It would be lucky to be suitable for 40 kilometres an hour.

There are no shoulders on the road, particularly when you turn off Kargotich Road on to Leipold Road. There is 180 millimetres of right angle drop, if someone pulls off a car like she did tonight when I was coming out and there's no way in hell she can get back on the road without ripping the wall of the tyres out. It's one of the worst roads in the Shire and I know this Shire pretty intimately.



How can that still have an 80km speed limit when it's had heavy traffic for months and months and months while they work on Mundijong Road, the shoulders haven't been touched, nothing's been touched and it's still signposted 80km.

*Response (Executive Manager Operations)*

*Thank you for your question regarding the speed limit on Leipold Road and the conditions of the road. We understand your concerns, particularly with the significant increase in traffic due to the Mundijong Road upgrade, and we appreciate your commitment to road safety in the Shire.*

*Regarding the speed limit, Main Roads WA is the road authority responsible for determining speed limits on roads throughout the state. Prior to August 2023, Leipold Road was subject to the default unposted speed limit of 110 km/h. However, following a request from the Shire, Main Roads WA conducted a speed audit of the local road network (both rural and urban) in March 2021. As a result of this audit, and after review by both the Shire and Main Roads WA, the posted speed limit on Leipold Road was reduced to 80 km/h in 2024 based on the road's condition and the presence of residential properties and access points.*

*The Shire assessed the condition of Leipold Road on Friday, 21 March, and installed signs to inform road users of the hazard. A further site inspection is scheduled for Wednesday, 2 April, to assess the road in more detail. Officers have prioritised the necessary works, including shoulder repairs and resurfacing, however the extent of these works will be dependent upon funding.*

## **2.2 Public questions:**

**Public question time commenced at 7.08pm.**

**Karl Titelius, Glen Forrest, 6071**

### **Question 1**

What are the Serpentine Jarrahdale Shire plans to get baseline data for the Offset Area condition as it relates to bushland condition and groundwater quality and levels; to help track change over time?

*Response (Director Development Services)*

*This work for Brickwood Reserve was completed by the Public Transport Authority, who engaged consulting botanists and ecologists in September and October 2021, to undertake a two-phase, detailed flora and vegetation assessment. This had a key focus to establish baseline data for the vegetation unit, in order to inform offset strategies and assess implementation through monitoring and review during the 20 year offset period. Groundwater data was obtained via the Perth Groundwater Map.*

### **Question 2**

Until both the current Graceford site and replacement Graceford site (on Orton Road) are deep sewerred, what are the nutrient legacy and on-going nutrient release mitigation plans to help ensure the most cost effective bushland/wetland regeneration and maintenance of the Offset Management Area; that is naturally a low nutrient adapted environment?





*Response (Director Development Services)*

*In terms of approaching the offset strategies for Brickwood Reserve, Curtin University has been engaged by the Public Transport Authority to undertake research into the restoration of SCP3a TEC, which is the threatened ecological community pursuant to condition 6-5(1) of Ministerial Statement 1183. This will include considerations and monitoring of native vegetation cover over time (particularly understory improvement), and any changes in the Keighery Scale Ratings of such vegetation. This will provide the basis to monitor and assess any impacts that may be associated with nutrient level changes in the groundwater.*

Question 3

What will the Shire do to build an effective, positive, working environmental stewardship relationship with Graceford to better manage nutrient and weed ingress issues from the fire mitigation area on the west margin (that does also include the waste water infrastructure)?

*Response (Director Development Services)*

*The Shire strives to have positive working relationships with external stakeholders in managing our environmental assets. Officers will continue to work with Graceford in how best to manage the irrigation area, which also is required to perform a hazard separation zone to assist in managing the threat of bushfire.*

**Rebecca Laffar-Smith, Byford, 6122**

Question 1

I sent an email to Cr Duggin regarding urgent issues with the library services. She acknowledged having read the email in full on 27 February. What actions have been taken following that email to improve the situation and were other Councillors made aware of the situation?

*Response (Director Community Engagement)*

*The Shire values the library service, and we have recently made some changes in the structure with the new Manager of Community Development to be responsible for the library service. If you have any further concerns, I am happy to meet with you to discuss.*

Question 2

I was involved in major edits on the Library's Strategic Roadmap in January. What progress has been made with surveying the community and finalising that roadmap?

*Response (Director Community Engagement)*

*The development of a Library Roadmap was identified as an action in the Library's Service Team Plan for the 2024/25 financial year. The Roadmap has been drafted and will be going out for community consultation once the structure changes have been implemented.*



**Question 3**

There have been discussions of a new Byford Town Centre including a new venue for the library with a Civic Master Plan prepared in July 2022. Will library staff and the public have an opportunity to offer feedback on any plans for that library so that it is designed to meet the needs of our growing community?

*Response (Director Community Engagement)*

*Community and staff engagement are vital to the success of any new library space, and we're committed to ensuring both voices are heard throughout the planning process for the new future Byford Library.*

*The Shire's Community Infrastructure Developer Contribution Plan Revision No. 3, which was reviewed and adopted by Council in July 2023, identifies a new Byford Library to be delivered in 2033 (subject to grants and funding).*

*When planning commences for this project, community and staff feedback will be sought to ensure the facility design meets the needs and expectations of all users.*

**The Presiding Member invited Councillor Duggin to provide a personal explanation to Ms Laffar-Smith's first question.**

**Kelly Berry****Question 1**

What was the Library budget for the 2023, 2024 and 2025 financial years, and how much of that was the local history budget.

*Response (Director Community Engagement)*

<b>Year</b>	<b>Library Budget</b>	<b>Local History Budget</b>
2022/23	\$886,997	\$3,500
2023/24	\$831,124	<i>\$9,950, this was for the delivery of the inaugural SJ Remembers Community History Awards which is planned to be delivered bi-annually</i>
2024/25	\$852,977	<i>No budget was allocated for the Local History program in 2024/25, given the SJ Remembers Community History Awards are proposed to be delivered again in 2025/26. There has been \$1,476 spent on local history activities to date.</i>

**Question 2**



What were the Library staff hours for the 2023, 2024 and 2025 (year to date) financial years, broken down by Full time, part time and casual.

*Response (Director Community Engagement)*

*Over the past three financial years, the library staffing levels are as follows:*

<b>Year</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Casual</b>
2022/23	4 FTE	3.40 FTE	0.75 FTE
2023/24	3 FTE	3.39 FTE	0.75 FTE
2024/25	3 FTE	3.27 FTE	0.75 FTE

*The Presiding Member advised the question relating to staff hours will be taken on notice. In accordance with Council Policy - Public Question and Public Statement Time and Deputations, a written response will be provided.*

**Eileen Davis, Byford, 6122**

**Question 1**

I have a concern regarding the waste water treatment infrastructure continuing to degrade Brickwood Reserve.

It is my understanding that Graceford will not be able to be connected to a sewer until Orton Road is complete, does the Shire have a timeline when this will eventuate?

*Response (Director Development Services)*

*The extension of urban utilities are associated with decisions of landowners to subdivide and develop. A large catalyst for subdivision in the area to the south of Byford will be the extension of Orton Road. These works are being undertaken by developers and are currently scheduled to be completed during the next 12 to 24 months. There is still further extension of the sewer required beyond Orton Road, to facilitate connectivity to Graceford; until then the Shire will continue to monitor the situation.*

**Question 2**

I am guessing this sewer connection will be quite some time, meanwhile might I suggest that the weed infestation on the north edge of the offset management area alongside the Oval, that is creeping into Brickwood Reserve needs attention, that is mostly due to water run off and weed invasion from the Oval.

How will the Shire deal with this ongoing problem?

*Response (Chief Executive Officer)*

*The proposed agreement with the Public Transport Authority for the management of Brickwood Reserve includes an allocation to undertake weed control to address this issue. To support this, the Shire has recently engaged a contractor to assist with weed management in identified locations across the Shire including Brickwood Reserve.*

**Question 3**



How will the Shire ensure that there is not an over reliance on consultants to make sure the majority of the money goes towards active bushland on ground restoration actions?

*Response (Director Development Services)*

*Annexure B to the Memorandum of Understanding is a 20 year budget of specific line items of works to be undertaken.*

**The Presiding Member asked if there were any further public questions from the floor.**

**OCM075/04/25**

**COUNCIL RESOLUTION**

**Moved Cr Bishop, seconded Cr Jerrett**

**Council APPROVES an extension to public question time by 15 minutes at 7.31pm.**

**CARRIED UNANIMOUSLY 6/0**

**Belinda Dunkley**

**Question 1**

Has the Shire received any correspondence from anyone other than Ms Laffar-Smith regarding the lack of library services information in the annual report.

*Response (Director Community Engagement)*

*I have personally been made aware of one email that has highlighted concerns about the library services not being explicitly referenced in Shire's 2023/2024 Annual Report.*

**Question 2**

Does the Shire acknowledge that within the State and Local Government Agreement for the Provision of Public Library Services in Western Australia, that the Shire holds a responsibility to work towards achieving established benchmarks stated within the Guidelines, Standards and Outcome Measures for Australian Public Libraries, including support of the on-going development of library services in Western Australia, and the provision of physical and technological infrastructure, staffing and meeting operating costs, to agreed standards?

*Response (Presiding Member)*

*The Presiding Member advised the question will be taken on notice. In accordance with Council Policy - Public Question and Public Statement Time and Deputations, a written response will be provided.*



**The Presiding Member asked if there were any further public questions from the floor.**

**Mrs Lee Bond**

**Question 1**

Do Council employees use Council vehicles for personal use? If so, how many vehicles are involved, what controls are in place to vet this personal use, who pays for any damage to a vehicle or fines involving said vehicle when it is used for personal use, how many of the employees live in the Shire?

***Response (Chief Executive Officer)***

*There are typically three categories of vehicle usage applied to Shire Officers. There are those that have private use in accordance with their employment arrangements, those that have commuting use and then there are pool cars available as well. Employees that have personal use are able to use the car in accordance with their employment contract and in accordance with the policy and enjoy that benefit. Employees that have commuting use are only able to drive the car to and from work and are not able to do anything outside of that unless they are on call. Sometimes cars are made available to some employees on call. The other use is pool cars which are stored at the back of the administration building and booked on that occasion. If damage occurs to a car, it gets investigated by our insurer and that would need to be on a case by case basis. If someone gets a fine, then they pay that fine themselves personally.*

*The remainder of the question was taken on notice. In accordance with Council Policy - Public Question and Public Statement Time and Deputations, a written response will be provided.*

**Question 2**

Has the Oakford fire brigade contract been signed? If not, why not? Why is this matter back before Council again, when is the building going to be given to tender and the contract signed? What is causing so much delay with this desperately needed building and what is the meaning of design and construct variation?

***Response (Chief Executive Officer)***

*The Council awarded the Tender for the design and construction of the Oakford Fire Station at the December Council meeting. Since that time, Officers have been actively involved with the successful tenderer to get the contract signed. We would like nothing more than the contract to be signed. The matter is presented as a confidential item for Council to consider some aspects prior to the contract being signed. As it's a confidential item I can't go into much more detail about that other than to say we are keen to see issues resolved, timeframe agreed upon, design started and the construction commenced.*

**Question 3**

Has the community reaction been sought with regard to item 10.4.1 lease of 172 Keirnan Street, Whitby to Homelessness We Care Serpentine Jarrahdale and surrounds or will they be surprised and annoyed about not being consulted?



*Response (Director Community Engagement)*

*The Officers recommendation is that Council notes the submission received from Homelessness We Care Serpentine Jarrahdale and Surrounds and point two of the Officers recommendation is to finalise the proposed disposition and sign the lease for the mentioned property to Rebecca Hodgeson and Rodney Lee with the detailed terms that are stipulated in the Officer recommendation. Point three is for Council to note the Shire will continue to work with Homelessness We Care Serpentine Jarrahdale and Surrounds to progress their vision for a dedicated home within the Shire. Officers aren't recommending to lease the property to Homelessness We Care.*

**The Presiding Member asked if there were any further public questions from the floor.**

**As there was no further public questions, Public Question time concluded at 7.38pm.**

**3. Public statement time:**

**Public statement time commenced at 7.39pm.**

**Nik Hidding, Hidding Urban Planning, Subiaco, 6904**

Made a statement regarding Item 10.1.1 - Proposed 'Place of Worship' - Lot 1, 24 Nettleton Road and Lot 8, 30 Nettleton Road, Byford.

**Trevor Senior, Serpentine Historical Society, Serpentine, 6125**

Made a statement regarding Item 10.4.2 - Lease of Serpentine Old Bridge School Building, Reserve 6080.

**The Presiding Member asked if there were any further public statements from the floor.**

**Belinda Dunkley**

Made a statement regarding library statistics in the annual report and the library's local history budget.

**Mrs Lee Bond**

Made a statement regarding Item 10.1.1 - Proposed 'Place of Worship' - Lot 1, 24 Nettleton Road and Lot 8, 30 Nettleton Road, Byford and 10.6.1 - CONFIDENTIAL - Request for Tender RFT 10/2024 Oakford Bush Fire Brigade Station (Design and Construct) Variation.

**The Presiding Member asked if there were any further public statements from the floor.**

**As there was no further public statements, Public Statement time concluded at 7.47pm.**



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**4. Petitions and deputations:****Henry Dykstra on behalf of Harley Dykstra, made a deputation regarding item 10.1.3 - Scheme Amendment No.1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use**

Firstly, thank you for the opportunity to present at this meeting in respect of item 10.1.3 – Scheme Amendment at Lot 12 King Road, Oakford to accommodate an additional use to allow blending and processing of non-hazardous agricultural and mining products.

Our Client, Colleen Broad, is happy with the recommendation to support the proposed scheme amendment and would like to thank all of those involved to date.

The main purpose of this deputation is to reinforce the positive impact that the proposed additional use will have when compared with the existing poultry farm operations. Notably, the risk assessment prepared by Stratgen demonstrates that the proposed additional use will result in a lower risk of contamination to the environment and the Jandakot Groundwater Mound than the present land use. The reduced risk is due to factors such as:

- Ceasing poultry shed washout activities and decommission of infiltration pumps;
- Upgrading the existing infrastructure to bunded sheds and contained tanks to accommodate blending, resulting in a closed system operation;
- Reducing groundwater abstraction by approx. 80% over current operations;
- Ensuring that all storage, handling and blending will be within enclosed sheds, resulting in no dust, noise, odour or liquid escaping;
- Reducing operational hours to 8:30am to 5pm (i.e daylight operations compared with current day and night activities); and
- Replacing the odorous poultry operations with odorless blending activities which will be within enclosed tanks and sheds.

Finally, we wish to address an additional condition (condition 4) which has been recommended by the Shire's planning team. This relates to the requirement to only allow blending of materials that have been included within the Strategen report prepared in January 2022.

We understand that the Shire wants to safeguard the risk of potential impacts due to the materials blended and processed onsite. The Strategen report offers just one example of a set of non-hazardous chemicals. The intention of this report was to demonstrate that the change of use would result in a reduced risk to the environment and to the Jandakot Groundwater Mound, when compared with the existing poultry farm, it was never intended to be an exhaustive list.

We appreciate the Shire's alternative option to provide an updated Strategen report. In response to this, we have reached out to Strategen, who have informed us that they will be updating their report to refer to a broader set of non-hazardous chemicals. This is necessary as the addition of condition 4 limits our Clients ability to accommodate the needs of their customers, as well as meet changing market demand.

Councillors, we respectfully request that support is granted for the scheme amendment as it will result in the decommissioning of an obnoxious use and see the addition of a use that will greatly improve the amenity of the surrounding locality.





Furthermore, the landowner has stated that if this additional use is not supported, poultry farm operations will be continued due to the significant infrastructure onsite.

## **5. President's Report:**

Good evening and welcome to the April 2025 Ordinary Council Meeting.

This month, our Shire was once again recognised as WA's fastest-growing local government, according to the latest Australian Bureau of Statistics data. We were the only WA council to record growth above 5% in 2023/24, and we're the third fastest-growing local government in the country.

It's an exciting time to be part of our Shire – but with that growth comes responsibility. We need government investment in our roads, infrastructure, and community facilities to keep pace. Simply put, we can't afford to be left behind.

That's why we continue to strongly advocate for projects that deliver real outcomes – from economic development and tourism to community health and wellbeing.

We're seeing progress in key areas. Construction has started on the Gooralong Carpark in Jarrahdale, helping to solve long-standing parking issues at Kitty's Gorge – and boosting tourism in the process. This project is part of the Peel Regional Trails initiative, funded through an \$8 million Australian Government investment.

Importantly, we've paired this work with strong environmental outcomes. Grass trees over 100 years old are being carefully salvaged for future landscaping, and nesting boxes for endangered black cockatoos are being installed with support from Landcare SJ. It's a great example of building for the future while protecting our environment today.

In Byford, construction is now underway on the new Bike Pump Track at Briggs Park, backed by \$1.34 million in State Government funding. Designed with community input, this facility will cater to all skill levels and become a welcoming hub for young people and families across the Shire.

As a Shire that cares, we're also proud to continue our support for Riding for the Disabled Association Oakford, with their lease extended for another 10 years. RDA Oakford delivers life-changing experiences to around 60 participants, thanks to the dedication of their volunteers. If you're looking to get involved, no experience is needed – just a willingness to lend a hand.

Earlier this month, Byford played host to the BMX State Series, attracting over 500 riders and more than 1,000 spectators. With competitors aged from four to 74, it was an inclusive and inspiring event. A big thank you to the incredible Byford BMX Club volunteers for bringing it all together.

And next up, we're thrilled to support the 2025 SJ Food and Farm Fest, taking place on 3 May. Agriculture is the heart of our Shire – more than just an industry, it's our identity. This event is a fantastic celebration of local food, farming, and the people who make it all happen so I hope to see you there.

With the Federal Election also happening on 3 May, I'd like to wish all candidates the very best. I encourage everyone to take part, have your say, and help shape the future of our community and Australia.





In closing, I would like to take this opportunity on behalf of the Shire, and Council, to pay tribute to Josh Sandford, a respected and well-loved member of our Operations Team at the Shire, who tragically passed away last week. Our thoughts and condolences are with his family at this difficult time. Thank you.

**6. Declaration of Elected Members and Officer's interest:**

The Chief Executive Officer, Paul Martin declared a financial interest in Item 8.1 - Special CEO Employment Committee Meeting - 7 April 2025. The nature of his interest is the CEO Employment Committee deals with matters relating to his employment. The extent of his interest is he is the Chief Executive Officer.

Councillor Nathan Bishop declared an Impartiality Interest in Item 10.1.2 - Shire Drawdown of Development Contribution Plan (DCP) Administration costs from Development Contribution Administration DCA3 Mundijong-Whitby Urban Traditional Infrastructure DCP. The nature of his interest is he is a member of the Oakford Bush Fire Brigade which is indirectly impacted by this item. The extent of his interest is impartiality as the decision may impact the Oakford Fire Station project.

Councillor Tricia Duggin declared an Impartiality Interest in Item 10.4.1 - Property Disposal, Lease of 172 Keirnan Street, Whitby. The nature of her interest is she volunteers with Homelessness We Care. The extent of her interest is impartiality.

Councillor Reece Jerrett declared an Impartiality Interest in Item 10.4.1- Property Disposal, Lease of 172 Keirnan Street, Whitby. The nature of his interest is impartiality. The extent of his interest is his mother, Michelle Jerrett is on the board of Homelessness We Care Serpentine Jarrahdale and he volunteers for the organisation.

Councillor Reece Jerrett declared an Impartiality Interest in Item 10.4.7 - Major Event Grant Scheme 23/24 Round Two - Endorsement of Acquittal. The nature of his interest is impartiality. The extent of his interest is he is a past president of the SJ Food and Farm Alliance when this three year grant was submitted.

Councillor Nathan Bishop declared an Impartiality Interest in Item 10.6.1 - CONFIDENTIAL - Request for Tender RFT 10/2024 Oakford Bush Fire Brigade Station. The nature of his interest is he is a member of the Oakford Bush Fire Brigade to whom the item relates. The extent of his interest is impartiality as the decision impacts the project to deliver the new Oakford Fire Station.



**7. Confirmation of minutes of previous Council meeting(s):**

**7.1 Ordinary Council Meeting - 17 March 2025**

OCM076/04/25

**COUNCIL RESOLUTION**

Moved Cr Jerret, seconded Cr Mazzini

That the minutes of the Ordinary Council Meeting held on 17 March 2025 be **CONFIRMED** (E25/3263).

**CARRIED UNANIMOUSLY 6/0**

**8. Receipt of minutes or reports and consideration of adoption of recommendations from Committee meetings held since the previous Council meeting:**

The Chief Executive Officer, Mr Paul Martin declared a Financial Interest in Item 8.1 and left the meeting at 7.59pm prior to this item being discussed.

The Director Corporate Services, Mr Frazer Sullivan assumed the Chair of Chief Executive Officer at 7.59pm.

**8.1 Special CEO Employment Committee Meeting - 7 April 2025**

Attachments (available under separate cover)

- 8.1 - attachment 1 - Special CEO Employment Committee Meeting Minutes – 7 April 2025 (E25/4061)

Voting Requirements: Simple Majority

OCM077/04/25

**COUNCIL RESOLUTION**

Moved Cr Bishop, seconded Cr Duggin

That Council:

1. **RECEIVES** the Unconfirmed Minutes of the Special CEO Employment Committee held on 7 April 2025 (E25/4061).
2. **ADOPTS** CEO Employment Committee resolution CEO008/04/25 and
  1. Having received the agreement of the Chief Executive Officer, **APPOINTS** Ms Louise Chesby of Price Consulting to be the independent facilitator for the 2025-2026 and 2026-2027 CEO Performance Review Cycles in accordance with Clause 16 of the Standards for CEO Recruitment, Performance and Termination.
  2. **NOTES** that in accordance with Council Policy – CEO Performance Review Cycle, Ms Chesby will facilitate and prepare reports on the following:
    - development of a review process in consultation with Committee, Council and the Chief Executive Officer,



- development of the CEO's performance criteria, and
- undertake mid-year and annual performance and remuneration review.

**CARRIED UNANIMOUSLY 6/0**

**Mr Martin returned to the meeting at 8.00pm and resumed the Chair of Chief Executive Officer.**

**Presiding Member, President Coales, advised Mr Martin of the Council Resolution for item 8.1.**

**9. Motions of which notice has been given:**

Nil.

**10. Chief Executive Officer reports:****EN BLOC**

As part of the Shire's efforts to ensure the efficiency and effectiveness of meetings, tonight's meeting included the opportunity for matters to be considered by Council en bloc.

Matters not to be included in en bloc decisions are those which require:

- Absolute Majority;
- Matters to be determined behind closed doors;
- Declared Interests made in relation to the item; and
- Deputations or Statements made in relation to the item.

Before commencing the process, the Presiding Member provided a brief explanation of the 'en bloc' method of decision making, for the benefit of any members of the public in the gallery.

The Presiding Member introduced the recommendations by reading the heading for each item. This allowed members and the public to follow the business of the meeting.

The Presiding Member invited Elected Members to identify any matters they wished to be removed from en bloc consideration.

The following reports were identified to be considered by voting en bloc:

<b>Report number</b>	<b>Report Title</b>
10.1.5	Proposed Amendments to Council Policy - Mobile Food Vendors
10.2.1	Improving Access to Serpentine Townsite for Residents of Serpentine Lifestyle Village
10.2.2	Award Request for Tender- RFT 12/2024 - Project Management Services - Capital Projects
10.3.1	Confirmation of Payment of Creditors
10.3.2	Monthly Financial Report - February 2025
10.3.4	Seek permission from Electoral Commission to allow Elected Member vacancy to remain unfilled until Ordinary Local Government Election
10.4.4	Lease of Part of St John's Ambulance Hall, Serpentine
10.4.5	Lease of Part of Byford Child Health Clinic
10.4.9	Local Emergency Management Committee Information Report
10.5.1	Award Request for Tender - RFT 02/2025 - SJ Waste and Recycling Services
10.5.2	Minutes of the Rivers Regional Council - Ordinary Council Meeting - 26 February 2025



**OCM078/04/25**

**COUNCIL RESOLUTION**

**Moved Cr Bishop, seconded Cr Jerrett**

**That the Officer Recommendations contained in Officer Reports 10.1.5, 10.2.1, 10.2.2, 10.3.1, 10.3.2, 10.3.4, 10.4.4, 10.4.5, 10.4.9, 10.5.1 and 10.5.2 be ADOPTED en bloc at 8.03pm.**

**CARRIED UNANIMOUSLY 6/0**

**10.1 Development Services reports:**

<b>10.1.1 - Proposed 'Place of Worship' - Lot 1, 24 Nettleton Road and Lot 8, 30 Nettleton Road, Byford (PA24/747)</b>	
<b>Responsible Officer:</b>	Manager Statutory Planning and Compliance
<b>Senior Officer:</b>	Director Development Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent:	Mulder Kampman Design
Owner:	Forward in Faith Ministries
Date of Receipt:	27 November 2024
Lot Area:	5,047m <sup>2</sup>
Local Planning Scheme No. 3 Zoning:	'Urban Development'
Metropolitan Region Scheme Zoning:	'Urban'

**Report Purpose**

The purpose of this report is for Council to consider a development application for a 'Place of Worship' at Lot 1, 24 Nettleton Road and Lot 8, 30 Nettleton Road, Byford. The 'Place of Worship' includes a 400-seat auditorium and multipurpose rooms, with associated landscaping and car parking, used for worship services, devotional prayers and pastoral counselling.

The application is presented to Council as sixteen objections were received during the consultation process. Officers do not have delegated authority to determine development applications where more than five objections are received, in accordance with Delegated Authority 12.1.1 - Determination of Development Applications.

Officers consider that the proposal is consistent with the planning framework and that the impacts associated with the development can be appropriately managed. It is therefore recommended that Council approve the development application subject to conditions.

**Relevant Previous Decisions of Council**

There are no previous Council decisions relating to this application.





## Background

### Existing Development

The subject site comprises of two parcels of land with a total area of 5,047m<sup>2</sup>, located within Byford, approximately 200m east of the Nettleton Road and South Western Highway intersection. The lots currently contain a dwelling and multiple warehouses that are proposed to be demolished to facilitate the subject development. The applicant intends to amalgamate the lots should the development be approved.

Lots to the southern side of Nettleton Road are mainly industrial land uses including warehouses, transport depots and various automotive industries. The area to the north of Nettleton Road is designated for residential development as part of Stage 3 of The Brook at Byford Estate. The site in context of its surroundings is shown following:



**Figure 1: Subject site**

The site is zoned 'Urban Development' under Local Planning Scheme No. 3 (LPS3) in an area proposed to be rezoned to 'Light Industry' as part of Scheme Amendment No. 5 which seeks to normalise the Structure Plan designation. This amendment was supported by Council at its Ordinary Council Meeting of 19 August 2024 and has subsequently been forwarded to the Western Australian Planning Commission (WAPC) for determination. This is discussed further later in the report.



**Proposed Development**

The subject application seeks approval for a 'Place of Worship' including:

- A 400-seat auditorium (554m<sup>2</sup>)
- Lobby (101m<sup>2</sup>)
- Three children's rooms (197m<sup>2</sup>)
- Associated amenities including kitchen, boardroom and four offices
- An outdoor play area.

The proposed hours of operation and summary of activities are shown following:

Day	Time	Activity	Maximum Occupancy
Monday	6:30pm - 9pm	Prayer meeting	50 members
Tuesday	6:30pm - 9pm	Ladies prayer meeting	50 members
Wednesday	No activities scheduled		
Thursday	6:30pm - 10pm	Conventions (6 time/year)	300 members
Friday	6:30pm - 10pm	Prayer meeting / leadership meeting / seminars	100 members
Saturday	9am - 4pm	Leadership meetings (4 times per year)	100 members
	6:30pm - 10pm	Prayer meetings / conventions	200 members
Sunday	9am - 3pm	Worship service	400 members
	5:30pm - 9pm	Youth service	50 members

The proposed development has a maximum occupancy of 400 people during the main Sunday worship service. Administration activities involving a maximum of five employees will also be undertaken from Monday to Friday between 8am to 5pm. The conventions and leadership meetings scheduled for Thursday and Saturday respectively are not expected to occur on a weekly basis.

The proposed building is two storeys, primarily consisting of a 554m<sup>2</sup> auditorium. The ground floor contains a lobby, bookshop, kitchen and three children's rooms. The first floor includes four offices, boardroom and nursing room that will be used predominantly for administrative purposes.

The trees proposed to be removed are planned to be offset by replacement landscaping within car parking and street setback areas. An internal footpath is also proposed from the church to residential properties on the northern side of Nettleton Road.



Full details of the proposal are contained within **attachment 1**. The proposed site plan, floor plans and elevations are shown following:

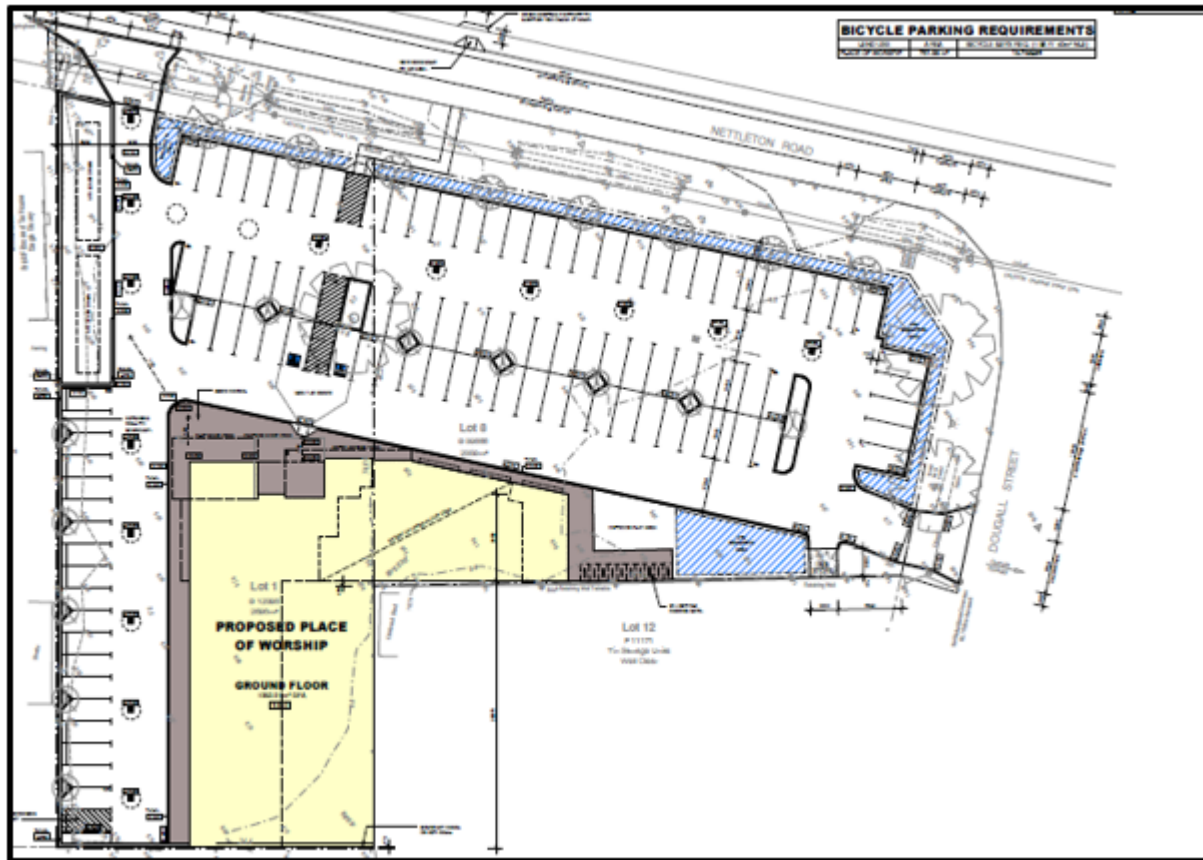


Figure 2: Site Plan

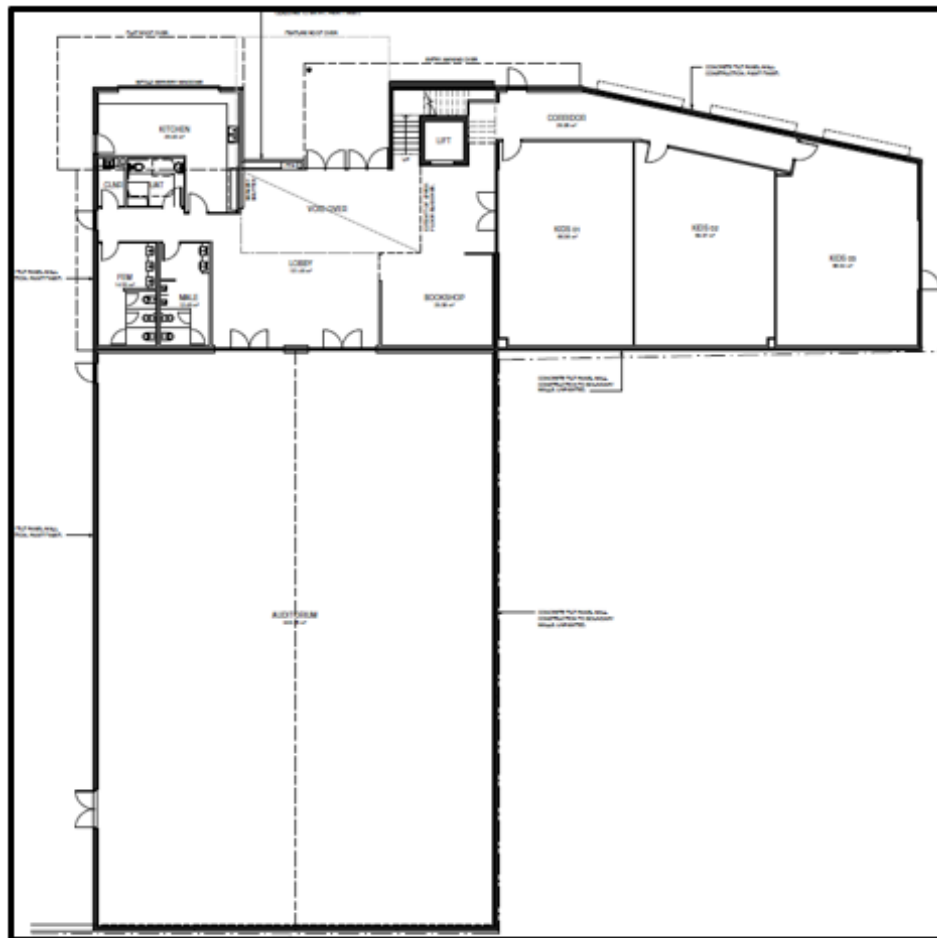


Figure 3: Ground floor plan

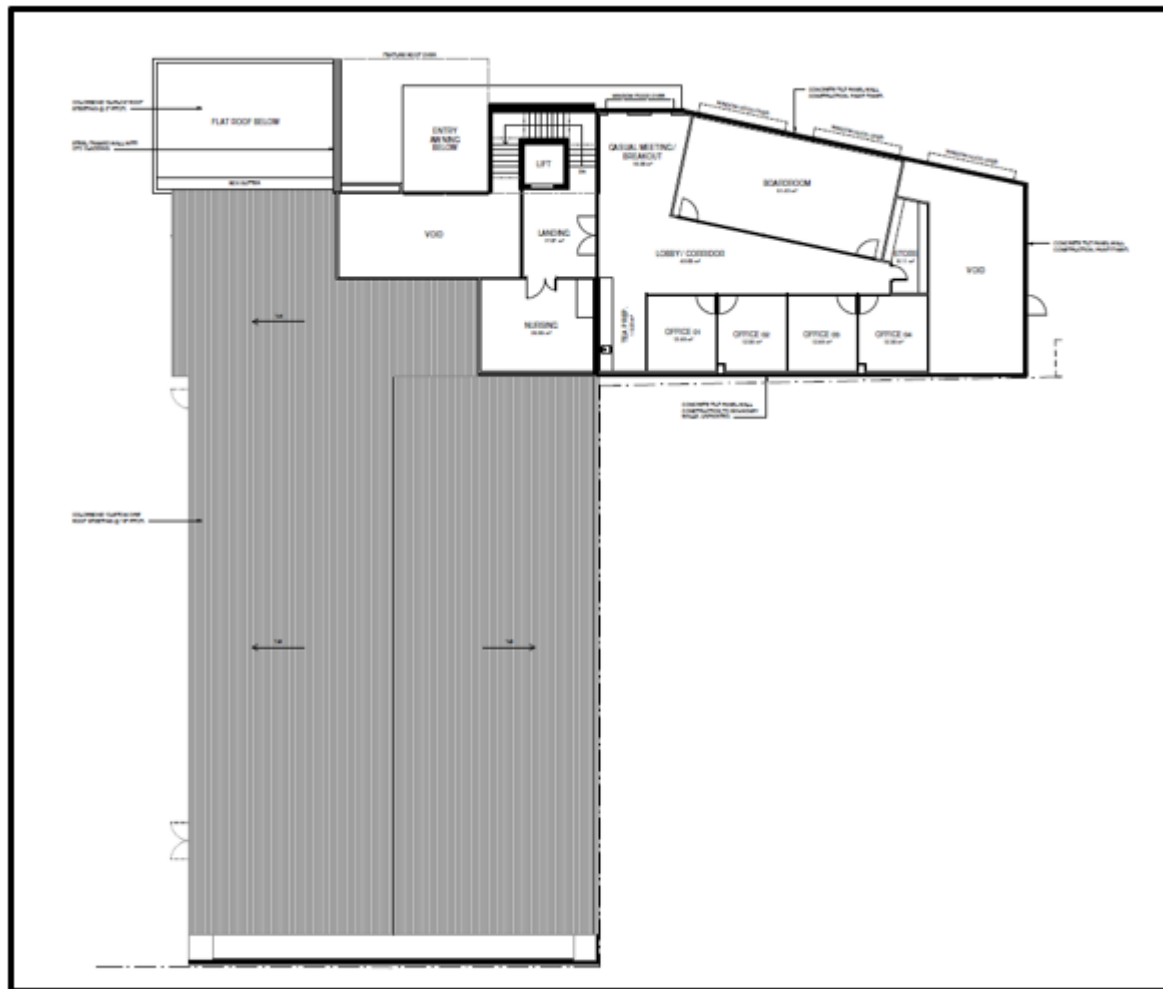


Figure 4: First floor plan





The full list of submissions together with the Applicant's response and Officer comment is contained within **attachment 2**. The matters raised are addressed within the relevant headings of the report.

## **Statutory Environment**

### Legislation

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Environmental Protection (Noise) Regulations 1997*

### State Government Policies

State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)

State Planning Policy 5.4 - Rail and Road Noise (SPP5.4)

State Planning Policy 7.0 - Design of the Built Environment

### Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Byford District Structure Plan
- Local Planning Policy 1.6 - Public Art for Major Developments (LPP1.6)
- Local Planning Policy 2.4 - Water Sensitive Design (LPP2.4)
- Local Planning Policy 4.11 - Advertising Policy (LPP4.11)
- Local Planning Policy 4.16 - Tree Retention and Planting (LPP4.16)

## **Planning Assessment**

A comprehensive assessment has been undertaken in accordance with clause 67 of the Deemed Provisions (**attachment 3**). For the purpose of this report, discussion is confined to the objections received and where Council is required to exercise discretion.

### Local Planning Scheme 3

The subject site is zoned 'Urban Development' under LPS3. Clause 16 establishes the objectives of the 'Urban Development' zone, which include *'to provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.'* This objective is facilitated through the preparation of structure plans, which guide land use permissibility and development.

The subject site is located within the Byford District Structure Plan (BDSP) area with a designation of 'Light Industry'. As previously stated, a Scheme Amendment is currently in progress to rezone this area from 'Urban Development' to 'Light Industry' in accordance with the BDSP.

The area subject to rezoning under Scheme Amendment No. 5 is shown following:





Figure 6: Proposed Light Industry rezoning

**Land Use:**

The application seeks approval for a 'Place of Worship', which *'means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.'* A 'Place of Worship' is an 'A' use within the 'Urban Development' zone under LPS3 which means that the use is not permitted unless the Shire has exercised its discretion by granting development approval.

With regard to the proposed rezoning of the site, the land use is also an 'A' use within the 'Light Industry' zone. As such the land use permissibility would not change should the Scheme amendment be approved by the WAPC.

**Car Parking:**

The minimum car parking requirement for a 'Place of Worship' is one (1) bay per four (4) persons accommodated at maximum occupancy, in accordance with Schedule 4.3 of LPS3. The proposed development seeks to accommodate a maximum of 400 persons requiring a total of 100 car parking bays. The application proposes the provision of 101 bays, consistent with LPS3. Car parking is considered sufficient for the nature of the use, with family attendances to church services creating greater utilisation of car parking.

**Bicycle Parking:**

The minimum bicycle parking requirement for a 'Place of Worship' land use is one (1) bay per 40m<sup>2</sup> net lettable area (NLA) in accordance with Schedule 4.4 of LPS3. The proposed





development has a total NLA of 752m<sup>2</sup> requiring a total of 19 bicycle parking bays. The application proposes 20 bays, consistent with LPS3. The proposed location for the bicycle facilities is considered secure and conveniently accessible from the auditorium and visually surveyed from the adjoining outdoor play area.

#### LPP1.6 - Public Art for Major Developments

The policy seeks to create artworks in public spaces that are site specific, meaningful, and integrated into built and natural forms within the Shire. The proposed development has a value of \$3.1 million, which triggers the requirement for percent for art in accordance with Table 1 of the policy. The required value of the art would be minimum cost of 1% the value of the construction, or otherwise a contribution of equal value paid towards a public art fund. Officers recommend a condition requiring the art to be applied to the development.

#### LPP2.4 - Water Sensitive Design

The policy seeks to ensure water sensitive design best management practices are implemented for all new proposals in the Shire. The applicant has provided a Stormwater Management Plan demonstrating how the stormwater incident to the site will be managed, however further detailed information is required to demonstrate compliance with the provisions under LPP2.4. Officers consider that this matter can be addressed appropriately through the imposition of a condition requiring an updated Stormwater Management Plan prior to lodgement of a Building Permit.

#### Traffic

Access to the site is proposed via two existing full movement crossovers on Nettleton Road and Dougall Street. Two existing crossovers would be removed as shown following:



**Figure 7: Proposed vehicle access arrangement**

It is recommended that civil drawings are provided to demonstrate that crossovers, internal roads, and vehicle parking bays are constructed in accordance with the relevant Australian design standards. Specifically, the width of crossovers and associated culverts will be required to be upgraded to facilitate the two-way movement of passenger vehicles and the turning ability of waste collection trucks. A recommended condition will ensure that these specifications are provided prior to the submission of a building permit.

During the consultation period, concerns were raised regarding the adequacy of the surrounding road network to accommodate the traffic generated by the proposed development. The submitted Transport Impact Statement (TIS) assessed the traffic generation from the development and its potential impact on the overall performance of the surrounding road network, specifically the intersection of South Western Highway and Nettleton Road. Under the Main Roads WA (MRWA) road hierarchy, South Western Highway is classified as a Primary Distributor and Nettleton Road is a Regional Distributor planned to accommodate increased traffic volumes from developing residential areas.

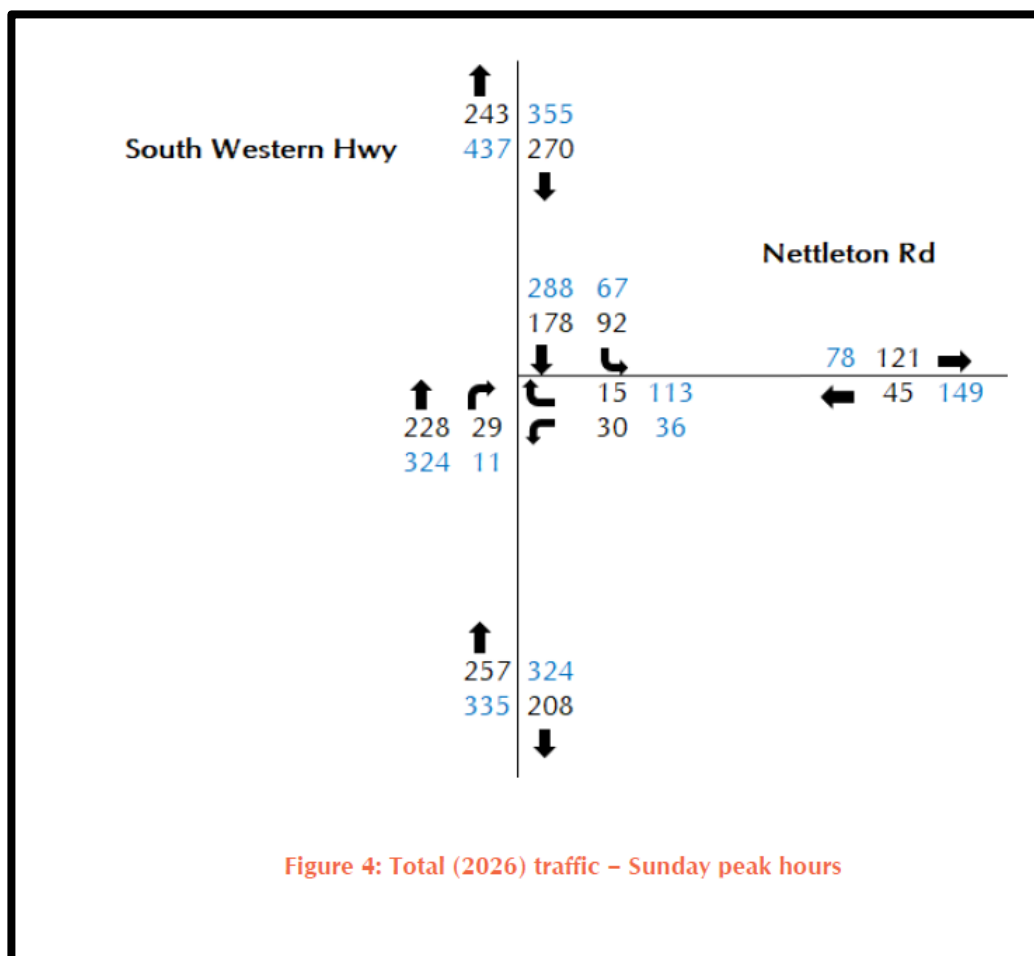
The TIS identifies peak times associated with the Sunday worship service as 9:00am to 3:00pm when the facility is at maximum occupancy, it is assumed that 100 car parking bays are used and people are arriving to the premises as families or groups, or using alternate transport modes.

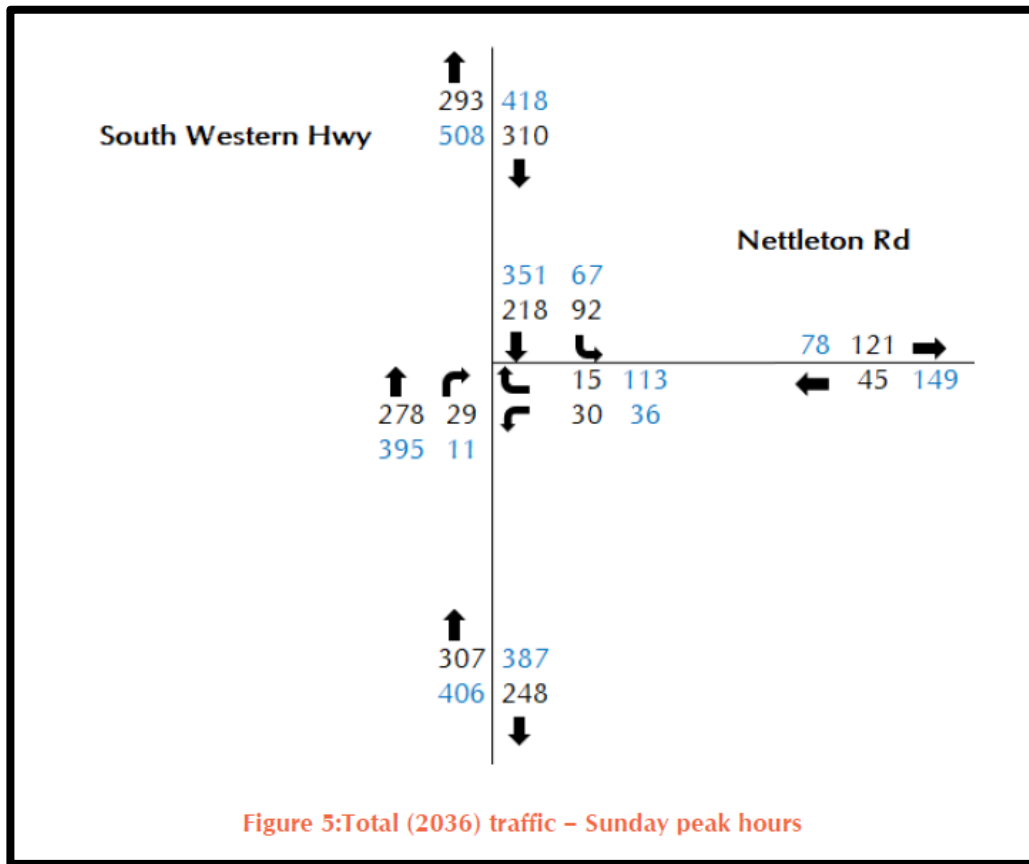
The TIS estimates the highest daily trip generation would be approximately 124 vehicles per day (vpd) on Sunday when factoring in evening youth services. In accordance with the WAPC *Traffic Impact Assessment Guidelines* (2016), 'an increase in traffic of less than 10 percent of capacity



would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may.' The Guidelines provide that an increase of 100 vph for any lane can be considered as equating to around 10 percent of capacity. The development will not exceed 100 vehicle trips per hour and as such it is considered that the surrounding road network can effectively absorb the additional traffic generated by the development.

In addition, an intersection analysis for South Western Highway / Nettleton Road was undertaken to demonstrate that proposed traffic volumes would not be detrimental to its performance over the next 10 years. Traffic counts were undertaken at the intersection to inform SIDRA analysis for the current year 2025 and 10 years post development (2035). The counts were undertaken at the AM peak hour (8:00am to 9:00am) and the PM peak (3:00pm to 4:00pm). Based on this, the total volumes projected in 2026 and 10-years post development (2035) are shown following:





The SIDRA analysis concludes that the level of service at the intersection would not be impacted by the development in 2026 and would remain at a level of service (LoS) B. By 2036, the right turn movement from Nettleton Road onto South Western Highway would change from LoS B to LoS C during the peak PM hour with an average delay time of 19.4 seconds.

Notwithstanding the change to the LoS, it is considered that LoS C is still an acceptable level of service. The Sunday peak period does not overlap with the operating hours of surrounding businesses and therefore the development would not in itself have an undue impact on the intersection. It is anticipated that the Tonkin Highway extension, scheduled to be completed by 2028, will reduce the number of vehicles using South Western Highway. Whilst there are no proposed upgrades to the intersection at this time, any future development and traffic growth on South Western Highway falls within the jurisdiction of MRWA. In the interim, Officers consider that the 60km/h movement speed will support safe right turn movements onto South Western Highway and reduce idling time for queuing vehicles. The findings of the TIS concluded that Sunday activities will not result in excessive delays.

#### Amenity

An Acoustic Assessment was provided with the application to demonstrate compliance with the *Environmental Protection (Noise) Regulations 1997* for the various activities proposed. Noise emission from a Place of Worship is classified as community noise under Schedule 2 of the Regulations, which means 'noise emitted from an assembly convened solely for the purpose of divine worship.' Community noise is exempt from the requirement to comply with the prescribed standard for noise emissions under Regulation 7. Nevertheless, an assessment has been undertaken to ensure that noise would not result in adverse amenity impacts for nearby residents.





The report identified three main sources of noise emissions:

- Prayers, services and events held within the auditorium.
- Air conditioners and exhaust units.
- Vehicle movements within parking areas, including car starts and doors closing.

No bell ringing will occur on the premises.

The nearest sensitive receptors are the residential properties located 25m north of the site as shown following:



**Figure 8: Sensitive receptors**

The report assessed impact of noise emissions from the proposed development to neighbouring residences. The assessable noise level emissions were consistently compliant with the applicable assigned noise levels for each case that needed to be considered, as shown following:



TABLE 6.8 – ASSESSMENT OF L <sub>A</sub> Max NOISE LEVEL EMISSIONS CAR DOOR CLOSING				
Noise Source	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned Level (dB) L <sub>A</sub> max dB	Exceedance to Assigned Noise Level (dB)
North West	56	Day - Weekday	70	Complies
		Day - Sundays / Public Holiday	70	Complies
		Evenings	60	Complies
		Night	60	Complies
North	56	Day - Weekday	70	Complies
		Day - Sundays / Public Holiday	70	Complies
		Evenings	60	Complies
		Night	60	Complies
North East	57	Day - Weekday	70	Complies
		Day - Sundays / Public Holiday	70	Complies
		Evenings	60	Complies
		Night	60	Complies

**Figure 9: Noise emissions**

The schedule of church activities does not coincide with the standard operating hours of surrounding industrial land uses. Specifically, church activities are confined to weekends and after 6:30pm on weekdays when the development would be the only major noise generator within the locality. Hence, there will be no cumulative noise impacts from surrounding industries that would exceed acceptable noise levels under the noise regulations.

It is considered that noise from the proposed development would not have an adverse impact on residential amenity. To ensure compliance in perpetuity, the assessment recommended that air conditioning condensing units are located on the western building façade and adequately screened from neighbouring properties. Officers consider that this matter can be addressed appropriately through advice notes of the approval.

In terms of noise ingress, SPP5.4 - Road and Rail Noise sets a separation distance of 300m between noise-sensitive land uses and major traffic routes such as South Western Highway. Uses within this distance are required to include an assessment against the likely level of transport noise and any required mitigation measures i.e. noise attenuation. The SPP sets out noise targets (indoor noise levels) that are required to be achieved. Whilst the Acoustic Assessment does not assess transport noise, it is considered that this can be appropriately managed through the building design and therefore a condition is recommended that upon lodgement of a Building Permit compliance with the indoor noise levels as set out in SPP5.4 is achieved.

#### Landscaping

A landscaping plan has been provided containing a proposed schedule of medium shrubs and trees to revegetate the site. The limited trees on site have been identified as introduced deciduous species and are considered to provide little environmental value to endangered fauna. Nevertheless, three existing trees are proposed to be retained and integrated into the landscaping of the street and car parking areas. New planting includes an intermix of local native shrubs and low maintenance, attractive introduced tree species.



Under Schedule 4.2 of LPP3, the required landscaping within the Light Industry zone is 10% of total site area, comprised of 5% within the front setback. The landscaping plan proposes 13% of the total site area is landscaped including 6% within the front setback, which is considered to go beyond the current levels of landscaping in the locality as shown following:

<b>Zoning</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliant</b>
Light Industry	Total landscaping - 505m <sup>2</sup> Front setback - 253m <sup>2</sup>	Total landscaping - 662m <sup>2</sup> Front setback - 308m <sup>2</sup>	Yes

The replanting forms a 9m wide continuous vegetated buffer within the road verge of Nettleton Road, which will contribute positively to the visual amenity of the streetscape. This landscaping will also provide vegetated screening to hardstand car parking areas. Overall, the proposed landscaping will positively contribute to the character of the site and surrounding locality.

#### Built Form

The proposed auditorium is located towards the rear of the site and behind car parking and landscape features. The proposal is two storeys and 9.5m in total height, however setback appropriately with respect to other industrial buildings on Nettleton Road to not appear visually obtrusive from the streetscape.

The building incorporates design elements such as awnings, wall cladding, articulation, and tilted roofing to provide a modern and visually interesting façade. The material and colour schedule shows a combination of concrete panels, wall cladding, and Colourbond features across five different colours that contribute positively to the character of the development. In comparison, the surrounding industrial land uses on Nettleton Road are identified by large boxy warehouses with limited architectural features. Therefore, the proposed built form represents a contrasting modern design that contributes positively to the character of the streetscape.





Figure 10: Nettleton Road elevation

Details of the signage to be displayed have not been provided. Officers have recommended a condition requiring a signage strategy for the development to ensure the full details of signage are provided and assessed in a coordinated manner, consistent with the planning framework. This will allow a consistent approach to signage for the development.

## Options

### Option 1

That Council APPROVES the development application for a 'Place of Worship' at Lot 1 and 8 Nettleton Road, Byford, as contained in **attachment 1**, subject to the following conditions:

- a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1 - P12 Development Plans received by the Shire on 27 November 2024 P13 - Bushfire Management Plan received by the Shire on 27 November 2024 P14 Acoustic Assessment received by the Shire on 27 November 2024 P15 Transport Impact Statement received by the Shire on 7 February 2025
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- b. The 'Place of Worship' must only operate between the hours of 8:00am to 10:00pm Monday to Sunday.



- 
- c. Prior to lodgement of a Building Permit, a revised Stormwater Management Plan must be submitted to and approved by the Shire of Serpentine Jarrahdale. The plan shall be developed in accordance with Local Planning Policy 2.4: Water Sensitive Urban Design Guidelines to the satisfaction of the Shire. Once approved, development shall be in accordance with the approved Stormwater Management Plan.
- d. Prior to lodgement of a Building Permit, civil drawings are to be provided to the satisfaction of the Shire, detailing the vehicle parking areas, accessways, internal roads and crossovers which must:
- Be designed in accordance with the relevant Australian/New Zealand Standard.
  - Include a suitable number of car parking spaces dedicated to people with disability designed in accordance with the relevant Australian/New Zealand Standard.
  - Be constructed, sealed, kerbed, drained, marked and thereafter maintained.
- The works are to be completed prior to operation of the development and thereafter maintained.
- e. Prior to lodgement of a Building Permit, percent for art shall be provided to the satisfaction of the Shire of Serpentine Jarrahdale, in accordance with Local Planning Policy 1.6 - Public Art. Such art is to be established prior to occupation of the development.
- f. Prior to lodgement of a Building Permit, an Acoustic Assessment shall be provided demonstrating compliance with SPP5.4. This should include:
- Noise exposure forecast table assessment and/or noise level contour map.
  - Noise Management Plan outlining any noise mitigation measures required by the assessment.
- g. Prior to occupation of the development, arrangements must be made to the satisfaction of the Shire of Serpentine Jarrahdale for the amalgamation of Lot 1 Nettleton Road and Lot 8 Nettleton Road into one Certificate of Title.
- h. Prior to occupation of the development, a Signage Strategy must be submitted to and approved by the Shire of Serpentine Jarrahdale. The Signage Strategy shall demonstrate compliance with Local Planning Policy 4.11 - Advertising Signs. Once approved, signage shall be displayed and maintained in accordance with the Signage Strategy.

#### Option 2

That Council REFUSES the development application for a 'Place of Worship' at Lot 1 and Lot 8 Nettleton Road, Byford, as contained in **attachment 1**, due to the volume of traffic generated from the development will negatively impact the surrounding road network.

Option 1 is recommended.

#### **Conclusion**

The application seeks approval for a 'Place of Worship' with associated landscaping and car parking. Notwithstanding the objections, it is considered that the proposal is consistent with the planning framework and amenity impacts can be appropriately managed. The application is therefore recommended for approval subject to conditions.



**Attachments (available under separate cover)**

- **10.1.1 - attachment 1** - Development Plans (E25/2378)
- **10.1.1 - attachment 2** - Summary of Submissions (E25/2380)
- **10.1.1 - attachment 3** - Technical Assessment (E25/2387)

**Alignment with our Council Plan 2023-2033**

<b>Thriving</b>	
1.	Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2.	Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
<b>Connected</b>	
1.	Invest in community recreation and support local clubs and groups to increase opportunities for participation
2.	Contribute to a well-connected, accessible and health community
4.	Facilitate an inclusive community that celebrates our history and diversity

**Financial Implications**

Nil.

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	That Council refuse the development and the decision is appealed to the SAT, causing financial impacts on the Shire.	Reasons for refusal being valid planning reasons.	Financial	Possible	Minor	MODERATE	Council provide detailed reasoning for its decision.

**Voting Requirements:** Simple Majority**OCM079/04/25****COUNCIL RESOLUTION / Officer Recommendation****Moved Cr Duggin, seconded Cr Bishop**

That Council **APPROVES** the development application for a 'Place of Worship' at Lot 1 and 8 Nettleton Road, Byford, as contained in attachment 1, subject to the following conditions:

- a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

<b>Plans and Specifications</b>	<b>P1 - P12 Development Plans received by the Shire on 27 November 2024</b> <b>P13 - Bushfire Management Plan received by the Shire on 27 November 2024</b> <b>P14 Acoustic Assessment received by the Shire on 27 November 2024</b> <b>P15 Transport Impact Statement received by the Shire on 7 February 2025</b>
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- b. The 'Place of Worship' must only operate between the hours of 8:00am to 10:00pm Monday to Sunday.
- c. Prior to lodgement of a Building Permit, a revised Stormwater Management Plan must be submitted to and approved by the Shire of Serpentine Jarrahdale. The plan shall be developed in accordance with Local Planning Policy 2.4: Water Sensitive Urban Design Guidelines to the satisfaction of the Shire. Once approved, development shall be in accordance with the approved Stormwater Management Plan.
- d. Prior to lodgement of a Building Permit, civil drawings are to be provided to the satisfaction of the Shire, detailing the vehicle parking areas, accessways, internal roads and crossovers which must:
- Be designed in accordance with the relevant Australian/New Zealand Standard.
  - Include a suitable number of car parking spaces dedicated to people with disability designed in accordance with the relevant Australian/New Zealand Standard.
  - Be constructed, sealed, kerbed, drained, marked and thereafter maintained.

The works are to be completed prior to operation of the development and thereafter maintained.

- e. Prior to lodgement of a Building Permit, percent for art shall be provided to the satisfaction of the Shire of Serpentine Jarrahdale, in accordance with Local Planning Policy 1.6 - Public Art. Such art is to be established prior to occupation of the development.



- f. Prior to lodgement of a Building Permit, an Acoustic Assessment shall be provided demonstrating compliance with SPP5.4. This should include:**
- Noise exposure forecast table assessment and/or noise level contour map; and**
  - Noise Management Plan outlining any noise mitigation measures required by the assessment.**
- g. Prior to occupation of the development, arrangements must be made to the satisfaction of the Shire of Serpentine Jarrahdale for the amalgamation of Lot 1 Nettleton Road and Lot 8 Nettleton Road into one Certificate of Title.**
- h. Prior to occupation of the development, a Signage Strategy must be submitted to and approved by the Shire of Serpentine Jarrahdale. The Signage Strategy shall demonstrate compliance with Local Planning Policy 4.11 - Advertising Signs. Once approved, signage shall be displayed and maintained in accordance with the Signage Strategy.**

**CARRIED UNANIMOUSLY 6/0**



**Councillor Nathan Bishop declared an impartiality interest in Item 10.1.2**

<b>10.1.2 - Shire Drawdown of Development Contribution Plan (DCP) Administration costs from Development Contribution Administration DCA3 Mundijong-Whitby Urban Traditional Infrastructure DCP (SJ795)</b>	
<b>Responsible Officer:</b>	Manager Strategic Planning
<b>Senior Officer:</b>	Director Development Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
Legislative	Includes adopting local laws, local planning schemes and policies.

**Report Purpose**

This report presents to Council a request for authorisation for the drawdown of Development Contribution Administration costs currently owed to the Shire from the Development Contribution Fund for Development Contribution Area 3 (DCA3 - Mundijong-Whitby Urban Traditional Infrastructure DCP).

**Relevant Previous Decisions of Council**

*Ordinary Council Meeting - 20 May 2024 - OCM120/05/24 - COUNCIL RESOLUTION / Officer Recommendation - **extract***

*That Council:*

- 1. **AUTHORISES** the Chief Executive Officer to enter into a Memorandum of Understanding between the Shire and G & G Corp Pty, which explains the basis of agreeing to the credit payout based on the content set out in this report.*
- 2. Subject to completion of Part (1), **AUTHORISES** the Chief Executive Officer to process the repayment of \$900,000 from the credit owed to G & G Corp Pty and **APPROVES** the following budget variation:*

**Background**

The Mundijong-Whitby Urban Traditional Infrastructure development contribution area and plan was gazetted into the then Town Planning Scheme No. 2 via Amendment 209. This was gazetted in May 2023.

Significant expenditure occurred during the development of the DCP prior to its gazettal, collating high-level costings, designs and land valuations, to prepare and inform the associated DCP Report ("Set up costs").



Likewise, upon gazettal of the DCP, a share of staff and other costs associated with the general running of the DCPs, is apportioned to each DCP. These costs are allowable costs to be included within a DCP under the "Administration" provisions.

For clarity, these Administrative costs do not include costs incurred at the Project level (those being captured within the item specific project costs).

At each Financial Year end, outstanding costs owed to the Shire for Administration or Project Costs are typically drawn down and returned to the Municipal Fund. To date, there have been insufficient funds in the DCP Reserve to drawdown all Administration costs owed to the Shire from this DCP, however the Fund Balance is now sufficient to enable this.

Given the value of the requested drawdown to settle monies owed up to the end of Financial Year 2024, this report seeks Council Approval for drawdown of the remaining funds, being a value of \$652,295.42.

### **Community / Stakeholder Consultation**

Nil.

### **Statutory Environment**

#### Legislation

*Planning and Development Act 2005*

*Planning and Development Act (Local Planning Schemes) Regulations 2015*

#### State Government Policies

State Planning Policy 3.6 - Infrastructure Contributions

#### Local Planning Framework

Shire of Serpentine Jarrahdale Local Planning Scheme No. 3

### **Planning Assessment**

In respect of repayment of DCP value owed, State Planning Policy 3.6, clause 6.10.14, details a number of considerations. The specific points within this clause which are pertinent to this report are detailed below:

*"Where a developer or landowner has pre-funded infrastructure within a DCA, land has been ceded to allow early infrastructure delivery, the landowner and the local government must negotiate a fair and reasonable outcome in relation to the credit.*

- f) Where a developer, or land owner, has no further holdings in the DCA, the amount is held by the local government as a credit to the developer, or land owner, until payments into the DCP fund are received from subsequent developers to cover the credited amount. The credit is then reimbursed to the developer, or landowner, as soon as circumstances permit.*
- g) Where the DCP fund is in credit from developer, or landowner, contributions already received, the credit should be reimbursed as soon as circumstances permit on completion of the works/ceding of land and having regard to the priority and timing of DCP works.*
- l) The reimbursement of pre-funded works and early ceding of land for acquisition through the DCP, should be given priority according to timing that the infrastructure was delivered, as soon as adequate funds have been collected in the DCP having regard to the priority and timing of DCP works.*



The current fund balance of the DCP Reserve is \$1,027,369.13, which would leave a fund balance of \$365,073.71.

Expenditure for this DCP is planned for FY2025/26, being the construction of 2 Senior AFL Ovals at the Keirnan Park District Sporting Space. At the latest DCP Report Revision, the remaining cost of the ovals was estimated at \$4,359,146, to be offset by grant funding received from the Department of Sport and Recreation, of which Council allocated \$2,000,000 for the ovals at the September 2024 OCM.

DCP Funds remaining to be provided for the ovals is therefore \$2,359,146 at today's rates and estimated to be around \$2,500,000 at the time of tender for the works.

Council (at the September OCM) resolved that funding via a self-funded loan was approved to cover a shortfall in DCP funds if required, in order for the Ovals to be constructed in FY 2026/27.

Whilst further administration costs will be owed to the Shire at financial year ended 2025, further deposits from Contributions are anticipated to occur throughout the year. This will be a feature of Mundijong's development over the coming years, as both new and existing estates accelerate new lot creation. Accordingly, it is anticipated that the traditional DCP for Mundijong and Whitby, will be building up significantly to manage that specific loan liability taken for the second oval.

In terms of the funds, these are recommended to be allocated to the Oakford Fire Station Reserve.

## Options

### Option 1

That Council:

1. AUTHORISES the Chief Executive Office to process the repayment of \$652,295.42 to the Shire from the DCA3 Mundijong-Whitby Urban Traditional Infrastructure DCP.
2. ADOPTS the following budget variation:

Account Number	Type	Account Description	Debit \$	Credit \$
2200-12508-5026-0000	Increase Transfer from Reserve	Mundijong Mundijong-Whitby Urban DCP - Transfer from Reserve - Mundijong-Whitby Urban Traditional Infrastructure DCP		\$652,295.42
5300-17302-5243-0000	Increase Transfer to Reserve	Reserve Transfer - Transfer to Reserve - Oakford Fire Station	\$652,295.45	

### Option 2

That Council DOES NOT AUTHORISE the Chief Executive Office to process the repayment of \$652,295.42 to the Shire from the DCA3 Mundijong-Whitby Urban Traditional Infrastructure DCP.

Option 1 is recommended.



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**Conclusion**

Repayment of the credit liability is appropriate and in line with SPP 3.6 provisions. With the rapid development of new lots associated with both existing and new housing estates in the Mundijong and Whitby area, the value of the Mundijong Whitby DCP will build significantly over the coming years. It is considered appropriate, based on the provisions of the SPP and the planned infrastructure roll out, that the outstanding liability to the Shire be recouped at this stage.

**Attachments (available under separate cover)**

- **10.1.2 - attachment 1** - Fund Balance Report DCA3 (E25/959)
- **10.1.2 - attachment 2** - Shire of Serpentine Developer Statement DCA3 (E25/960)

**Alignment with our Council Plan 2023-2033**

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

**Financial Implications**

The authorisation of the draw down from the DCA3 Mundijong-Whitby Urban Traditional Infrastructure DCP of the historic Shire Administration costs of \$652,295.42 will leave a remaining balance of \$365,073.71 in the fund.

The Shire's long term financial plan anticipates a loan of \$2,341,903 to be taken out in the 2026/2027 financial year to fund the ovals at Keirnan Park with repayments (principal and interest) to be drawn from the DCP commencing in 2027/2028.

Whilst a loan for the Ovals at Keirnan Park would be self-funded by the DCP, the Shire will be the loan applicant and therefore requires sufficient borrowing capacity for the loan amount.

Interest on the loan will be funded by the DCP, and therefore the total interest amount will be added to the DCP costings, increasing the Contribution Per Lot value in the Mundijong-Whitby Urban area.

Dependant on the level of development in this DCP area, there may still be sufficient funds in the DCP by 2026/27 to avoid taking this loan, which will mean that no interest will be incurred.

In terms of the funds, these are recommended to be allocated to the allocated to the Oakford Fire Station Reserve.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with Council approving this credit repayment.						
2	Development will not continue at the level that will ensure DCA3 Mundijong-Whitby Urban Traditional Infrastructure DCP will have sufficient funds to meet infrastructure obligations and repay Shire costs, which could create a lack of capacity to meet infrastructure obligations in the longer term.	None	Financial	Unlikely	Moderate	MODERATE	Do not enter into any Legal Agreements with Developers to defer payment of contribution in lieu of pre-funded infrastructure until such time that the balance required for the ovals and current administration costs can be maintained.



**Voting Requirements:** Absolute Majority (s6.8(1) of the *Local Government Act 1995*)

**OCM080/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Mack, seconded Cr Jerrett**

**That Council:**

- 1. AUTHORISES** the Chief Executive Office to process the repayment of \$652,295.42 to the Shire from the DCA3 Mundijong-Whitby Urban Traditional Infrastructure DCP.
- 2. ADOPTS** the following budget variation:

Account Number	Type	Account Description	Debit \$	Credit \$
2200-12508-5026-0000	Increase Transfer from Reserve	Mundijong Mundijong-Whitby Urban DCP - Transfer from Reserve - Mundijong-Whitby Urban Traditional Infrastructure DCP		\$652,295.42
5300-17302-5243-0000	Increase Transfer to Reserve	Reserve Transfer - Transfer to Reserve - Oakford Fire station Reserve	\$652,295.45	

**CARRIED UNANIMOUSLY 6/0**





<b>10.1.3 - Scheme Amendment No.1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use (PA23/786)</b>	
<b>Responsible Officer:</b>	Manager Strategic Planning
<b>Senior Officer:</b>	Director Development Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent:	Harley Dykstra Planning & Survey Solutions
Owner:	Big Country Pty Ltd
Date of Receipt:	13 October 2023
Lot Area:	4.053 hectares
Local Planning Scheme No.3 Zoning:	Rural
Metropolitan Region Scheme Zoning:	Rural

**Report Purpose**

The purpose of this report is for Council to consider the submissions received during the consultation period for proposed Scheme Amendment No. 1 to Local Planning Scheme No. 3 (LPS3) - Lot 12 (No.101) King Road, Oakford - Additional Use, and determine whether to support the amendment. The proposed amendment is a 'complex' scheme amendment, which seeks to add an additional use of 'Light Industry' for Lot 12 (No.101) King Road, Oakford with seven conditions proposed to be applied to the future 'additional use', and associated changes to the scheme map to depict the additional use.

Officers recommend that Council support the amendment in accordance with Clause 41(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and provide the amendment to the Western Australian Planning Commission (WAPC) for final determination.

**Relevant Previous Decisions of Council**

*Ordinary Council Meeting - 11 December 2023 - OCM303/12/23 - COUNCIL RESOLUTION / Officer Recommendation*

*That Council:*

- 1. Pursuant to Section 75 of the Planning and Development Act 2005 and Regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to ADOPT subject to modification the proposed Scheme Amendment No.1 to Local Planning Scheme No.3 for Lot 12 (No.101) King Road, Oakford as contained in attachment 1 and DETERMINE the proposed Scheme Amendment to be a 'Complex' amendment in accordance with Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015, for the following reasons:*
  - a. "an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Western Australian Planning Commission."*
- 2. Pursuant to Part 5 Division 2 Regulation 37(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to PROCEED to advertise (subject to EPA and WAPC consents being received) the proposed Scheme Amendment No.1 to Local Planning Scheme No.3 for Lot 12 (No.101) King Road, Oakford as contained in attachment 1, with modifications as follows:*
  - a. Amend Schedule 1 of the Scheme Text to insert the following:*

<b>No.</b>	<b>Particulars of Land</b>	<b>Additional Use</b>	<b>Conditions of Additional Use</b>
A20	Lot 12 (No. 101) King Road, Oakford	Industry - Light	<ol style="list-style-type: none"><li><i>1. All development relating to additional uses shall be at the local government's discretion, and shall only be considered for approval if such development demonstrates there will be no offsite impacts whatsoever pertaining to odour, air emissions and/or dust.</i></li><li><i>2. All applications for development approval must include suitable technical studies developed by qualified experts, to demonstrate how provision (1) will be achieved. Such studies are to be subject to independent peer review by a suitably qualified consultant, in order to assess the robustness of such studies and their recommendations.</i></li><li><i>3. The Local Authority shall not grant planning approval for the additional use until such time as the existing poultry farm approval has been cancelled pursuant to clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015.</i></li><li><i>4. The Local Authority shall not grant planning approval for the additional use other than the</i></li></ol>



			<p><i>specific Industry - Light use of blending, packaging, and storage of agricultural and mining non-hazardous chemicals, which are specifically listed in the Strategen JBS&amp;G Risk Assessment for the subject land, dated 17 January 2022. The only chemicals permitted to be considered as part of a development application are those as listed in Appendix D of the Risk Assessment.</i></p> <p><i>5. The Local Authority shall not determine a development application until it has received advice from the Department of Water and Environmental Regulation. Any development should not pose a greater risk to water quality than the current Poultry Farm use.</i></p> <p><i>6. Any development application for the additional use must demonstrate a clear and measurable improvement to air-quality, odour emission reduction and rural amenity, through direct comparison to the existing Poultry Farm use.</i></p> <p><i>7. The additional use is restricted to the previously approved accessways and existing sheds 1 - 5 for the Poultry Farm use, which shall not exceed a total area of 7,370m<sup>2</sup>.</i></p>
<p><i>b. Amend the Scheme Map to delineate Lot 12 (No. 101) King Road, Oakford as Additional Use 20.</i></p> <p><i>3. Provides two (2) copies of the proposed Scheme Amendment No.1 to Local Planning Scheme No. 3 for Lot 12 (No.101) King Road, Oakford to the Western Australian Planning Commission in accordance with Regulation 37(2) of the Planning and Development (Local Planning Schemes) Regulations 2015; and</i></p> <p><i>4. Refer the proposed Scheme Amendment No.1 to Local Planning Scheme No. 3 for Lot 12 (No.101) King Road, Oakford to the Environmental Protection Authority, in accordance with Section 81 and 82 of the Planning and Development Act 2005.</i></p>			

## Background

The Scheme amendment submitted by Harley Dykstra on behalf of Big Country Pty Ltd for Lot 12 (No. 101) King Road, Oakford, proposes an additional use to be considered for the lot. Lot 12 (No. 101) King Road, Oakford is identified as Rural under the Shire's Local Planning Strategy and zoned Rural under Local Planning Scheme No. 3 and the Metropolitan Region Scheme. The requested additional use is proposed to be 'Industry - Light', which is not permitted in the Rural zone under Local Planning Scheme No. 3.

The subject land is approximately 4.053 hectares and comprises of five concreted bunded sheds and accessways for the purpose of facilitating the existing use of poultry farming. The additional use is proposed to facilitate the discontinuation of the current use of the land, which is a poultry farm. It is understood that the applicant seeks to facilitate, from their perspective, a less impacting



Industry - Light development, in exchange for the discontinuation of the more impacting poultry farm.

The proposed amendment includes:

- Amend Schedule 1 of the Scheme Text to insert an 'Additional Use' for 'Industry - Light' for Lot 12 (No. 101) King Road, Oakford.
- Amend Schedule 1 of the Scheme Text to insert the conditions of the Additional Use.
- Amend the Scheme Map to delineate Lot 12 (No. 101) King Road, Oakford as Additional Use 20.

At its Ordinary Council Meeting on 12 December 2023, Council considered the proposed Amendment No. 1 and resolved to adopt the amendment, and determine it as 'Complex', and provide a copy to the WAPC.

On 11 March 2024, the Environmental Protection Authority (EPA) advised that the proposed Scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986 (EP Act)* and determined that no further assessment is required by the EPA.

On 28 October 2024, the WAPC provided consent to advertise Scheme Amendment No. 1 in accordance with Section 83A of the *Planning and Development Act 2005* as a 'Complex' amendment. Advertisement was undertaken, concluding on 14 January 2025. Officers have considered the submissions received and recommend that Council supports the amendment as advertised, including the conditions listed under the additional use table. Following Council's decision, the amendment will be provided to the WAPC for final determination.

### **Community / Stakeholder Consultation**

In accordance with Part 5 Division 2 Clause 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed Scheme amendment was advertised for a period of 60 days, from 7 November 2024 to 14 January 2025. Six submissions were received from government agencies and eight submissions were received from residents and landowners, providing a total of 14 submissions.

#### **Department of Water and Environmental Regulations**

The Department of Water and Environment Regulation (DWER) provided a submission and noted that the proposed change of use from poultry farm to non-hazardous chemical blending may have the potential for impacts on water resource values and management. DWER further highlighted that the site is located with the Priority 2 (P2) area of the Jandakot Underground Water Pollution Control Area. According to the Department's Water Quality Protection Note 25: *Land use compatibility tables for public drinking water source areas* (DWER, 2021), chemical blending is incompatible within a P2 area.

Considering the above concerns, DWER does not object the proposed amendment to the local planning scheme for the reason that, based on the site-specific information, risk assessment report and proposed land-use activity provided by the proponent, the Department considers the proposed change in land use from poultry farming to blending non-hazardous chemicals will likely result in an overall reduction in water quality contamination risks at this site.

DWER further states that, if the Shire should approve the amendment, DWER would expect the proposed non-hazardous chemical blending facility development application to be referred to the Department for further comment.



DWER have provided further preliminary advice on the proposal and the full DWER submission can be viewed via **attachment 2** within the summary of submissions.

#### Water Corporation

The Water Corporation provided a submission and noted that the Corporation's Birrega Main Drain is situated approximately 600m from the eastern boundary of the site. The submission stated:

*"Appropriate conditions should be applied to any approvals and ongoing site management to ensure post-development runoff from the land does not increase, and that appropriate measures are in place (e.g. the proposed bunds) to ensure any contamination from chemicals, pesticides and nutrients is contained on the site and intercepted and treated as necessary. In this regard, further advice should be sought from DWER."*

#### Main Roads Western Australia

No objections were received from Main Roads WA.

#### Department of Primary Industries and Regional Development

The Department of Primary Industries and Regional Development (DPIRD) did not object to the proposed additional use. DPIRD further added that the Department assessed the proposal and found that the proposed use will reduce the risk of groundwater contamination of the Priority 2 Jandakot Underground Water Pollution Control Area.

#### Department of Fire and Emergency Services

The Department of Fire and Emergency Services (DFES) provided a submission stating that it is unclear from the documentation provided if the Shire of Serpentine Jarrahdale has applied State Planning Policy 3.7 - Bushfire (SPP 3.7) to this proposal. DFES notes that it is uncertain if the proposal to allow an additional land use on the subject site would be considered an intensification of land use and therefore trigger assessment against SPP 3.7.

Officers acknowledge the comments and concerns received from DFES. Officers consider that the proposed amendment is not a suitable stage to apply SPP 3.7 as at this stage, the amendment will result in an additional use being included for the subject site within the scheme text with no further intensification of the site. Officers note that, if required, a Bushfire Management Plan will be submitted in support of a Development Application (DA) and therefore the requirements of SPP 3.7 can be applied at the development stage, which is considered appropriate given the nature of this Scheme amendment.

#### Department of Health

The Department of Health (DoH) provided a submission stating that there were no objections to the proposal. DoH noted that, no information regarding onsite wastewater system management has been provided in the proposal. Should a new onsite wastewater system be proposed, it must comply with the Government Sewerage Policy 2019.

Officers acknowledge the DoH concern. These matters regarding future wastewater requirements are to be addressed and complied with, where appropriate, at the future development stages.

#### Residents and Stakeholders

The Shire received eight submissions from residents and stakeholders all raising concerns at the prospect of the additional use for 'Light Industry' at Lot 12 King Road, Oakford. A variety of issues and concerns were raised through the submissions however, a consistent consideration was given to the potential impacts associated with the process and operations of chemical blending.





The key concerns mentioned by most submitters included how the amendment proposed to manage emissions and pollutants created by the chemical blending operations, with further concerns that the site was not fitted with the required infrastructure to ensure no such pollution would occur. The residents objected to the proposed 'Industry - Light' land use for the general perception of what an industrial operation would bring to the locality, such as increased noise, odour, dust and potential liquid run off pollutants.

Officers have responded to all submissions. The submissions received along with the responses from the applicant and Officers can be viewed within **attachment 2** (Summary of Submissions).

## **Statutory Environment**

### Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

### State Government Policies

- Perth and Peel @ 3.5 Million - South Metropolitan Peel Sub-Regional Planning Framework
- State Planning Policy suite

### Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Local Planning Strategy

## **Planning Assessment**

### South Metropolitan Peel Sub-Regional Planning Framework

The South Metropolitan Peel Sub-Regional Planning Framework (the framework) is a strategic plan for the future growth of the metropolitan Perth and Peel Region. The framework provides guidance for land use and infrastructure provision and sets out proposals to retain land for rural and agricultural purposes. The framework identifies rural landholdings as being an important area to be protected and maintained as there is an important need to preserve land for food production close to urban areas. The framework does this by identifying and protecting priority agricultural land within the South Metropolitan Peel Sub-Region, including large areas of the Shire of Serpentine Jarrahdale. The framework also outlines the importance for rural land to be set apart for the protection of key water sources that serve a critical function for supplying private self-supply, public scheme water supply and water for the environment.

The lot that the proposed Scheme amendment has been proposed on is located within the Jandakot Groundwater Mound, which is a significant source of quality fresh water in the Perth Region. The lot and surrounding areas have been zoned Rural in order to protect the Jandakot Groundwater Mound and to effectively manage the water source and to allow appropriate land uses that have minimum impact on the quantity and quality of the water that enters the underground aquifer. The framework outlines the importance for carefully considering permitted land uses that may have an impact on the water quality of the aquifer.

With consideration to the above, the Department of Water and Environmental Regulation assessed the amendment proposal and found that the proposed use will reduce the risk of groundwater contamination of the Priority 2 Jandakot Groundwater Mound.





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### Local Planning Strategy

The Shire's Local Planning Strategy (LPS) has been prepared to guide the Shire's development towards its vision to provide a rural lifestyle with a unique and attractive environment to work, live and visit. It also sets out the strategic direction to deliver a consolidated urban form and maintain and protect the Shire's rural areas. Additionally, the LPS outlines the strategic intent for the rural zone for the protection of agricultural land and the protection of the rural landscape. The rural zone is designated to set aside rural land to facilitate agricultural production and the protection of natural landscape.

The lot for which the proposed Scheme amendment has been prepared, is identified as Rural under the Shire's LPS. An objective for Section 3.2.2 - Protecting the Rural Landscape is to protect large rural lots and land for a range of agricultural enterprises that are reflective and sensitive to the rural landscape. The proposed amendment seeks to introduce an additional use not otherwise contemplated within the Rural policy area under the Shire's Local Planning Strategy, and for this reason, was classified as a 'complex' amendment and advertised accordingly.

### Local Planning Scheme No. 3 (LPS3)

Lot 12 (No.101) King Road, Oakford is zoned as Rural under LPS3, which includes the zone objectives to maintain or enhance specific local rural character within the Shire; to provide for a limited range of non-rural land uses, where they have demonstrated compatibility with the surrounding rural area; and to protect broad acre agricultural activities. Officers note that the Rural zone objectives outline that the Rural zone should maintain and enhance the environmental qualities of the landscape, vegetation, soils, and water bodies including groundwater.

The proposed amendment would result in the change of text under Schedule 1 - Additional Use, to insert within the table under No. A20 Lot 12, King Road, Oakford an additional use of Industry - Light accompanied by seven conditions. The use of Industry - Light is defined under LPS3 as meaning "*premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed*". Additionally, the amendment would require the Scheme Map to delineate the site as Additional Use 20. The proposed amendment and conditions of additional use can be viewed within the following sections of this report (table) as per **attachment 1**.

The subject lot is located within Special Control Area 2 - Jandakot Groundwater Protection (SCA2) under LPS3. SCA2 sets out a number of objectives for the areas that include protecting groundwater quality and quantity, prevention of contamination of groundwater from land uses and ensuring land uses within the SCA are compatible with the protection and maintenance of groundwater. Furthermore, SCA2 provides some additional provisions that require development within SCA2 to be consistent with State Planning Policy 2.3: Jandakot Groundwater Protection Policy (SPP 2.3) and the Department of Water and Environmental Regulation's Water Quality Protection Note No. 25 - Land Use Compatibility Tables for Public Drinking Water Source Areas (WQPN25). The implications of both SPP 2.3 and WQPN25 are discussed following in further detail.

Officers consider it appropriate for the proposed non-hazardous chemical blending operations to be classified under the Industry - Light land use, considering that the Scheme amendment application has been accompanied by an Environmental Risk Assessment and outlines mitigation measures for a number of amenity impacts including chemical runoff risks to the Jandakot Groundwater Mound.



The Scheme amendment proposal is generally considered appropriate, provided the conditions of the additional use as advertised are applied, as the proposed mining and agricultural non-hazardous chemical blending operations have a positive impact on the existing local rural character due to the nature of the proposal in repurposing the existing poultry farm operation. Additionally, LPS3 allows for the provision of limited non-rural uses within the rural zone.

Furthermore, a few submissions received by State Government bodies such as Water Corporation, Department of Primary Industries and Regional Development and the Department of Water and Environmental Regulation (DWER) suggest that the proposed scope of additional development is not proposed to be intensified on the lot and may result in reduced amenity impacts on the surrounding rural character when compared to the existing poultry operation and land use.

As can be seen in **Table 2** as per **attachment 1**, the additional use conditions aim to safeguard the assumptions regarding the compatibility of this type of non-hazardous chemical blending.

#### State Planning Policy 2.3 - Jandakot Ground Water Protection (SPP 2.3)

SPP 2.3 has been developed in order to guide land use change and development on the Jandakot Groundwater Mound to ensure it is compatible with the long-term use of the groundwater for public consumption. The Jandakot Groundwater Protection area provides a significant volume of high-quality drinking water, with SPP 2.3 aiming to protect the Jandakot Groundwater Protection area from development and land uses that may have detrimental impact on the water source. The objectives of the policy are to ensure that all development and changes to land use within the policy area are compatible with maximising the long-term protection and management of groundwater. The policy also outlines the need to protect groundwater quality and quantity in the policy area to maintain the ecological integrity of the Jandakot Groundwater Protection Area. The policy sets out an overall precautionary principle through a presumption against land uses that pose a threat to groundwater.

The policy identifies the subject lot as being located within a Priority 2 Jandakot Underground Water Pollution Control Area (P2 area). The policy requires that any land use is to maximise protection against water quality contamination risks. Additionally, a P2 area is to abide by the objective of risk minimisation through low risk and low intensity development consistent with the Rural zoning. The Scheme amendment proposing an additional use of Industry - Light for the purpose of chemical blending and storage would need to extensively demonstrate that it aligns with the objective of risk minimisation. Any unacceptable risk considering this context, would challenge the appropriateness of the Scheme amendment to proceed.

As discussed already, the amendment does include a risk assessment and a written position of support from the DWER. The risk assessment is based on a very specific set of non-hazardous chemicals, and it is this specific set that (in the opinion of Officers) needs to be tightly controlled to prevent further additional chemicals being introduced in the future. This risk based approach will be reflected in the Scheme through the proposed conditions of additional use as seen in **Table 2** with specific consideration to Conditions 4 and 5.

#### Department of Water and Environmental Regulation's Water Quality Protection Note 25 - Land Use Compatibility Tables for Public Drinking Water Source Areas

The Department of Water and Environmental Regulation (DWER) protects public drinking water source areas (PDWSAs) in Western Australia to ensure the ongoing availability of safe, reliable, and affordable drinking water supplies. DWER's policy on development in PDWSAs is a presumption against the intensification of land uses on the premise that intensified land use increases the risk that drinking water will become contaminated.



DWER's WQPN25 assigns priority to PDWSAs to guide land use decisions and provides guidance for land use compatibility for different land uses within different priority areas. The Jandakot Groundwater Mound has been assigned a Priority 2 (P2) area, as it is located over land zoned Rural and Rural Residential lots. The objective for P2 areas is to minimise water quality contamination risks with low levels of development, consistent with the Rural zoning.

Table 2 of the WQPN25 outlines the compatibility of land uses of activities for the protection of water quality. The 'Industry - Light' land use has been identified as an incompatible land use within P2 areas, for which the Jandakot Groundwater Mound has been listed as. The WQPN25 outlines that a proponent can apply for a land use that is considered incompatible in the table with the expectation that the applicant provides detailed site-specific information about the extent of the land uses, the risks to water quality and public health and how they will be effectively managed to the satisfaction of the Department. Additionally, a risk assessment in accordance with the Australian drinking water guidelines should be provided that shows that the proposed land use will result in a lower risk of contamination than the present land use.

In relation to the site-specific information regarding how the proposed Industry - Light use will manage the proposed risk to ground water quality, the proposed amendment has stated that all operations will be within a closed system and therefore, any potential runoff or pollutants will be self-contained within the working sheds on site. Additionally, the conditions of the additional use, shown in **Table 2**, apply measures to ensure that future development applications will need to demonstrate that there are no offsite impacts such as liquid or other emissions which may potentially impact the drinking water source and quality.

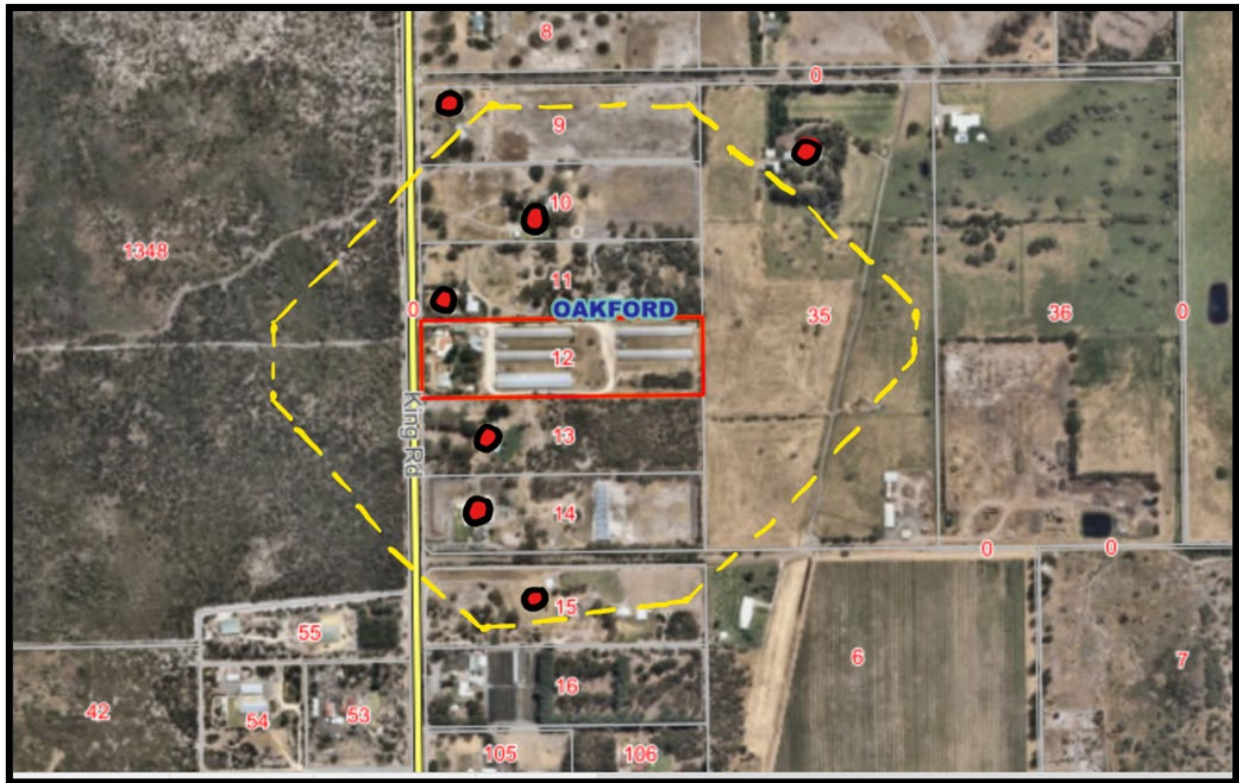
#### Environmental Risk Assessment

The applicant has provided an Environmental Risk Assessment (ERA) that was prepared by Strategen, which compares the risk of contamination of the existing poultry farm use compared to the proposed chemical blending operations. The risk assessment of the existing operations and the proposed additional use demonstrates that the change of use to a non-hazardous chemical blending facility will reduce the risk to the environment and the Jandakot Groundwater Mound. The reduced risk is stated within the ERA to be because of the following reasons:

- Ceasing poultry shed washout activities and decommission of infiltration sumps that result in residual waste, chemical residue and potentially contaminated wash water infiltrating directly into the ground.
- All chemical blending will take place within the upgraded bunded sheds and within contained tanks.
- No long-term parking, refuelling or maintenance of vehicles on site.
- Reduced groundwater abstraction of approximately 80% per year over current operations.
- Sealing of roads and shed aprons, less frequent vehicle movements, and removal of dusty poultry operations.
- All material storage, handling and blending will be within enclosed sheds.
- Significant noise sources will be removed and operations will avoid sensitive night-time hours with standard 8:30am - 5:00pm operational hours.
- Replacement of odorous poultry operations with relatively odourless chemical blending activity, which will be contained within enclosed tanks and sheds.
- Removal of potential sources of vermin, and litter risks.



These matters are considered reasonable to underpin a general conclusion about the potential appropriateness of the Scheme amendment. Officers hold a similar view to that of Strategen, in that decommissioning of the poultry farm would pose a number of potentially beneficial outcomes for both the environment and nearby sensitive dwellings. It is noteworthy, for example, that a poultry farm ordinarily requires a buffer of 300m to 1,000m (depending on size), which is shown following in terms of proximity to nearby properties. Even the minimum separation distance of 300m (as drawn below) is not achieved.



The Scheme amendment proposal was provided to DWER on 13 June 2022 for their pre-lodgement comment and consideration. DWER provided comments outlining that chemical blending is incompatible with a Priority 2 area according to DWER's WQPN25, however DWER considers the proposed change in land use from poultry farming to blending non-hazardous chemicals will result in an overall reduction in water quality contamination risks at this site. The Department also provided a number of conditions to be applied to a future development approval, should the Scheme amendment be approved.

The Strategen Report provides a basis of strict non-hazardous chemicals that are permitted to be utilised. The risk assessment lists under Appendix D these chemicals as follows:





Table 1: List of Permitted Chemicals as per Appendix D

Chemical Name	Use	Hazard Description
Able PNS Solution	Plasticiser, binder, builder, suppressant and other	Based on available information, this material is not classified as hazardous according to criteria of Safe Work Australia.
Aqua-Soil Wetter	Aqua-Soil Wetter was originally developed in conjunction with the Western Australian Department of Agriculture to obtain effective saturation wetting and penetration of water repellent earth and soil particles to wet and assist stabilisation of hydrophobic soils. Aqua-Soil Wetter is non-bio accumulative and affords medium to-long term wetting of hydrophobic and super hydrophobic surface soils in many outback/mining locations throughout Australia. Aqua-Soil Wetter is also suitable for use as wetter for the production wetting granules and fibres.	Non-toxic or non-hazardous compound. pH neutral Liquid Concentrate. Readily high TDS water miscible. Assists in soil compaction. Environmentally responsible. Suitable for production of Wetter Granules. Based on available information, this material is not classified as hazardous according to criteria of Safe Work Australia.
Eco Break - Eco Degreaser	Eco Break - Quick Break Degreaser Cleaner Sanitiser is a water based environmentally responsible option for both degreasing, and general cleaning applications in the maritime, mining and resource industries. Eco Break is particularly useful when working in environmentally sensitive locations or with interceptors used at wash down pads. Eco Break is safe on most surfaces not harmed by water alone; use Eco Break with confidence on rigs and platforms, food contact surfaces, engines, plastics, steel, aluminium, painted surfaces, concrete and glass.	Based on available information, this material is not classified as hazardous according to criteria of Safe Work Australia.
Furrow - PK	Potassium and phosphate liquid fertiliser	This product is classified as: Not classified as hazardous according to the criteria of SWA. Not a Dangerous Good according to Australian Dangerous Goods (ADG) Code, IATA or IMDG/IMSBC criteria



**Proposed Scheme Amendment Conditions**

The Scheme amendment seeks to amend Schedule 1 of the Shire's Local Planning Scheme No. 3 by including the additional use of 'Industry - Light' relating to the subject land and associated conditions as advertised. These conditions of the additional use have been included to ensure the additional use can be appropriately controlled and managed. These conditions would also inform the assessment of future development applications if the Scheme amendment was to be approved. The proposed amendment would result in the below text being added as follows:

Table 2: Proposed Scheme Amendment Text.

No.	Description of Land	Additional Use	Conditions of Additional Use
A20	Lot 12 (No. 101) King Road, Oakford	Industry - Light (D)	<ol style="list-style-type: none"><li>1. All development relating to additional uses shall be at the local government's discretion, and shall only be considered for approval if such development demonstrates there will be no offsite impacts whatsoever pertaining to odour, air emissions and/or dust.</li><li>2. All applications for development approval must include suitable technical studies developed by qualified experts, to demonstrate how provision (1) will be achieved. Such studies are to be subject to independent peer review by a suitably qualified consultant, in order to assess the robustness of such studies and their recommendations.</li><li>3. The Local Government shall not grant planning approval for the additional use until such time as the existing poultry farm approval has been cancelled pursuant to clause 77 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</li><li>4. The Local Government shall not grant planning approval for the additional use other than the specific Industry - Light use of blending, packaging, and storage of agricultural and mining non-hazardous chemicals, which are specifically listed in the Strategen JBS&amp;G Risk Assessment for the subject land, dated 17 January 2022. The only chemicals permitted to be considered as part of a development application are those as listed in Appendix D of the Risk Assessment.</li><li>5. The Local Government shall not determine an application for development approval until it has received advice from the Department of Water and Environmental Regulation. Any development should not pose a greater risk to water quality than the current Poultry Farm use.</li></ol>

**Ordinary Council Meeting Minutes  
Monday, 14 April 2025**

No.	Description of Land	Additional Use	Conditions of Additional Use
			<p>6. Any application for development approval for the additional use must demonstrate a clear and measurable improvement to air-quality, odour emission reduction and rural amenity, through direct comparison to the existing Poultry Farm use.</p> <p>7. The additional use is restricted to the previously approved accessways and existing sheds 1 - 5 for the Poultry Farm use, which shall not exceed a total area of 7,370m<sup>2</sup>.</p>

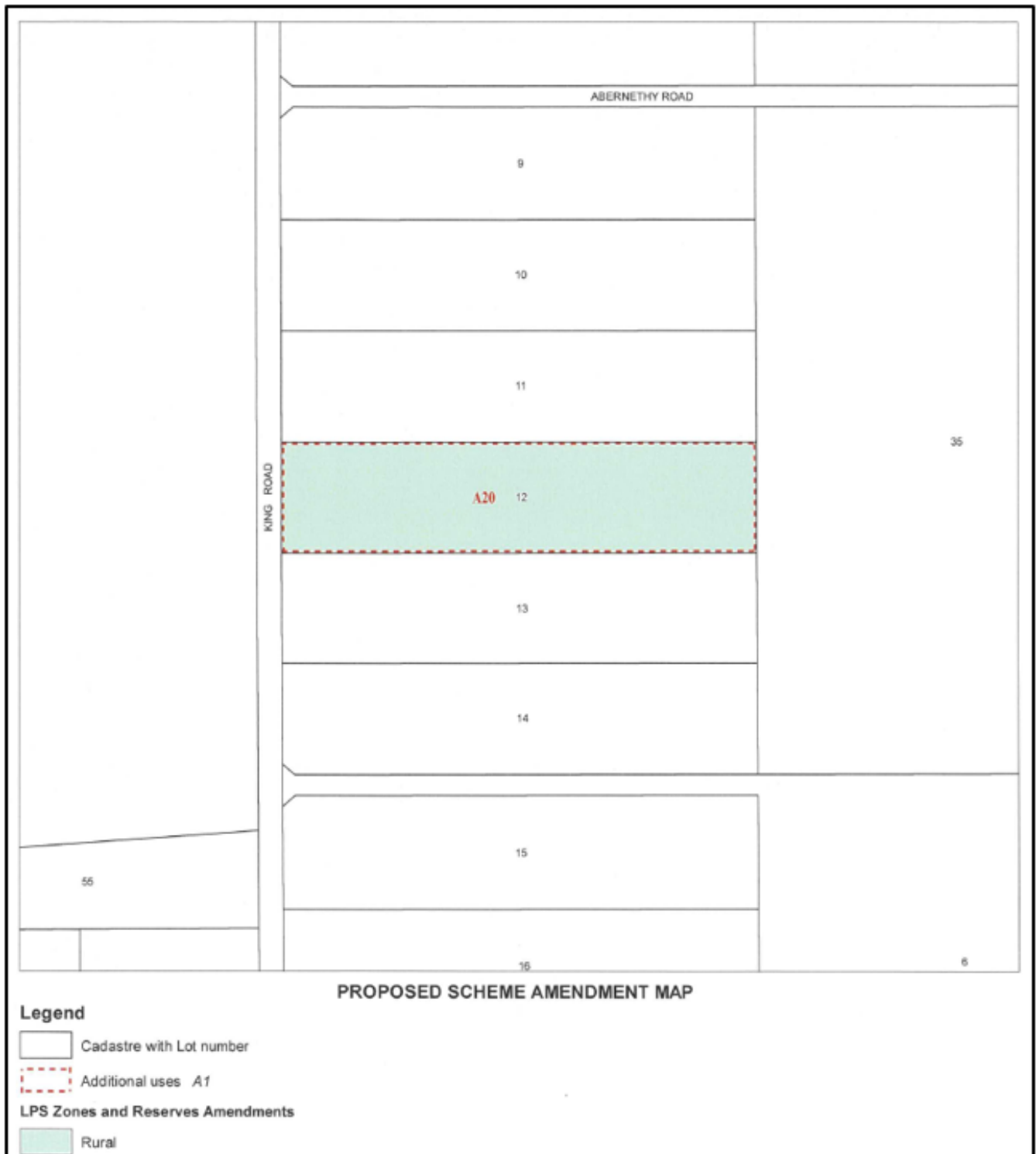


Figure 1: Proposed Scheme Amendment Map

Condition 1:

The first condition of the additional use requires that all future development for Industry - Light at the subject site will be at the discretion of the Shire and must demonstrate no offsite impacts whatsoever. This will ensure that the future Industry - Light operation does not adversely impact the local environment, neighbouring residents and local amenity, which is of a rural nature. It will also enable the continuous protection and mitigation of pollution to the surrounding high risk environmental features such as the Jandakot Groundwater Mound.



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**Condition 2:**

The second condition provides for further consideration to Condition 1 ensuring that there is qualified and supportive evidence demonstrating how the provisions of Condition 1 can be achieved. This provides for an improved robustness to the discretion and decision granted under Condition 1 provisions.

**Condition 3:**

The third proposed condition of the additional use outlines the requirement for the local government to not grant planning approval, until such time as the existing poultry farm approval has been cancelled. This condition is considered necessary and appropriate in order to ensure that the proposed additional use will not occur in addition to the existing poultry farm use.

**Condition 4:**

The fourth proposed condition requires the local government to not grant planning approval for the additional use other than for the specific Industry - Light use of blending, packaging, and storage of agricultural and mining non-hazardous chemicals. The condition also specifically relates to the Strategen JBS & G Risk Assessment to ensure that only the chemicals listed within the report, which have been subject to the risk assessment, can be considered in future applications. This will ensure a tightly controlled approach to the types of chemicals permitted on site, which aims to protect the assumptions regarding the compatibility of the proposed non-hazardous chemical blending in the rural zone. This condition is essential to ensure a risk based approach.

**Condition 5:**

The fifth condition requires advice being received from DWER prior to the determination of a development application. Given the nature of the proposal and the location within a Priority 2 area of the Jandakot Underground Water Pollution Control Area, the advice from DWER will be important in determining whether a development proposal can be supported. This condition also ensures that any future proposed development shall not pose a greater threat to the environment and water quality than that of the existing poultry farm.

**Condition 6:**

Condition 6 ensures that development under the additional use demonstrates a clear measurable improvement to the air quality and amenity in comparison to the existing use of the poultry farm. Measures to be compared include odour emission reduction, improved air quality and a reduced impact to the rural amenity. This condition will utilise Condition 2 to guarantee that suitable and qualified comparison reports are provided demonstrating improvement in comparison to the existing poultry farm use.

**Condition 7:**

The seventh condition included seeks to restrict the additional use to the existing sheds 1-5 and accessways as indicated on an approved site plan which shall not exceed a total area of 7,370 sqm. The restriction of the development to the existing sheds is essential to control the intensity and extent of the development. The reference in the condition to the total land area will ensure that the development of the additional use shall be contained within the extent of the previously approved structures and not exceed the area of the existing development footprint.

It is recommended that the Scheme amendment be supported by Council, as advertised including the seven conditions of the additional use, to be able to tightly regulate subsequent development consistent with the additional use.



The concerns raised in public submissions can be managed through the tight control of any subsequent development, which will be achieved through the aforementioned additional use conditions. The Scheme amendment will transition a use which is considered to represent a greater impact on amenity, from the land, and provide for additional use which is capable of tight management and control to protect amenity and the environment.

## Options

### Option 1

That Council:

1. In accordance with Regulation 41(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, NOTES the submissions received in respect to Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to the Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 and ENDORSES the responses to the submissions as contained in **attachment 2**.
2. Pursuant to Section 75 of the *Planning and Development Act 2005 (as amended)* and Regulation 41(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to SUPPORT Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to the Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 as follows:
  - a. Amend Schedule 1 of the Scheme Text to insert the following:

No.	Description of Land	Additional Use	Conditions of Additional Use
A20	Lot 12 (No. 101) King Road, Oakford	Industry - Light - (D)	<ol style="list-style-type: none"><li>1. All applications for development approval relating to additional uses shall be at the local government's discretion, and shall only be considered for approval if such development demonstrates there will be no offsite impacts whatsoever pertaining to odour, air emissions and/or dust.</li><li>2. All applications for development approval must include suitable technical studies developed by qualified experts, to demonstrate how provision (1) will be achieved. Such studies are to be subject to independent peer review by a suitably qualified consultant, in order to assess the robustness of such studies and their recommendations.</li><li>3. The Local Government shall not grant development approval for the additional use until such time as the existing poultry farm approval has been cancelled pursuant to clause 77 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</li><li>4. The Local Government shall not grant development approval for the additional use other</li></ol>



No.	Description of Land	Additional Use	Conditions of Additional Use
			<p>than the specific Industry - Light use of blending, packaging, and storage of agricultural and mining non-hazardous chemicals, which are specifically listed in the Strategen JBS&amp;G Risk Assessment for the subject land, dated 17 January 2022. The only chemicals permitted to be considered as part of a development application are those as listed in Appendix D of the Risk Assessment.</p> <p>5. The Local Government shall not determine an application for development approval until it has received advice from the Department of Water and Environmental Regulation. Any development should not pose a greater risk to water quality than the current Poultry Farm use.</p> <p>6. Any application for development approval for the additional use must demonstrate a clear and measurable improvement to air-quality, odour emission reduction and rural amenity, through direct comparison to the existing Poultry Farm use.</p> <p>7. The additional use is restricted to the previously approved accessways and existing sheds 1 - 5 for the Poultry Farm use, which shall not exceed a total area of 7,370m<sup>2</sup>.</p>

- b. Amend the Scheme Map to delineate Lot 12 (No. 101) King Road, Oakford as Additional Use 20.
3. AUTHORISES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the *Local Government Act 1995*, to execute under the Common Seal Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 as contained in **attachment 1**.
4. Pursuant to Regulation 44(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES a copy of the proposed Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to Local Planning Scheme No. 3 as contained in **attachment 1**, to the Western Australian Planning Commission.

### Option 2

That Council:

1. In accordance with Regulation 41(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, NOTES the submissions received in respect to Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to the Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 and DOES NOT ENDORSE the responses to the submissions as contained in **attachment 2**.





2. Pursuant to Regulation 41(3)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to NOT SUPPORT Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to the Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 as contained in **attachment 1**.
3. Pursuant to and Regulation 43(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES a copy of the proposed Scheme Amendment No. 1 to Local Planning Scheme No. 3 - Additional Use Amendment as contained in **attachment 1**, to the Western Australian Planning Commission.

Option 1 is recommended.

### Conclusion

Scheme Amendment No. 1 to Local Planning Scheme No. 3 seeks to include an additional use of Industry - Light for Lot 12 (No.101) King Road, Oakford to allow for the storage, blending and packaging of agricultural and mining non-hazardous chemicals. There are a number of strategic considerations that impact the proposed Scheme amendment including the current planning framework, state planning policies, land use compatibility, amenity impacts and the environment. Officers recommend the proposed Scheme amendment be supported as advertised. It is considered that the proposed amendment can be suitably regulated through the proposed additional use conditions whilst reducing the existing land use impacts.

### Attachments (available under separate cover)

- **10.1.3 - attachment 1** - Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use (E24/14736)
- **10.1.3 - attachment 2** - Scheme Amendment No. 1 - Summary of Submissions (IN25/5042)

### Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
Liveable
4. Invest in facilities and amenities to meet current and future needs
Connected
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

### Financial Implications

There are no financial implications relating to this matter.

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Option 1 is considered the lowest strategic risk option.						
2	That Council does not support the amendment, and this results in ongoing operations of a poultry farm which is not sufficiently separated from nearby sensitive dwellings, causing amenity complaints.	Planning Framework	Social / Community Outcomes	Possible	Moderate	MODERATE	Accept Officer recommendation.

**Voting Requirements: Simply Majority****OCM081/04/25****COUNCIL RESOLUTION / Officer Recommendation****Moved Cr Duggin, seconded Cr Jerrett****That Council:**

1. In accordance with Regulation 41(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, NOTES the submissions received in respect to Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to the Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 and ENDORSES the responses to the submissions as contained in attachment 2.
2. Pursuant to Section 75 of the *Planning and Development Act 2005 (as amended)* and Regulation 41(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to SUPPORT Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to the Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 as follows:

a. Amend Schedule 1 of the Scheme Text to insert the following:

No.	Description of Land	Additional Use	Conditions of Additional Use
A20	Lot 12 (No. 101) King Road, Oakford	Industry - Light - (D)	<ol style="list-style-type: none"><li>1. All applications for development approval relating to additional uses shall be at the local government's discretion, and shall only be considered for approval if such development demonstrates there will be no offsite impacts whatsoever pertaining to odour, air emissions and/or dust.</li><li>2. All applications for development approval must include suitable technical studies developed by qualified experts, to demonstrate how provision (1) will be achieved. Such studies are to be subject to independent peer review by a suitably qualified consultant, in order to assess the robustness of such studies and their recommendations.</li><li>3. The Local Government shall not grant development approval for the additional use until such time as the existing poultry farm approval has been cancelled pursuant to clause 77 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</li><li>4. The Local Government shall not grant development approval for the additional use other than the specific Industry - Light use of blending, packaging, and storage of</li></ol>



			<p>agricultural and mining non-hazardous chemicals, which are specifically listed in the Strategen JBS&amp;G Risk Assessment for the subject land, dated 17 January 2022. The only chemicals permitted to be considered as part of a development application are those as listed in Appendix D of the Risk Assessment.</p> <p>5. The Local Government shall not determine an application for development approval until it has received advice from the Department of Water and Environmental Regulation. Any development should not pose a greater risk to water quality than the current Poultry Farm use.</p> <p>6. Any application for development approval for the additional use must demonstrate a clear and measurable improvement to air-quality, odour emission reduction and rural amenity, through direct comparison to the existing Poultry Farm use.</p> <p>7. The additional use is restricted to the previously approved accessways and existing sheds 1 - 5 for the Poultry Farm use, which shall not exceed a total area of 7,370m<sup>2</sup>.</p>
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**b. Amend the Scheme Map to delineate Lot 12 (No. 101) King Road, Oakford as Additional Use 20.**

- 3. AUTHORISES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the *Local Government Act 1995*, to execute under the Common Seal Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 as contained in attachment 1.**
- 4. Pursuant to Regulation 44(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROVIDES a copy of the proposed Scheme Amendment No. 1 - Lot 12 (No.101) King Road, Oakford - Proposed Additional Use to Local Planning Scheme No. 3 as contained in attachment 1, to the Western Australian Planning Commission.**

**CARRIED UNANIMOUSLY 6/0**



<b>10.1.4 - Brickwood Reserve Environmental Offset Proposal - Byford Rail Extension (SJ2201)</b>	
<b>Responsible Officer:</b>	Manager Strategic Planning
<b>Senior Officer/s:</b>	Director Development Services
<b>Disclosure of Officers Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is for Council to consider a draft Memorandum of Understanding (MOU) between the Public Transport Authority (PTA) and the Shire for a portion of Brickwood Reserve to be used as an environmental offset for the Byford Rail Extension project.

**Relevant Previous Decisions of Council**

*Ordinary Council Meeting - 17 June 2024 - OCM158/06/24- COUNCIL RESOLUTION / Officer Recommendation*

*That Council:*

- 1. SUPPORTS in-principle a portion of Brickwood Reserve as an environmental offset for the Byford Rail Extension project, subject to a suitable draft Memorandum of Understanding (MOU) being prepared by the Public Transport Authority, satisfactory to the Shire of Serpentine Jarrahdale which includes (but is not limited to):*
  - a. the specific actions to be taken to achieve the required conservation outcomes;*
  - b. the timelines for undertaking such actions;*
  - c. the costs for such actions and all reporting aspects, and specifically how full cost recovery for the Shire will occur;*
  - d. the specific reporting requirements, frequency and responsibility for these;*
  - e. the specific monitoring requirements.*
- 2. REQUESTS the Chief Executive Officer, upon receiving the draft MOU, to organise a legal review of the draft MOU with the costs of this to be met by the PTA.*
- 3. REQUEST the Chief Executive Officer as part of the development of the MOU ensures consultation occurs with Friends of the Brickwood Reserve.*



4. Upon (1), (2) and (3) being completed, REQUESTS the draft MOU be reported to Council for consideration.

## Background

The Byford Rail Extension (BRE) to extend the Armadale line to Byford as part of the Metronet State Government project was approved by the Western Australian Minister for Environment on 1 February 2022 and the Federal Minister for the Environment on 7 February 2022.

The project identified significant residual impacts from the proposal which remain and require an offset. The significant impacts identified are:

- Threatened ecological community (TEC) *Corymbia calophylla* - *Kingia australis* woodlands on heavy soils (SCP3a), listed as Endangered under the EPBC Act and assessed as Critically Endangered by the WA Threatened Ecological Communities Advisory Committee.
- Threatened ecological community *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands (SCP3c), listed as Endangered under the EPBC Act and assessed as Critically Endangered by the WA Threatened Ecological Communities Advisory Committee.
- Carnaby's cockatoo *Calyptorhynchus latirostris*, listed as Endangered under the EPBC Act and the BC Act.
- Forest red-tailed black cockatoo *Calyptorhynchus banksii*, listed as Vulnerable under the EPBC Act and the BC Act.
- Baudin's cockatoo *Calyptorhynchus baudinii*, listed as Endangered under the EPBC Act and the BC Act.
- Conservation Category Wetlands - wetlands which support a high level of attributes and functions and are the highest priority for management (DBCA 2012).
- Bush Forever - identifies regionally significant bushland for protection in the Perth Metropolitan area (GoWA 2002a).

Under the approval conditions, the PTA is required to prepare and implement an environmental offset strategy, offset management plans and a research plan, that detail measures to counterbalance the project's environmental impacts.

The Ministerial Statement 1183 requires that the environmental offset measures are to be implemented at four locations, including Brickwood Reserve. The extent of the environmental values within Brickwood Reserve requiring environmental offset measures to be implemented are as follows.

In consultation with the Shire's environmental team, the PTA has identified an 'Offset Management Area' of approximately 11.4 ha (Figure 1). This area is based on available access and will provide for practical on-ground management of:

- 6.5 ha of threatened ecological community (TEC) Swan Coastal Plain type 3a (SCP 3a) '*Corymbia calophylla* - *Kingia australis* woodlands on heavy soils community of the Swan Coastal Plain'.
- 4.2 ha of Conservation Category Wetland (CCW).





The PTA proposes to provide \$2.1 million funding to the Shire for the implementation of on-ground management within the 'Offset Management Area' as part of the environmental offset package for the BRE project. On-ground management measures may include, but are not limited to, the installation of fencing and signage, formalisation of access, rehabilitation of degraded areas, rubbish removal, weed control, surveys and monitoring.



Figure 1: Offset Management Area



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**Community / Stakeholder Consultation****Stakeholder**

Key stakeholders include a range of community and government agencies. In respect of government agencies, these include the PTA, the Environmental Protection Authority (EPA) and Department of Biodiversity, Conservation and Attractions (DBCA), and the relevant portfolio Ministers at both State and Federal Government levels.

The community and community groups involved in active management of Brickwood Reserve, are key stakeholders in respect of outcomes that may affect this important environmental asset. Current consultation and future on-going consultation with amongst others the Friends of Brickwood Reserve will ensure mutual understanding and the opportunity to address the environmental integrity through partnerships and stewardship of the reserve.

**Statutory Environment****State Government**

- State Planning Policy 2.8 (SPP2.8)
- *Environment Protection and Biodiversity*
- *Conservation Act 1999* *Environmental Protection Act 1986*
- *Ministerial Statement 1183, EPBC 2020/8764 and CPS 10736/1*

**Local Planning Framework**

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3

**Australian Accounting Standards**

- AASB 15 Revenue from Contracts with Customers

**Comment**

The Public Transport Authority has provided the Shire with a draft MOU that includes specific actions from both parties to be taken to achieve the required conservation outcomes; the timelines for undertaking such actions; and the costs for such actions and all reporting aspects.

This Agreement expires on 30 June 2045. Under the MOU the Shire is agreeing to:

- Establishing and operating the Specific Purpose Account to be used for the receipt of payment of the payment contribution, which is \$2.1m.
- Commencing On-ground Management Activities as per Annexure B of the MOU, with costs drawn from the payment contribution mentioned above.
- Providing the Public Transport Authority with an annual report.
- Ensuring that any unspent funds are spent on projects that provide direct environmental benefit to Brickwood Reserve.
- Invoicing the Public Transport Authority for the funds within 60 days of signing the MOU.



The MOU has three Annexures:

- Annexure A of the MOU shows the On-ground Management Area within Brickwood Reserve.
- Annexure B details Public Transport Authority contributions provided to the Shire for On-ground Management Activities within the On-ground Management Area of Brickwood Reserve.
- Annexure C is the Framework for the Annual Report provided to the Public Transport Authority by the Shire documenting the on-ground management activities conducted within Brickwood Reserve.

The draft MOU has been subject to a legal review at the cost of the PTA, with changes integrated into the final version attached to this report.

Officers have also consulted with the Friends of the Brickwood Reserve as part of the development of the MOU to provide them with the information about the planned offsets and confirm the concerns that are currently experienced and maintenance that is required on the reserve.

## **Options**

### Option 1

That Council:

1. AUTHORISES the Chief Executive Officer to sign the Memorandum of Understanding (MOU) with the Public Transport Authority (PTA) for a portion of Brickwood Reserve to be used as an environmental offset for the Byford Rail Extension project as contained in **attachment 1**.
2. APPROVES the establishment of the following reserve and purpose:
  - Name: Brickwood Reserve Environmental Management
  - Purpose: To provide funds for the On-Ground Management Activities at the Brickwood Reserve.
3. REQUESTS the Chief Executive Officer work with the community and community groups involved in active management of Brickwood Reserve, as part of the funded works to take place as part of this MOU.

### Option 2

That Council DOES NOT SUPPORT the Memorandum of Understanding for a portion of Brickwood Reserve as an environmental offset for the Byford Rail Extension project and requires further amendment to the MOU.

Option 1 is recommended.

## **Conclusion**

Officers recommend that Council authorise the Chief Executive Officer to sign the Memorandum of Understanding (MOU) between the Public Transport Authority (PTA) and the Shire for a portion of Brickwood Reserve to be used as an environmental offset for the Byford Rail Extension project. The MOU will facilitate a partnership between the Shire and PTA, which will see funds provided to the Shire for on ground management activities within the offset management area of Brickwood Reserve.

**Attachments (available under separate cover)**

- **10.1.4 - attachment 1** - Draft Memorandum of Understanding (IN25/5046).

**Alignment with our Council Plan 2023-2033**

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
4. Ensure sustainable and optimal use of Shire resources and finances

**Financial Implications**

The PTA proposes to provide funding to the Shire for the implementation of on-ground management within the 11.4ha 'Offset Management Area' as part of the environmental offset package. This would provide a funding source not currently available to the Shire, to manage this natural reserve.

The resolution to Council recommends signing the draft Memorandum of Understanding with the Public Transport Authority for a portion of Brickwood Reserve to be used as an environmental offset for the Byford Rail Extension project.

As part of receiving funds, the MOU states that:

- The payment contribution amount is \$2.1m, which has been based on Annexure B of the MOU. Annexure B has been developed in collaboration between PTA and the Shire, to quantify the costs of the on-ground management activities within the On-ground Management Area of Brickwood Reserve.
- The PTA will pay to the Shire the Payment Contribution as a single lump sum payment within 60 days of receipt of a valid invoice from the Shire.
- The Shire will receive payment and will hold these funds in an interest-bearing account. The contribution will be held as a Contract Liability in accordance with Australian Accounting Standards AASB 15 *Revenue from Contracts with Customers*, with revenue recognised annually when obligations are met.
- The Shire will establish the following reserve, where any interest earned from the payment contribution will be held.

Name: Brickwood Reserve Environmental Management

Purpose: To provide funds for the On-Ground Management Activities at the Brickwood Reserve.

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	This is considered the lowest risk option.						
2	The Shire does not support the PTA proposal, which adds further uncertainty to the management of environmental impacts associated within the Byford Rail Extension.	Environmental protection framework	Financial	Possible	Moderate	SIGNIFICANT	Accept Option 1.



**Voting Requirements:** Simple Majority

**OCM082/04/25**

**COUNCIL RESOLUTION / Officer Recommendation:**

**Moved Cr Duggin, seconded Cr Bishop**

**That Council:**

- 1. AUTHORISES the Chief Executive Officer to sign the Memorandum of Understanding (MOU) with the Public Transport Authority (PTA) for a portion of Brickwood Reserve to be used as an environmental offset for the Byford Rail Extension project as contained in attachment 1.**
- 2. APPROVES the establishment of the following reserve and purpose:**
  - Name: Brickwood Reserve Environmental Management**
  - Purpose: To provide funds for the On-Ground Management Activities at the Brickwood Reserve.**
- 3. REQUESTS the Chief Executive Officer work with the community and community groups involved in active management of Brickwood Reserve, as part of the funded works to take place as part of this MOU.**

**CARRIED UNANIMOUSLY 6/0**





<b>10.1.5 - Proposed Amendments to Council Policy - Mobile Food Vendors (SJ119)</b>	
<b>Responsible Officer:</b>	Manager Health, Building and Community Safety
<b>Senior Officer:</b>	Director Development Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
Legislative	Includes adopting local laws, local planning schemes and policies.
Information	For the Council to note.

**Report Purpose**

The purpose of this report is for Council to consider the adoption of minor amendments to Council Policy - Mobile Food Vendors. The current Policy is contained within **attachment 1**. The revised Policy includes amendments to provide clearer guidance for mobile food vendors and improve the application process for Trading in Public Places Licences.

The proposed amendments to the Policy are considered minor and focussed internally to the organisation by way of providing further clarity as to process and procedures. These policy changes emanated from a community and business consultation process that occurred last year, and which focussed a set of recommendations for policy changes. These recommendations have been the basis of this policy amendment.

A copy of the revised Policy is contained within **attachment 2** and a copy of the revised Policy with track changes is contained within **attachment 3**.

It is recommended that Council accepts that the amendments are minor and adopts the revised Council Policy as contained within **attachment 2**, enabling the updated Policy to become operational.



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## Relevant Previous Decisions of Council

*Ordinary Council Meeting - 21 October 2024 - OCM289/10/24 - COUNCIL RESOLUTION / Officer Recommendation*

*That Council:*

- 1. REQUESTS the Chief Executive Officer to undertake a review and Policy Concept Forum briefing for Council Policy 4.4.2 (Mobile Food Vendors), with reference to examining the hours of operation and process for booking locations for mobile food vans within the Shire of Serpentine Jarrahdale.*
- 2. NOTES online application processing for food business registration and trading in public places form part of the OneComm Enterprise Resource Planning transformation currently underway within the organisation.*

*Ordinary Council Meeting - 20 May 2024 - OCM112/05/24 - COUNCIL RESOLUTION*

*That Council:*

- 1. REQUESTS the Chief Executive Officer conducts a structured consultation with local retail food businesses, registered food trucks and street vendors within the Shire of Serpentine Jarrahdale to identify:*
  - a. the most suitable locations and operational options for food trucks and street vendors, including length of stay, hours of operation and distance from competitors;*
  - b. opportunities for improving, updating and/or streamlining the Shire's licencing and permits process;*
  - c. opportunities for improving, updating and/or streamlining Council Policy 4.4.2. - Mobile Food Vendors; and*
  - d. other topics and areas of improvement as determined by the Chief Executive Officer.*
- 2. REQUESTS that the Chief Executive Officer consult with neighbouring Local Governments to explore opportunities to create a Simplified Trading Partnership Permit arrangement, with the goal of reducing red tape and promoting greater ease of movement between our Local Government Areas.*
- 3. REQUESTS the Chief Executive Officer bring the findings of the above to a Policy Concept Forum, before formalising recommendations in a report to Council, to be presented no later than the October 2024 Ordinary Council Meeting.*

Subsequent to a Notice of Motion received on 12 May 2024, a report was presented to Council at its Ordinary Council Meeting held on 20 May 2024.

The resolution provided the basis for a community engagement process, and consultation was undertaken with local retail food businesses, registered food trucks and street vendors within the Shire between 2 August 2024 and 23 August 2024. The outcome was presented to Council at its Ordinary Council Meeting of 21 October 2024 with the following recommendations:

- Simplify the Application Process: Develop an online lodgement application process for new and existing food businesses.
- Identify and make available suitable trading locations within the Shire for mobile food vendors to be secured through an online booking platform.



- Maintain the restriction on mobile food vendors trading within 500m of a bricks and mortar food business of a similar offering unless permission is granted by that food business.
- Maintain the Shire's current process of allowing mobile food vans and food stalls registered in any other local government in Western Australia to attend events in the Shire without an additional application, other than the provision of their details through the public event application process.

## **Community / Stakeholder Consultation**

### Special Policy Concept Forum

<b>Meeting Date</b>	28 January 2025
<b>Elected Members in Attendance</b>	President Coales, Cr Bishop, Cr Duggin, Cr Jerrett, Cr Mack, Cr Mazzini

## **Statutory Environment**

Registration of a food business falls within the auspices of the *Food Act 2008* and subsidiary *Food Regulations 2009*. Prior to trading in a public place, a temporary mobile food vendor is required to seek a Licence under the *Shire of Serpentine Jarrahdale Public Places Local and Government Property Local Law 2019*.

## **Legislation**

- *Food Act 2008*
- *Food Regulations 2009*
- *Shire of Serpentine Jarrahdale Public Places Local Government Property Local Law 2019*

## **Proposed Modifications**

The main changes to Council Policy Mobile Food Vendors are shown following:

- Clarification that trading in the same location can occur once per week. This process is designed for temporary trading only. More permanent trading falls outside of the scope of the policy and is generally regulated by other approaches such as leases.
- Allow for vendors with a Trading in Public Places Licence to utilise an online booking system for designated locations without the requirement to go through the full application process.

### Approval Process

For a mobile food vendor to trade in the Shire they must first obtain a Trading in Public Places Licence under the Shires *Public Places Local Government Property Local Law 2019*. Currently, a vendor is required to apply for such a Licence every time they wish to trade in a different location or at a different time. The revised policy would allow a vendor to apply for a Licence on an annual basis and use a booking system to book the location in lieu of a new Licence application. As part of the process, Officers review the vendor's suitability ensuring the trade satisfies the requirements of the *Food Act 2008*, the Shire's Public Places Local Government Property Local Law 2019 and Council Policy Mobile Food Vendors.



The Approval of the Trading in Public Places License is dependent on the mobile food vendor demonstrating they are a registered food business, either with the Shire or with another local government. If the mobile food vendor is not a registered food business and they live in the Shire, they will be guided through the Shire's food business registration approval process.

Once an annual Trading in Public Places License is in place, an operator will be able to use an online booking platform to book a location to trade from for up to four hours at a time for up to once a week. The SpacetoCo platform currently utilised for booking Facility spaces is considered by Officers as an appropriate method for streamlining the booking process for vendors wishing to trade in designated areas. This process is intended to allow mobile food vendors to trade on a casual basis more freely, by reducing red tape and the friction for short term bookings.

The purpose of this policy is to regulate short term trading. Should a mobile food vendor wish to trade in a single location more than once per week, it will be subject to a separate approval. More permanent trading is considered 'development' under the *Planning and Development Act 2005* and therefore require development approval. Depending on location it may also require a lease or licence.

#### Designated locations

The designated locations available on the SpacetoCo platform are based on their suitability, with consideration of the following:

- Being located at least 500m from other food businesses of the same offering,
- Addressing a local need due to lack of existing food businesses in the area,
- Parking availability,
- Safety.

Five locations (**attachment 4**) are proposed to be designated trading locations that mobile food vendors can book online including:

- Kalimna Oval - Byford
- Whitby Playground - Whitby
- Kitty's Gorge car park - Jarrahdale
- Keysbrook Park - Keysbrook
- Bill Hicks Reserve - Byford

Additional areas may also arise in the future, which provided they comply with the Policy requirements (particularly at least 500m distance from existing food businesses), can be added as a booking option.

It is worth noting that Clem Kentish Oval, Briggs Park and the Mundijong Community Resource Centre car park are the most requested locations by mobile food vendors. However, each of these are located within 500m of other food businesses. In those situations, clause 7 of the Policy states:

7. *Trading must not occur within 500 metres of any existing registered food business which offer for sale the same offerings, unless written permission has been obtained from the food business operator, or unless hours of operation are outside those offered by the existing business, to the satisfaction of the Shire.*



### Public Health Plan considerations

The change within the Policy relating to healthy food options is for new food vendor applications to demonstrate that healthy options are available on the menu. Officers can assist applicants to demonstrate this using the Food Outlets Dietary Risk (FODR) or Menu Scoring Assessment Tool (MAST) developed by the East Metropolitan Health Service.

### Mobile Food Vendors - Permanent Trading in one location

If a mobile food vendor wishes to trade in one location on a more permanent basis, it can be considered through avenues such as Council Policy - Lease and Licence Management and the *Local Government Act 1995*. To ensure competitive neutrality, transparency and compliance with the *Local Government Act 1995*, an expression of interest would need to be publicly advertised and be assessed based on agreed criteria in the best interest of the community. Also, in conjunction with a leasing process, a development application would also be required.

## **Options**

### Option 1

That Council:

1. ADOPTS the Council Policy - Mobile Food Vendors.
2. NOTES the online booking process of currently designated locations for mobile food vendors within the Shire, being:
  - a. Kalimna Oval - Byford
  - b. Whitby Playground - Whitby
  - c. Kitty's Gorge car park - Jarrahdale
  - d. Keysbrook Park - Keysbrook
  - e. Bill Hicks Reserve - Byford.
3. NOTES as further development occurs within the Shire, more designated locations will be added provided they comply with the requirements of the Policy.

### Option 2

That Council does not ADOPT the draft Council Policy - Mobile Food Vendors or introduce an online booking system for designated mobile food vendor trading locations.

Option 1 is recommended.

## **Conclusion**

The review of the Shire's mobile food vendor policy and booking process provides opportunities for improvement and red tape reduction. Providing vendors with an increased time frame to trade, healthy menu option tools, designated booking locations and simplified online booking process is considered to provide for an improved level of customer service that will benefit the community. In order to continue to protect the interests of existing food businesses, it is important to assess the suitability of some locations for mobile food vendors on a case-by-case basis.



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**Attachments (available under separate cover)**

- **10.1.5 - attachment 1** - Existing Council Policy - Mobile Food Vendors (E25/3180)
- **10.1.5 - attachment 2** - Draft Council Policy - Mobile Food Vendors (E25/3394)
- **10.1.5 - attachment 3** - Draft Council Policy - Mobile Food Vendors with track changes (E25/858)
- **10.1.5 - attachment 4** - Mobile Food Vendors locations (E25/859)

**Alignment with our Council Plan 2023-2033**

<b>Thriving</b>	
<b>2.</b>	Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
<b>3.</b>	Strengthen and grow the local tourism industry
<b>Connected</b>	
<b>2.</b>	Contribute to a well-connected, accessible and health community

**Financial Implications**

There are no major financial implications of this Council report. Officers note that most requests from mobile food vendors to trade has been for two to three days at a time spread out over a month or more.





## Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Option 1 is considered the lowest risk option.						
3	By not making any improvements to the policy and process, the Shire could be seen as ignoring the feedback from food businesses and mobile food vendors, reflecting badly on reputation.	Existing regulatory framework	Reputation	Possible	Moderate	MODERATE	

**Voting Requirements:** Simple Majority

**OCM083/04/25**

### COUNCIL RESOLUTION / Officer Recommendation:

Moved Cr Bishop, seconded Cr Jerrett

That Council:

1. **ADOPTS** the Council Policy - Mobile Food Vendors.
2. **NOTES** the online booking process of currently designated locations for mobile food vendors within the Shire, being:
  - a. Kalimna Oval - Byford
  - b. Whitby Playground - Whitby
  - c. Kitty's Gorge car park - Jarrahdale
  - d. Keysbrook Park - Keysbrook
  - e. Bill Hicks Reserve - Byford.
3. **NOTES** as further development occurs within the Shire, more designated locations will be added provided they comply with the requirements of the Policy.

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**

**10.2 Infrastructure Services reports:**

<b>10.2.1 - Improving Access to Serpentine Townsite for Residents of Serpentine Lifestyle Village (SJ847)</b>	
<b>Responsible Officer:</b>	Acting Manager Engineering Services
<b>Senior Officer:</b>	Acting Director Infrastructure Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to present the findings related to the petition received at the 20 May 2024 Ordinary Council Meeting requesting Council improve pedestrian access for residents of the Serpentine Lifestyle Village to the Serpentine Town Centre.

**Relevant Previous Decisions of Council**

<i>Ordinary Council Meeting - 20 May 2024 - OCM101/05/24- COUNCIL RESOLUTION / Officer Recommendation</i>
<i>1. That Council ACCEPTS the petition and REQUESTS that the Chief Executive Officer present a report on the matter at a future meeting to Council.</i>

**Background**

A petition was presented at the 20 May 2024 Ordinary Council Meeting for the improvement of pedestrian access for residents of the Serpentine Lifestyle Village to the Serpentine Town Centre. The petition included 102 signatures, all identifiable as residents of the Shire (**attachment 1**).

Shire Officers have inspected the site and undertaken an assessment of the existing pedestrian paths and associated crossings between Serpentine Lifestyle Village (also incorporating Serpentine Caravan Park) and the Serpentine Town Centre, primarily along Karnup Road and Wellard Street. While a combination of concrete and asphalt paths exist, majority of the paths are substandard, narrow and of varying quality. The section along Karnup Road has poor drainage and is in poor condition due to the deteriorated asphalt wearing course.

A detailed design for the upgrade of the Karnup Road (Wellard Street to South Western Highway) footpath was completed in advance of a grant funding application through Western Australian Bike Network program in the 2022/2023 financial year and the Active Transport Fund in the 2024/2025 financial year. Both funding applications were unsuccessful. Furthermore, due to recent changes to that funding program, only projects within 2km radius of train stations have



been made eligible for grant funding, therefore rendering this project ineligible for re-application in 2025. The extent of this footpath is indicated in the image below.



#### Proposed Wellard Street - Karnup Road Footpath Design

Other funding opportunities were also considered, with Officers putting together a proposal for the 2024 Community Enabling Infrastructure Scheme of the Australian Government Housing Support Program. This program remains under assessment, as part of the broader Housing Support Program of the current Federal Government.

An alternate, lower-cost approach was also investigated by Officers which would involve upgrading the existing asphalt path on its current alignment. This was to include raising sections of the path to improve drainage and allow for more clearance from vertical obstacles for improved pedestrian and cyclist safety. This alternative concept was estimated to cost in the order of \$150,000.

Additionally, the Shire received a development application in October 2024, that sought to amend the previous approval that had been granted for a change of use (from “Caravan Park” to “Park Home Park”) and extension of 40 new park home sites, to be constructed at the Serpentine Lifestyle Village. The application received in October sought to amend two conditions, one specifically pertaining to the footpath issue. The specific condition requested to be removed from the approval was as follows:

*“Prior to any park homes being brought to the site, plans are to be submitted to the Shire of Serpentine Jarrahdale demonstrating the provision of a minimum standard of shared path between the site and Serpentine town centre, this is to include details of minimum width, drainage, lighting, marking and signage and any associated landscaping, in order to create an acceptable pathway connection between the site and the Serpentine town centre. The shared path must be installed prior to the first park home being brought to site.”*

In December 2024 the amendment to remove that condition was refused, due to the inadequacy of infrastructure to support expansion of the village. Subsequent to this, the applicant sought a review of this by the State Administrative Tribunal.

#### **Community / Stakeholder Consultation**

Nil.



## **Statutory Environment**

Nil.

## **Comment**

In January 2025, in the lead up to the 2025 State Election, the Labor Party announced an election commitment to fund \$1.5 million towards upgrade and construction of the footpath from Serpentine Town Centre to Serpentine Falls. The return of the Labor Party to the Government of Western Australia, has now committed that project in this new term of government.

Upon a funding agreement being received by the Shire for the \$1.5m footpath funding and Council resolving to accept the funding, delivery of the project may commence. As a detailed design has been completed for the upgrade of the existing footpath between South Western Highway and the Serpentine Town Site, Officers propose to proceed with planning the delivery of this section of the footpath first. For the additional section of footpath between South Western Highway and Serpentine Falls, this stage will be delivered following the first stage delivery subject to a detailed design being completed and any required regulatory approvals being obtained.

The funding proposed is for the delivery of the footpath sections only. Officers consider that a review of the pedestrian crossing facilities across South Western Highway is also required to ensure the safety of pedestrians crossing the highway utilising the new footpath infrastructure. The importance of safe highway crossing is considered an important component for the footpath project, noting the range of users expected to access this new footpath. As the highway is within the responsibility of Main Roads WA, any such crossing improvements (such as a central median to create a two stage crossing) or review of the existing 80km/h speed limit with a view of reviewing this would need their approval and a funding source provided.

In referencing back to the aforementioned change of use and expansion of the Serpentine Caravan Park, the refusal to amend the condition imposed on the approval, pertaining to the footpath, was appealed. This appeal process has also now highlighted the political commitment to the footpath, with the understanding that it will be delivered at some point during this term of government. The commitment creates certainty on the footpath issue which is of importance to not only residents of the Serpentine Caravan Park, but the broader community of Serpentine.

Additionally, further information has now been submitted by the applicant pertaining to how the interim situation (while awaiting the new footpath) may be best managed as new development is intensified on the site. At the time of writing this report, the matter remains under assessment. However, the question of the footpath link has now been fully addressed by virtue of the funding commitment.





## **Options**

### Option 1

That Council:

1. NOTES the outcome of the assessment in response to the petition received at the 20 May 2024 Ordinary Council Meeting.
2. NOTES that the footpath along Wellard Street, Karnup Road and Falls Road between the Serpentine Town Site and Serpentine Falls, will be funded by the State Government and delivered by the Shire, providing the permanent footpath solution.
3. REQUESTS the Chief Executive Officer write to Main Roads WA to undertake a review of the pedestrian crossing facilities across South Western Highway, Serpentine, with the knowledge of the new footpath being created to link Serpentine townsite to Serpentine Falls.
4. REQUESTS the Chief Executive Officer advise the lead petitioner of Council's resolution.

### Option 2

That Council:

1. NOTES the outcome of the assessment in response to the petition received at the 20 May 2024 Ordinary Council Meeting.
2. NOTES that the footpath along Wellard Street, Karnup Road and Falls Road between the Serpentine Town Site and Serpentine Falls, will be funded by the State Government and delivered by the Shire, providing the permanent footpath solution.
3. REQUESTS the Chief Executive Officer prepare a business case as part of the 2025/26 budget to investigate and fund crossing improvements of South Western Highway, concurrent with the footpath project.
4. REQUESTS the Chief Executive Officer advise the lead petitioner of Council's resolution.

Option 1 is recommended.

## **Conclusion**

Footpaths form an important part of the transport network providing pedestrians and cyclists safe infrastructure for recreation, exercise, and commuting. The recent political commitment to deliver the footpath secures this infrastructure for the benefit of the community. This addresses the needs particularly of vulnerable residents of the Serpentine Lifestyle Village, and the broader community and visitors to the area.

## **Attachments (available under separate cover)**

- **10.2.1 - attachment 1** - Petition presented to 20 May 2024 Ordinary Council Meeting - Serpentine Lifestyle Village Residents Committee (IN24/9432)



### Alignment with our Council Plan 2023-2033

Thriving	
1. Ensure sustainable and optimal use of Shire resources and finances	
Liveable	
1. Advocate for public transport and focus on connectivity within communities	
2. Improve maintenance and investment in roads and paths	
3. Invest in facilities and amenities to meet current and future needs	

### Financial Implications

The project is funded by the State Government.

### Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	The funding commitment now secures the footpath, however there is some uncertainty as to how crossing of SW Hwy may occur causing risk to pedestrians.	Advocate to MRWA to address this and investigate the issue	Reputation	Possible	Moderate	MODERATE	Nil
2	This could result in the Shire having to add further funds to the project, to deliver the highway component of the project	Nil	Financial	Possible	Moderate	MODERATE	Accept option 1.





**Voting Requirements:** Simple Majority

**OCM084/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council:**

- 1. NOTES the outcome of the assessment in response to the petition received at the 20 May 2024 Ordinary Council Meeting**
- 2. NOTES that the footpath along Wellard Street, Karnup Road and Falls Road between the Serpentine Town Site and Serpentine Falls, will be funded by the State Government and delivered by the Shire, providing the permanent footpath solution.**
- 3. REQUESTS the Chief Executive Officer write to Main Roads WA to undertake a review of the pedestrian crossing facilities across South Western Highway, Serpentine, with the knowledge of the new footpath being created to link Serpentine townsite to Serpentine Falls.**
- 4. REQUESTS the Chief Executive Officer advise the lead petitioner of Council's resolution.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**



<b>10.2.2 - Award Request for Tender- RFT 12/2024 - Project Management Services - Capital Projects (SJ4491)</b>	
<b>Responsible Officer:</b>	Manager Major Projects
<b>Senior Officer:</b>	Acting Director Infrastructure Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is for Council to consider tenders for the RFT 12/2024 Project Management Services Capital Projects.

**Relevant Previous Decisions of Council**

<i>Ordinary Council Meeting - OCM073/04/23 - 17 April 2023 - COUNCIL RESOLUTION</i>	
<i>That Council:</i>	
<i>1. In accordance with Regulation 18 of the Local Government (Functions and General) Regulations 1996 DECLINES all tenders;</i>	
<i>2. REQUESTS that the Chief Executive Officer advise each tenderer that no tender was accepted; and</i>	
<i>3. AUTHORISES the Chief Executive Officer to engage suppliers on the WALGA Preferred Supplier Program for project management, superintendent roles and contract administration on a needs basis as determined by the Chief Executive Officer.</i>	

**Ordinary Council Meeting - OCM023/02/23 - 20 February 2023 - COUNCIL RESOLUTION****That Council:**

1. *DEFERS award of RFT 10/2022 - Project Manager (Infrastructure) until Council has had the opportunity to workshop the procurement approach at the Policy Concept Forum scheduled for 27 March 2023, to explore further the costs and benefits of the proposed approach outlined in the report, when compared against other possible approaches, as a minimum:*
  - a. *Establishing a panel of suitably qualified consultants to perform project management functions as required;*
  - b. *Maintaining the status quo, being project management functions being tendered on an as needed project by project basis.*
2. *REQUESTS the Chief Executive Officer, seek a further 42-day extension of tender validity, from each of the conforming tenderers, resulting in validity up to and including 24 April 2023.*

**Background**

The Shire has sought to engage an experienced Project Management Consultant to assist in deliver of its capital projects portfolio on an as-needed basis. This approach addresses recruitment challenges and extended hiring timelines for project management roles. The role of the Consultant will be to manage contractors and consultants, review technical documentation and provide detailed reports and presentations to the Shire's Project Board and Executive Team. They will also offer expert technical advice for resource allocation, feasibility assessments, design, procurement, and project delivery.

The Consultant's role may include supporting minor projects or components of major projects for projects such as the Keirnan Park Recreation and Sporting Precinct and the Watkins Road Waste Transfer Station. The Project Manager will may also be engaged to serve as the contract superintendent representative on certain projects in a limited capacity to ensure contract compliance with the Shire's standards.

The engagement will adopt the Australian Standard AS 4122:2010 for Consultant Contracts, providing industry-standard protections and replacing the WALGA Goods and Services Contract. The Consultant will submit lump sum fee proposals for specific services, enhancing flexibility and cost certainty in project delivery.

Given the industry's skill shortages, attracting and retaining qualified talent is crucial for successful project outcomes. The engagement is structured as a three-year term with two optional one-year extensions, offering a potential five-year tenure. This structure is proposed to supplement Shire personnel and ensures continuity throughout the project lifecycle.

Officers considered procuring project management services through a public tender to establish a flexible panel arrangement that encourages greater competition and allows task-based engagements with external consultants. This approach supports existing staff resources, freeing Officers to focus on strategic planning and high-level decision-making. While the WALGA Preferred Supplier Program remains an option, it may limit market competition and potentially increase costs. The open tender process, which attracted fifteen competitive submissions, offers a more value-driven outcome and maintains the option to explore other procurement avenues for future projects.



Furthermore, AS 4122 provides a more flexible and transparent framework for managing consultant contracts, offering stronger protection for the Shire, including indemnity, insurance, and dispute resolution tailored to each project. In a competitive market, this approach delivers better value, flexibility, and protection than the more rigid WALGA Preferred Supplier Program.

The Request for Tender RFT 12/2024 - Project Management Services - Capital Projects was advertised on Saturday 19 October 2024 and closed at 2.00pm Friday 8 November 2024.

- The Tender was advertised in the following ways:
- West Australian Newspaper and Shire Website (Saturday, 19 October 2024)
- Shire Notice Boards (Monday, 21 October 2024)
- Serpentine Jarrahdale & Armadale Examiner Newspaper (Thursday 24 October 2024)
- Sound Telegraph and Mandurah Times Newspapers (Wednesday 23 October 2024)

### **Community / Stakeholder Consultation**

#### Policy Concept Forum

Nil.

### **Statutory Environment**

Section 3.57(1) of the *Local Government Act 1995* requires a local government to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply the goods or services.

Division 2 under Part 4 of the *Local Government (Functions and General) Regulations 1996* prescribes the kinds of contracts that must be publicly invited. Regulation 11(1) states:

*Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250,000 unless subregulation (2) states otherwise.*

The Regulations also prescribe requirements and processes to apply when undertaking a public tender.

In relation to the award of tenders, Regulation 18(4) states:

*Tenders that have not been rejected under sub regulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*



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**Comment**

The Request for project management services, akin to the Shire's existing panel arrangements for a service provider, will be managed to ensure value for money by seeking a fixed quote for a defined scope of work and provides the flexibility of hourly rates for any preliminary or undefined services. For project management services, the panel arrangement will allow the Shire to quickly engage with a preselected qualified and endorsed consultant team when needed, streamlining procurement while ensuring compliance with procurement policies and regulations.

This request seeks to supplement the Shire's existing Officers as needed, providing crucial flexibility to adapt and support shifting priorities and workload demands. It remains essential that the Officers take the lead in strategic planning and project development, leveraging external resources primarily for defined delivery stages, such as the construction phase, or in support roles when required to enhance capacity and responsiveness. Should any quote not meet expectations through this process, Officers may negotiate with the consultant team for a more suitable outcome. For larger or specific projects, alternative quotes may be sought from equivalent providers, or other procurement options such as using the WALGA Preferred Supplier Panel. Each option will be assessed case-by-case, considering the time and resources required to ensure the most efficient, value-for-money procurement solution and community benefits.

If we look at a specific project, as an example, such as Keirnan Park Stage 1A, the Shire's Major Projects Team would maintain the primary responsibility for overseeing the project. However, the actual delivery would involve a broader team, including an external project manager acting as a superintendent representative, in a defined capacity, a cost management consultant to assess progress claims and evaluate potential variations, and the design consultant team to ensure that the quality and design outcomes align with the contract documents.

In this example the external team, is overseen by Officers at two distinct levels. The Chief Executive Officer would always serve as the client or principal, taking on the role of the ultimate decision-maker and ensuring the project aligns with the Shire's broader objectives. Meanwhile, the Shire's Major Projects Team would act as the superintendent, providing direct oversight of the day-to-day operations of the project and ensuring that the external team performs according to the project's requirements.

This dual structure offers several advantages. Allowing Officers to address contractual issues, variations, and unforeseen challenges keeping the project on track financially and within scope. Crucially, the Shire retains authority over the project, ensuring the community's interests are prioritised. By maintaining internal ownership, the Shire maintains alignment with the Council's strategic objectives and long-term community needs. While external consultants handle day-to-day tasks, the Shire maintains oversight and equally preserves corporate knowledge, ensuring the project stays aligned with broader goals and community expectations. By retaining internal oversight and project ownership, the Shire ensures continuity of expertise and strategic insight throughout the project lifecycle, safeguarding long-term organisational knowledge and experience that will benefit future projects.



The following fifteen (15) submissions were received, and the submissions are summarised in **CONFIDENTIAL attachment 1**.

#	Company Name
1	BE Projects (WA) Pty Ltd
2	Benchmark Surveys WA Pty Ltd T/A Benchmark Consulting WA
3	Bluevisions Management Pty Ltd
4	Brett David Investments Pty Ltd T/A Successful Projects
5	The Trustee for Chesterton Unit Trust T/A Cygnet West Pty Ltd
6	Donald Cant Watts Corke (WA) Pty Ltd
7	Encon Project Management Pty Ltd
8	Greg Rowe Pty Ltd T/A Proven Project Management
9	Harris Kmon Solutions Pty Ltd
10	Hub Project Management (WA) Pty Ltd
11	Infillr Pty Ltd T/A Haul Group
12	RP Infrastructure Pty Ltd
13	RPS AAP Consulting Pty Ltd
14	The Trustee for Squires Family Trust T/A Squires Family Trust T/A Transcend Rail Engineering Consulting Pty Ltd
15	WML Consultants Pty Ltd

### **Evaluation Panel**

An evaluation panel was convened and consisted of the following personnel:

- Manager Corporate Performance.
- Manager Facilities.
- Manager Major Projects.

All members of the evaluation panel have made a conflict-of-interest declaration in writing confirming that they have no relationships with any of the respondents. Each member of the panel assessed the submissions separately.



**Evaluation Criteria**Compliance Criteria

All tender submissions met the compliance criteria assessment in order to proceed to evaluation.

Qualitative Criteria:

The following qualitative evaluation criteria and associated weightings were:

EVALUATION CRITERIA						WEIGHTING						
Price						50%						
<div>Relevant Experience</div> <div>Demonstrated relevant experience</div> <div><ul style="list-style-type: none"><li>Of the Company in providing the same or similar services to local government or the private sector over the past five years.</li><li>Delivering Multi-Purpose Sporting Facilities</li><li>Delivering Community Buildings</li><li>Delivering Recreation Facilities</li></ul></div> <div><table><tr><td>Project</td><td>Client</td><td>Duration</td><td>Value</td><td>Deliverables</td><td>Achieved Results</td></tr></table></div>						Project	Client	Duration	Value	Deliverables	Achieved Results	20%
Project	Client	Duration	Value	Deliverables	Achieved Results							
<div>Key Personnel, Skills, and Resources</div> <div>Capacity to deliver the services including:</div> <div><ul style="list-style-type: none"><li>Key Personnel: Provide detailed CVs for key personnel, emphasizing their qualifications and relevant professional skills.</li></ul></div> <div>Support Services</div> <div><ul style="list-style-type: none"><li>Detail any additional support services that will be available for the project (e.g., administrative support, project management tools)</li></ul></div> <div><table><tr><td>Name</td><td>Years in Industry</td><td>Roles and Responsibility</td><td>Experience</td><td>References</td></tr></table></div> <div>**The principal reserves the right to conduct interviews as part of the evaluation process if required**</div>						Name	Years in Industry	Roles and Responsibility	Experience	References	20%	
Name	Years in Industry	Roles and Responsibility	Experience	References								
Demonstrated Understanding						10%						
Provide a detailed narrative explaining your understanding of the project's scope, objectives, and deliverables												



## Evaluation Outcome

All tender submissions were assessed against the evaluation criteria and the qualitative and quantitative results of this assessment, and prices are documented in **CONFIDENTIAL attachment 1**.

Following the assessment of all tender submissions, against the selection criteria, the tender submitted by Brett David Investments Pty Ltd t/a Successful Projects was assessed as being the best value for money that meets the Shire's requirements.

The Evaluation Panel therefore recommends the submission made by Brett David Investments Pty Ltd t/a Successful Projects be accepted.

## Options

### Option 1

That Council:

1. AWARDS Tender RFT 12/2024 for Project Management Services, Capital Projects, to Brett David Investments Pty Ltd t/a Successful Projects, as recommended in **CONFIDENTIAL attachment 1**, and in accordance with the Schedule of Rates outlined in **CONFIDENTIAL attachment 2**
2. ACKNOWLEDGES that the contract will be for an initial term of three (3) years, with options to extend for two (2) additional one (1) year terms, at the Chief Executive Officer's discretion, for a total contract duration of up to five (5) years.
3. AUTHORISES the Chief Executive Officer to execute the contract on behalf of the Shire of Serpentine Jarrahdale for Tender RFT 12/2024, Project Management Services, Capital Projects.
4. NOTES that the Chief Executive Officer will engage suppliers from the WALGA Preferred Supplier Program for project management, superintendent roles, and contract administration as required, on a need basis, and as determined by the Chief Executive Officer.

### Option 2

That Council DECLINES to accept any tender.

Option 1 is recommended.

## Conclusion

The Evaluation Panel believes that the recommended tenderer, Brett David Investments Pty Ltd t/a Successful Projects was determined to best meet the tender selection criteria, including offering the best value for money while fulfilling the Shire's requirements.

## Attachments (available under separate cover)

- **10.2.2 - CONFIDENTIAL attachment 1** - RFT 12/2024 - Project Management Services - Capital Projects - Evaluation Report (E24/15229)
- **10.2.2 - CONFIDENTIAL attachment 2** - RFT 12/2024 - Project Management Services - Capital Projects - Schedule of Rates (E25/2782)



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**Alignment with our Council Plan 2023-2033**

<b>Thriving</b>
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
4. Ensure sustainable and optimal use of Shire resources and finances
<b>Liveable</b>
4. Invest in facilities and amenities to meet current and future needs
<b>Connected</b>
2. Contribute to a well-connected, accessible and health community
4. Facilitate an inclusive community that celebrates our history and diversity

**Financial Implications**

There are no guarantee of a minimum project volume or complexity of the project management services over the initial three-year term or the optional one-year extensions. Ultimately, any project management services required may vary based on the specific requirements of each considered project, delivery phase or the Shire's evolving requirements. This will be determined and assessed, when and as necessary, on an ongoing basis throughout the engagement.

If the Request does not achieve its intended outcomes or fails to demonstrate value for money during the initial term, Officers are unlikely to recommend proceeding with the optional extensions.

For any capital works project, the project management services may be engaged to provide improved value for defined tasks that cannot be delivered by internal resources, with costs allocated to the relevant Capital Project budget as needed.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	The tender is awarded, and the company does not agree to contract terms leading to prolonged negotiations or the need to retender resulting in a delay to project delivery.	Tender documentation includes a copy of the proposed contract.	Organisational Performance	Unlikely	Minor	LOW	Nil
2	Not awarding the tender will mean that various projects will potentially be delayed, due to limited resources resulting in project delays, due to the strain on available resources, potentially halting or postponing critical activities and impacting the overall project timelines.	Nil	Social / Community Outcomes	Likely	Major	HIGH	Alternative procurement strategies.



**Voting Requirements:** Simple Majority

**OCM085/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council:**

- 1. AWARDS Tender RFT 12/2024 for Project Management Services, Capital Projects, to Brett David Investments Pty Ltd t/a Successful Projects, as recommended in CONFIDENTIAL attachment 1, and in accordance with the Schedule of Rates outlined in CONFIDENTIAL attachment 2.**
- 2. ACKNOWLEDGES that the contract will be for an initial term of three (3) years, with options to extend for two (2) additional one (1) year terms, at the Chief Executive Officer's discretion, for a total contract duration of up to five (5) years.**
- 3. AUTHORISES the Chief Executive Officer to execute the contract on behalf of the Shire of Serpentine Jarrahdale for Tender RFT 12/2024, Project Management Services, Capital Projects.**
- 4. NOTES that the Chief Executive Officer will engage suppliers from the WALGA Preferred Supplier Program for project management, superintendent roles, and contract administration as required, on a need basis, and as determined by the Chief Executive Officer.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**



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**10.3 Corporate Services reports:**

<b>10.3.1 - Confirmation of Payment of Creditors - March 2025 (SJ801)</b>	
<b>Responsible Officer:</b>	Manager Finance
<b>Senior Officer:</b>	Director Corporate Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Legislative	Includes adopting local laws, local planning schemes and policies.
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**Report Purpose**

The purpose of this report is to prepare a list of accounts paid each month, as required by the *Local Government (Financial Management) Regulations 1996*.

**Relevant Previous Decisions of Council**

There is no previous Council decision relating to this matter.

**Background**

Nil.

**Community / Stakeholder Consultation**

Not Applicable.

**Statutory Environment**

Section 5.42 of the *Local Government Act 1995* states that the local government may delegate some of its powers to the Chief Executive Officer. Council have granted the Chief Executive Officer Delegated Authority 1.1.17 - Payments from Municipal and Trust Fund.

Section 6.10 of the *Local Government Act 1995* states the Financial management regulations may provide for the general management of, and the authorisation of payments out of the municipal fund and the trust fund of a local government.

Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* requires where a local government has delegated authority to make payments from the municipal or trust fund, that a list of accounts paid be prepared each month showing each account paid since last such a list was prepared.



**Comment**

In accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, schedules of all payments made through the Council's bank accounts are presented to Council for their inspection. The list includes details for each account paid incorporating:

- a) Payees name
- b) The amount of the payment
- c) The date of the payment
- d) Sufficient information to identify the transaction.

A detailed list of invoices for the period 01 March 2025 to 31 March 2025 is provided in **attachment 1**.

**Options**Option1

That Council RECEIVES the Schedule of Accounts as paid under delegated authority from 01 March 2025 to 31 March 2025, totalling \$5,127,232.85 as contained in **attachment 1**.

Option 2

That Council DOES NOT RECEIVE the Schedule of Accounts as paid under delegated authority from 01 March 2025 to 31 March 2025, totalling \$5,127,232.85 as contained in **attachment 1**.

Option 1 is recommended.

**Conclusion**

Nil.

**Attachments (available under separate cover)**

- **10.3.1 - attachment 1** - List of Creditors Accounts Paid and Submitted to Council for the period ending 31 March 2025 (E25/3802)
- **10.3.1 - attachment 2** - Westpac Purchasing Card Report - 28 January 2025 to 27 February 2025 - Redacted (E25/3803)
- **10.3.1 - attachment 3** - Fuel Purchasing Cards Report - 01 February 2025 to 28 February 2025 - Redacted (E25/3804)

**Alignment with our Council Plan 2023-2033**

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

**Financial Implications**

Expenditures were provided for in the adopted Budget as amended, or by any subsequent budget reviews and amendments.

The accounts paid under delegated authority for 01 March 2025 to 31 March 2025 totalled \$5,127,232.85.

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no risks associated with this option.						
2	That Council does not accept the payments	Provision of sufficient information and records to support the recommendation	Financial	Unlikely	Insignificant	LOW	

**Voting Requirements:** Simple Majority

**OCM086/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council RECEIVES the Schedule of Accounts as paid under delegated authority from 01 March 2025 to 31 March 2025 totalling \$5,127,232.85 as contained in attachment 1.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**

**10.3.2 - Monthly Financial Report - February 2025 (SJ4229)**

<b>Responsible Officer:</b>	Manager Finance
<b>Senior Officer:</b>	Director Corporate Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Legislative	Includes adopting local laws, local planning schemes and policies.
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**Report Purpose**

The purpose of this report is to provide a monthly financial report, which includes rating, investment, reserve, debtor, and general financial information to Councillors in accordance with Section 6.4 of the *Local Government Act 1995*.

This report is about the financial position of the Shire as at 28 February 2025.

**Relevant Previous Decisions of Council**

*Special Council Meeting - 25 July 2024 - SCM003/07/24 - COUNCIL RESOLUTION - extract*

7. *That Council, in accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2024/25 for reporting material variances shall be:*

- a)  $\geq 10\%$  of the amended budget and  $\geq \$10,000$  of the amended budget; or*
- b)  $\geq \$150,000$  of the amended budget*

*In addition, the material variance limit will be applied to each Nature and Type Classification for Operating and Financing Activities and each Project for Investing Activities (Capital).*

**Background**

The *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* require that the Shire prepare a Statement of Financial Activity each month by Nature and Type.

The Council has resolved to report Nature and Type and to assess the performance of each category, by comparing the year-to-date budget and actual results. Furthermore, Council has resolved that each Capital project outside of the materiality thresholds be reported on separately. This gives an indication that the Shire is performing against expectations at a point in time.

**Community / Stakeholder Consultation**

Nil.



## **Statutory Environment**

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial statement for the preceding year and other financial reports as are prescribed.

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the local government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

## **Comment**

### Monthly Financial Report

The attached report shows the month-end position as at the end of 28 February 2025.

The municipal surplus as at 28 February 2025 is \$14,431,537 which is a favourable variance of \$1,287,879 (including an opening surplus of \$335,425).

Further information on material variances are listed in the analysis below.

## **Operating Activities**

### **Operating Revenue**

#### Rates

No variance analysis required, variance to budget is less than 10%.

#### Operating Grants, Subsidies and Contributions

No variance analysis required, variance to budget is less than 10%.

#### Fees and Charges

No variance analysis required, variance to budget is less than 10%.

#### Interest Earnings

Favourable permanent variance of \$284,821 primarily due to:

- Higher than anticipated interest received on Reserve Term Deposits - \$249,173.

#### Other Revenue

Favourable permanent variance of \$187,861 primarily due to:

- Reimbursement on workers compensation claim from Local Government Insurance Scheme (LGIS) - \$142,389.
- 2023/2024 Unbudgeted Annual Profit Share from YMCA for Serpentine Jarrahdale Recreation Centre - \$38,170.

#### Profit on Asset Disposal

No variance analysis required, variance to budget is less than \$10,000.

## **Operating Expenses**

### Employee Costs

Favourable variance of \$277,282 primarily due to vacancies across organisation.

### Materials and Contracts

No variance analysis required, variance to budget is less than 10%.



Utility Charges

No variance analysis required, variance to budget is less than 10%.

Depreciation

Unfavourable permanent variance of \$718,327 primarily due to an higher than anticipated asset value following the 2022/23 revaluation, resulting in higher than anticipated depreciation.

Finance Costs

No variance analysis required, variance to budget is less than \$10,000.

Insurance Expenses

No variance analysis required, variance to budget is less than 10%.

Other Expenditure

No variance analysis required, variance to budget is less than 10%.

Loss on Disposal of Assets

No variance analysis required, variance to budget is less than 10%.

**Investing Activities**

Contributions/Grants for the Construction of Assets

Favourable permanent variance of \$1,137,396 due to:

- Byford DCP - \$421,348.
- Community Infrastructure DCP - \$248,638.
- The Shire received a contributed fire truck for the Keysbrook Fire Station from the Department of Fire and Emergency Services (DFES) in accordance with the provisions outlined in the DFES LGGS Capital and Operating Grants Manual. This is a non-cash contribution, offset by the corresponding capital expenditure - \$498,089.

Proceeds from Disposal of Assets

No variance analysis required, variance to budget is less than 10%.

Capital Expenditure

Unfavourable variance of \$504,500 primarily due to:

- 80460 Depot Refurbishment - Outdoor Canopy - Unfavourable permanent variance due to additional expenditure on drainage and project management - \$17,592.
- 80523 Rowley Road - Unfavourable permanent variance due to CPI increases over recent years, rising bitumen costs, new government regulations, and higher market prices for traffic control and sealing services. Additional grant has been approved - \$54,199.
- 80540, 80544 and 80549 Fleet Replacement SUV Hybrid - Favorable permanent variance due to hybrid vehicles price being lower than anticipated - \$30,407.
- 89996 Capital Contributions - Gift Fleet Assets - The Shire received a contributed fire truck for the Keysbrook Fire Station from the Department of Fire and Emergency Services (DFES) in accordance with the provisions outlined in the DFES Capital and Operating Grants Manual. This is a non-cash transaction, offset by the corresponding capital grants and contributions - \$498,089.



## Financing Activities

### Proceeds from new Borrowings

No variance analysis required, variance to budget is less than 10%.

### Transfer from Reserve

No variance analysis required, variance to budget is less than 10%.

### Repayment of new Borrowings

No variance analysis required, variance to budget is less than 10%.

### Payment for principal portion of lease liabilities

No variance analysis required, variance to budget is less than \$10,000.

### Transfer to Reserve

Permanent variance of \$788,554 due to:

- Byford DCP - \$421,348.
- Community Infrastructure DCP - \$248,638.
- Higher than anticipated interest received on Reserve Term Deposits - \$249,173.

### Option 1

That Council RECEIVES the Monthly Financial Report for February 2025 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* as contained in **attachment 1**.

### Option 2

That Council DOES NOT RECEIVE the Monthly Financial Report for February 2025, in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* as contained in **attachment 1**.

Option 1 is recommended.

## Conclusion

Nil.

## Attachments (available under separate cover)

- **10.3.2 - attachment 1** - Monthly Financial Report - February 2025 (IN25/6113)





### Alignment with our Council Plan 2023-2033

<b>Thriving</b>	
1.	Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2.	Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
3.	Ensure sustainable and optimal use of Shire resources and finances
<b>Liveable</b>	
1.	Improve maintenance and investment in roads and paths
2.	Invest in facilities and amenities to meet current and future needs
<b>Connected</b>	
1.	Invest in community recreation and support local clubs and groups to increase opportunities for participation

### Financial Implications

As at 28 February 2025, the Shire's respective cash position was as follows:

Municipal Fund:	\$2,248,502
Cash Reserve:	\$6,536,913
Keirnan Park Grant Account:	\$1,738,383
Trust Fund:	\$304,222

### Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Nil.						
2	That Council does not receive the Monthly Financial Report for February 2025 leading to the Shire not meeting legislative requirements on financial reporting.	Provision of sufficient information and records to support the recommendation	Financial	Unlikely	Insignificant	LOW	Accept Officer Recommendation



**Voting Requirements:** Simple Majority

**OCM087/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council RECEIVES the Monthly Financial Report for February 2025 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* as contained in attachment 1.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**

**10.3.3 - Appointment of Presiding Members and Deputy Presiding Members to the Audit Risk and Governance Committee and the CEO Employment Committee (SJ4564)**

<b>Responsible Officer:</b>	Manager Corporate Performance
<b>Senior Officer:</b>	Director Corporate Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to enable Council to consider appointments of the Presiding Members and Deputy Presiding member to the Shire's Audit Risk and Governance Committee and the CEO Employment Committee as required by recent amendments to the *Local Government Act 1995*.

**Relevant Previous Decisions of Council**

There are no previous Council decisions relating to this matter.

**Background**

In 2022 the State Government announced reforms to the *Local Government Act 1995* aimed at enhancing the efficiency, transparency and accountability of local governments. The reforms were introduced in two tranches. The first tranche was introduced in 2023 under the *Local Government Amendment Act 2023* and focused on electoral reforms to ensure key changes were in place before the 2023 local government elections.

The second tranche, the *Local Government Amendment Act 2024* (Amendment Act) focused on early intervention, effective regulation, stronger penalties and the introduction of the Local Government Inspector, and widened the scope of audit committees to Audit, Risk and Improvement Committees with an independent chairperson.

The Amendment Act also introduced a requirement that Committee Presiding Members and Deputy Presiding Members are appointed by the Council by absolute majority. Transitional provisions in the Amendment Act require that Council appoint any existing Presiding Members and Deputy Presiding Members by absolute majority no later than 1 July 2025.

**Community / Stakeholder Consultation**

Nil.



## **Statutory Environment**

The Local Government Amendment Act 2024 inserted section 5.12 which provides that:

- (1) The local government must appoint\* a member of a committee to be the presiding member of the committee. \* Absolute majority required.*
- (2) The local government may appoint\* a member of a committee to be the deputy presiding member of the committee. \* Absolute majority required*

In accordance with Schedule 9.3 Subdivision 4 of the Act, Local Governments are required to appoint the new presiding member and deputy presiding members by 1 July 2025 and 30 June 2025 respectively.

Under section 5.11(1)(d) of the Act, committee appointments are in place until the next ordinary local government election.

## **Comment**

Prior to the Amendment Act, Committees elected the presiding member and deputy presiding member by secret ballot. However, the Amendment Act has introduced a requirement for Council to appoint these positions by absolute majority.

The Transitional Provisions in the Act give Council until the end of June 2025, to reappoint the Presiding Member and Deputy Presiding Member for the following Shire committees:

- Audit, Risk and Governance Committee
- CEO Employment Committee

These appointments will remain in place until the Ordinary Local Government Election in October 2025, following which, Council will need to reconsider the Presiding and Deputy Presiding Member for both Committees.

It is for Council's consideration whether to reappoint the existing members or call for new nominations. If Council opts to call for nominations, where more than one nomination for each position is received, a secret ballot may be conducted to determine names to appear on a motion which is subsequently debated and resolved. In this scenario, members are often given the opportunity to speak for a period no greater than five minutes in support of their nomination.

### Audit, Risk and Improvement Committee - future changes

As noted by Council at the December 2024 Ordinary Council Meeting, further changes to the Audit Committee will be implemented at a later stage (potentially after the 2025 Local Government Elections) when the relevant provisions of the Amendment Act are proclaimed. This will require the newly formed Audit, Risk and Improvement Committee to have an independent Presiding Member and Deputy Presiding Member. Current members who are Elected Members will no longer be eligible for the role and a new independent member will need to be appointed.

The Department of Local Government, Sport and Cultural Industries are yet to provide any information on when these provisions will take effect.



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## Options

### Option 1

That Council:

1. APPOINT Councillor Mack as the Presiding Member of the Audit, Risk and Governance Committee and the CEO Employment Committee for the period ending at the next Local Government Election in October 2025.
2. APPOINT Mr Jacob Curulli as the Deputy Presiding Member of the Audit, Risk and Governance Committee for the period ending at the next Local Government Election in October 2025.
3. APPOINT Councillor Bishop as the Deputy Presiding Member of the CEO Employment Committee for the period ending at the next Local Government Election in October 2025.

### Option 2

That Council:

1. APPOINT \_\_\_\_\_ as the Presiding Member of the Audit, Risk and Governance Committee for the period ending at the next Local Government Election in October 2025.
2. APPOINT \_\_\_\_\_ as the Deputy Presiding Member of the Audit, Risk and Governance Committee for the period ending at the next Local Government Election in October 2025.
3. APPOINT \_\_\_\_\_ as the Presiding Member of the CEO Employment Committee for the period ending at the next Local Government Election in October 2025.
4. APPOINT \_\_\_\_\_ as the Deputy Presiding Member of the CEO Employment Committee for the period ending at the next Local Government Election in October 2025.

Option 1 is recommended.

## Conclusion

Amendments made by the *Local Government Amendment Act 2024*, requires the reappointment of the Presiding and Deputy Presiding Members of the Shire's two Committees to ensure compliance with the *Local Government Act 1995*.

## Attachments (available under separate cover)

Nil.

## Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

## Financial Implications

Nil.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1 & 2	There are no significant risks associated with either option.						

**Voting Requirements:** Absolute Majority (section 5.12 of the *Local Government Act 1995*)

Officer Recommendation

That Council:

1. APPOINT Councillor Mack as the Presiding Member of the Audit, Risk and Governance Committee and the CEO Employment Committee for the period ending at the next Local Government Election in October 2025.
2. APPOINT Mr Jacob Curulli as the Deputy Presiding Member of the Audit, Risk and Governance Committee for the period ending at the next Local Government Election in October 2025.
3. APPOINT Councillor Bishop as the Deputy Presiding Member of the CEO Employment Committee for the period ending at the next Local Government Election in October 2025.

**OCM088/04/25**

**COUNCIL RESOLUTION**

**Moved Cr Duggin, seconded Cr Bishop**

1. In accordance with *Standing Orders Local Law 2002 (as Amended)* clause 11.1(b), that the question be adjourned to the May Ordinary Council Meeting.
2. REQUESTS the Chief Executive Officer consult with external members to ensure they are provided with all the options available to them.

**CARRIED UNANIMOUSLY 6/0**

Reason for difference:

To allow all effected members to be informed of the new regulations and offered the opportunity for positions.



**10.3.4 - Seek permission from Electoral Commission to allow Elected Member vacancy to remain unfilled until Ordinary Local Government Election (SJ524-15)**

<b>Responsible Officer:</b>	Manager Corporate Performance
<b>Senior Officer:</b>	Director Corporate Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.
Legislative	Includes adopting local laws, local planning schemes and policies.

**Report Purpose**

The purpose of this report is for Council consider options regarding the vacant office of councillor following Councillor Morgan Byas' resignation effective 31 March 2025.

**Relevant Previous Decisions of Council**

There are no previous Council decisions relating to this matter.

**Background**

On 16 March 2025, former Councillor Morgan Byas, provided his written resignation from his office of councillor in the North West Ward, effective 31 March 2025. A copy of former Councillor Byas' letter of resignation is provided at **attachment 1**.

**Community / Stakeholder Consultation**

Nil.

**Statutory Environment**

Section 2.31 of the *Local Government Act 1995* (the Act) provides that an elected member may resign from their office of councillor by providing written notice to the Chief Executive Officer.

Section 2.32(1)(b) of the Act provides that an extraordinary vacancy occurs if an Elected Member resigns from their office.

Under section 4.17(2) of the Act, if an office becomes vacant after the third Saturday in October in the year before an election, but before the third Saturday in July in an election year, Council may, with approval of the Electoral Commission, allow the vacancy to remain unfilled until the October Ordinary election.



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**Comment**

Former Councillor Byas' term was due to expire at the next Ordinary Local Government Election on 18 October 2025. Under the Act, Council can resolve to allow the vacancy to remain unfilled, with the approval of the Electoral Commissioner. This is considered the most practical approach due to the time and cost involved to hold an extraordinary election for a term that will expire in October 2025. It also aligns with advice from the Western Australian Electoral Commission (WAEC), who wrote to all local governments in September 2024, to strongly encourage local governments to reconsider the need to hold an extraordinary election in 2025. The time for the Shire to engage the WAEC for an extraordinary election has also passed, being past 12 March 2025 (**attachment 2**).

This means that the only option for the Shire to hold an extraordinary election would be for the Shire to conduct its own. This is not considered a viable option as officers have not done any investigation into costings, timeframes and mechanics of an election being conducted by Shire officers.

Council's approval is sought to write to the Electoral Commissioner seeking approval for the vacancy in the North West Ward to remain unfilled until the Ordinary Local Government Election on 18 October 2025. Electors in the North West Ward are still represented by Councillor Nathan Bishop.

A position that remains unfilled under section 4.17 is regarded as ending at the October election as if the vacancy had not occurred.

**Options**Option 1

That Council REQUESTS the Chief Executive Officer, in accordance with section 4.17 of the *Local Government Act 1995*, writes to the Western Australian Electoral Commissioner seeking approval to allow the Elected Member vacancy in the North West Ward to remain unfilled until the next Ordinary Local Government Election on 18 October 2025.

Option 2

That Council REQUESTS the Chief Executive Officer make the necessary arrangements to hold an Extraordinary Election to fill the Elected Member vacancy in the North West Ward, with a term expiring in October 2025.

Option 1 is recommended.

**Conclusion**

Council's approval is sought to seek approval from the Electoral Commissioner to hold the office of councillor vacant until the Ordinary Local Government Election on 18 October 2025, as the time involved in preparing and undertaking an extraordinary election for a term of office that is due to expire in October 2025 would not be an efficient use of Shire resources.

**Attachments (available under separate cover)**

- **10.3.4 - attachment 1** - Morgan Byas resignation letter (E25/2880)
- **10.3.4 - attachment 2** - Email from WAEC on local government extraordinary elections (IN24/22024)



### Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances

### Financial Implications

On the basis of the March 2024 extraordinary election, the cost for the Shire to run an extraordinary election via postal vote would be expected to cost approximately \$50,000 (ex GST).

As former Councillor Byas' term was due to expire in October 2025, the cost of filling this vacancy is already factored into the Western Australia Electoral Commissioner's estimated cost for running the October 2025 election.

### Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks with this option.						
2	This would be an expensive option with the length of time involved in preparing and undertaking an extraordinary election for a term of office that is due to expire in October 2025	Nil	Financial	Almost Certain	Moderate	SIGNIFICANT	Nil



**Voting Requirements:** Simple Majority

**OCM089/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council REQUESTS the Chief Executive Officer, in accordance with section 4.17 of the *Local Government Act 1995*, writes to the Western Australian Electoral Commissioner seeking approval to allow the Elected Member vacancy in the North West Ward to remain unfilled until the next Ordinary Local Government Election on 18 October 2025.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**

**10.4 Community Engagement reports:**

Councillor Tricia Duggin declared an impartiality interest in Item 10.4.1

<b>10.4.1 - Property Disposal, Lease of 172 Keirnan Street, Whitby (E25/2290)</b>	
<b>Responsible Officer:</b>	Manager Community Projects & Property
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to seek the Council's approval to undertake the proposed 10-year (5+5) tenure arrangement with Rebecca Hodgson and Rodney Lee for the property located at 172 Keirnan Street, Whitby.

**Relevant Previous Decisions of Council**

<i>Special Council Meeting - 07 May 2018 - SCM007/05/18 - COUNCIL RESOLUTION</i> <i>1. That Council ENDORSES the proposed purchase of Lot 113 Keirnan Street, Whitby, for a sum of \$745,000.</i> <i>2. That Council, in accordance with section 6.8(1)(b) of the Local Government Act 1995, approves the following adjustments to the 2017/18 Municipal Budget: (refer Minutes for details)</i>
--

**Background**

Proposed Lease Area



The Shire acquired the property at 172 Keirnan Street, Whitby, in 2018 for future development purposes. An initial one-year "rent back" agreement was established, allowing the previous owners, Rebecca Hodgson and Rodney Lee to remain as tenants. A condition of the sale and subsequent leases specified that the improvements on the property, particularly the shed, are considered the tenant's property and were to be removed upon the termination of the tenancy.

The property is 30057 m<sup>2</sup> and the proposed lease does not come with any pre-existing infrastructure, buildings, or improvements on the land, as any infrastructure currently present is not owned by the Shire of Serpentine Jarrahdale.

Following the initial one-year lease, a two-year lease was executed, which expired on July 31, 2021. Since then, the tenancy has continued on a holding-over basis. There are no formal development plans for the site at this time and the tenant is maintaining the property adequately. The current rental amount is \$5,719 per annum, including GST.

To formalise a continued leasing arrangement, a property disposal via private treaty under section 3.58(3) of the *Local Government Act* was required. This process included obtaining a property valuation, and a Local Public Notice was issued to inform the community of the intent to dispose of the property.

## **Community / Stakeholder Consultation**

### Current tenants

On 7 November 2024 Shire officers met with the current tenants to discuss proposed option and the property disposal process. The current tenants have expressed their intent to continue leasing the property and enter into a new lease agreement, pending Council endorsement.

The last inspection of the property was completed in November 2024, with no lease compliance issues identified.

### Public Notice

The Public Notice was published as below with submissions accepted before 5pm, 21 February 2025.

- Examiner Newspaper - 6 February 2025
- Social Media - 4 February 2025
- Shire Website - 3 February 2025
- Shire Notice Boards - 3 February 2025

One submission was received and is provided at **attachment 1**. Officers' response to the submission is provided in the comment section of the report.

## **Statutory Environment**

Section 3.58 of the *Local Government Act 1995* regulates the disposal of Council property. With the following conditions:

*A local government can dispose of property if, before agreeing to dispose of the property —*

- (a) it gives local public notice of the proposed disposition —*
  - (i) describing the property concerned; and*
  - (ii) giving details of the proposed disposition; and*





- (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

### Comment

As per Section 3.58 of the *Local Government Act 1995* Shire offices undertook the following:

- A market valuation for the property at 172 Keirnan Street, Whitby, was received on 14 January 2025, from a licensed valuer. The market value was determined to be \$990,000, excluding GST, with a rental value of \$6,450 per annum, excluding GST. This valuation report is attached as **CONFIDENTIAL attachment 2**.
- Public Notice about the Shire's proposal to dispose of the property by way of lease.

One submission was received from Homelessness We Care Serpentine Jarrahdale and Surrounds (HWCSJS). HWCSJS operates 365 days a year, providing meals, food hampers, and essential items to individuals experiencing homelessness, financial hardship, and social isolation. They currently operate from the SJ Library Service in Byford each Friday afternoon, as well as outreach support throughout the Shire and surrounding areas.

While the Shire supports HWCSJS vision to establish a permanent base to streamline its services, Officers do not support the 172 Keirnan Street, Whitby location for the following reasons:

- The land would only be offered under a ground lease.
- The property is located in a semi-remote, fringe locality, zoned as Urban Development.
- The site and surrounding infrastructure and complementary services are limited.
- No nearby public transport is available, affecting access to other services.

Shire Officers met with HWCSJS in March 2025 to discuss their proposal and that the Officer's view was that the Keirnan Street site was not suitable for their proposal. Officers and HWCSJS have agreed to continue to work together to progress their initiative in collaboration with the Office for Homelessness.

The tenant has the option to renew the Lease for the Further Term if they are not in breach and have no outstanding payments. The Lessee must notify the Shire in writing of their intention to renew at least three months but no more than six months before the current Lease expires. The Shire will confirm in writing whether the renewal request is accepted. The Further Term will have the same terms as the current Lease, except for the renewal clause.

Key terms for the proposed lease at 172 Keirnan Street, Whitby to Rebecca Hodgson and Rodney Lee are:

- Term: 5 years
- Option: 1 option for a further term of 5 years.
- Utilities: Tenant responsible for Electricity and Water
- Outgoings: Tenant responsible for Insurance, Maintenance, Taxes, Rates and ESL
- Area: Whole of 172 Keirnan Street totalling approximately 30,057m<sup>2</sup>
- Rent: \$6,500 Inc GST per annum



- Rent Review: Annual CPI and Valuation prior to Further Term
- Permitted use: Personal Workshop/Storage

The lease will include a redevelopment clause. If the Shire wishes to undertake significant redevelopment of the facility, the Shire may issue a six-month written Notice of Termination to facilitate the proposed redevelopment.

## **Options**

### Option 1

That Council:

1. NOTES the submission received from Homelessness We Care Serpentine Jarrahdale and Surrounds at attachment 1.
2. AUTHORISES the Chief Executive Officer to finalise the proposed disposition and sign the lease for 172 Keirnan Street, Whitby to Rebecca Hodgson and Rodney Lee on the following terms:
  - Term: 5 years
  - Option: 1 option for a further term of 5 years.
  - Utilities: Tenant responsible for Electricity and Water
  - Outgoings: Tenant responsible for Insurance, Maintenance, Taxes, Rates and ESL
  - Area: Whole of 172 Keirnan Street totalling approximately 30,057m<sup>2</sup>
  - Rent: \$6,500 Inc GST per annum
  - Rent Review: Annual CPI and Valuation prior to Further Term
  - Permitted use: Personal Workshop/Storage
3. NOTES that the Shire will continue to work with Homelessness We Care Serpentine Jarrahdale and Surrounds to progress their vision to establish a permanent base within the Shire.

### Option 2

That Council:

1. RESOLVES not to proceed with the proposed disposition of 172 Keirnan Street, Whitby to Rebecca Hodgson and Rodney Lee.
2. AUTHORISES the Chief Executive Officer to issue any required termination notice of not less than 12 months to the existing tenants of 172 Keirnan Street, Whitby to Rebecca Hodgson and Rodney Lee to vacate the premises. The Chief Executive Officer will request the Lessee to professionally disconnect the power supply from the property and remove the existing shed, vehicles, loose items and any rubbish from the property prior to the expiry of the lease.
3. NOTES that the Shire will continue to work with Homelessness We Care Serpentine Jarrahdale and Surrounds to progress to establish a permanent base within the Shire.

Option 1 is recommended.



## Conclusion

Public notice to dispose of the property was undertaken and the recommendation is to proceed with the lease to Rebecca Hodgson and Rodney Lee.

## Attachments (available under separate cover)

- **10.4.1 - attachment 1** - Homelessness We Care Serpentine Jarrahdale and Surrounds Submission (E25/3889)
- **10.4.1 - CONFIDENTIAL - attachment 2** - Market Valuation (E25/645)

## Alignment with our Council Plan 2023-2033

Thriving	
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale	
4. Ensure sustainable and optimal use of Shire resources and finances	
Liveable	
4. Invest in facilities and amenities to meet current and future needs	

## Financial Implications

The proposed lease includes an annual rental income of \$6,500 (including GST), with the tenant responsible for outgoings and subject to an annual CPI review.

## Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	HWCSJS may be disappointed with decision to continue with existing tenant.	Council Policy and Leasing and Licence Management	Reputation	Possible	Insignificant	LOW	Continue communication and consultation with HWCSJS
2	Terminating the existing lease leads to the property being vacant. Loss of rental and rates income. Increase maintenance expense.	Council Policy and Leasing and Licence Management	Financial	Unlikely	Insignificant	LOW	



**Voting Requirements:** Simple Majority

Officer Recommendation

That Council:

1. NOTES the submission received from Homelessness We Care Serpentine Jarrahdale and Surrounds at attachment 1.
2. AUTHORISES the Chief Executive Officer to finalise the proposed disposition and sign the lease for 172 Keirnan Street, Whitby to Rebecca Hodgson and Rodney Lee on the following terms:
  - Term: 5 years
  - Option: 1 option for a further term of 5 years.
  - Utilities: Tenant responsible for Electricity and Water
  - Outgoings: Tenant responsible for Insurance, Maintenance, Taxes, Rates and ESL
  - Area: Whole of 172 Keirnan Street totalling approximately 30,057m<sup>2</sup>
  - Rent: \$6,500 Inc GST per annum
  - Rent Review: Annual CPI and Valuation prior to Further Term
  - Permitted use: Personal Workshop/Storage
3. NOTES that the Shire will continue to work with Homelessness We Care Serpentine Jarrahdale and Surrounds to progress their vision to establish a permanent base within the Shire.

**OCM090/04/25**

**COUNCIL RESOLUTION**

**Moved President Coales, seconded Cr Bishop**

**That Council REQUESTS the Chief Executive Officer present the Item to a Policy Concept Forum by 31 May 2025.**

**CARRIED UNANIMOUSLY 6/0**

Reason for difference

To allow options to be considered for the property.



<b>10.4.2 - Lease of Serpentine Old Bridge School Building, Reserve 6080 (E25/3880)</b>	
<b>Responsible Officer:</b>	Manager Community Projects & Property
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to seek the Council's approval to undertake a lease agreement with Serpentine Historical Society (SHS) for the building known as the Serpentine Old Bridge School Building, at Lot 118 Gordon Road, Reserve 6080.

**Relevant Previous Decisions of Council**

There are no previous Council decisions relating to this matter

**Background**





Shaded green is the building footprint and proposed Lease area.

The Shire has Management Order over Reserve 6080, with the power to lease for a term not exceeding 21 years, subject to ministers' consent.

There is no previous lease on Reserve 6080 however the site has been occupied by the SHS since circa 1999.

### **Community / Stakeholder Consultation**

In 2024, the Shire held several in-person meetings with the SHS to discuss a lease agreement for the facility.

### **Statutory Environment**

Section 3.58 of the *Local Government Act 1995* (the Act) provides for the disposal of property. Disposal is defined as "includes to sell, lease or otherwise dispose of, whether absolutely or not".

Under the Act, the Shire can only dispose of property to the highest bidder at public auction, via public tender, or following a period of local public notice.

However, regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*, provides for an exemption from the disposal of property provisions if the land is disposed of to:

*"a body, whether incorporated or not —*

- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;".*

SHS are considered a charitable body and are not entitled or permitted to receive any pecuniary profit from the body's transactions, therefore the Shire was not required to undertake a formal period of local public notice.

Council Policy - Lease and Licence Management

Council Policy - Execution of Documents and Use of the Common Seal

### **Comment**

Council Policy - Lease and License Management states the leasing and licensing of Shire facilities will balance sound financial management, whilst also ensuring facilities and land are utilised for the benefit of the community in line with the Shires Council Plan 2023 - 2033.

For community (not for profit) lease and license holders, the Shire will use a cost recovery model to recover a portion of operating costs for facilities (where appropriate). Any community lease or licence that is provided for under this model will detail the value of provision by the Shire and the subsequent community benefit the lessee or licensee provides.

SHS do not have sufficient financial funding to cover facility outgoings and maintenance but are providing a community benefit through the services they offer.

The SHS plays a vital role in preserving the Old Bridge School, which it reopened as a museum in 1999. Their efforts ensure the area's history is maintained for future generations, providing an educational space for the community.





The museum is open once a month and by request for school groups and visitors. Volunteers contribute about 50 hours per year, valued at \$2,400, to help care for and operate the museum. The SHS supports local heritage preservation, offers educational opportunities, and maintains the Old Bridge School as a key historical site in Serpentine.

The SHS is expected to maintain and keep the premises clean and in good repair. The SHS would be responsible for any damage and the Shire responsible for fair wear and tear and structural repairs. Maintenance obligations taking in the specific considerations for the sites will be an annexure to the agreement.

Minister for Lands consent is required. This will be obtained following Council approval.

The SHS has the option to renew the Lease for the Further Term if they are not in breach and have no outstanding payments. The Lessee must notify the Shire in writing of their intention to renew at least three months but no more than six months before the current Lease expires. The Shire will confirm in writing whether the renewal request is accepted. The Further Term will have the same terms as the current Lease, except for the renewal clause.

It is recommended to sign the lease with SHS for Serpentine Old Bridge School Building, Reserve 6080. The proposed lease is included as **CONFIDENTIAL attachment 1** with the key terms as below:

- Term: 5 years
- Option: 1 option for a further term of 5 years.
- Outgoings: Cleaning
- Utilities: Deliberately omitted
- Area: Totalling approximately 80m<sup>2</sup>
- Rent: \$1.10 Inc GST per annum
- Permitted use: Museum.

## **Options**

### Option 1

That Council AUTHORISES the Chief Executive Officer to finalise the proposed lease and sign the lease with Serpentine Historical Society for Reserve 6080 on the following terms:

- Term: 5 years
- Option: 1 option for a further term of 5 years.
- Outgoings: Cleaning
- Utilities: Deliberately omitted
- Area: Totalling approximately 80m<sup>2</sup>
- Rent: \$1.10 Inc GST per annum
- Permitted use: Museum.

**Option 2**

That Council:

1. RESOLVES NOT TO PROCEED with the proposed disposition to Serpentine Historical Society for Serpentine Old Bridge School Building, at Reserve 6080.
2. AUTHORISES the Chief Executive Officer to issue any required termination notice to Serpentine Historical Society for Serpentine Old Bridge School Building, at Reserve 6080.

Option 1 is recommended.

**Conclusion**

The recommendation is to proceed with the lease to the SHS. The lease provides a strong community benefit and ensures that this important historical building remains valued and accessible by the community in the future.

**Attachments (available under separate cover)**

- **10.4.2 - CONFIDENTIAL - attachment 1** - Reserve 6080 - Serpentine Historical Society - Draft Lease (E25/2760)

**Alignment with our Council Plan 2023-2033**

Thriving	
4. Ensure sustainable and optimal use of Shire resources and finances	
Connected	
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation	
2. Contribute to a well-connected, accessible and health community	
4. Facilitate an inclusive community that celebrates our history and diversity	

**Financial Implications**

The proposed lease includes an annual rental income of \$1.10.

Facility	Lease income	Facility costs	Shire obligations
Reserve 6080	\$1.10	\$1,244	\$1,243

Ongoing maintenance of Reserve 6080 is expected to cost \$1,243 annually, including staffing and resources. This should be considered in the long-term financial planning.



## Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	Terminating the existing tenant leads to the property being vacant, not accessible to the community and underutilised	Council Policy Leasing and Licence Management	Social / Community Outcomes	Unlikely	Minor	LOW	

**Voting Requirements:** Simple Majority

**OCM091/04/25**

### COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Duggin, seconded Cr Bishop

That Council **AUTHORISES** the Chief Executive Officer to finalise the proposed lease and sign the lease with Serpentine Historical Society for Reserve 6080 on the following terms:

- **Term: 5 years**
- **Option: 1 option for a further term of 5 years.**
- **Outgoings: Cleaning**
- **Utilities: Deliberately omitted**
- **Area: Totalling approximately 80m2**
- **Rent: \$1.10 Inc GST per annum**
- **Permitted use: Museum.**

**CARRIED UNANIMOUSLY 6/0**



The CEO advised of a typographical error in the Officers Recommendation. The Officer Recommendation has been corrected from Jarrahdale Historical Society to Jarrahdale Heritage Society.

<b>10.4.3 - Lease of Jarrahdale Old Post Office Building, 631 Jarrahdale Road, Jarrahdale (E25/3881)</b>	
<b>Responsible Officer:</b>	Manager Community Projects & Property
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

### **Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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### **Report Purpose**

The purpose of this report is to seek the Council's approval to undertake a lease agreement with Jarrahdale Heritage Society (JHS) for the building known as the as the Jarrahdale Old Post Office Building, at 631 Jarrahdale Road, Jarrahdale.

### **Relevant Previous Decisions of Council**

There are no previous Council decisions relating to this matter.

### **Background**

631 Jarrahdale Road, Jarrahdale is freehold land owned by the Shire.

The lease of 631 Jarrahdale Road, Jarrahdale to the Jarrahdale Heritage Society has expired and is continuing pursuant to the holding over provision of the original lease.



Proposed lease area

### Community / Stakeholder Consultation

In 2024, the Shire held several in-person meetings with the JHS to discuss a lease agreement for the facility.

### Statutory Environment

Section 3.58 of the *Local Government Act 1995* (the Act) provides for the disposal of property. Disposal is defined as “includes to sell, lease or otherwise dispose of, whether absolutely or not”.

Under the Act, the Shire can only dispose of property to the highest bidder at public auction, via public tender, or following a period of local public notice.

However, regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*, provides for an exemption from the disposal of property provisions if the land is disposed of to:

“a body, whether incorporated or not —

- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions;”.

JHS are considered a charitable body and are not entitled or permitted to receive any pecuniary profit from the body’s transactions, therefore the Shire was not required to undertake a formal period of local public notice.



*Council Policy - Lease and Licence Management*

*Council Policy - Execution of Documents and Use of the Common Seal*

**Comment**

The Council Policy - Lease and License Management states the leasing and licensing of Shire facilities will balance sound financial management, whilst also ensuring facilities and land are utilised for the benefit of the community in line with the Shires Council Plan 2023 - 2033.

For community (not for profit) lease and license holders, the Shire will use a cost recovery model to recover a portion of operating costs for facilities (where appropriate). Any community lease or licence that is provided for under this model will detail the value of provision by the Shire and the subsequent community benefit the lessee or licensee provides.

JHS do not have sufficient financial funding to cover facility outgoings and maintenance but are providing a community benefit through the services they offer.

Since 1991, the Jarrahdale Heritage Society has enriched the community by preserving local history, promoting education, and supporting cultural and environmental initiatives.

They preserve historic artifacts, facilitate the museum which is open Public Holidays, Saturdays and Sundays and offer educational programs like the Jarrahdale Ghost Walks. Volunteers contribute over 460 hours annually, valued at \$22,084. They also produce a local trail guide to encourage tourism and collaborate with local groups to strengthen community ties.

The society organizes events such as R U OK? Day, NAIDOC Week, and tree planting with Landcare SJ to promote well-being and environmental conservation. Overall, the society fosters cultural preservation, sustainability, and community connection.

The JHS has the option to renew the Lease for the Further Term if they are not in breach and have no outstanding payments. The Lessee must notify the Shire in writing of their intention to renew at least three months but no more than six months before the current Lease expires. The Shire will confirm in writing whether the renewal request is accepted. The Further Term will have the same terms as the current Lease, except for the renewal clause.

It is recommended to sign the lease with the JHS for the Jarrahdale Old Post Office Building, at 631 Jarrahdale Road, Jarrahdale. The proposed lease is included as **CONFIDENTIAL attachment 1** with the key terms as below:

- Term: 5 years
- Option: 1 option for a further term of 5 years.
- Outgoings: JHS responsible for Non-Structural Maintenance as defined in agreement
- Utilities: JHS responsible for Water and Electricity
- Area: Totalling approximately 418m<sup>2</sup>
- Rent: \$1.10 Inc GST per annum
- Permitted use: Museum.





## Options

### Option 1

That Council AUTHORISES the Chief Executive Officer to finalise the proposed lease and sign the lease with Jarrahdale Historical Society for the Jarrahdale Old Post Office Building, at 631 Jarrahdale Road, Jarrahdale on the following terms:

- Term: 5 years
- Option: 1 option for a further term of 5 years.
- Outgoings: JHS responsible for Non-Structural Maintenance as defined in agreement
- Utilities: JHS responsible for Water and Electricity
- Area: Totalling approximately 418m<sup>2</sup>
- Rent: \$1.10 Inc GST per annum
- Permitted use: Museum

### Option 2

That Council:

1. RESOLVES NOT TO PROCEED with the proposed disposition to Jarrahdale Historical Society for Jarrahdale Old Post Office Building, at 631 Jarrahdale Road
2. AUTHORISES the Chief Executive Officer to issue any required termination notice to Jarrahdale Historical Society for Jarrahdale Old Post Office Building, at 631 Jarrahdale Road.

Option 1 is recommended.

## Conclusion

The recommendation is to proceed with the lease to the JHS. The lease provides a strong community benefit and ensures that this important historical building remains valued and accessible by the community in the future.

## Attachments (available under separate cover)

- **10.4.3 - CONFIDENTIAL - attachment 1** - 631 Jarrahdale Road - Jarrahdale Historical Society - Draft Lease (E25/2815)

## Alignment with our Council Plan 2023-2033

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation
2. Contribute to a well-connected, accessible and health community
4. Facilitate an inclusive community that celebrates our history and diversity

**Financial Implications**

The proposed lease includes an annual rental income of \$1.10

Facility	Lease income	Facility maintenance costs	Shire obligations
631 Jarrahdale Road, Jarrahdale	\$1.10	\$3,790	\$3,789

Ongoing maintenance of Reserve 6080 is expected to cost \$3,789 annually, including staffing and resources. This should be considered in the long-term financial planning.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	Terminating the existing lease leads to the property being vacant, not accessible to the community and underutilised	Council Policy Leasing and Licence Management	Social / Community Outcomes	Unlikely	Minor	LOW	



**Voting Requirements:** Simple Majority

**OCM092/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Jerrett, seconded Cr Duggin**

**That Council AUTHORISES the Chief Executive Officer to finalise the proposed lease and sign the lease with Jarrahdale Heritage Society for the Jarrahdale Old Post Office Building, at 631 Jarrahdale Road, Jarrahdale on the following terms:**

- **Term: 5 years**
- **Option: 1 option for a further term of 5 years.**
- **Outgoings: JHS responsible for Non-Structural Maintenance as defined in agreement**
- **Utilities: JHS responsible for Water and Electricity**
- **Area: Totalling approximately 418m<sup>2</sup>**
- **Rent: \$1.10 Inc GST per annum**
- **Permitted use: Museum**

**CARRIED UNANIMOUSLY 6/0**



<b>10.4.4 - Lease of Part of St John's Ambulance Hall, Serpentine (E25/3885)</b>	
<b>Responsible Officer:</b>	Manager Community Projects & Property
<b>Senior Officer:</b>	Director of Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to request the Council's approval for the proposed 10-year (5+5) tenure arrangement between the Shire of Serpentine Jarrahdale and the Child and Adolescent Health Service (CAHS) for the continued use of the facilities at the St John's Ambulance Hall in Serpentine.

**Relevant Previous Decisions of Council**

*EXTRACT Ordinary Council Meeting - 15 July 2019 - OCM149/07/19 - COUNCIL RESOLUTION / Officer Recommendation*

1. That Council **APPROVES** tenure arrangements between the Shire of Serpentine Jarrahdale and Child and Adolescent Health Service for occupation of the St John Ambulance Building, Richardson Street, Serpentine on the following terms:
  - a) Annual Contribution - \$5,000 ex GST
  - b) Term - 5 years
  - c) Child and Adolescent Health Service to be responsible for operational costs including power, water, telephone/communications fees and cleaning.
  - d) Child and Adolescent Health Service to manage installation of the following items at its own cost (under the guidance of the Shire):
    - i) Telephone/Communications line
    - ii) Sink
    - iii) Split Air conditioner unit (specification to be provided by the Shire)
    - iv) Re-keying for tenanted areas (to be managed by Shire, and reimbursed by Child and Adolescent Health Service)



## **Background**

CAHS has delivered services from the St John's Ambulance Hall in Serpentine for approximately 5 years. The Hall is located on the corner of Wellard and Richardson Street in Serpentine. Legal description is Lot 7 on Plan 223102 as contained in Certificate of Title Volume LR3162 Folio 360., Reserve 51259, Serpentine), which is Crown Land.

The subject premises comprises an exclusive consulting room with communal, modernised bathroom facilities. A kitchen is also available for shared usage. The proposed lease premise has been agreed to be 25 square metres

A management order for the land is vested to the Shire, with the permitted purpose being a Community Centre. The order includes the power to lease the land for up to 21 years, subject to the consent of the Minister for Lands.

The current lease for the Serpentine Child Health Clinic, located at St John's Ambulance Hall, is set to expire on March 31, 2025.

CAHS provides a range of services for children aged 0-17 years, including:

- Community Health: Offering child health and developmental assessments as well as targeted programs designed to optimise the health, wellbeing, and development of children.
- Child Development Service: Providing assessments, early intervention, and treatment services to children with developmental delays through a multi-disciplinary team of clinicians.
- Immunisation: Delivering immunisation programs for children aged 0-5 years.

On the 17 September 2024 the Shire received a request for a new lease agreement on the same terms as the current lease and with a further 5-year term option.



## **Community / Stakeholder Consultation**

Correspondence in 2024 and 2025 with the CAHS to discuss a lease agreement for the facility.

### Policy Concept Forum

Nil.



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**Statutory Environment**

Section 3.58 of the *Local Government Act 1995* (the Act) provides for the disposal of property. Disposal is defined as “includes to sell, lease or otherwise dispose of, whether absolutely or not”.

Under the Act, the Shire can only dispose of property to the highest bidder at public auction, via public tender, or following a period of local public notice.

However, regulation 30(2)(c) of the *Local Government (Functions and General) Regulations 1996*, provides for an exemption from the disposal of property provisions if the land is disposed of to “a department, agency or instrumentality of the Crown in right of the State or the Commonwealth”.

As CAHS are considered a health service provider, under the *Health Services Act 2016* (State Government Agency under the Department of Health), the Shire was not required to undertake a formal period of local public notice to extend the lease.

*Council Policy - Lease and Licence Management*

*Council Policy - Execution of Documents and Use of the Common Seal*

**Comment**

CAHS is a well-established service that has been providing valuable and important primary health care to parents and young children within the Shire.

As Council Policy 5.1.3 - Lease and Licence Management implies that for government lease holders, a market rental valuation assessment will be undertaken, and that rent will be market related and negotiated on a case-by-case basis.

A market rental valuation was conducted on the 19 February 2025 for the subject property at Part of 4 Wellard Street, Serpentine to be \$5,250 per annum excluding outgoings and GST. This valuation report is attached as **CONFIDENTIAL attachment 1**.

The rental amount has been negotiated to be \$5,000 per annum excluding outgoings and GST with no 5-year valuation review. The lease agreement will also include the redevelopment clause.

In an email from CAHS on 10 March 2025, it was mentioned that there is a historical arrangement where the Shire provides the facility and CAHS provides the staff and services. CAHS expressed a preference to avoid paying annual CPI increases or rental fees.

CPI adjustments are a standard part of such agreements, as well as the Shire's Council Policy. While the Shire understands CAHS's preference, it's important to note that these increases are typically made to keep up with inflation. However, the Council has the discretion to decide whether to impose these charges, should it align with CAHS's request.

The proposed agreement aligns with the Council's strategic planning for the provision of appropriate community infrastructure and services to the community and provide security for CAHS in delivering vital services to the residents of the Shire. The agreements at these facilities support the sustainability of Shire facilities.

In the proposed lease CAHS has the option to renew the Lease for the Further Term if they are not in breach and have no outstanding payments. The Lessee must notify the Shire in writing of their intention to renew at least three months but no more than six months before the current Lease expires. The Shire will confirm in writing whether the renewal request is accepted. The Further Term will have the same terms as the current Lease, except for the renewal clause.





It is recommended that Council approves tenure arrangements between the Shire of Serpentine Jarrahdale and Child and Adolescent Health Service for occupation of the St John Ambulance Building room, Serpentine on the following terms:

- Rent Amount - \$5,000 ex GST.
- Term - 5 years.
- Further Term Option - 5 years.
- Rent Review - Annual CPI.
- Utilities - CAHS to be responsible for operational costs including power, water, telephone/communications fees, electrical item test/tagging and cleaning.
- Outgoings - Shire to be responsible for RCD, Pest, Rates, Rubbish, ESL, Building Insurance, Fire and Emergency Lighting servicing.

This lot is Crown land, subject to a management order with the permitted use of a Community Centre.

### **Options**

#### Option 1

That Council AUTHORISES the Chief Executive Officer to sign the tenure arrangements between the Shire of Serpentine Jarrahdale and Child and Adolescent Health Service for occupation of the St John Ambulance Building room, Serpentine subject to receiving Ministers consent with the following key terms:

- Rent Amount - \$5,000 ex GST.
- Term - 5 years.
- Further Term Option - 5 years.
- Rent Review - Annual CPI.
- Utilities - CAHS to be responsible for operational costs including power, water, telephone/communications fees, electrical item test/tagging and cleaning.
- Outgoings - Shire to be responsible for RCD, Pest, Rates, Rubbish, ESL, Building Insurance, Fire and Emergency Lighting servicing.

#### Option 2

That Council:

1. RESOLVES NOT TO PROCEED with the proposed tenure arrangements for CAHS, Serpentine Child Health Clinic, Serpentine.
2. AUTHORISES the Chief Executive Officer to issue any required termination notice to the existing tenant CAHS, Serpentine Child Health Clinic, Serpentine.

Option 1 is recommended.



## Conclusion

The proposed tenure terms with CAHS are consistent with Council's strategic planning for the provision of appropriate community infrastructure and services to the community and provide security for CAHS in delivering vital services to the residents of the Shire and support the sustainability and maximisation of Shire facilities.

## Attachments (available under separate cover)

- **10.4.4 - CONFIDENTIAL - attachment 1** - Valuation Report Serpentine CAHS (E25/2229)

## Alignment with our Council Plan 2023-2033

Thriving	
1.	Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2.	Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
4.	Ensure sustainable and optimal use of Shire resources and finances
Liveable	
4.	Invest in facilities and amenities to meet current and future needs
Connected	
2.	Contribute to a well-connected, accessible and health community

## Financial Implications

Should Council proceed with the recommendation of this item, the Shire will continue to receive \$5,000 (ex GST) as annual contribution for the occupation of Serpentine Child Health Clinic, Serpentine.

## Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	Weakened relationship with a significant key strategic stakeholder and important service provision not available to our community.	Communication with stakeholders	Strategic Stakeholder Relationships	Possible	Major	SIGNIFICANT	



**Voting Requirements:** Simple Majority

**OCM093/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council AUTHORISES the Chief Executive Officer to sign the tenure arrangements between the Shire of Serpentine Jarrahdale and Child and Adolescent Health Service for occupation of the St John Ambulance Building room, Serpentine subject to receiving Ministers consent with the following key terms:**

- **Rent Amount - \$5,000 ex GST.**
- **Term - 5 years.**
- **Further Term Option - 5 years.**
- **Rent Review - Annual CPI.**
- **Utilities - CAHS to be responsible for operational costs including power, water, telephone/communications fees, electrical item test/tagging and cleaning.**
- **Outgoings - Shire to be responsible for RCD, Pest, Rates, Rubbish, ESL, Building Insurance, Fire and Emergency Lighting servicing.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**



<b>10.4.5 - Lease of Part of Byford Child Health Clinic (E25/2956)</b>	
<b>Responsible Officer:</b>	Manager Community Projects & Property
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to request the Council's approval for the proposed 10-year (5+5) tenure arrangements between the Shire of Serpentine Jarrahdale and the Child and Adolescent Health Service (CAHS) for the continued use of the facilities at the Byford Child Health Clinic, Byford.

**Relevant Previous Decisions of Council**

*EXTRACT Ordinary Council Meeting - 15 July 2019 - OCM149/07/19 - COUNCIL RESOLUTION / Officer Recommendation*

2. That Council **APPROVES** tenure arrangements between the Shire of Serpentine Jarrahdale and the Child and Adolescent Health Service for occupation of the Byford Child Health Clinic, Park Road, Byford on the following terms:
  - a) Annual Contribution - \$5,000 ex GST
  - b) Term - 5 years
  - c) Child and Adolescent Health Service to be responsible for operational costs including power, water, telephone/communications fees and cleaning.

**Background**

The Byford Child Health Clinic operates from the Park Road site in Byford, which spans two separate lots (Lots 23 and 29). The legal description is 43 Park Road, Byford: Lot 29 on Diagram 43518 as contained in Certificate of Title Volume 1381 Folio 735 and 45 Park Road, Byford: Lot 23 on Diagram 41098 as contained in Certificate of Title Volume 1354 Folio 42.

This land is freehold property owned by the Shire and houses a purpose-built facility developed in the 1970s to accommodate both the Byford Community Kindergarten and the Byford Child Health Clinic.



The subject premises comprises a 71.81 square metre part, or more specifically the south eastern quarter of the building. The majority portion / balance of the property is utilised by the Byford Community Kindergarten.

CAHS has been providing services from the Byford site for approximately 35 years. The current lease for the Byford Child Health Clinic is set to expire on April 30, 2025.

CAHS provides a range of services for children aged 0-17 years, including:

- **Community Health:** Offering child health and developmental assessments as well as targeted programs designed to optimise the health, wellbeing, and development of children.
- **Child Development Service:** Providing assessments, early intervention, and treatment services to children with developmental delays through a multi-disciplinary team of clinicians.
- **Immunisation:** Delivering immunisation programs for children aged 0-5 years.

On the 17 September 2024 the Shire received a request for a new lease agreement on the same terms as the current lease and with a further 5-year term option.



### **Community / Stakeholder Consultation**

Correspondence in 2024 and 2025 with the CAHS to discuss a lease agreement for the facility.

#### Policy Concept Forum

Nil

### **Statutory Environment**

Section 3.58 of the *Local Government Act 1995* (the Act) provides for the disposal of property. Disposal is defined as “includes to sell, lease or otherwise dispose of, whether absolutely or not”.

Under the Act, the Shire can only dispose of property to the highest bidder at public auction, via public tender, or following a period of local public notice.

However, regulation 30(2)(c) of the *Local Government (Functions and General) Regulations 1996*, provides for an exemption from the disposal of property provisions if the land is disposed of to “a department, agency or instrumentality of the Crown in right of the State or the Commonwealth”.



As CAHS are considered a health service provider, under the *Health Services Act 2016* (State Government Agency under the Department of Health), the Shire was not required to undertake a formal period of local public notice to extend the lease.

*Council Policy - Lease and Licence Management*

*Council Policy - Execution of Documents and Use of the Common Seal*

### **Comment**

CAHS is a well-established service that has been providing valuable and important primary health care to parents and young children within the Shire.

As Council Policy - Lease and Licence Management implies that for government lease holders, a market rental valuation assessment will be undertaken, and that rent will be market related and negotiated on a case-by-case basis.

A market rental valuation was also conducted on the 19 February 2025 for the property known as Part of 43-45 Park Road, Byford to be \$7,900 per annum excluding outgoings and GST. This valuation report is attached as **CONFIDENTIAL attachment 1**.

The rental amount has been negotiated with CAHS to be \$5,000 per annum excluding outgoings and GST with no 5-year valuation review. The lease agreement will also include the redevelopment clause.

In an email from CAHS on 10 March 2025, it was mentioned that there is a historical arrangement where the Shire provides the facility and CAHS provides the staff and services. CAHS expressed a preference to avoid paying annual CPI increases or rental fees.

CPI adjustments are a standard part of such agreements, as well as the Shire's Council Policy. While the Shire understands CAHS's preference, it's important to note that these increases are typically made to keep up with inflation. However, the Council has the discretion to decide whether to impose these charges, should it align with CAHS's request.

The proposed agreement aligns with the Council's strategic planning for the provision of appropriate community infrastructure and services to the community and provide security for CAHS in delivering vital services to the residents of the Shire. The agreements at these facilities support the sustainability of Shire facilities.

Lots 23 and 29 Park Road, Byford: These lots are owned by the Shire in unrestricted freehold, with no limitations on the permitted use of the land under the lease.

In the proposed lease CAHS has the option to renew the Lease for the Further Term if they are not in breach and have no outstanding payments. The Lessee must notify the Shire in writing of their intention to renew at least three months but no more than six months before the current Lease expires. The Shire will confirm in writing whether the renewal request is accepted. The Further Term will have the same terms as the current Lease, except for the renewal clause.

It is recommended that Council approves tenure arrangements between the Shire of Serpentine Jarrahdale and CAHS subject to receiving the Ministers consent for occupation of the Byford Child Health Clinic, Park Road, Byford on the following terms:

- Rent Amount - \$5,000 ex GST.
- Term - 5 years.
- Further Term Option - 5 years.
- Rent Review - Annual CPI.





- Utilities - CAHS to be responsible for operational costs including power, water, telephone/communications fees, electrical item test/tagging and cleaning.
- Outgoings - Shire to be responsible for RCD, Pest, Rates, Rubbish, ESL, Building Insurance, Fire and Emergency Lighting servicing.

## **Options**

### Option 1

That Council AUTHORISES the Chief Executive Officer to sign the tenure arrangements between the Shire of Serpentine Jarrahdale and CAHS, subject to receiving the Ministers consent for occupation of the Byford Child Health Clinic, Park Road, Byford with the following key terms:

- Rent Amount - \$5,000 ex GST.
- Term - 5 years.
- Further Term Option - 5 years.
- Rent Review - Annual CPI.
- Utilities - CAHS to be responsible for operational costs including power, water, telephone/communications fees, electrical item test/tagging and cleaning.
- Outgoings - Shire to be responsible for RCD, Pest, Rates, Rubbish, ESL, Building Insurance, Fire and Emergency Lighting servicing.

### Option 2

That Council:

1. RESOLVES NOT TO PROCEED with the proposed tenure arrangement for CAHS, Byford Child Health Clinic, Park Road, Byford.
2. AUTHORISES the Chief Executive Officer to issue any required termination notice to the existing tenants CAHS, Byford Child Health Clinic of Park Road, Byford.

Option 1 is recommended.

## **Conclusion**

The proposed tenure terms with CAHS are consistent with Council's strategic planning for the provision of appropriate community infrastructure and services to the community and provide security for CAHS in delivering vital services to the residents of the Shire and support the sustainability and maximisation of Shire facilities.

## **Attachments (available under separate cover)**

- **10.4.5 - CONFIDENTIAL - attachment 1** - Valuation Report Byford CAHS (E25/2230)



### Alignment with our Council Plan 2023-2033

<b>Thriving</b>	
1.	Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2.	Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
4.	Ensure sustainable and optimal use of Shire resources and finances
<b>Liveable</b>	
4.	Invest in facilities and amenities to meet current and future needs
<b>Connected</b>	
2.	Contribute to a well-connected, accessible and health community

### Financial Implications

Should Council proceed with the recommendation of this item, the Shire will continue to receive \$5,000 (ex GST) as annual contribution for the occupation of Byford Child Health Clinic, Park Road, Byford.

### Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no significant risks associated with this option.						
2	Weakened relationship with a significant key strategic stakeholder and important service provision not available to our community.	Communication with stakeholders	Strategic Stakeholder Relationships	Possible	Major	SIGNIFICANT	



**Voting Requirements:** Simple Majority

**OCM094/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council AUTHORISES the Chief Executive Officer to sign the tenure arrangements between the Shire of Serpentine Jarrahdale and CAHS, subject to receiving the Ministers consent for occupation of the Byford Child Health Clinic, Park Road, Byford with the following key terms:**

- **Rent Amount - \$5,000 ex GST.**
- **Term - 5 years.**
- **Further Term Option - 5 years.**
- **Rent Review - Annual CPI.**
- **Utilities - CAHS to be responsible for operational costs including power, water, telephone/communications fees, electrical item test/tagging and cleaning.**
- **Outgoings - Shire to be responsible for RCD, Pest, Rates, Rubbish, ESL, Building Insurance, Fire and Emergency Lighting servicing.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**

**10.4.6 - Outcome of Review of the Shire's current policies for grants, scholarships and awards for youth and students living or studying in the Shire (E25/3798)**

<b>Responsible Officer:</b>	Manager Community Engagement
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Legislative	Includes adopting local laws, local planning schemes and policies.
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**Report Purpose**

The purpose of this report is to present the review of current policies for grants, scholarships and awards for youth and students living or studying in the Shire and recommendations to update Council Policy - Community Contributions.

**Relevant Previous Decisions of Council**

*Ordinary Council Meeting - 10 February 2025 - OCM005/02/25 - COUNCIL RESOLUTION  
That Council REQUESTS the Chief Executive Officer to:*

- 1. Review the Shire's current policies for grants, scholarships and awards for youth and students living or studying in the Shire and present information and findings at a future Policy Concept Forum.*
- 2. Present a report back to Council by April 2025 following the review and any recommended changes or improvements to the Shire's policies for grants, scholarships and awards for youth or students living or studying in the Shire.*

**Background**

Following the Council resolution, Officers have undertaken a review of current policies for grants, scholarships and awards for youth and students living or studying in the Shire. Outcomes of the review and recommendations are addressed in the comments section of this report.

**Community / Stakeholder Consultation**Policy Concept Forum

<b>Meeting Date</b>	24 March 2025
<b>Elected Members in Attendance</b>	President Coales, Cr Duggin, Cr Mack, Cr Mazzini, Cr Jerrett



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**Relevant Consultations**

- Youth Advisory Council Consultation
- Youth Plan Consultation
- Youth Space - General comments and conversations with young people

**Local Government Opportunities Research**

Research was undertaken with the following local governments:

- City of Kwinana: LYRiK Scholarship Program
- City of Swan: Swan Cash Donations
- City of Cockburn: Youth Academic Assistance
- Town of Victoria Park: Youth Leadership & Development Donations
- City of Kalamunda: Student Citizenship Awards
- City of Nedlands: Youth Grants Fund
- City of Gosnells: Education Grants
- City of Gosnells: Book Awards and Grants

**Statutory Environment**

Nil.

**Comment****External Research**

Officers reviewed 34 local governments and the Department of Education initiatives that are provided for young people. From those, a total of seven local governments has relevant examples of grants, awards and programs for young people. These come in the form of contributions, awards with a prize, upfront program costs covered or selected to participate for free in a program catered to the successful applicant.

The below tables outline these external opportunities:

<b>Example</b>	<b>Summary</b>
City of Kwinana: LYRiK Scholarship Program	The LYRiK Scholarships Program is a mentoring program for young people who live, work, or go to school in Kwinana and have an education or employment goal. You must be willing to commit to 4 x 90-minute mentoring sessions. The sessions will give recipients the opportunity to develop financial, budgeting and goal setting skills tailored to suit their needs and learn more about their field of interest from a mentor working in that area.”  Value: \$1000. Ages 12-25. Applicants fill out a form on the council’s website.
City of Swan: Swan Cash Donations	‘We are committed to strengthening our community by supporting activities, initiatives, projects and events to enhance the lives of our residents and the broader City of Swan community. We are excited to support personal achievements and selection in competitive endeavours



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	<p>such as sport, education, environment, culture and the arts at an International, National or State level.'</p> <p>Value: \$1000. Any Age. Applicants fill out a form on the council's website.</p>
City of Cockburn: Youth Academic Assistance	<p>The City's Youth Recognition and Reward program offers Youth Academic Assistance to support young people in the City of Cockburn, to attend academic events for which they have been selected based on merit."</p> <p>Value: \$350. Ages 21 and below. Applicants email council directly.</p>
Town of Victoria Park: Youth Leadership & Development Donations	<p>To support individuals who live in the Town and have been nominated to undertake a youth leadership or development course delivered by a recognised organisation for personal and/or professional development. Donations for youth leadership and development are limited to \$300 per individual or \$500 per group at no more than 50% of the total event cost."</p> <p>Value: \$300 Individual, \$500 Group. Ages 12-25. Applicants fill out a form on the council's website.</p>
City of Kalamunda: Student Citizenship Awards	<p>Recognises students from primary schools and high schools. The award is presented to a student who has made an outstanding contribution or demonstrated strong leadership skills within the community. Students are presented with a \$40 gift voucher."</p> <p>Value: \$40. School aged. Nominations are put forward from the schools.</p>
City of Nedlands: Youth Grants Fund	<p>The purpose of the Youth Grants Fund is to recognise and encourage the initiatives local young people are taking to participate in and contribute to the community. The fund encourages youth participation in a wide range of socially positive activities."</p> <p>Value: \$250. Ages 12-21. Applicants fill out a form on the council's website.</p>
City of Gosnells: Education Grants	<p>The City provides direct support to schools for Education Scholarships.</p> <p>The City's Education Scholarships provide financial support to one student at each primary and high schools within the City's boundaries. This category is not open to the general public. The City also provides voucher/s to the total value of \$250 to Leisure World to every school for school-initiated awards as a prize"</p> <p>Value: Not publicly available. School aged. Recipients are nominated via the schools Invite only.</p>





### Internal Research

The Shire offers a range of grants and awards that are available to young people. Many of these opportunities are covered in Council Policy - Community Contributions, provided at **attachment 1**.

The below table outlines these internal opportunities:

Example	Summary
Youth Leadership & Training Grant	<p>The purpose of the Youth Leadership and Training Grant is to provide financial assistance towards associated cost for our future generation in their youth leadership and training opportunities. Youth leadership and training program/s that are eligible include Conference, training course, camp or leadership development opportunity that provides the applicant with skills to give back to the community.”</p> <p>Value: \$200. Ages 12-25. Applicants fill out a form on the council’s website. 2 recipients this current financial year. Current allocated budget of \$3,000.</p>
Sporting Travel Grant	<p>Residents of the Shire can apply for financial assistance towards travel expenses associated with being selected to compete in a national or international sporting competition. This includes selection on a state or national team that is sanctioned by a state or national sporting body.”</p> <p>Value: \$200 Individual, \$500 Team. Any age. Applicants fill out a form on the council’s website. 72 recipients 2023/2204 financial year. Current allocated budget of \$12,000.</p>
KidSport - Department of Local Government, Sport and Cultural Services	<p>KidSport enables eligible Western Australian children aged 5 to 18 years to participate in community sport by offering them financial assistance of up to \$500 per financial year towards club fees.”</p> <p>The Shire reviews local applicant submissions and approves them. Department of Local Government, Sport and Cultural Services then review these internally as required. 466 recipients 2023/2204 financial year. All costs are covered by Department of Local Government, Sport and Cultural Services.</p>
School Book Award Program	<p>The School Book Awards Program is an annual initiative where \$60 is provided by the Shire towards a book for each school within the district. In 2024, 12 out of 13 schools participated, and the school has the option to receive funds for a book for the school, or to use for a graduating student/award at a presentation evening.”</p> <p>Value: \$60. School aged. Schools nominate via invitation, managed internally by Governance. Current allocated budget of \$780.</p>
Young Community Citizen of the Year	<p>The Auspire Community Citizen of the Year Award Program is presented by the Shire each year. One of the four categories is Young Community Citizen of the Year, which recognises a young person who has delivered outstanding service to his or her community.”</p> <p>Ages 16-30. Public Nominations. Award allocated budget \$625.</p>



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### Community Feedback

Conversations and feedback provided over the last six months as part of the Shire's engagement with youth and families has provided an insight to what the public perceive would be beneficial. Some of the feedback received as part of the engagement is provided below:

- *School supplies are not easy to access (financial reasons, travel reasons)*
- *Lack of awareness and understanding of what the grants are and what they can be used for*
- *Have the Shire youth team attend school assemblies or put things in school notices more frequently*
- *Uncertainty of opportunities and pathways after completing or leaving school*
- *Travel support to attend programs or courses that are relevant to further development due to lack of public transport.*
- *Mentoring or tutoring services e.g. English as a second language tutoring related to the high school curriculum / mentoring by a local or surrounding areas individual from the field applicable*

### Recommendations for Council to Consider

Based on the research and community feedback, officers have been able to identify small improvements with the current opportunities and establish new programs to address areas of concerns where possible.

#### *Recommendation 1 - Grants*

Recognition in form of a grant is a standard practice in local, state and federal governments. Whilst the Shire already provides grants to the community, we can push for an emphasis on supporting young people as future leaders and innovators whilst being understanding of the current 'Cost of Living' frustration shared locally.

Improvements identified are:

- Youth Leadership & Training Grant to increase from \$200 to \$300, matching what other local councils offer, and addressing the travel and cost concerns of young people.
- Sporting Travel Grant to increase from \$200 to \$300 for an individual, and from \$500 to \$600 for a team to match what other local councils offer and addressing the travel and cost concerns of young people.

New Initiative:

Implement a grant program which has the capacity to expand on current Shire services, facilities and equipment. We can also address lack of travel and access needs by offering various digital opportunities in STEM or the arts. This may include:

- \$200 for 5 applicants to use the 3D printer at the library.
- 5 free facility hires to be applied for by local young people in relation to a youth led related booking.
- Covering costs up to \$200 of supplies for a subscription to a digital platform used to enhance career skills such as Civil 3D, Adobe Photoshop, Canva, Muzeek etc.



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***Recommendation 2 - Mentorship***

Officers recommend adopting a model similar to what Kwinana have offered via the 'LYRiK' program. Officers can connect young people with local mentors in their desired field (Arts, Events, Apprenticeships, Marketing, Mechanic etc). Applicants to be nominated through their workplace, school, or community group/team (Scouts, football team etc). This will address the barrier of travel and the feeling of disconnect for young people.

- Task would be broken down to roughly 1-2 hours a week to cover promotion, community engagement, applications, the process of mentoring sessions and feedback collection.
- Applications can run twice a year at the start of each semester, with between 1-2 successful applicants each round.
- Applications to be managed collaboratively with the Youth Engagement Officer and Coordinator Youth Development. Youth Engagement Officer to oversee program with mentor and young person prior to and post engagement.
- Expected costs and opportunities would vary depending on availability and enthusiasm of local professionals. Initial preparation for this scholarship would be to engage with the community first to manage expectations on both sides.
- Suggested costs for a mentor to participate for up to four 1-2-hour sessions would be \$1000. Additional budget of \$10,000 for this initiative would be required.

***Recommendation 3 - Awards***

Officers recommend continuing with the Auspire Community Citizen of the Year Award Program, which includes a category for young people as well as the Schol Book Award Program. Costs associated with these initiatives are included in the Shire's annual budget.

New initiative:

Young people do not seem to be enthusiastic about community or high achieving education awards. Many young people feel limited and boxed in by what it means to be someone worthy of an award, and the effort is gone before an attempt is even made. The Shire has a unique opportunity to provide awards for young people exciting and relevant by recognising all kinds of different achievements.

Youth Week is a yearly campaign in April where the state celebrates young people. The Shire hosts 'YouthFest', which is an evening at Briggs Park with free activities, service providers, food, live music and more. To expand on local awards, the event and Youth Week campaign, Officers recommend considering several youth related awards to be presented.

This is an initiative that we would only recommend if we were to establish a Youth Advisory Council as this should be done by young people, for young people.

- Youth Advisory Council and young people to be consulted on award categories and criteria. Grants Policy will need to adopt the addition of these awards
- Nominations for awards would be as per previous examples via workplace, school, or community group/team (Scouts, football team etc).
- Winners to be determined via a panel as recommended by the Youth Advisory Council when consulted.
- This will be a Youth Advisory Council run project in collaboration with Youth Development



The financial impact of these awards can be accommodated within existing Youth programming budgets.

Council Policy - Community Contributions

The proposed changes to Council Policy - Community Contributions is provided at **attachment 2** with tracked changes.

**Options**

Option 1

That Council

1. NOTES the review of current and possible funding opportunities for grants, scholarships and awards for youth and students living or studying in the Shire.
2. ADOPTS the revised Council Policy - Community Contributions as at **attachment 2**.
3. REQUESTS the Chief Executive Officer to include \$22,000 in the draft 2025/26 Annual Budget to reflect the changes to Council Policy - Community Contributions being:
  - a. Increase Youth Leadership funding by \$2,000 to \$5,000
  - b. Increase Sporting Travel Grant by \$6,000 to \$18,000
  - c. New Youth Kick Start program funding of \$4,000
  - d. New Youth Mentor Program funding of \$10,000.

Option 2

That Council

1. NOTES the review of current and possible funding opportunities for grants, scholarships and awards for youth and students living or studying in the Shire.
2. ADOPTS the revised Council Policy - Community Contributions as at **attachment 2** with the following amendments:

[Elected Member moving motion to specify changes]
3. REQUESTS the Chief Executive Officer to include \$22,000 in the draft 2025/26 Annual Budget to reflect the changes to Council Policy - Community Contributions being:
  - a. Increase Youth Leadership funding by \$2,000 to \$5,000
  - b. Increase Sporting Travel Grant by \$6,000 to \$18,000
  - c. New Youth Kick Start program funding of \$4,000
  - d. New Youth Mentor Program funding of \$10,000.

Option 3

That Council NOTES the review of current and possible funding opportunities for grants, scholarships and awards for youth and students living or studying in the Shire.

Option 1 is recommended.



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**Conclusion**

Officers have engaged with the local community and other local councils to obtain current opportunities for young people across the state and source feedback regarding our own opportunities for young people and their areas of concern.

The recommendations put forward by Officers play a part in addressing wider community needs such as lack of transport, career options, cost of living, and recognition outside of unrealistic educational achievements.

**Attachments (available under separate cover)**

- **10.4.6 - attachment 1** - Community Contributions Policy (E25/3219)
- **10.4.6 - attachment 2** - Draft Council Policy - Community Contributions - Tracked Changes (E25/3801)

**Alignment with our Council Plan 2023-2033**

Connected
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

**Financial Implications**

If the Council Policy - Community Contributions is adopted, Officer recommends the following additional funds be considered as part of the 2025/2206 Budget:

- Increase Youth Leadership funding by \$2,000 to \$5,000
- Increase Sporting Travel Grant by \$6,000 to \$18,000
- New Youth Kick Start program funding of \$4,000
- New Youth Mentor Program funding of \$10,000.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1 and 2	Funding is not allocated in the 2025/26 Budget to reflect changes to Council Policy - Community Contributions to allow officers to implement the new initiatives	Policy states that initiatives are subject to annual funding allocation in annual budget.	Organisational Performance	Unlikely	Minor	LOW	
3	Policy is not reviewed and initiatives provided by Shire to support young people do not reflect current practices or community expectations	Engagement with young people and other local governments	Social Community Outcomes /	Possible	Minor	LOW	





**Voting Requirements:** Simple Majority

Officer Recommendation

That Council

1. NOTES the review of current and possible funding opportunities for grants, scholarships and awards for youth and students living or studying in the Shire.
2. ADOPTS the revised Council Policy - Community Contributions as at attachment 2.
3. REQUESTS the Chief Executive Officer to include \$22,000 in the draft 2025/26 Annual Budget to reflect the changes to Council Policy - Community Contributions being:
  - a. Increase Youth Leadership funding by \$2,000 to \$5,000
  - b. Increase Sporting Travel Grant by \$6,000 to \$18,000
  - c. New Youth Kick Start program funding of \$4,000
  - d. New Youth Mentor Program funding of \$10,000.

**OCM095/04/25**

**COUNCIL RESOLUTION**

**Moved Cr Mazzini, seconded Cr Bishop**

**That Council**

1. **NOTES the review of current and possible funding opportunities for grants, scholarships and awards for youth and students living or studying in the Shire.**
2. **ADOPTS the revised Council Policy - Community Contributions as at attachment 2 with the following amendments:**
  - a. **The “School Book Award Program” heading to be updated to the “School Book Award & Education Supplies Program” and the following content of the section to be updated to read:**
    - **Each year the Shire will provide a School Book Award to each primary school within the Shire to the value of \$50, and a \$100 stationery supply gift card to each high school. All schools will be invited to receive a School Book Award and/or (K-12 schools) an education supplies gift card provided by the Shire which is to be presented at their annual school graduation or presentation event. The Shire’s School Book Award and Stationary Supply Gift Card is to be presented by the Shire President, or their nominated representative.**
  - b. **The “Youth Mentor Program” section to be updated to read:**
    - **Residents who live in the Shire and are aged between 12 and 25 and have an employment or education goal they want to achieve and would benefit from mentoring are eligible to receive up to \$1,000 towards a mentorship program. A formal acquittal process of the experience is to be submitted within two months of completing the mentorship program.**
    - **Only one successful application per person is permitted.**



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3. **REQUESTS** the Chief Executive Officer to include \$22,000 in the draft 2025/26 Annual Budget to reflect the changes to Council Policy - Community Contributions being:
- a. Increase Youth Leadership funding by \$2,000 to \$5,000
  - b. Increase Sporting Travel Grant by \$6,000 to \$18,000
  - c. New Youth Kick Start program funding of \$4,000
  - d. New Youth Mentor Program funding of \$10,000.
4. Requests the Chief Executive Officer present a report to Council in April 2026 outlining the uptake of the programs within Council Policy - Community Contributions.

**CARRIED 5/1**

*In accordance with section 5.21(4) of the Local Government Act 1995, the individual vote of each member of the Council was as follows:  
President Coales, Councillors Bishop, Duggin, Jerrett and Mazzini voted FOR the motion.  
Councillor Mack voted AGAINST the motion.*

Reason for difference:

Adjustments made for consistency throughout the policy document and to enhance and extend current youth services.

**Councillor Reece Jerrett declared an impartiality interest in Item 10.4.7**

<b>10.4.7 - Major Event Grant Scheme 23/24 Round Two - Endorsement of Acquittal (E25/2438)</b>	
<b>Responsible Officer:</b>	Manager Community Activation
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations, and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to provide Council with post-event acquittal report Jarrahdale Log Chop and SJ Lions Country Fair held in September 2024 and consider requests for additional funding towards the 2025 Jarrahdale Log Chop and SJ Lions Country Fair and the 2025 SJ Food and Farm Fest.

**Relevant Previous Decisions of Council**

*EXTRACT - Ordinary Council Meeting - 20 May 2024 - OCM114/05/24 - COUNCIL RESOLUTION / Officer Recommendation*

*That Council:*

- NOTES the Major Event Grant acquittals received from:*
  - o The Serpentine Jarrahdale Food and Farm Alliance Inc for the 2023 Food and Farm Fest held May 2023; and*
  - o The Lion's Club of Serpentine Jarrahdale for the 2023 Jarrahdale Log Chop and Country Fair held October 2023.*
- APPROVES Major Event Grant funding in Round 2 of the 2023/2024 Major Event Grant Scheme consistent with provisions within Council Policy 5.1.7 - Community Funding Policy as follows:*

<i>Applicant</i>	<i>Event</i>	<i>Value (ex GST)</i>	<i>3-year Funding Request</i>
<i>Lion's Club of Serpentine Jarrahdale</i>	<i>Jarrahdale Log Chop &amp; Lion's Country Fair</i>	<i>\$20,000</i>	<i>Approve</i>
<i>Byford Carols Inc</i>	<i>2024 Byford Carols Event</i>	<i>\$16,259.90</i>	<i>N/A</i>
<i>Centrepont Church</i>	<i>2024 Celebration of Christmas</i>	<i>\$11,619</i>	<i>Decline</i>

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<i>Food and Farm Alliance</i>	<i>2025 Food and Farm Fest</i>	<i>\$20,000</i>	<i>Agree to proceed with Final Event (2025) of Endorsed Agreement</i>
<i>Total Value of Major Grant Funding (4300-15422-6276-0000)</i>		<i>\$67,878.90</i>	

3. *APPROVES in-kind contribution of a Variable Message Board, subject to the availability, to the Lion's Club of Serpentine Jarrahdale in accordance with Council Policy 5.1.14 - Community Contributions.*

4. *APPROVES an Outgoing Sponsorship to Perth Trail Series consistent with provisions within Council Policy 5.1.14 - Community Contributions as follows:*

<i>Applicant</i>	<i>Event</i>	<i>Value (ex GST)</i>	<i>3-year Funding Request</i>
<i>Jarrahdale Community Collective - Perth Trail Series</i>	<i>1 x Perth Trail Series Event.</i>	<i>\$6,700</i>	<i>Decline</i>
<i>Total Value of Sponsorship (4300-15507-6276-0000)</i>		<i>\$6,700</i>	

5. *REQUESTS the Chief Executive Officer:*

- i) Advise all applicants of the outcome of their funding requests.*
- ii) Finalise funding agreements between the Shire and applicants supported, reflective of conditions within the relevant Council Policies.*

**Background**

Council Policy - Community Funding includes the Major Event Grant Scheme which provides community organisations an opportunity to apply for grants between \$5,000 and \$25,000 (ex GST) to deliver a community, sporting, or cultural event in the Shire.

There are two rounds of Major Event Grants offered each financial year, one in July and one in February. In Round 2 of the 2023/2024 Major Event Grant Scheme, Council approved the following grants:

<b>Applicant</b>	<b>Event</b>	<b>Value (ex GST)</b>
Lion's Club of Serpentine Jarrahdale	Jarrahdale Log Chop & Lion's Country Fair	\$20,000
Byford Carols Inc	Byford Carols 2024	\$16,259.90
Centrepont Church	Celebration of Christmas 2024	\$11,619
Food and Farm Alliance	Food and Farm Fest 2025	\$20,000



Recipients with three year funding agreements are required to submit a grant acquittal which is required to be presented to Council, to allow the release of the next year's event funding.

### **Community / Stakeholder Consultation**

Officers have liaised with representatives from each organisation regarding their grant acquittals.

### **Statutory Environment**

Council Policy - Community Funding

Council Policy - Community Contributions

### **Comments**

#### Major Event Grant acquittal

A post-event acquittal report from the Lion's Club of Serpentine Jarrahdale is provided at **Confidential attachment 1** for their 2024 Jarrahdale Log Chop & Lion's Country Fair which combines all information received by Officers to date.

#### Review of Council Policy 5.1.7- Community Funding

At the March 2025 Ordinary Council Meeting, Council endorsed a review of *Council Policy - Community Funding*, which included an increase in the total amount available per applicant, per financial year within the major events grant scheme from a total of \$20,000 to \$25,000.

This was based on feedback from both community groups and organisations that have received funding through the Major Event Grant Scheme and are unable to absorb these cost increases within their existing budgets and from the Shire Community Development team who have also seen a significant increase in traffic management and contractor costs to deliver events in recent years. The increase in the maximum amount available under the scheme also reflects overall increases in contractor and supplier costs.

#### Lion's Club of Serpentine Jarrahdale

The Lion's Club of Serpentine Jarrahdale currently have an approved three-year funding agreement in place for the Jarrahdale Log Chop & Lion's Country Fair. Following acceptance of their 2024 Major Event Grant acquittal, this will trigger the release of Year Two funding of the agreement.

Given the funding amount for major events grants has increased to \$25,000 since the Lion's Club of Serpentine Jarrahdale submitted their three-year funding application, a request for consideration for an increase in their 2025 funding has been received, see **attachment 2**.

Council has the following options:

1. APPROVE Year Two (2025) funding of the Major Event Grant Scheme for \$20,000, as per the existing three-year funding agreement.
2. APPROVE Year Two (2025) funding of the Major Event Grant Scheme to the maximum amount of \$25,000, as per Council Policy 5.1.7- Community Funding.
3. APPROVE Year Two (2025) funding of the Major Event Grant Scheme for another amount, within Council Policy 5.1.7- Community Funding.

Officers recommend Option 2.



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### *SJ Food and Farm Alliance*

The SJ Food and Farm Alliance also have an approved three-year funding agreement in place for the Food & Farm Fest. The final event of their endorsed three-year funding agreement is 2025.

Given the maximum funding amount for major events grants has increased to \$25,000 since the SJ Food and Farm Alliance submitted their three-year funding application, a request for consideration for an increase in their 2025 funding has been received, see **attachment 3**.

Council has the following options:

1. APPROVE Year Three (2025) funding of the Major Event Grant Scheme for \$20,000, as per the already endorsed funding agreement with no increase.
2. APPROVE Year Three (2025) funding of the Major Event Grant Scheme to the maximum amount of \$25,000, as per Council Policy 5.1.7- Community Funding.
3. APPROVE Year three (2025) funding of the Major Event Grant Scheme for another amount, within Council Policy 5.1.7- Community Funding.

Officers recommend Option 2.

### **Options**

#### Option 1

That Council:

1. NOTES the Major Event Grant acquittal has been received and accepted from the Lion's Club of Serpentine Jarrahdale for the Jarrahdale Log Chop and SJ Lions Country Fair held in September 2024.
2. APPROVES an increase of \$5,000 each to previously committed Major Event Grant Scheme funding for the following events, in accordance with the recently updated Council Policy - Community Funding:
  - i) Lion's Club of Serpentine Jarrahdale for the 2025 Jarrahdale Log Chop and SJ Lions Country Fair (\$25,000).
  - ii) SJ Food and Farm Alliance for the 2025 Food and Farm Fest (\$25,000).
3. REQUESTS the Chief Executive Officer work with the Lion's Club of Serpentine Jarrahdale in the lead up to the 2025 Jarrahdale Log Chop and SJ Lion's Country Fair, providing support that is consistent with their submitted Strategic Plan for the event, including budget considerations and pre and post evaluation processes.

#### Option 2

That Council:

1. NOTES the Major Event Grant acquittal has been received and accepted from the Lion's Club of Serpentine Jarrahdale for the Jarrahdale Log Chop and SJ Lions Country Fair held in September 2024.
2. APPROVES an increase of [Elected Member moving this option to specify amount] in previously committed event funding for the following events in accordance with the recently updated Council Policy - Community Funding:
  - i) Lion's Club of Serpentine Jarrahdale for the 2025 Jarrahdale Log Chop and SJ Lions Country Fair.





- ii) SJ Food and Farm Alliance for the 2025 Food and Farm Fest.
3. REQUESTS the Chief Executive Officer work with the Lion's Club of Serpentine Jarrahdale in the lead up to the 2025 Jarrahdale Log Chop and SJ Lion's Country Fair, providing support that is consistent with their submitted Strategic Plan for the event, including budget considerations and pre and post evaluation processes.

Officers recommend Option 1.

### Conclusion

The Major Event Grant Scheme allows community groups to apply for annual funding for up to a three-year period, subject to Council acceptance and endorsement of the annual acquittal report, which is required to continue with funding commitments.

At the March 2025 Ordinary Council Meeting, Council endorsed a review of *Council Policy - Community Funding* to include an increase in the total amount available within the Scheme to \$25,000. Officers have proposed increasing the funding amount provided to the Lion's Club of Serpentine Jarrahdale for the 2025 Jarrahdale Log Chop and SJ Lions Country Fair and the SJ Food and Farm Alliance for the 2025 Food and Farm Fest from \$20,000 to \$25,000.

### Attachments (available under separate cover)

- **10.4.7 - CONFIDENTIAL - attachment 1** - Jarrahdale Log Chop and SJ Lions Country Fair Acquittal (IN25/1698)
- **10.4.7 - attachment 2** - Lions Club of Serpentine Jarrahdale request to access further funding (IN25/6314)
- **10.4.7 - attachment 3** - SJ Food & Farm Alliance request to access further funding (IN25/6212)

### Alignment with our Council Plan 2023-2033

Thriving
3. Strengthen and grow the local tourism industry
4. Ensure sustainable and optimal use of Shire resources and finances
Connected
2. Contribute to a well-connected, accessible and health community
4. Facilitate an inclusive community that celebrates our history and diversity

### Financial Implications

An amount of \$75,000 has been included in the 2024/25 budget (account number 4300-15422-6276) for the Major Events scheme with Round Two receiving three applications for event funding. Assessments will be undertaken in April with recommendations due to be presented to Council in May.

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Should Council support the Officers recommendation, this allocation would be committed as follows:

Group / Event	Amount Committed
Serpentine Jarrahdale Lions Club Inc - Jarrahdale Log Chop and SJ Lions Country Fair 2025 (Year Two)	\$25,000
SJ Food and Farm Alliance - Food and Farm Fest 2025 (Year Three)	\$25,000
<b>Amount remaining for Round Two of 2024/25 Major Events scheme</b>	<b>\$25,000</b>
<b>Total (4300-15422-6276)</b>	<b>\$75,000</b>

This would mean that only \$25,000 would remain for Round 2 of the 2024/25 Scheme.

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no major risks associated with this option.						
2	Dissatisfaction from potential and actual applicants to Major Event Grant Scheme regarding changes to allocations/agreements outside of Policy parameters.	Receipt of previous event acquittal.	Reputation	Possible	Moderate	MODERATE	



**Voting Requirements**      Simple Majority

**OCM096/04/25**

**COUNCIL RESOLUTION / Officer recommendation:**

**Moved Cr Duggin, seconded Cr Mazzini**

**That Council:**

- 1. NOTES** the Major Event Grant acquittal has been received and accepted from the Lion's Club of Serpentine Jarrahdale for the Jarrahdale Log Chop and SJ Lions Country Fair held in September 2024.
- 2. APPROVES** an increase of \$5,000 each to previously committed Major Event Grant Scheme funding for the following events, in accordance with the recently updated Council Policy -Community Funding:
  - i) Lion's Club of Serpentine Jarrahdale for the 2025 Jarrahdale Log Chop and SJ Lions Country Fair (\$25,000).**
  - ii) SJ Food and Farm Alliance for the 2025 Food and Farm Fest (\$25,000).**
- 3. REQUESTS** the Chief Executive Officer work with the Lion's Club of Serpentine Jarrahdale in the lead up to the 2025 Jarrahdale Log Chop and SJ Lion's Country Fair, providing support that is consistent with their submitted Strategic Plan for the event, including budget considerations and pre and post evaluation processes.

**CARRIED UNANIMOUSLY 6/0**

**10.4.8 - Prioritisation of Community Infrastructure Projects (E25/3363)**

<b>Responsible Officer:</b>	Manager Major Projects
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to update Council on the development of the community infrastructure projects and reset project budgets and timelines aligned with available funding.

**Relevant Previous Decisions of Council**

*Special Council Meeting - SCM002/07/24 - COUNCIL RESOLUTION / Officer Recommendation - **extract***

*That Council:*

6. *ADOPTS, in accordance with section 6.2 of the Local Government Act 1995, the Municipal Fund Budget as contained in attachment 1 - Amended, Statutory Statements and Notes (including supplementary information) for the year ending 30 June 2025 incorporating amendments as per the following table:*

<b>Description</b>	<b>Expenditure Type</b>	<b>Amount</b>
<i>Removal of Engineering Technical Officer</i>	<i>Operating</i>	<i>\$39,395</i>
<i>Removal of Community Perception Survey</i>	<i>Non-recurrent</i>	<i>\$35,000</i>
<i>Removal of 0.4 Youth Activity Officer</i>	<i>Operating</i>	<i>\$28,829</i>
<i>Removal of The Glades Lake - Existing Boardwalk Retrofit</i>	<i>Capital</i>	<i>\$21,400</i>
<i>Reduce Cemetery Position from 1.0 to 0.8</i>	<i>Capital</i>	<i>\$16,814</i>
<i>Removal of Volunteer Brigade Perception Survey</i>	<i>Non-Recurrent</i>	<i>\$10,000</i>



<i>Description</i>	<i>Expenditure Type</i>	<i>Amount</i>
<i>Deficit Position to be resolved at first quarterly budget review</i>		<i>\$1,952</i>
<i>Amend resident CCTV subsidy to include businesses</i>		<i>\$0</i>
<i>Total Reduction</i>		<i>\$153,390</i>

**Background**

Over the past three years, the following projects have been included in the Shire's annual budgets:

<b>Budget Year</b>	<b>Project</b>	<b>Amount</b>
2022/23	Byford Volunteer Bush Fire Brigade Change Rooms (80431)	\$200,000
2023/24	Access and Inclusion 2023/24 Briggs Park Pavilion Access Ramp (80012)	\$88,510
2023/24	Youth Centre Upgrades (80398)	\$215,682
2024/25	Access and Inclusion 2024/ 25 Design of The House Mundijong and Bruno Gianatti Hall (80012)	\$20,000
2024/25	Kalimna Oval Sports Lighting (80520)	\$454,666

The design development of the above projects has now been completed. With the allocated funds, there is insufficient budget for all the projects to progress to the delivery or construction stage.

**Community / Stakeholder Consultation**Policy Concept Forum

Nil.

Stakeholder Consultation

<b>Project</b>	<b>Consultation</b>
Byford Volunteer Bush Fire Brigade (VBFB) Change Rooms	Engagement has occurred with the Shire's WorkSafe Advisory Group and with the Byford Brigade has occurred in the development of the management and the concept design plan of the facility upgrade.
Universal Access and Inclusion 2023/ 24. Briggs Park Pavilion Access Ramp	Engagement has occurred with the Shire's Access and Inclusion Advisory Group, as well as the Briggs Park Precinct User Groups
Youth Centre Upgrades	Engagement has occurred with users of the Briggs Park Pavillion, as well as young people.



Project	Consultation
Universal Access and Inclusion 2024/25, Design of The House (Mundijong) and Bruno Gianatti Hall	No engagement has occurred as project has not progressed to design stage.
Kalimna Oval Sports Lighting	Engagement has occurred with the users of the Kalimna Oval Precinct, as well as the Department of Local Government, Sport and Cultural Industries (Funding Partners).

**Statutory Environment**

Nil.

**Comment**

The tables below provide a summary of where each project is at, and recommended next steps given available funds to progress.

**Table 1 - Universal Access and Inclusion 2023/24**

<b>Project</b>	Universal Access and Inclusion 2023/ 24 - Briggs Park Pavilion Access Ramp (80012)
<b>Description</b>	Design consultancy services to enhance entry and exit points at Briggs Park Pavilion, ensuring safe equitable access from the ACROD parking bay to the oval playing surface. This project promotes compliance with accessibility standards, fostering universal access and inclusion for all users, including the preparation of construction tender documents.
<b>Scope</b>	<p>The design consultant will assess the existing ramp at Briggs Park Pavilion and develop multiple design options to improve accessibility and compliance with the Disability Discrimination Act 1992 (DDA), National Construction Code (NCC), and relevant Australian Standards (e.g., AS 1428).</p> <p>The scope of this project will improve accessibility at Briggs Park Pavilion and the adjacent oval. The ramp will include continuous handrails on both sides and a minimum walkway width of 1200mm. Tactile Ground Surface Indicators (TGSIs) will assist visually impaired users. The ramp(s) will ensure a maximum gradient of 1 in 14, with landings designed to reduce fatigue. Ambient lighting will be installed along the pathway from the carpark to the oval for safe navigation, and clear signage will guide users from the designated accessible parking bays. Stakeholder input will ensure practical, cost-effective solutions, with a final report outlining design recommendations and cost estimates.</p> <p>This project is part of the Shire's 2023/24 Universal Access and Inclusion Initiatives, ensuring Briggs Park Pavilion is both accessible and welcoming for all users.</p>





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<b>Status</b>	<p>The detailed design has been completed, developed in collaboration with stakeholders and formally approved.</p> <p>The design remains aligned with the original brief but significantly exceeds the current budget.</p> <p>However, requests for budget adjustments and reallocations from other projects were unsuccessful, and the project will not proceed at this time.</p>			
<b>Financial Summary</b>	<b>Project Budget</b>	<b>Expenditure to Date</b>	<b>Budget Remaining</b>	<b>Total Budget Required Complete Project</b>
	\$68,510	\$12,120	\$56,390	\$425,000*
<b>Recommended Next Steps</b>	<p>The project be strategically paused and potentially integrated into the Briggs Park Pavillion Youth Centre creating an opportunity for enhanced external advocacy to secure funding for the entire facility.</p>			

**Table 2 - Byford Volunteer Bush Fire Brigade**

<b>Project</b>	Byford Volunteer Bush Fire Brigade Change Rooms (80431)
<b>Description</b>	Design consultancy services to enhance the internal facilities of the Byford Volunteer Bush Fire Brigade Station, ensuring compliance with current WorkSafe regulations, equity, and accessibility standards. The focus is on creating male and female change rooms while encouraging the adoption of facilities to promote inclusivity. The objective is to provide a safe, accessible, and welcoming environment for all users, fostering universal access and inclusion for the team.
<b>Scope</b>	<p>The project addresses the Shire's 2021 Facility Audit Review findings by creating separate male and female change rooms within the existing facility. The primary scope of the project includes constructing compliant change rooms, ensuring there is a separate and secure space for each gender. Additionally, a compliant emergency exit door will be provided, along with a cost-effective, secure on-site storage solution. The existing storage structure will be modified to accommodate the new change rooms, improving functionality and safety.</p> <p>The project will also see the installation of lockers for Personal Protective Equipment (PPE), ensuring that the Brigade has dedicated, safe storage for their gear. The mezzanine area will either be blocked off or removed, in line with safety requirements. Emergency exit signs will be added to ensure clear, safe evacuation routes in case of an emergency. Finally, the existing fluorescent lighting will be replaced with energy-efficient LED lighting, further improving the facility's sustainability.</p>
<b>Status</b>	<p>The detailed design has been completed, developed in collaboration with stakeholders and formally approved.</p> <p>The design remains aligned with the original brief but significantly exceeds the current budget.</p>



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	To address the current absence of change room facilities, administrative controls are in place, managed by the Brigade until the new facilities are completed.			
<b>Financial Summary</b>	<b>Project Budget</b>	<b>Expenditure to Date</b>	<b>Budget Remaining</b>	<b>Total Budget Required Complete Project</b>
	\$200,000	\$91,171	\$108,829	\$1,050,000*
<b>Recommended Next Steps</b>	The project will be discontinued and included in the review of the volunteer bush fire brigade distribution and the 20 Year Facilities Plan for the six (6) Bush Fire Brigades, Emergency Support Brigade, and State Emergency Service (SES) Unit within the Shire.			

**Table 3 - Universal Access and Inclusion 2024/25**

<b>Project</b>	Universal Access and Inclusion 2024/ 25 Design of The House (Mundijong) and Bruno Gianatti Hall (80012)			
<b>Description</b>	Design consultancy services to enhance internal accessibility at two key community facilities: The House (Mundijong) and Bruno Gianatti Hall. This project aims to ensure compliance with current accessibility standards, promoting universal access and inclusion for all users.			
<b>Scope</b>	<p>The design consultant shall assess existing barriers and develop multiple design options for each location to improve compliance with the Disability Discrimination Act 1992 (DDA), National Construction Code (NCC), and relevant Australian Standards (e.g. AS 1428).</p> <p>The scope includes auditing entryways, internal circulation, amenities, signage, and lighting. The design consultant will provide several design solutions for each site, ensuring flexibility in implementation. Stakeholder input will guide practical and cost-effective modifications. A final report will outline findings, recommended options, and cost estimates.</p> <p>This project is part of the Shire's 2024/ 25 Universal Access and Inclusion Initiatives, ensuring community facilities are welcoming and accessible for all.</p>			
<b>Status</b>	<p>The scope included engaging a design consultant for Bruno Gianatti Hall, Jarrahdale and the House, Mundijong.</p> <p>The design consultant's fee proposal exceeded the budget.</p>			
<b>Financial Summary</b>	<b>Project Budget</b>	<b>Expenditure to Date</b>	<b>Budget Remaining</b>	<b>Total Budget Required Complete Project</b>
	\$20,000	\$0	\$20,000	\$110,000*
<b>Recommended Next Steps</b>	The project shall not proceed based on external quotes exceeding allocated budget.			

**Table 1 - Kalimna Oval Sports Lighting**

<b>Project</b>	Kalimna Oval Sports Lighting (80520)			
<b>Description</b>	<p>This project involves the installation of lighting at Kalimna Oval, Kardan Boulevard, Byford, with a target Minimum Maintained Average Horizontal Illuminance of 50 lux. This ensures that the lighting meets the required standards for safe and effective evening use, supporting a range of activities including semi-professional ball and physical training, recreational-level training, and modified Australian Football League (AFL) programs such as Auskick. It does not, however support Club competition and match practice or higher levels of the code. The lighting will enhance the oval's functionality for both community and youth training programs.</p>			
<b>Scope</b>	<p>Lighting simulation of the defined and agreed playing field boundaries for soccer and Australian football, ensuring 50 lux illuminance levels on a four (4) approximately 30m high rigid tapered octagonal pole system. Utilising LED energy-efficient luminaires designed for optimal performance, uniformity, lower glare, and longevity, backed by a comprehensive manufacturer's warranty for the luminaires and associated components.</p> <p>Remote control system for hirers, compatible with the Shire's current system (e.g., Briggs Park Oval Sports Lighting, SmarterCtrl App or similar.).</p> <p>Future capacity for upgrading to 100 to 150 lux, should the need arise.</p>			
<b>Status</b>	<p>The Shire has allocated \$454,666 in the 2024/25 Budget for the project and grant funding of \$227,333, however the Shire has only secured a grant from the Western Australian Government's Community Sporting and Recreation Facilities Fund (CSRFF) for \$151,555.</p> <p>Following the completion of the detailed design phase, the revised total project budget has increased to \$509,516, resulting in a funding shortfall of \$130,628. It is important to note that the current total project budget only reflects the estimated costs, and the full scope of the project remains untendered. This presents a risk of potential cost escalation once the project goes to tender, as the final scope and associated costs are yet to be fully determined.</p> <p>The project is now ready to proceed to tender, contingent upon resolving this funding gap.</p>			
<b>Financial Summary</b>	<b>Project Budget</b>	<b>Expenditure to Date</b>	<b>Budget Remaining</b>	<b>Total Required Budget Complete Project</b>
	\$454,666	\$31,304	\$423,362	\$509,516*
	<p>Please note, in addition to the project cost increasing by \$54,850, the Shire received \$75,778 less grant funding than anticipated - Therefore the total additional Municipal funding required is \$130,628</p>			



**Recommended  
Next Steps**

Allocation of additional funding to allow the project to proceed to tender.

**Table 5 - Briggs Park Pavillion Youth Centre Amenities Upgrade**

<b>Project</b>	Briggs Park Pavillion Youth Centre Amenities Upgrade (80398)
<b>Description</b>	<p>This project aims to enhance the youth room amenities, creating a more functional, safe, and engaging space to support increased participation and community engagement. The project includes reconfiguring office and storage areas in consultation with cricket stakeholders to facilitate service provision from organisations such as Headspace, Beyond Blue, and Hope Community Services.</p> <p>These enhancements are expected to increase youth program participation, improve safety, foster greater youth engagement, reduce antisocial behaviour, and support staff retention.</p>
<b>Scope</b>	<p>The design consultant has prepared the concept design and costings for the Youth Centre Upgrades project. This will involve developing a design that meets the functional needs of the space, prioritising accessibility, safety, and engagement for youth users.</p> <p>Key upgrades involve replacing all flooring with commercial-grade vinyl, improving storage solutions with new cupboards, rendering and painting walls and ceilings with consideration for a future mural, and installing new blinds. Security enhancements include removing grills and installing contemporary security screens, along with replacing and painting all internal and external doors. The kitchen areas will be upgraded to support cooking programs and promote healthy food options, while bathroom facilities will receive a facelift. Additional improvements include secure and confidential storage options, upgraded lighting fixtures, new furniture, and the implementation of a duress alarm system carried forward from the Shire's 2022/ 23 Briggs Park Pavillion Upgrades scope.</p> <p>The project will also focus on improving accessibility for youth and young people, ensuring compliance with the Disability Discrimination Act 1992 (DDA), the National Construction Code (NCC), and relevant Australian Standards (AS 1428). This will include features such as ramp access, compliant door widths, accessible restrooms, and safe circulation spaces, creating an inclusive and supportive environment that promotes equal opportunities for all young users.</p>
<b>Status</b>	<p>The concept design, developed with stakeholders, is complete and formally approved. It aligns with the original brief but exceeds the budget.</p> <p>Budget adjustments and reallocations to the Briggs Park Pavilion Ramp were declined, with funds prioritised for the Youth Centre. The detailed design phase will allow staged delivery, including the access ramp and reconfigured amenities with an external Universal Access Toilet (UAT).</p> <p>A funding review is underway, exploring options such as Lotterywest, Bendigo Bank, Alcoa, and State and Federal Departments.</p>



Financial Summary	Project Budget	Expenditure to Date	Budget Remaining	Total Budget Required Complete Project
	\$215,682	\$39,744	\$175,938	\$1,982,500*
<b>Recommended Next Steps</b>	<p>Initial funds will support securing external funding (throughout 2025/26-27), updating materials, a Building Condition Assessment, a Cost-Benefit Analysis, and construction estimates for 2027/ 28.</p> <p>The allocation of additional funding (e.g., Municipal and Facilities Funds) demonstrates commitment to project partners. However, it is not expected to fully cover detailed design or construction costs, and further funding will be pursued to advance the project.</p>			

*\*Note: All "Project Budget" values are estimates only, including construction or design contingency and internal project management costs, based on the project starting in the second quarter of 2024. This presents a risk of potential cost escalation once the project goes to tender, as the final scope and associated costs are yet to be fully determined.*

## Options

### Option 1

That Council:

1. NOTES the update provided in this report for the following community infrastructure projects:
  - a) Discontinue the Byford Volunteer Bush Fire Brigade Change Rooms project.
  - b) Pause the Access and Inclusion 2023/24, Briggs Park Pavilion Access Ramp project.
  - c) Discontinue the Access and Inclusion 2024/25, Design of The House (Mundijong) and Brino Gianatti Hall project.
  - d) Prioritise the Briggs Park Pavilion Youth Centre Upgrades project.
  - e) Allocate additional funding to the Kalimna Oval Sports Lighting project.
2. Council APPROVES the following budget variation:

Account Number	Type	Account Description	Debit	Credit
6200-80398-6600-0000	Increase Expenditure	Youth Centre Upgrades - Capital Expenditure	\$126,786	
6200-80398-5002-0000	Increase Transfer from Reserve	Youth Centre Upgrades - Transfer from Reserve Building Asset Management		\$62,464
6500-80520-4812-0000	Decrease Income	Kalimna Oval Lighting - Grant Capital CSRFF	\$75,778	
6500-80520-6600-0000	Increase Expenditure	Kalimna Oval Lighting - Capital Expenditure	\$54,850	

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Account Number	Type	Account Description	Debit	Credit
6200-80431-5002-0000	Decrease Transfer from Reserve	Byford VBFB Change Rooms - Transfer from Reserve Building Asset Management	\$10,828	
6200-80431-6610-0000	Decrease Expenditure	Byford VBFB Changerooms Carry Forward Expenditure		\$108,828
6200-80012-6600-0000	Decrease Expenditure	Universal Access and Inclusion - Capital Expenditure		\$7,880
6200-80012-6610-0000	Decrease Expenditure	Universal Access and Inclusion - Carry forward Expenditure		\$68,510
6400-80465-6610-0000	Decrease Expenditure	LED Electronic Signage Carry forward Expenditure		\$20,559
6200-80426-5002-0000	Decrease Transfer from Reserve	SJ Community Recreation Centre - Solar PV System - Transfer from Reserve Building Asset Management	\$51,635	
6200-80426-6610-0000	Decrease Expenditure	SJ Community Recreation Centre - Solar PV System - Carry forward Expenditure		\$51,635
<b>Reason:</b> Budgets to be realigned to reflect the additional costs required for Youth Centre Upgrades and Kalimna Lighting Oval projects with savings from the above projects and those that have been reprioritised due to increased costs.				

3. REQUESTS the Chief Executive Officer to update the Corporate Business Plan 2024-28 to reflect the revised project budgets.
4. REQUESTS the Chief Executive Officer to engage with the newly elected Western Australian State Government, as well as other potential funding partners for the Briggs Park Pavilion Youth Centre Upgrades such as Lotterywest, Bendigo Bank, Alcoa and including other Federal Government Departments to explore additional funding opportunities.
5. AUTHORISE the Chief Executive Officer to publicly advertise tenders for the Kalimna Oval Lights project, in accordance with the Australian Standard AS 4902-2000 General Conditions of Contract for Design and Construct, and the Shire of Serpentine Jarrahdale's procurement policies and procedures.



**Option 2**

That Council:

1. NOTES the update and next steps provided in this report for the following community infrastructure projects:
  - a) Discontinue the Byford Volunteer Bush Fire Brigade Change Rooms project.
  - b) Pause the Access and Inclusion 2023/24, Briggs Park Pavilion Access Ramp project.
  - c) Discontinue the Access and Inclusion 2024/25, Design of The House (Mundijong) and Brino Gianatti Hall project.
  - d) Pause the Briggs Park Pavilion Youth Centre Upgrades project and remains under consideration, with no further progress at this stage.
  - e) Discontinue the Kalimna Oval Sports Lighting project, with no changes to the existing budget.
2. CONFIRMS that no budget variations or further action will be taken regarding these projects at the current time given the financial implications.
3. REQUESTS the Chief Executive Officer to update the Corporate Business Plan 2024-28 to reflect the status of the project budgets.

**Conclusion**

Officers recommend that the Byford Volunteer Bush Fire Brigade Change Rooms be discontinued and included in the review of the 20 Year Facilities Plan within the Shire, the Briggs Park Pavilion Access Ramp be potentially integrated into the future Briggs Park Pavilion Youth Centre Upgrade, and the Access and Inclusion 2024/25, Design of The House (Mundijong) and Bruno Gianatti Hall project not proceed.

Should Council adopt this recommendation, reallocating these project funds to the Kalimna Oval Sports Lighting and the Briggs Park Precinct Youth Centre Upgrade projects will enable these projects to move forward.

**Attachments (available under separate cover)**

Nil.

**Alignment with our Council Plan 2023-2033**

<b>Thriving</b>
<b>4.</b> Ensure sustainable and optimal use of Shire resources and finances
<b>Liveable</b>
<b>4.</b> Invest in facilities and amenities to meet current and future needs
<b>Connected</b>
<b>2.</b> Contribute to a well-connected, accessible and health community



### Financial Implications

In order to fund the Briggs Pavillion Youth Centre Upgrades (additional \$126,786 municipal funds) and Kalimna Oval (additional \$130,628 municipal funds) officers propose to adjust the following project budgets:

Project	Current Municipal Budget	Required Municipal Budget	Adjustment	Commentary
80398-Youth Centre Upgrades	\$215,682	\$342,468	\$126,786	Prioritise the Briggs Park Pavilion Youth Centre Upgrades project
80520-Kalimna Oval Lighting Project	\$454,666	\$585,294	\$130,628	Project cost increasing by \$54,850 to \$509,516, the Shire received \$75,778 less grant funding than anticipated - Therefore the total additional Municipal funding required is \$130,628
80431-Byford Fire Station Changerooms	\$200,000	\$91,171	(\$108,829)	Discontinue the Byford Volunteer Bush Fire Brigade Change Rooms project.
80012-Access and Inclusion	\$88,510	\$12,120	(\$76,390)	Pause Briggs Park Pavilion Access Ramp project and discontinue Design of The House (Mundijong) and Brino Gianatti Hall project.
80465-Electronic Signage	\$87,900	\$67,341	(\$20,559)	Project Completed under budget
80426-SJ Community Rec Centre - Solar PV system	\$156,000	\$104,364	(\$51,636)	Project Completed under budget
<b>Total</b>	<b>\$1,202,758</b>	<b>\$1,202,758</b>	<b>\$0</b>	



## Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Community dissatisfaction that some community infrastructure projects are not progressing	Stakeholder engagement to date with projects	Reputation	Possible	Moderate	MODERATE	Continue seeking external funding, adjust scope to match available budget, and engage with stakeholders to manage expectations.
2	Projects are unable to be progressed due to unavailable budget and grant funding has to be returned	Revision of project budgets and development of realistic budgets based on information	Financial	Almost Certain	Moderate	SIGNIFICANT	Secure funding commitments early, explore alternative funding sources, and implement value management strategies.



**Voting Requirements:** Absolute Majority (Section 6.8(1) of the *Local Government Act 1995*).

**OCM097/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Duggin, seconded C Bishop**

**That Council:**

1. **NOTES** the update provided in this report for the following community infrastructure projects:
  - a) Discontinue the Byford Volunteer Bush Fire Brigade Change Rooms project.
  - b) Pause the Access and Inclusion 2023/24, Briggs Park Pavilion Access Ramp project.
  - c) Discontinue the Access and Inclusion 2024/25, Design of The House (Mundijong) and Brino Gianatti Hall project.
  - d) Prioritise the Briggs Park Pavilion Youth Centre Upgrades project.
  - e) Allocate additional funding to the Kalimna Oval Sports Lighting project.
2. Council **APPROVES** the following budget variation:

Account Number	Type	Account Description	Debit	Credit
6200-80398-6600-0000	Increase Expenditure	Youth Centre Upgrades - Capital Expenditure	\$126,786	
6200-80398-5002-0000	Increase Transfer from Reserve	Youth Centre Upgrades - Transfer from Reserve Building Asset Management		\$62,464
6500-80520-4812-0000	Decrease Income	Kalimna Oval Lighting - Grant Capital CSRFF	\$75,778	
6500-80520-6600-0000	Increase Expenditure	Kalimna Oval Lighting - Capital Expenditure	\$54,850	
6200-80431-5002-0000	Decrease Transfer from Reserve	Byford VBFB Change Rooms - Transfer from Reserve Building Asset Management	\$10,828	



6200-80431-6610-0000	Decrease Expenditure	Byford VBFB Changerooms Carry Forward Expenditure		\$108,828
6200-80012-6600-0000	Decrease Expenditure	Universal Access and Inclusion - Capital Expenditure		\$7,880
6200-80012-6610-0000	Decrease Expenditure	Universal Access and Inclusion - Carry forward Expenditure		\$68,510
6400-80465-6610-0000	Decrease Expenditure	LED Electronic Signage Carry forward Expenditure		\$20,559
6200-80426-5002-0000	Decrease Transfer from Reserve	SJ Community Recreation Centre - Solar PV System - Transfer from Reserve Building Asset Management	\$51,635	
6200-80426-6610-0000	Decrease Expenditure	SJ Community Recreation Centre - Solar PV System - Carry forward Expenditure		\$51,635
Reason: Budgets to be realigned to reflect the additional costs required for Youth Centre Upgrades and Kalimna Lighting Oval projects with savings from the above projects and those that have been reprioritised due to increased costs.				

3. REQUESTS the Chief Executive Officer to update the Corporate Business Plan 2024-28 to reflect the revised project budgets.
4. REQUESTS the Chief Executive Officer to engage with the newly elected Western Australian State Government, as well as other potential funding partners for the Briggs Park Pavilion Youth Centre Upgrades such as Lotterywest, Bendigo Bank, Alcoa and including other Federal Government Departments to explore additional funding opportunities.
5. AUTHORISE the Chief Executive Officer to publicly advertise tenders for the Kalimna Oval Lights project, in accordance with the Australian Standard AS 4902-2000 General Conditions of Contract for Design and Construct, and the Shire of Serpentine Jarrahdale's procurement policies and procedures.

**CARRIED UNANIMOUSLY 6/0**



<b>10.4.9 - Local Emergency Management Committee Information Report (SJ716)</b>	
<b>Responsible Officer:</b>	Coordinator Emergency Services
<b>Senior Officer:</b>	Director Community Engagement
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Information	For the Council to note.
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**Report Purpose**

The purpose of this report is for Council to receive the minutes from the Shire of Serpentine Jarrahdale Local Emergency Management Committee Meeting held on Tuesday, 18 March 2025.

**Relevant Previous Decisions of Council**

Nil.

**Background**

Section 38 of the *Emergency Management Act 2005* requires that the Shire of Serpentine Jarrahdale convene a Local Emergency Management Committee (LEMC). The Shire of Serpentine Jarrahdale LEMC operates under a Terms of Reference as endorsed by Council; however, the LEMC is not a Committee of Council as described in the *Local Government Act 1995*.

**Community / Stakeholder Consultation**

Nil.

**Statutory Environment**

*Emergency Management Act 2005*

*Section 38 local emergency management committees*

- (1) *A local government is to establish one or more local emergency management committees for the local government's district.*
- (2) *If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*
- (3) *A local emergency management committee consists of —*
  - (a) *a chairman and other members appointed by the relevant local government in accordance with subsection (4); and*
  - (b) *if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.*





(4) *Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.*

**Section 39 Functions of local emergency management committees**

*The functions of a local emergency management committee are, in relation to its district or the area for which it is established —*

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and*
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and*
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.*

**Comment**

The LEMC met on Tuesday, 18 March 2025 and the minutes can be reviewed at **attachment 1**. There are no recommendations for Council's consideration from this meeting.

**Options**

Option 1

That Council RECEIVES the minutes of the Shire of Serpentine Jarrahdale Local Emergency Management Committee Meeting held on 18 March 2025 as contained in **attachment 1**.

Option 2

That Council DOES NOT RECEIVE the minutes of the Shire of Serpentine Jarrahdale Local Emergency Management Committee Meeting held on 18 March 2025 as contained in **attachment 1** for the following reasons:

*[Elected Member to specify reasons]*

Option 1 is recommended.

**Conclusion**

The minutes of the Local Emergency Management Committee Meeting held on Tuesday, 18 March 2025 are provided to Council.

**Attachments (available under separate cover)**

- **10.4.9 - attachment 1** - Local Emergency Management Committee Meeting Minutes - 18 March 2025 (E25/3015)

**Alignment with our Council Plan 2023-2033**

Thriving
4. Ensure sustainable and optimal use of Shire resources and finances
Connected
3. Empower the community to engage with the Shire and collaborate on matters that are important to them

**Financial Implications**

Nil.

**Risk Implications**

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	There are no risks associated with this option.						
2	That the LEMC members feel their contribution is not respected.	Nil	Reputation	Rare	Moderate	LOW	Nil

**Voting Requirements:** Simple Majority**OCM098/04/25****COUNCIL RESOLUTION / Officer Recommendation****Moved Cr Bishop, seconded Cr Jerrett****That Council RECEIVES the minutes of the Shire of Serpentine Jarrahdale Local Emergency Management Committee Meeting held on 18 March 2025 as contained in attachment 1.****CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**

**10.5 Executive Services reports:**

<b>10.5.1 - Award Request for Tender - RFT 02/2025 - SJ Waste and Recycling Services (SJ4573)</b>	
<b>Responsible Officer:</b>	Manager Waste and Fleet
<b>Senior Officer:</b>	Chief Executive Officer
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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**Report Purpose**

The purpose of this report is to seek Council approval for the award of RFT 02/2025 - SJ Waste and Recycling Services.

**Relevant Previous Decisions of Council**

<i>Ordinary Council Meeting - 15 June 2020 - OCM153/06/20 - COUNCIL RESOLUTION / Officer Recommendation</i> <i>That Council AWARDS Quote RFQ 06/2020 - Waste Management to Cleanaway Pty Ltd (Alternative B offer) for a period of five (5) years, as per the prices set out in the confidential attachment 2 Pricing Schedule, subject to rise and fall in line with Perth CPI.</i>
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**Background**

The current contract with Cleanaway Pty Ltd concludes on 30 June 2025. A new contract is required from 1 July 2025 for kerbside waste and recycling services provided under this contract including the following services which formed the basis on the separable portions of the contract:

- Kerbside collection and transfer services
- Bin repair and replacement services
- Sorting of recyclables.

The Request for Tender RFT 02-2025 - SJ Waste and Recycling Services was advertised on Friday 17 January 2025 and closed at 2.00pm on Tuesday 25 February 2025.

The Tender was advertised through WALGA's Vendor Panel to the Waste and Energy Preferred Supplier Panel (PSP007) and undertaken as a tender exempt from public advertising in accordance with Regulation 11(2) of the *Local Government (Functions and General) Regulations 1996*.



## Community / Stakeholder Consultation

### Policy Concept Forum

Nil.

## Statutory Environment

Section 3.57(1) of the *Local Government Act 1995* requires a local government to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply the goods or services.

Division 2 under Part 4 of the *Local Government (Functions and General) Regulations 1996* prescribes the kinds of contracts that do not have to be publicly invited. Regulation 11(2) states:

*Tenders do not have to be publicly invited according to the requirements of this Division if - the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program*

In relation to the award of tenders, Regulation 18(4) states:

*Tenders that have not been rejected under sub regulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*

In relation to contract negotiations between tender award and contract execution, Regulation 20(1) states:

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

## Comment

This is an exempt Tender in accordance with Reg 11(2). The Tender was advertised through WALGA's Vendor Panel to the Waste and Energy Preferred Supplier Panel (PSP007).

Due to the size of the contract and complexity a Probity Advisor was engaged as detailed in **CONFIDENTIAL attachment 1**. The Probity Advisor oversaw the process and provided a Probity certificate as at **CONFIDENTIAL attachment 2**.



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**Submissions**

Five (5) submissions were received, and the submissions are summarised in **CONFIDENTIAL attachment 1**.

Tender submissions were received from the following companies:

#	Company Name
1	Cleanaway Industrial Solutions Pty Ltd
2	JJ's Waste & Recycling
3	MASTEC Smart Waste Solutions
4	Resource Recovery Group
5	Veolia Recycling and Recovery Pty Ltd

**Evaluation Panel**

An evaluation panel was convened and consisted of the following personnel:

- Manager Waste and Fleet
- Manager Finance
- Waste Technical Officer.

All members of the evaluation panel have made a conflict-of-interest declaration in writing confirming that they have no relationships with any of the respondents. Each member of the panel assessed the submissions separately.

**Evaluation Criteria**Compliance Criteria

As outlined in **CONFIDENTIAL attachment 1**, all respondents met the compliance criteria except for 1, which in accordance with Clause 1.16 of the Request for Tender, was excluded from evaluation.

**Qualitative Criteria:**

The following qualitative evaluation criteria and weightings were used by the tender evaluation panel to assess tender submissions:

<b>EVALUATION CRITERIA</b>	<b>WEIGHTING</b>
Price with quantities	40%
<b>Relevant Experience and Key Personnel</b> Tenderers must, as a minimum, address the following information in a section of the Qualitative Criteria attachment and label it "Relevant Experience and Key Personnel." The following criteria apply to all three Separable Portions (A, B and C). Tenderers Tendering for more than one of the Separable Portions, are required to address the criteria under separate headings. <ul style="list-style-type: none"><li>• Provide a minimum of two detailed examples of similar work.</li><li>• Provide scope of the Respondent's involvement including details of outcomes.</li><li>• Demonstrate competency and proven track record of achieving outcomes.</li><li>• Key personnel to be allocated to this Contract including:<ul style="list-style-type: none"><li>o Their role in the performance of the Contract.</li><li>o Their curricular vitae.</li><li>o Their experience with contracts of a comparable size and scope; and</li><li>o Their capacity to manage the Shire's Contract in addition to existing workloads.</li></ul></li><li>• Arrangements planned for new staff that may be required to service the Contract.</li></ul>	15%
<b>EVALUATION CRITERIA</b>	<b>WEIGHTING</b>
<b>Resources - Plant, Fleet and Technology</b> Tenderers must address the following information as a minimum, in a section of the Qualitative Criteria attachment and label it "Resources - Plant, Fleet and Technology." <b>The following criteria apply to Separable Portion A:</b> <ul style="list-style-type: none"><li>• Plant, equipment, and materials to be used as part of the Contract including as applicable:<ul style="list-style-type: none"><li>o Age, condition, and technology inclusions for fleet vehicles to be used as part of the Contract.</li><li>o On-board Fleet Management Systems.</li></ul></li></ul>	15%





EVALUATION CRITERIA	WEIGHTING
<ul style="list-style-type: none"><li>o Resources and procedures in place to procure required plant, equipment, and materials in a timely manner.</li><li>o Software applicable to manage the Optional Contractor Web Portal.</li><li>o Plant and Fleet to be used for the Bulk Bin services.</li><li>o Fleet available in case of breakdowns and emergencies; and</li><li>o Details about the Contractor's Fleet depot.</li></ul> <ul style="list-style-type: none"><li>• Any contingency measures or back up of resources including personnel (where applicable). State how you would resource a larger service delivery request such as the change to a GO or FOGO system that would exceed your immediate staff or equipment resource levels.</li></ul> <p><b>The following criteria apply to Separable Portion B:</b></p> <ul style="list-style-type: none"><li>• Plant, equipment, and materials to be used as part of the Contract including as applicable:<ul style="list-style-type: none"><li>o Age, condition, and technology inclusions for fleet vehicles to be used as part of the Contract.</li></ul></li><li>• Details of the Bins and materials to be used, including:<ul style="list-style-type: none"><li>o Company details and reputation.</li><li>o Compliance with the specifications.</li><li>o Whether the Bins will be post-consumer recycled; and</li><li>o End of life use for the Bins.</li></ul></li><li>• In relation to material supply for all projects, state whether you have the ability and resources to supply goods on a large-scale capacity and note whether this is Australian based products or not, or a combination of both.<ul style="list-style-type: none"><li>o Make mention of your supplier resources and relationships, specifically delivery timelines and availability aspects pertaining to spares and product supply.</li></ul></li></ul>	



EVALUATION CRITERIA	WEIGHTING
<p><b>Demonstrated Understanding</b></p> <p>Tenderers must as a minimum, address the following information in a section of the Qualitative Criteria attachment and label it “Demonstrated Understanding”:</p> <p><i>The following criteria apply to all three Separable Portions (A, B and C). Tenderers Tendering for more than one of the Separable Portions, are required to address the criteria under separate headings.</i></p> <ul style="list-style-type: none"><li>• An address of the methodology to be used for provision of the requirements listed Specifications listed in each of the Separable Portions.<ul style="list-style-type: none"><li>o Clarify your business processes around daily work scope prioritisation, after hours and emergency call outs and other relevant procedures you have implemented as part of your organisational profile for service delivery.</li></ul></li><li>• Acknowledgement of the applicable Key Performance Indicators detailed in the Special Conditions and demonstrated ability to meet and exceed the specified requirements; and</li><li>• The existing measures and planned initiatives to meet the Objectives of the applicable separable portion.</li></ul> <p><b>The following criteria apply to Separable Portion A:</b></p> <ul style="list-style-type: none"><li>• Demonstrated ability to procure or use existing materials and be fully operational for Contract commencement on 1 July 2025 including:<ul style="list-style-type: none"><li>o A detailed timeline for procurement of new vehicles and technology proposed for use in the Contract.</li></ul></li></ul> <p><b>The following criteria apply to Separable Portion B:</b></p> <ul style="list-style-type: none"><li>• Demonstrated ability to procure or use existing materials and be fully operational for Contract commencement on 1 July 2025 including:<ul style="list-style-type: none"><li>o If applicable, a detailed timeline for procurement of new Bins, Bin Parts and fleet if required, along with the engagement of new personnel to service the Contract.</li></ul></li></ul> <p><b>The following criteria apply to Separable Portion C:</b></p> <ul style="list-style-type: none"><li>• In an alternative Basket of Goods formula has been proposed –<ul style="list-style-type: none"><li>o All relevant details for the principal to make an informed decision in relation to the method being prescribed; and</li><li>o The applicable risks for the principal.</li></ul></li></ul>	20%



EVALUATION CRITERIA	WEIGHTING
<p><b>Corporate Social Responsibility</b></p> <p>Tenderers must as a minimum, address the following information in a section of the Qualitative Criteria attachment and label it “<b>Corporate Social Responsibility.</b>”</p> <p><i>The following criteria apply to all three Separable Portions (A, B and C). Tenderers Tendering for more than one of the Separable Portions, are required to address the criteria under separate headings, if applicable.</i></p> <ul style="list-style-type: none"><li>• Environmental Management - Provide commentary on how your organisation and the solutions being offered minimise its impact on the environment. This may include any environmental standards (such as policies, procedures, environmental management systems) as well as actions taken (such as recycling, carbon neutral activities, energy efficiency, technologies implemented, product design and behaviour change initiatives).</li><li>• Ethical Leadership and Supply Chain Practice - Comment on any assessment of ethical leadership in your supply chain and contracted parties. This may include human rights impacts in the sourcing and transit of raw materials and supply chain transparency (tracing key products and materials to ensure ethical sourcing).</li><li>• Community Participation and Benefits - Provide commentary on initiatives to support Aboriginal Business and Indigenous community, local trade support, Australian manufacturing and community benefit including employment opportunities for people with disabilities; and</li><li>• Workplace Practices - Provide commentary on how your organisation ensures its staff are treated fairly and their safety assured. This may include non-discrimination (equal opportunity policies and diversity programs), fair remuneration, working hours, and regular employment (versus use of casual and temporary staff). This may also include Employer of Choice initiatives and safe work methods</li></ul>	10%

### Evaluation Outcome

All tender submissions were assessed against the evaluation criteria and the qualitative and quantitative results of this assessment, and prices are documented in **CONFIDENTIAL attachment 1**.

Following the assessment of all tender submissions, against the selection criteria, the tender submitted by Veolia Recycling and Recovery Pty Ltd was assessed as being the best value for money that meets the Shire's requirements for all three separable portions.

A Financial Risk Assessment was conducted and has been included as **CONFIDENTIAL attachment 3**.

The tender evaluation panel therefore recommends the tender submission made by Veolia Recycling and Recovery Pty Ltd be chosen to proceed to minor contract negotiations prior to contract execution by the Chief Executive Officer.



## Options

### Option 1

That Council:

1. AWARDS Tender RFT 02/2025 - SJ Waste and Recycling Services to Veolia Recycling and Recovery Pty Ltd as recommended in **CONFIDENTIAL attachment 1** for all Separable Portions on the Pricing Schedule contained within **CONFIDENTIAL attachment 4**, for an initial seven (7) year term (1 July 2025 to 30 June 2032) with the options to extend for a further three additional one (1) year terms at the Chief Executive Officer's discretion.
2. NOTES the Chief Executive Officer, in accordance with Regulation 20 of the *Local Government (Functions and General) Regulations 1996*, will negotiate minor variations to finalise and agree on the General Conditions of Contract and Special Conditions of Contract terms.
3. AUTHORISES the Chief Executive Officer to execute a contract on behalf of the Shire of Serpentine Jarrahdale for Tender RFT 02/2025 - SJ Waste and Recycling Services.

### Option 2

That Council DECLINES to accept any tender.

Option 1 is recommended.

## Conclusion

Veolia Recycling and Recovery Pty Ltd has been assessed as being able to meet the requirements of the contract. The respondent met all of the requirements for the Qualitative Criteria and was assessed as providing the best value for money.

Therefore, it is recommended that Council support Option 1 and the contract be awarded to Veolia Recycling and Recovery Pty Ltd for the term of the of the contract in accordance with the Veolia Pricing rates in **CONFIDENTIAL attachment 4**.

## Attachments (available under separate cover)

- **10.5.1 - CONFIDENTIAL attachment 1** - RFT 02/2025 - SJ Waste and Recycling Services - Evaluation Report (E25/3446)
- **10.5.1 - CONFIDENTIAL attachment 2** - RFT 02/2025 - SJ Waste and Recycling Services - Probity Certificate (E25/3460)
- **10.5.1 - CONFIDENTIAL attachment 3** - RFT 02/2025 - SJ Waste and Recycling Services – Financial Risk Assessment (E25/3459 - *to be distributed under separate cover*)
- **10.5.1 - CONFIDENTIAL attachment 4** - RFT 02/2025 - SJ Waste and Recycling Services – Veolia Recycling and Recovery Pty Ltd - Pricing Schedule (IN25/6037)



### Alignment with our Council Plan 2023-2033

Thriving	
4.	Ensure sustainable and optimal use of Shire resources and finances
Liveable	
5.	Increase our capacity to reduce, recover and recycle waste to improve sustainability and reduce impacts on the environment

### Financial Implications

Operating budgets from 2025/26 will reflect the costs based on the rates provided in Veolia's tendered Pricing Schedule in **CONFIDENTIAL attachment 4**. Comparison with the current contract pricing indicates a minor reduction in the overall cost of service.

### Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Minor service disruptions during the transition of contracts	Detailed implementation timeline provided for commencement of contract in time.  Experienced contractor with available resources.	Social / Community Outcomes	Likely	Moderate	MODERATE	Planned communications to informed residents of the change and possible minor disruptions to bin collections.
2	The Shire will be out of contract after 30 June 2025.	Nil	Organisational Performance	Almost Certain	Major	HIGH	Explore possibility to extend existing contract
2	Major disruptions to waste and recycling services if current	Nil	Reputation	Unlikely	Catastrophic	SIGNIFICANT	Enact Business Continuity Plan



Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
	contractor opts not to continue emptying bins.						

**Voting Requirements:** Simple Majority

**OCM099/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council:**

- 1. AWARDS** Tender RFT 02/2025 - SJ Waste and Recycling Services to Veolia Recycling and Recovery Pty Ltd as recommended in CONFIDENTIAL attachment 1 for all Separable Portions on the Pricing Schedule contained within CONFIDENTIAL attachment 4, for an initial seven (7) year term (1 July 2025 to 30 June 2032) with the options to extend for a further three additional one (1) year terms at the Chief Executive Officer's discretion.
- 2. NOTES** the Chief Executive Officer, in accordance with Regulation 20 of the *Local Government (Functions and General) Regulations 1996*, will negotiate minor variations to finalise and agree on the General Conditions of Contract and Special Conditions of Contract terms.
- 3. AUTHORISES** the Chief Executive Officer to execute a contract on behalf of the Shire of Serpentine Jarrahdale for Tender RFT 02/2025 - SJ Waste and Recycling Services.

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**



**10.5.2 - Minutes of the Rivers Regional Council - Ordinary Council Meeting - 26 February 2025**

<b>Responsible Officer:</b>	Manager Waste and Fleet
<b>Senior Officer:</b>	Chief Executive Officer
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Information	For the Council / Committee to note.
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**Report Purpose**

The purpose of this report is to enable Council to note the minutes of the Rivers Regional Council Ordinary Meeting held on 26 February 2025 at the Shire of Murray.

**Relevant Previous Decisions of Council**

Nil.

**Background**

The Rivers Regional Council (RRC) is a regional local government established under s3.61 of the *Local Government Act 1995*. The Shire of Serpentine Jarrahdale (the Shire) is a member of the RRC.

The RRC provides waste services on behalf of member local governments.

**Community / Stakeholder Consultation**

Nil.

**Statutory Environment**

From a legislative perspective, the RRC is a distinct local government entity. Except for the sections listed in s3.66 of the Act, RRC is required to comply with the Act as any other local government.

**Comment**

The RRC Council Meeting was held on 26 February 2025. The Shire was represented by Cr Mack.

The following items were discussed and carried unanimously:

- Payments for the Period 1 December 2024 to 31 January 2025
- Financial Report for the Period 1 December 2024 to 31 January 2025
- CEO Report
- Audit Committee Meeting.



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**Options**Option1

That Council NOTES the unconfirmed minutes of the Rivers Regional Council Ordinary Meeting held on 26 February 2025 as contained in **attachment 1**.

Option 2

That Council DOES NOT NOTE the unconfirmed minutes of the Rivers Regional Council Ordinary Meeting held on 26 February 2025.

Option 1 is recommended.

**Conclusion**

As a member of the RRC, the unconfirmed minutes of the RRC Ordinary Council Meeting held on 26 February 2025 are attached for Council's information.

**Attachments (available under separate cover)**

- **10.5.2 - attachment 1** - Rivers Regional Council Ordinary Council Meeting Minutes - 26 February 2025 (IN25/4571)

**Alignment with our Council Plan 2023-2033**

Liveable
5. Increase our capacity to reduce, recover and recycle waste to improve sustainability and reduce impacts on the environment

**Financial Implications**

Nil.

**Risk Implications**

Nil.

**Voting Requirements:** Simple Majority

**OCM100/04/25**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Bishop, seconded Cr Jerrett**

**That Council NOTES the unconfirmed minutes of the Rivers Regional Council Ordinary Meeting held on 26 February 2025 as contained in attachment 1.**

**CARRIED UNANIMOUSLY (en bloc at 8.03pm) 6/0**



OCM101/04/25

**COUNCIL RESOLUTION**

**Moved Cr Jerrett, seconded Cr Bishop**

**That the meeting be closed to members of the public while items 10.6.1 and 10.6.2 are discussed pursuant to section 5.23(2)(a), (b), (c), and (d) of the *Local Government Act 1995*.**

**CARRIED UNANIMOUSLY 6/0**

**At 8.46pm, the meeting went behind closed doors.**

**Officers assisting the meeting stopped the recording of the meeting.**

**Cr Jerrett left the meeting at 8.46pm.**

**Cr Jerrett returned to the meeting at 8.49pm.**

**10.6 Confidential reports:**

The meeting was closed to members of the public while this item was discussed.

Councillor Nathan Bishop declared an impartiality interest in Item 10.6.1

<b>10.6.1 - CONFIDENTIAL - Request for Tender RFT 10/2024 Oakford Bush Fire Brigade Station (Design and Construct) Variation (SJ4100)</b>	
<b>Responsible Officer:</b>	Manager Major Projects
<b>Senior Officer:</b>	Director Infrastructure Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Confidentiality Provisions**

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*

**OCM102/04/25****COUNCIL RESOLUTION****Moved President Coales, seconded Cr Jerrett****That Council:**

- 1. NOTES** the technical analysis undertaken by Officers, as detailed in the financial implications section of this report, regarding the proposed changes and the potential variation, and determines they are necessary for the Project, and **AGREES** that the variations are minor, considering the overall project requirements under Regulation 20(1) of the Local Government (Functions and General) Regulations 1996;
- 2. ACCEPTS** that a significant portion of the cost increase is attributable to the passage of time and these are reasonable, under the circumstances, and still represent the best value for money and the most advantageous outcome;
- 3. ENDORSES** an adjustment to the contract value for RFT 10/2024 Oakford Bush Fire Brigade Station (Design and Construct), increasing the contract sum to reflect the revised scope of works (e.g., removal of the acoustic attenuation barrier and cost escalation), subject to final negotiations and funding availability;
- 4. AUTHORISES** the Chief Executive Officer to negotiate and execute a contract with Cloudbreak (WA) Pty Ltd (ABN 49 633 654 529) to incorporate the agreed scope adjustments, ensuring project delivery within approved budget constraints;



5. **NOTES** that the project remains aligned with the Shire's strategic objectives and funding arrangements;
6. **AUTHORISES** the Chief Executive Officer to negotiate with the Department Fire and Emergency Services the funding contribution amounts for delivery of the project between the Shire of Serpentine Jarrahdale and the Department Fire and Emergency Services;
7. **REQUESTS** the Chief Executive Officer present a report back to Council at the conclusion of the detailed design phase on the final funding arrangements; and
8. **REQUESTS** the Chief Executive Officer to provide a brief update on the project status and outcome, to both the Brigade and key stakeholders, including the lead petitioner of the petition tabled at the 9 December 2024, Ordinary Council Meeting.
9. **NOTES** the indicative delivery timeline for the project, with the following key milestones:
  - a) Final cost and contract negotiations to be completed within ten working days, by the 2 May 2025, then;
  - b) Execution of contract, within fifteen working days following completion of negotiations, by the 27 May 2025, and;
  - c) Construction completion is scheduled in December 2026.
10. **ENDORSES** the project schedule, reaffirms its commitment to delivering the project within the outlined timeframes and acknowledges that any material variation will be referred to the Council for consideration and determination.

**CARRIED UNANIMOUSLY 6/0**

Reason for difference

To give certainty to the delivery of the project.



**The following Officers left the meeting at 8.53pm and did not return.**

Mr N Scidone.....Acting Director Infrastructure Services  
Mr A Trosic .....Director Development Services  
Mr B Oliver.....Director Community Engagement  
Ms J Bavaro.....PA to Director Corporate Services (Minute Taker)

**Ms D Merritt, Acting Manager Corporate Performance, assumed the role of Minute Taker.**





<b>10.6.2 - CONFIDENTIAL - Recruitment of Director Infrastructure Services</b>	
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Senior Officer:</b>	Chief Executive Officer
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Confidentiality Provisions**

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (a) *a matter affecting an employee or employees; and*
- (b) *the personal affairs of any person.*

**OCM103/04/25****COUNCIL RESOLUTION / Officer Recommendation****Moved Cr Jerrett, seconded Cr Bishop****That Council:**

- 1. APPROVES the organisational structure comprising 5 Directors including:**
  - a. Corporate Services**
  - b. Development Services**
  - c. Community Engagement**
  - d. Infrastructure Services**
  - e. Operations**
- 2. NOTES the Chief Executive Officer will commence recruitment for the Director Infrastructure Services (as a Senior Employee) and will present a report to Council as part of the recruitment process in accordance with the *Local Government Act 1995*.**
- 3. NOTES the Chief Executive Officer will appoint the current Executive Manager Operations to be Director Operations for a 5-year period.**

**CARRIED UNANIMOUSLY 6/0**



**OCM104/04/25**

**COUNCIL RESOLUTION**

**Moved Cr Bishop, seconded Cr Mack**

**That the meeting be reopened to members of the public.**

**CARRIED UNANIMOUSLY 6/0**

**At 9.11pm, the doors were reopened, and the public returned to the Gallery.**

**Officers assisting the meeting resumed the recording of the meeting.**

**Presiding Member, President Coales advised the public of the Council Resolution for items 10.6.1 and 10.6.2.**



**11. Urgent business:**

Nil.

**12. Elected Member questions of which notice has been given:**

Nil.

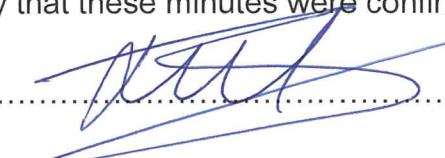
**13. Closure:**

The Presiding Member reminded those present about ANZAC Day and invited members of the public to participate in the Shire's ANZAC Day services.

There being no further business, the Presiding Member declared the meeting closed at 9.16pm.

Officers assisting the meeting stopped the recording of the meeting.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on  
Monday, 19 May 2025

.....Presiding Member – President Coales

.....Date