



Shire of
Serpentine
Jarrahdale

Ordinary Council Meeting Agenda

7pm

Monday, 19 September 2022

Contact Us

Enquiries

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In Person

Shire of Serpentine Jarrahdale
6 Paterson Street, Mundijong WA 6123
Open Monday to Friday 8.30am-5pm (closed public holidays)



www.sjshire.wa.gov.au



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.”

Council 1 July 2022 -

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Vacant	Cr Dagostino	Cr Duggin	Vacant	Cr Strange	Cr Strautins
05/09/22	PCF	A	✓	✓		✓	✓		✓	A
22/08/22	PCF	✓	✓	A		A	✓		A	✓
15/08/22	OCM	✓	✓	✓		✓	✓		✓	✓
15/08/22	Q & A cont. (OCM)	✓	✓	✓		✓	✓		✓	A
08/08/22	Q & A (OCM)	✓	✓	A		A	✓		✓	✓
01/08/22	PCF	✓	✓	✓		A	✓		✓	✓
25/07/22	SCM	✓	✓	✓		✓	✓		✓	LoA
25/07/22	Q & A (SCM)	✓	✓	✓		✓	✓		✓	LoA
18/07/22	OCM	✓	✓	✓		✓	✓		✓	LoA
18/07/22	Q & A cont. (OCM)	✓	✓	✓		✓	✓		✓	LoA
13/07/22	WORKSHOP (CEO KPI Presentation)	✓	✓	✓		A	✓		✓	LoA
11/07/22	Q & A (OCM)	✓	✓	✓		✓	A		✓	LoA
11/07/22	SCM	✓	✓	✓		✓	✓		✓	LoA
04/07/22	PCF	✓	✓	✓		A	✓		✓	A

Council October 2021 – 30 June 2022

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Duggin	Cr Singh	Cr Strange	Cr Strautins
27/06/22	PCF	✓	✓	✓	✓	✓	✓	✓	A	✓
20/06/22	OCM	✓	✓	A	✓	✓	✓	✓	✓	✓
15/06/22	SCM	✓	✓	✓	✓	✓	✓	EPNG	✓	✓



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Ordinary Council Meeting Agenda Monday, 19 September 2022

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Duggin	Cr Singh	Cr Strange	Cr Strautins
13/06/22	Q & A (OCM)	A	✓	✓	✓	✓	✓	A	✓	✓
08/06/22	WORKSHOP (CBP)	✓	✓	✓	✓	✓	✓	✓	✓	✓
30/05/22	WORKSHOP (Budget)	✓	✓	✓	A	✓	✓	✓	✓	✓
23/05/22	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
16/05/22	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
11/05/22	Q & A cont. (OCM)	✓	✓	✓	A	A	✓	A	✓	A
09/05/22	Q & A (OCM)	✓	✓	✓	✓	✓	✓	✓	✓	✓
02/05/22	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
27/04/22	WORKSHOP (Rates / LTFP / Fees and Charges)	✓	✓	✓	✓	✓	✓	✓	✓	✓
27/04/22	WORKSHOP (PMO / Draft Facilities Plan)	✓	A	✓	✓	A	✓	✓	✓	A
20/04/22	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
19/04/22	Q & A (SCM)	✓	✓	✓	✓	✓	✓	✓	✓	✓
11/04/22	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
28/03/22	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
21/03/22	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
28/02/22	PCF	✓	✓	✓	✓	A	✓	✓	✓	✓
21/02/22	OCM	✓	✓	A	✓	✓	✓	✓	✓	✓
07/02/22	PCF	✓	✓	✓	A	A	✓	✓	A	✓
13/12/21	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
06/12/21	SCM	✓	✓	A	✓	✓	✓	✓	✓	A
29/11/21	PCF	✓	✓	A	✓	✓	✓	✓	✓	✓
22/11/21	PCF	✓	✓	✓	✓	A	✓	✓	✓	✓
15/11/21	OCM	✓	✓	✓	✓	A	✓	✓	✓	✓



Continued

Ordinary Council Meeting Agenda Monday, 19 September 2022

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Duggin	Cr Singh	Cr Strange	Cr Strautins
10/11/21	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
01/11/21	PCF	✓	✓	✓	✓	A	✓	✓	✓	✓
01/11/21	SCM	✓	✓	✓	✓	A	✓	✓	✓	✓
25/10/21	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
25/10/21	PCF	✓	✓	✓	✓	✓	✓	✓	✓	✓
18/10/21	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓

A – Apology

LoA – Leave of Absence

NA – Non Attendance

EPNG – Electronic Participation Not Granted



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Ordinary Council Meeting Agenda Monday, 19 September 2022

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.

At the 20 June 2022 Ordinary Council Meeting, Council resolved that Council and Committee Meetings will be audio recorded in accordance with Council Policy. If you are asking a public question or making a statement or deputation to the meeting this will be audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.



Continued

Ordinary Council Meeting Agenda Monday, 19 September 2022

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Serpentine Jarrahdale will be held on Monday, 19 September 2022 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong, commencing at 7pm.

A handwritten signature in blue ink, appearing to read 'Paul Martin', enclosed within a blue oval.

Paul Martin
Chief Executive Officer

9 September 2022



Agenda

1. **Attendances and apologies (including leave of absence):**
2. **Public question time:**
 - 2.1 **Response to previous public questions taken on notice:**

Ordinary Council Meeting – Monday, 15 August 2022

Questions asked by **Mrs Lee Bond** at the Ordinary Council Meeting – Monday, 15 August 2022. Correspondence was sent to Mrs Bond on 22 August 2022 (OC22/15357)

Question 1

How much of the ratepayers money, State Government and Federal Government money has been expended on Keirnan Street to date and what is the difference between a pavement and a footpath?

Response (Director Infrastructure Services)

The Shire is delivering two separate road projects in Keirnan Street this financial year. One of the projects (Project A), located to the east of Paterson Street is a State Government Black Spot project jointly funded between the Shire and State Government. The other project (Project B) located to the west of Paterson Street is funded by Federal Government Roads to Recovery program. As at 16 August 2022, the amount of expenditure on these projects is as follows:

Project A - Spent Shire funds \$73,268

Spent State Government funds \$128,000

Total expenditure \$201,268

Project B - Spent Federal Government RTR funds - \$59,129

Total expenditure \$59,129

In response to your question about the difference between a pavement and footpath, advise that in road engineering terminology, 'pavement' is used to describe the trafficable section of the road consisting of sub-base, basecourse and wearing course layers. The term footpath refers to a path that is located on the road verge, either adjacent to the road pavement or adjacent to the road reserve boundary which is generally between 1 m to 3m wide and used by pedestrians. This path is sometimes referred to as 'shared path' when it is wider than 2m and is shared between pedestrians and cyclists.

Question 2

In the last twelve years how many businesses in the Shire have paid the Shire in monetary value, proof being recorded in Council documents, in lieu of parking provisions and why they were given this privilege?

Response (Director Development Services)

One development in the last 12 years has been subject to a cash in lieu of parking condition, which is the shopping centre development known as Byford Market Place.



This was paid in the 2017/18 financial year, reflecting planning approvals granted. Specifically:

By way of background, as part of the Metro East Development Assessment Panel (MEDAP) decision of 20 July 2016, the MEDAP imposed condition 29 of approval of the development on L5 (#35) Abernethy Road as follows:

29. A cash contribution, in lieu of the shortfall of on-site car parking for the development of 25 car parking spaces, with the calculation of the cash contribution being in accordance with clause 7.9 of of Town Planning Scheme No.2, must be provided to the Shire of Serpentine Jarrahdale, prior to applying for a Building Permit.

Subsequent to the MEDAP decision, Council considered amendments to the approval at its August 2017 meeting, and imposed a modified condition as follows:

26. A cash contribution, in lieu of the shortfall of on-site car parking for the development of 41 car parking spaces, with the calculation of the cash contribution being in accordance with clause 7.9 of Town Planning Scheme No.2, must be provided to the Shire of Serpentine Jarrahdale, prior to applying for a Building Permit.

The reason for the imposition of this condition was (quoting directly from the council report):

The proposal provides 202 bays, which does not comply with the 330 car bays required under TPS 2. Clause 5.2.1 of TPS2 provides Council with the discretion to vary development standards of TPS2 for non-residential development.

The variation is appropriate given the consistent application of the Byford Town Centre LSP parking requirement of 1 bay per 20m² of GLA for previous approvals on this site and surrounding development sites within the Town Centre area. Based on the new floor area of the development, the revised car parking requirement when calculated using 1 bay per 20m² of GLA is 243 bays. The development has a 41 bay shortfall, which is a greater shortfall than previous DAP approvals. The additional shortfall can be attributed to realignment of the car parking layout to a regular north-south east-west layout. This is an improvement on previous car parking designs as it has greater legibility for car park users and will integrate easily with car parking provided on the Lot 4 Abernethy Road.

Requiring 330 bays would have a negative impact on the Town Centre as the Applicant would have to reduce the number of tenancies in order to comply with TPS2 and the site would be dominated by car parking. The reduction in parking will result in less hardscape and resultant impacts on the amenity of the area. The variation is not considered to adversely impact on future occupiers, users and inhabitants of the locality. Given that the Applicant can provide cash-in-lieu of car parking for the shortfall of 41 bays, the proposed development is not considered to unreasonably depart from the requirement.

According to file records (BA17/1002), the cost per bay was calculated at the time of \$3,000 per bay.

Question 3

How much of ratepayers money has been expended on the old Hopeland school in the last fifteen years and what date was this school last operating as a functional education department school?

Response (to part of question in bold) (Director Infrastructure Services)

Since 2007/2008 the Shire has incurred:

- *\$95,972 of operating expenses;*
- *\$106,034 of capital; and*



- *\$80,000 Grant Funds capital works, being:*
 - *\$30,000 grant in 2013/14; and*
 - *\$50,000 grant in 2021/22.*

2.2 Public questions:

3. Public statement time:

4. Petitions and deputations:

5. President's Report:

6. Declaration of Councillors and Officer's interest:

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

7.1 Ordinary Council Meeting – 15 August 2022

That the minutes of the Ordinary Council Meeting held on 15 August 2022 be **CONFIRMED (E22/10356)**.

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

8.1 CEO Employment Committee Meeting – 8 August 2022

Attachments (available under separate cover)

- **attachment 1 – CEO Employment Committee Meeting Minutes – 8 August 2022 (E22/10042)**

Voting Requirements: Simple Majority

That Council:

- 1. RECEIVES the Unconfirmed Minutes of the CEO Employment Committee Meeting held on 8 August 2022 (E22/10042).**
- 2. ADOPTS CEO Employment Committee Resolution CEO007/08/22 and ENDORSES the recommendations as outlined in CONFIDENTIAL attachment 2; and REQUESTS the Shire President write to Mr Paul Martin, Chief Executive Officer, outlining the results of the Annual Review and providing a copy of the documents contained in CONFIDENTIAL attachment 1 and CONFIDENTIAL attachment 2.**
- 3. ADOPTS CEO Employment Committee Resolution CEO008/08/22 and ENDORSES the CEO KPI's as outlined in CONFIDENTIAL attachment 2; and REQUESTS the Shire President write to Mr Paul Martin, Chief Executive Officer, informing him of the outcomes of the CEO KPI Setting.**
- 4. ADOPTS CEO Employment Committee Resolution CEO010/08/22 and APPROVES that the Chief Executive Officer Key Performance Indicator setting and Annual Performance Review process will be undertaken in July**



of each year; **APPROVES** that an independent facilitator be engaged for a period of two years, to assist with the Key Performance Indicator setting and Annual Performance Review process; and **REQUESTS** the Deputy CEO / Director Community and Organisational Development seek quotations from external facilitators.

8.2 Audit, Risk and Governance Committee Meeting – 22 August 2022

Attachments (available under separate cover)

- **attachment 1** – Audit, Risk and Governance Committee Meeting Minutes – 22 August 2022 (E22/10666)

Voting Requirements: Absolute Majority (section 6.8 of the *Local Government Act 1995*)

That Council:

1. **RECEIVES** the Unconfirmed Minutes of the Audit, Risk and Governance Committee Meeting held on 22 August 2022 (E22/10666).
2. **ADOPTS** Audit, Risk and Governance Committee Resolution ARG018/08/22 and **ENDORSES** the provision of audit services via external contractor; **REQUESTS** the Chief Executive Officer engage the services of an external contractor as required; **ENDORSES** the Audit Program 2022-2026 as shown in Table 1; and **APPROVES** the budget variation below:

Account Number	Type	Account Description	Debit \$	Credit \$
4700-10300-6000-0000	Increase Expenditure	People and Culture Salaries -	78,075.25	
4700-10300-6010-0000	Increase Expenditure	People and Culture - Sick Leave	4,489.42	
4700-10300-6020-0000	Increase Expenditure	People and Culture - Annual Leave	10,614.34	
4700-10300-6030-0000	Increase Expenditure	People and Culture - Superannuation	15,086.22	
4700-10300-6050-0000	Increase Expenditure	People and Culture Training	1,000	
4700-10300-6059-0000	Increase Expenditure	People and Culture Workers	1,868	



Account Number	Type	Account Description	Debit \$	Credit \$
		Compensation Insurance		
4000-15100-6230-0000	Increase Expenditure	Internal Audit Consultancy	20,000	
4000-15100-6000-0000	Decrease Expenditure	Internal Audit - Salaries		98,075.25
4000-15100-6010-0000	Decrease Expenditure	Internal Audit – Sick Leave		4,489.42
4000-15100-6020-0000	Decrease Expenditure	Internal Audit – Annual Leave		10,614.34
4000-15100-6030-0000	Decrease Expenditure	Internal Audit – Superannuation		15,086.22
4000-15100-6050-0000	Decrease Expenditure	Internal Audit – Training		1,000
4000-15100-6059-0000	Decrease Expenditure	Internal Audit – Workers Compensation Insurance		1,868
Reason: To allow contracting internal audit activities per the Audit Program and provide resources to People, Development and Wellbeing for strategic improvement activities.				

9. Motions of which notice has been given:



10. Chief Executive Officer reports:

10.1 Development Services reports

10.1.1 - Retrospective Development (Keeping of Five Horses, Stable, Construction of Horse Arena, Removal of Trees) and Proposed Development (Removal of 26 Additional Trees) - Lot 87, 26 Karbro Drive, Cardup (PA22/535)	
Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officers Interest:	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:	As below
Owner:	JJ and Yolanda Stevens
Date of Receipt:	8 June 2022
Lot Area:	2.6 hectares
Town Planning Scheme No 2 Zoning:	Special Rural
Metropolitan Region Scheme Zoning:	Rural

Report Purpose

The purpose of this report is for Council to consider a development application which proposes:

- retrospective approval to keep five horses, construct a horse arena, remove trees and;
- prospective approval to remove an additional 26 trees to allow for the establishment of further paddocks at Lot 87, 26 Karbro Drive, Cardup.

The application is presented to Council as two objections were received during the consultation period in relation to further tree removal, amenity impacts and equine management practices. Officers do not have delegated authority to determine development applications where objections cannot be satisfied by way of amendments or through the imposition of conditions, in accordance with Delegated Authority 12.1.1 - Determination of Development Applications.

Officers consider that the keeping of horses and the horse arena components of this application are consistent with the planning framework, subject to replacement tree planting. Furthermore, matters raised in objection to these components are suitably addressed and can be managed through conditions of approval.



Officers however consider that the proposal to remove 26 additional trees, especially noting the amount of tree removal that has already occurred, is inconsistent with the planning framework. It is recommended that Council does not approve the removal of the 26 additional trees.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this application.

Background

Existing Development

The subject site is located within a rural residential area of Cardup (refer following Figure 1). Land use in the locality primarily comprises of rural residential development and rural uses of a moderated scale, such as the keeping of horses. Currently, the site is developed with a single house and paddocks for the keeping of horses. Development approval was recently granted for an outbuilding positioned centrally within the site.



Figure 1: Aerial Imagery of the Site

A horse arena was constructed to the south of the property in 2020, which is understood to have been done by a previous owner. This did not receive development approval. The removal of vegetation across 3,800m² of the site has recently been undertaken (refer Figure 2 and Figure 3 following) and Officers are advised this was for the purpose of creating additional paddocks and managing fire risk.



Figure 2: Areas of retrospective tree removal (highlighted in red)



Figure 3: Removal of vegetation from site,
as pictured from the north-east corner of the property



Proposed Development

The application seeks approval for the following components:

- Retrospective for keeping of five horses;
- Retrospective horse arena (including arena lights and 'post and rail' fencing);
- Retrospective removal of trees within approximately 3,800m² of the site; and
- Prospective removal of an additional 26 trees.

These components of the application are depicted in the site plan below:

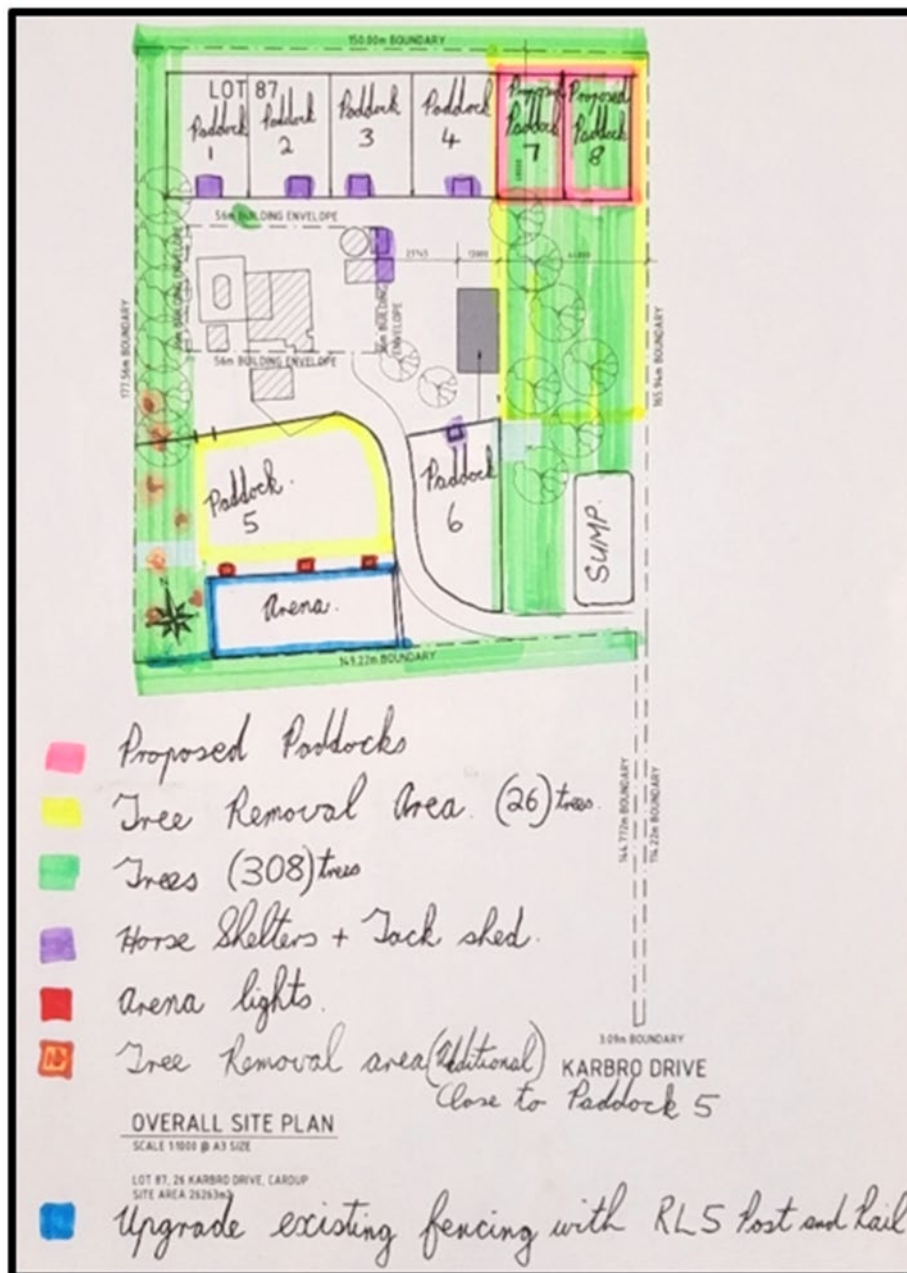


Figure 4: Site Plan

Full details of the proposal are contained within **attachment 1**.



Community / Stakeholder Consultation

Advertising was carried out for a period of 14 days, between 8 June 2022 and 22 June 2022 in accordance with Local Planning Policy 1.4 - Consultation for Planning Matters. During this period, one submission was received supporting the proposal. Additionally, two submissions were received objecting to the proposal for the following reasons:

- Tree removal;
- Amenity impacts;
 - Light pollution from the arena lights;
 - Dust pollution from raking the arena;
- Concern over the equine management practices proposed.

The concerns raised are discussed under the relevant headings of the report. The full submissions and the applicant and Officer responses are contained within **attachment 2**.

Statutory Environment

Legislation

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

State Planning Framework

- State Planning Policy 2.1: The Peel Harvey Coastal Plain Catchment (SPP2.1)

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS2)
- Shire of Serpentine Jarrahdale Draft Local Planning Scheme No. 3 (LPS3)
- Shire of Serpentine Jarrahdale Local Planning Strategy (LPS)
- Shire of Serpentine Jarrahdale Urban and Rural Forest Strategy 2018 - 2028

Planning Assessment

Clause 67 of the Deemed Provisions lists matters to be considered in the determination of development applications. 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 and where Council is required to exercise discretion.

Land Use and Shire of Serpentine Jarrahdale Town Planning Scheme No.2 (TPS2)

The proposal appropriately falls within the 'Stable' land use classification as it involves feeding and keeping of horses onsite. The tree removal falls within this land use as it is primarily to create additional paddock space. The specific land use definition is:

'Stable' defined as *"any land, building or structure used for the housing, keeping and feeding of horses, asses and mules and associated incidental activities"*.

The site is zoned 'Special Rural' under TPS2, within this zone a 'Stable' land use is a discretionary use which requires development approval to be obtained prior to the use occurring. The objective of the 'Special Rural' zone under TPS2 is, *"to depict places within the rural area wherein closer subdivision will be permitted to provide for such uses as hobby farm, horse training and breeding,*



rural residential retreats and intensive horticulture, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of the selected areas.”

The proposal is consistent with the objective of the zone, insofar as it seeks approval for an equine related pursuit. Officers note that the objective of the zone seeks to achieve a balance in development so that rural pursuits do not compromise residential amenity, nor adversely impact the rural landscape. Therefore, should Council support this equine related land use, the impacts of the development on the rural landscape should be considered. It is for this reason that Officers consider that the keeping of five horses and the arena should be supported, but the further removal of trees should not.

Local Planning Strategy (LPS) and Draft Local Planning Scheme No. 3 (LPS3)

The subject site falls within the Rural Residential policy area of the LPS and is proposed to be zoned ‘Rural Residential (RR2)’ under LPS3. Under LPS3 the proposal fits the definition of ‘rural pursuit’ as follows:

‘rural pursuit/hobby farm’ defined as meaning *“any premises, other than premises used for agriculture - extensive or agriculture - intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier’s household -*

- (a) the rearing, agistment, stabling or training of animals;*
- (b) the keeping of bees;*
- (c) the sale of produce grown solely on the premises.”*

This use is proposed to be a Discretionary ‘D’ use in the ‘Rural Residential’ zone and therefore Council can exercise its discretion and permit the use.

In respect of the LPS the relevant objectives of the ‘Rural Residential’ area include:

- *Provide for Rural Residential development in appropriate, well-located areas.*
- *Preserve and enhance the existing rural character of Rural Residential properties.*
- *Ensure Rural Residential developments are sensitive to environmental values.*

Further to the objective of the ‘Special Rural’ zone under TPS2, the objectives of the LPS seek a balanced approach in considering development in ‘Rural Residential’ areas. Rural development such as the keeping of horses should be supported, but only when impacts of such proposals on the character of the locality and environment are able to be managed.

Tree Removal

The application seeks approval for the retrospective removal of trees, and prospective approval for the further removal of 26 trees to the north-east of the site. The vegetation subject to this application was planted in the late 1990s (as pictured in Figure 5 following) and primarily consists of eastern states gum trees (*Eucalyptus Grandis*).



Figure 5: Historic aerial imagery from 2000. Details the trees planted during the subdivision and development of the estate

The purpose of planting these trees was to manage surface water, provide visual screens and windbreaks for the locality. Over a 20-year period, the trees have matured and make up a key part of the rural landscape, contributing to the amenity of the locality.

Clause 67(2)(n) of the *Deemed Provisions* requires Officers to consider amenity impacts of the development, including environmental. In addition, key goals of the Shire’s Urban and Rural Forest Strategy 2018-2028 are to:

- *Retain current levels of canopy coverage in urban, peri-urban and rural areas, and increase where possible;*
- *Maintain the rural character of the Shire; and*
- *Encourage environmental sustainability.*

Also, Clause 7.12.6 of TPS2 specifically relates to tree removal, and provides a basis to assess the proposal:

TPS2 Clause 7.12.6 Criteria for Assessing Tree Removal	
Criteria	Comment
a) that there should be a minimum disturbance to the landscape characteristics of the locality;	As previously stated, the landscape within the locality is characterised by vistas of mature vegetation. Officers consider that the retrospective removal of trees from approximately 3,800m ² of the site has caused significant disturbance to the landscape characteristics of the area already. The removal of an additional 26 trees would cause further adverse impacts to the rural landscape and their contribution to the rural forest canopy. It is therefore



TPS2 Clause 7.12.6 Criteria for Assessing Tree Removal	
Criteria	Comment
	considered that the removal of trees at this scale is contrary to the landscape characteristics of the locality.
b) generally that a realistic need should be demonstrated for the removal of any tree or trees for the purpose of facilitating appropriate development or agricultural use of the land;	<p>The reason provided for the removal is to support the equine operations on site. The applicant states that the eastern states eucalypts have a high risk of limb dropping creating a risk to the equine business infrastructure and the horses themselves.</p> <p>Officers consider that a balanced approach should be adopted, as per the applicable objectives of TPS2 and the LPS. It is considered that the equine business should be supported, but impacts to the rural landscape should be managed. Officers consider that by granting retrospective removal of trees to create paddock 5, but not approving further tree removal to create paddock 7 and 8, will enable a balance between the rural landscape and equestrian use. The additional paddock space is also not required under the Stocking Rate Guidelines to keep five horses, further supporting the opportunity to retain these trees (refer to the Stocking Rate section of this report).</p>
c) the intrinsic value of the tree or trees in terms of physical state, rarity and	<i>Proposed Removal of 26 Trees</i>



TPS2 Clause 7.12.6 Criteria for Assessing Tree Removal	
Criteria	Comment
<p>variety, and particularly whether or not the tree is naturally growing;</p>	<p>The trees proposed for removal are eastern states <i>Eucalyptus Grandis</i>. The trees are not naturally growing, they are subdivision plantings from the late 1990s. As the trees are not local native species, they provide less biodiversity support and have not in 20 years generated significant habitats for local fauna.</p> <p>Notwithstanding the limited biodiversity value, it is noted that the removal of trees associated with this proposal would result in a considerable loss of overall landscape value as well as carbon sequestration capacity. The Shire's Urban and Rural Forest Strategy 2018 - 2028 (Strategy) identifies that the carbon sequestration ability of trees enhances air quality. Therefore, the Strategy seeks to retain or increase canopy coverage across the Shire. The trees also have intrinsic value as a key part of the rural landscape, and act as windbreaks which help retain soil quality by buffering the especially strong easterly winds. As such, it is considered that no further tree removal should be undertaken.</p> <p><i>Retrospective Removal of Trees</i></p> <p>Officers consider that the retrospective removal of the trees grants opportunity for replacement with local native species. This will enhance biodiversity and environmental values in the locality. The replacement of local native species will also provide greater opportunities for local fauna habitats (i.e. nesting, perching and feeding habitats). A condition is recommended in this regard.</p>
<p>d) reflecting upon the adequacy of the information supplied as to the general description of the tree or trees and the character of the locality;</p>	<p>Officers conducted a site visit to assess the trees and are satisfied with the level of detail provide by the applicant.</p>
<p>e) giving effect to any proposals made for replacement of trees removed, for planting or replanting generally, and any comprehensive proposal for landscaping;</p>	<p>Officers note that no formal revegetation measures have been provided at this stage. The applicant has advised verbally that they are willing to offset the removal of vegetation through the replanting of local native species. Officers have recommended a condition to require a comprehensive revegetation plan, to deal with the trees unlawfully removed, and not support any further tree removal.</p>
<p>f) preservation of the existing and future amenity of the adjoining land and the natural environment of the locality;</p>	<p>As established, the retrospective removal of trees from 3,800m² of the site and an additional 26 trees would detract significantly from the existing rural landscape. This would result in an adverse impact to the amenity of the locality. Officers consider that through the retention of the remaining trees on site and revegetation of local native species, there is an opportunity to remedy the impact to amenity caused.</p>



TPS2 Clause 7.12.6 Criteria for Assessing Tree Removal

Criteria	Comment
g) minimising the effect of removing trees and naturally growing vegetation on the environment and in particular erosion and salination effects.	The removal of trees has caused disturbance to the ground. Officers note that the removal of additional trees from the property would have the potential to result in 'wind throw' on adjacent tree lines. 'Wind throw' refers extra wind pressure on trees which would not normally experience this and so there is the possibility to put these under pressure. Officers consider there is no undue risk of salination effects.

In summary, Officers consider that approving the further removal of trees subject to this application, would cause a detrimental impact to the landscape values and amenity of the locality. However, Officers consider a balanced approach can be achieved by supporting the equine use on site and requiring that vegetation remain. As pictured in the image following, Officers support a significant area of the site for the horse keeping purpose. The trees retrospectively removed in the additional paddock number 5 are supported. However, Officers recommend that Council requires the vegetation in the east of the property to remain, and to not support paddocks 7 and 8. Revegetation of local natives should occur within the landscape area to the east of the site, to offset the removal of trees that has already occurred. This outcome is depicted in Figure 6 below.



Figure 6: Balancing landscape characteristics and rural land uses. The area that would be maintained for vegetation (green) compared with the keeping of horses (yellow)



In line with the objectives of the 'Special Rural' zone in TPS2 and the LPS, Officers consider that this approach would ensure a balance can be achieved in maintaining environmental landscape values and also facilitating rural land uses.

Statement of Planning Policy 2.1: The Peel Harvey Coastal Plain Catchment (SPP21)

The subject site is located within the Peel-Harvey catchment area. The policy ensures that changes to land use within the catchment to the Peel-Harvey Estuarine System are controlled to avoid and minimise environmental damage. SPP2.1 also seeks to ensure that tree retention occurs within the catchment area. Land uses which are likely to drain towards the Peel-Harvey Estuarine System should be managed to reduce or eliminate nutrient export from the land. The keeping of horses is one such land use activity which could result in nutrient export impacts. Appropriate stocking numbers and waste management practices should therefore occur to manage any impacts. Concern was received in objection to the proposal that the keeping of horses would adversely impact land quality. This is discussed in more detail later in this report (refer to the Waste Management section).

Stocking Rates

Under the Department of Agriculture's Stocking Rate Guidelines for Rural Small Holdings (guidelines), stocking rates are defined as "the numbers for stock, e.g. sheep, cattle, horses, emus or any other type of animal that can consistently be kept on a piece of pasture all year round with minor additional feeding without causing environmental degradation". The stocking rate calculation is used by Officers to determine suitable stocking numbers of a site. This includes variables such as the number of stock, the soil type of the paddocks, the size of the paddocks, whether paddocks are irrigated and how long stock is stabled for.

The soil type for the subject site is Forrestfield (F2a), which is defined as well drained gravelly soils. The area of paddocks 1 to 6 (as depicted in Figure 7 below) is 0.76 hectares. All six paddocks would be irrigated.



Figure 7: Paddock Layout



The stocking rate calculation in accordance with the Guidelines would allow for 1.9 horses without any stabling to rest paddocks. Should the horses be stabled for 16 hours and granted eight hours grazing time per day, the stocking rate increases to permit five horses.

To support the stocking of five horses on the site, the applicant has provided an Equine Management Plan (EMP). The EMP outlines the horse and land management practices. The EMP states that the horses would be stabled for 16 hours. Officers are therefore satisfied that appropriate stocking and land management would occur should the applicant adhere to the management measures proposed in the EMP (contained within **attachment 1**).

Amenity

Clause 67(2)(n) of the *Deemed Provisions* requires the Shire to be satisfied that the proposal would not adversely impact the amenity of the locality. An objection was received advising that the operation of the horse arena to the south of site was adversely impacting neighbours by way of light and dust. Concern was also raised that the keeping of horses would impact the locality by way of waste and odour. These matters are addressed in the following sections.

Light:

There are three double-sided spotlights that provide light to the arena, enabling the use of the arena for extended periods. The lights themselves are high-powered LED lights, which are considered a very visible and unexpected feature within the rural landscape at night. The lights are angled towards the south, which is where adjoining properties are located. This is detailed in the following Figures.



Figure 8: Photo of the arena lights in operation



Figure 9: Existing arena light position angled towards neighbouring properties

The applicant has responded to the concerns by advising that they only have the arena lights on occasionally. The lights would typically be on once a week for about an hour when the arena is being used. The applicant has also responded to Officers request to set the angle of the lights lower.

Despite these measures, Officers consider the lights would result in an adverse impact to the amenity of immediately adjoining neighbours. Officers recommend that Council require all lights to be north facing, so they are directed away from immediate neighbours. This would eliminate any light spill or nuisance to neighbouring properties and still permit the operation of the horse arena during evening periods. The applicant would need to install new light posts along the south side of the arena to facilitate this, as pictured in Figure 10 following.



Figure 10: Officer recommendation for an additional row of light posts and to direct the lights internally to the site

*Dust:*

Another concern raised is that when the horse arena is graded and raked there is a significant amount of dust generated, which impacts adjacent residents. In response to this, the applicant has installed sprinklers surrounding the arena on the fence. These sprinklers are used to irrigate the arena prior to riding or raking occurring. Officers recommend Council place a condition on the determination requiring the horse arena to be irrigated by the sprinklers prior to raking the arena, and using the arena for riding during summer months when dust is more prevalent due to dry conditions. Officers consider that these measures would ensure impacts of dust can be suitably managed.

Waste Management:

One of the objections received to the proposal raises concerns that the keeping of horses would cause adverse impacts to the soil and impact the area by way of odour. The applicants EMP indicates that manure from horse stables would be collected twice daily and spread in the paddocks through harrowing. Harrowing involves the spreading and breaking down of manure evenly so as to ensure nutrients are evenly distributed around the paddocks. Manure on walkways and the horse arena will be collected immediately. Officers are satisfied that these measures would be a suitable practice to ensure no adverse impacts to the amenity of the locality by way of waste or odour.

Stormwater Management

Clause 67(2)(q) of the *Deemed Provisions* requires the Shire to give consideration to stormwater management, soil erosion and land degradation risk. Stormwater naturally moves in an east to west direction in the locality. The horse arena is located adjacent to an easement on the neighbouring property to the west, which is for the purpose of an overland drain flow. There is potential risk that given the setback of the arena, the horse arena sand or sediment may disperse into the overland drain on the adjacent property during a significant rain event.

The applicant has advised Officers that subsurface drains were installed in the horse arena. The arena is bordered by wooden planks, grounded with a layer of concrete and filled with sand. The drainage infrastructure is below the sand. It takes the form of pipes that direct water to the north side of the arena. These pipes end at the northern side of the arena, where there are grates that act to filter out sand and sediment prior to the water continuing on its natural path to the west. Officers are satisfied that this measure would ensure that sand and sediment would be contained within the horse arena and permit stormwater to continue in its natural flow. A condition is recommended to require a Drainage Management Plan to formalise this arrangement.

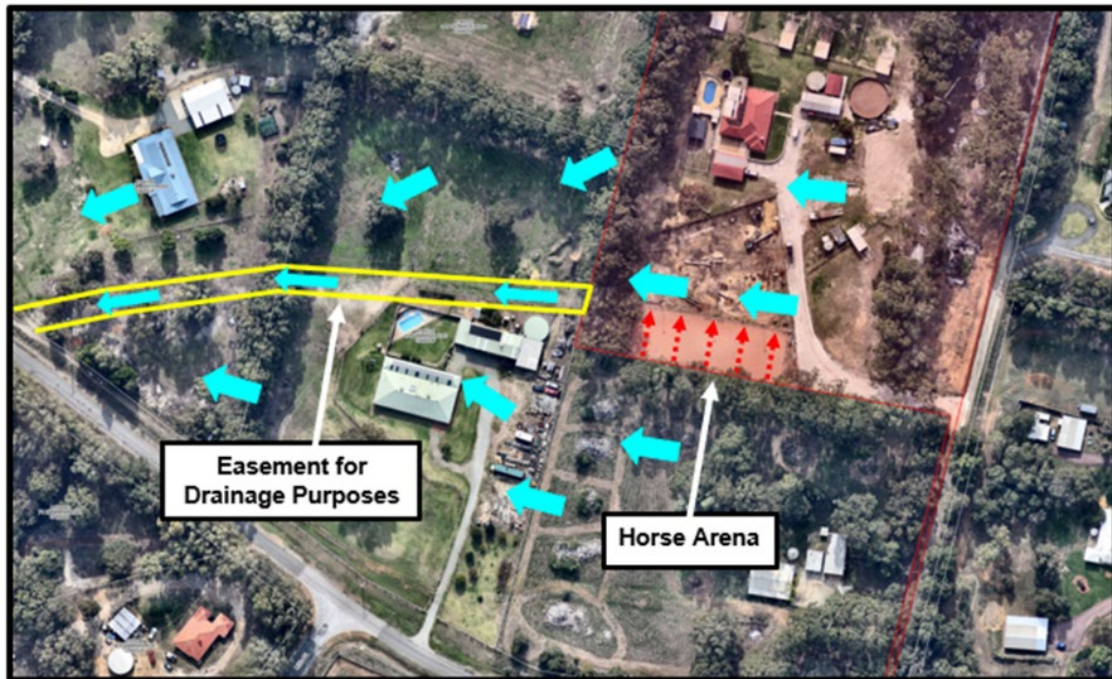


Figure 11: Existing natural drainage flows in the locality (light blue) and the position of the subsurface drainage on the horse arena (red)

Options and Implications

Option 1

1. That Council APPROVES the development application for the retrospective keeping of five horses, horse arena and retrospective removal of trees, but not including any prospective tree removal or paddocks 7 and 8, at Lot 87, 26 Karbro Drive, Cardup, as contained within **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	Plans P1 received at the Shire's Offices on 15 June 2022; and Equine Management Plan (P2) dated 25 May 2022.
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- b. Within 60 days of this approval, a Revegetation Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Plan shall demonstrate suitable replacement of native vegetation including;
- The number of trees/saplings;
 - The species of the trees/saplings;
 - The location of the revegetation;
 - The planting period of the trees/saplings;
 - How the ground will be prepared prior to planting; and
 - A commitment to ongoing maintenance and replacement of failed trees.

Once approved, the Revegetation Plan shall be implemented and maintained to the satisfaction of the Shire of Serpentine Jarrahdale.



- c. All existing trees and vegetation on site shall be retained and protected from livestock. This approval does not include approval for any of the 26 trees that were proposed to be removed, and these are to be instead retained.
- d. Within 60 days of the date of this approval an updated Equine Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale detailing an irrigation regime for the horse arena. Once approved the updated Equine Management Plan shall be adhered to in its entirety at all times.
- e. Within 60 days of the date of this approval, the existing lighting shall be modified to only light in a northern direction. This is to involve the relocation of the current south facing lights (on the north side of the arena) to be positioned on the south side of the arena, and redirected to shine to the north only.
- f. Within 60 days of the date of this approval a Drainage Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale ensuring that stormwater from the horse arena is managed to prevent sand and sediment runoff impacting adjacent properties. Once approved stormwater shall be managed in accordance with the Drainage Management Plan at all times.

Option 2

As per Option 1 but including approval for the further 26 trees to be removed and paddocks 7 and 8 to be developed.

Option 3

That Council REFUSES the development application for the following reasons:

- a. the retrospective keeping of horses, horse arena and removal of trees is considered to pose an adverse amenity impact, due to the level of tree removal and light spill caused by the associated lighting and use of the arena;
- b. the development is considered to pose an adverse drainage impact by nature of sediment entering the nearby water course;
- c. the prospective tree removal is considered to be inconsistent with the requirements of the Scheme, by proposing removal of trees which have an important landscape and rural amenity value.

Option 1 is recommended.

Conclusion

The application seeks retrospective approval for the keeping of five horses, a horse arena, tree removal and the proposed removal of an additional 26 trees. The application is presented to Council for determination as objections were received during the consultation period.

Officers consider that the horse keeping and arena components of the application are consistent with the planning framework and associated amenity impacts can be managed through the imposition of conditions. Regarding the tree removal, the planning framework seeks to limit tree removal and impacts to the rural landscape or amenity. Officers therefore recommend that Council should not approve the removal of the additional 26 trees and instead require the revegetation of the eastern portion of site, where retrospective removal has occurred. It is considered that this would constitute a balanced approach to retaining the Shire's rural landscape and supporting equine businesses.



Attachments (available under separate cover)

- 10.1.1 - attachment 1 - Development Plans (E22/10556)
- 10.1.1 - attachment 2 - Summary of Submissions (E22/7942)
- 10.1.1 - attachment 3 - Clause 67 Assessment (E22/10558)

Alignment with our Strategic Community Plan

Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local businesses within the district.

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	That Council approves the development with conditions which the Applicant does not support, resulting in a request for SAT review	Planning Assessment	Financial	Possible	Minor	LOW	Detailed planning assessment explaining conditions.
2	That Council approved the application and the additional tree removal results in and adverse impact to the amenity, landscape and environmental values of the locality.	Reasons for approval are valid planning options and conditions	Environment / Heritage	Possible	Moderate	MODERATE	Ensuring conditions of approval require appropriate revegetation measures.
3	That Council refuses the application and an appeal is lodged with the State Administrative Tribunal.	Reasons for refusal reflecting valid planning concerns or variations.	Reputation	Possible	Minor	MODERATE	Ensure that reasons for refusal are based on valid planning reasons.



Voting Requirements: Simple Majority

Officer Recommendation

1. That Council **APPROVES** the development application for the retrospective keeping of five horses, horse arena and retrospective removal of trees, but not including any prospective tree removal or paddocks 7 and 8, at Lot 87, 26 Karbro Drive, Cardup, as contained within 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	Plans P1 received at the Shire's Offices on 15 June 2022; and Equine Management Plan (P2) dated 25 May 2022.
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b. Within 60 days of this approval, a Revegetation Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Plan shall demonstrate suitable replacement of native vegetation including;

- i. The number of trees/saplings;
- ii. The species of the trees/saplings;
- iii. The location of the revegetation;
- iv. The planting period of the trees/saplings;
- v. How the ground will be prepared prior to planting; and
- vi. A commitment to ongoing maintenance and replacement of failed trees.

Once approved, the Revegetation Plan shall be implemented and maintained to the satisfaction of the Shire of Serpentine Jarrahdale.

c. All existing trees and vegetation on site shall be retained and protected from livestock. This approval does not include approval for any of the 26 trees that were proposed to be removed, and these are to be instead retained.

d. Within 60 days of the date of this approval an updated Equine Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale detailing an irrigation regime for the horse arena. Once approved the updated Equine Management Plan shall be adhered to in its entirety at all times.

e. Within 60 days of the date of this approval, the existing lighting shall be modified to only light in a northern direction. This is to involve the relocation of the current south facing lights (on the north side of the arena) to be positioned on the south side of the arena, and redirected to shine to the north only.

f. Within 60 days of the date of this approval a Drainage Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale ensuring that stormwater from the horse arena is managed to prevent sand and sediment runoff impacting adjacent properties. Once approved stormwater shall be managed in accordance with the Drainage Management Plan at all times.

**10.1.2 - Proposed Road Naming - Lot 128 South Western Highway, Byford (SJ500-04)**

Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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:	McMullen Nolan Group Pty Ltd
Owner:	Byford Project 2018 Pty Ltd
Date of Receipt:	21 June 2022
Lot Area:	3.76ha
Town Planning Scheme No 2 Zoning:	'Urban Development'
Metropolitan Region Scheme Zoning:	'Urban, Primary regional roads'

Report Purpose

The purpose of this report is for Council to consider a proposal to extend the road name of 'Robertson Road' associated with a road extension at the approved development of Lot 128 South Western Highway, Byford.

This road naming proposal is presented to Council for endorsement as Officers do not have delegated authority to endorse road naming proposals. Officers consider that the proposed extension of 'Robertson Road' name suitably reflects the intended road network in the locality and is consistent with the Policies and Standards for Geographical Naming in Western Australia (Landgate policy).

It is therefore recommended that the extension of the 'Robertson Road' name be endorsed by Council and forwarded to Landgate for final approval.



Relevant Previous Decisions of Council

Ordinary Council Meeting – 19 July 2021 – OCM179/07/21 – COUNCIL RESOLUTION – extract

That Council APPROVES the development application for a Vehicle Repair, Warehouse, Light Industry and Showroom development at Lot 128 South Western Highway, Byford, as contained within attachment 1 in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 subject to the following conditions: ...

- b. Prior to issue of a Building Permit, engineering drawings shall be submitted to and approved by the Shire for the extension of Robertson Road as shown on the approved plans. Robertson Road must be constructed to an appropriate urban standard for the full frontage of the land (including an appropriate fully built temporary cul-de-sac head at the southern extent of the site), to the satisfaction of the Shire. Once approved, the works shall be undertaken in accordance with the approved plans prior to occupation, to the satisfaction of the Shire of Serpentine Jarrahdale. ...*
- l. Prior to occupation of the buildings, the intersection of Robertson Road and South Western Highway must be designed and constructed at the applicant's cost. All vehicular access shall be via Robertson Road.*

Background

The proposal relates to the subdivision of the subject site, which will result in the creation of a new extent of road connecting the existing Robertson Road to South Western Highway. The developer of the site is presently undertaking the intersection upgrade and connection works. These works are in accordance with conditions (b) and (l) of Council's previous decision to approve development on the land. An aerial view of the subject site is provided as follows:



Figure 1: Aerial Imagery



The extent of road subject to this application has been created in line with the associated structure plan also, as shown following:

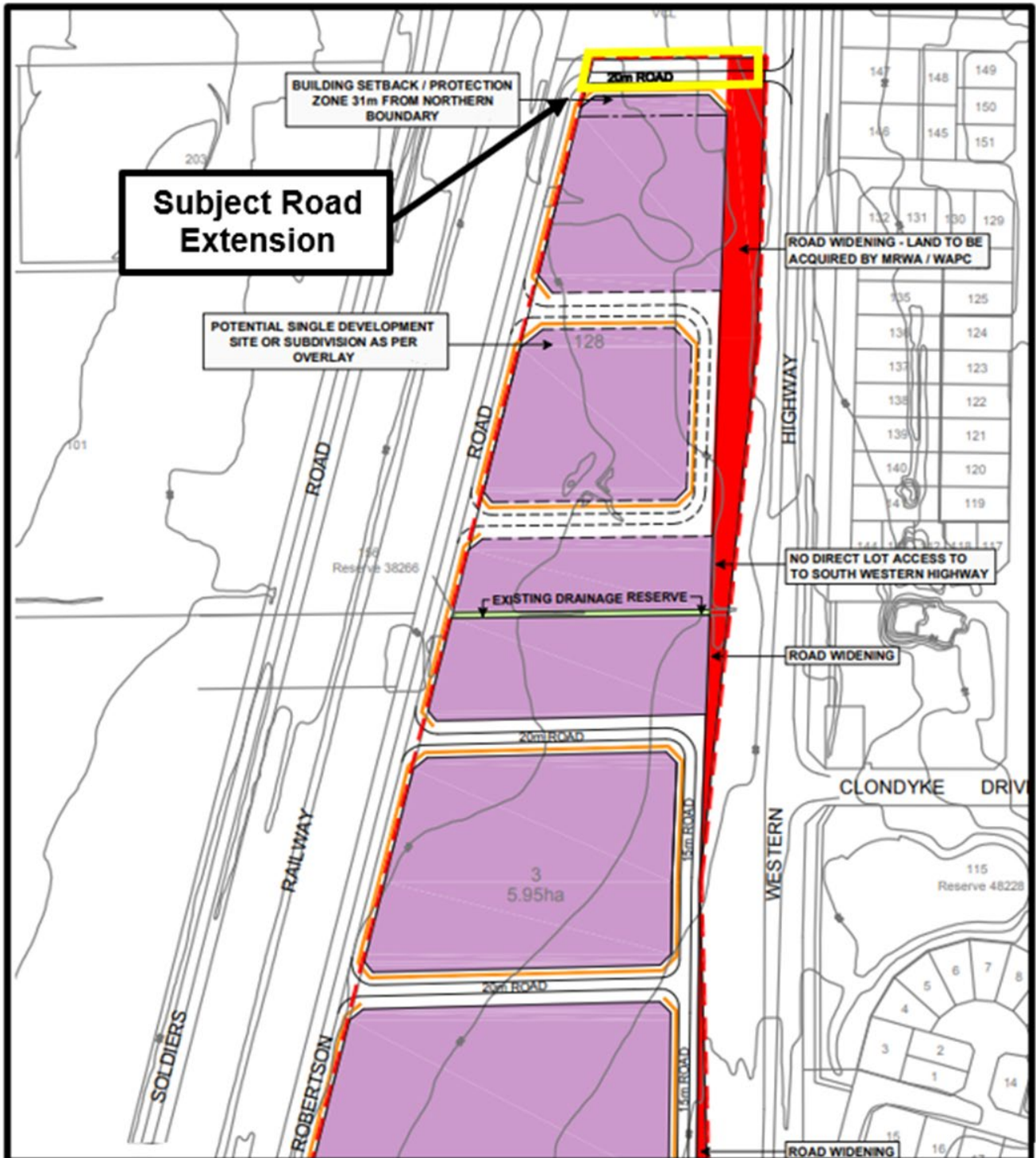


Figure 2: The subject road extension under the approved Local Structure Plan

Roads created by subdivision are required to be named in accordance with Clause 26A of the *Land Administration Act 1997*. The naming process requires the relevant Local Government to endorse names for roads created as part of subdivision. Names endorsed by the Local Government must then be forwarded to Landgate for final approval. Landgate has delegated authority from the Minister for Planning, Lands and Heritage to grant final approval for road names.



Proposal

The application proposes the naming of a road extension, created as part of the approved subdivision and development of the land. The proposed portion of road that is to be named is labelled as “Robertson Road (Extension)” in the plan below:

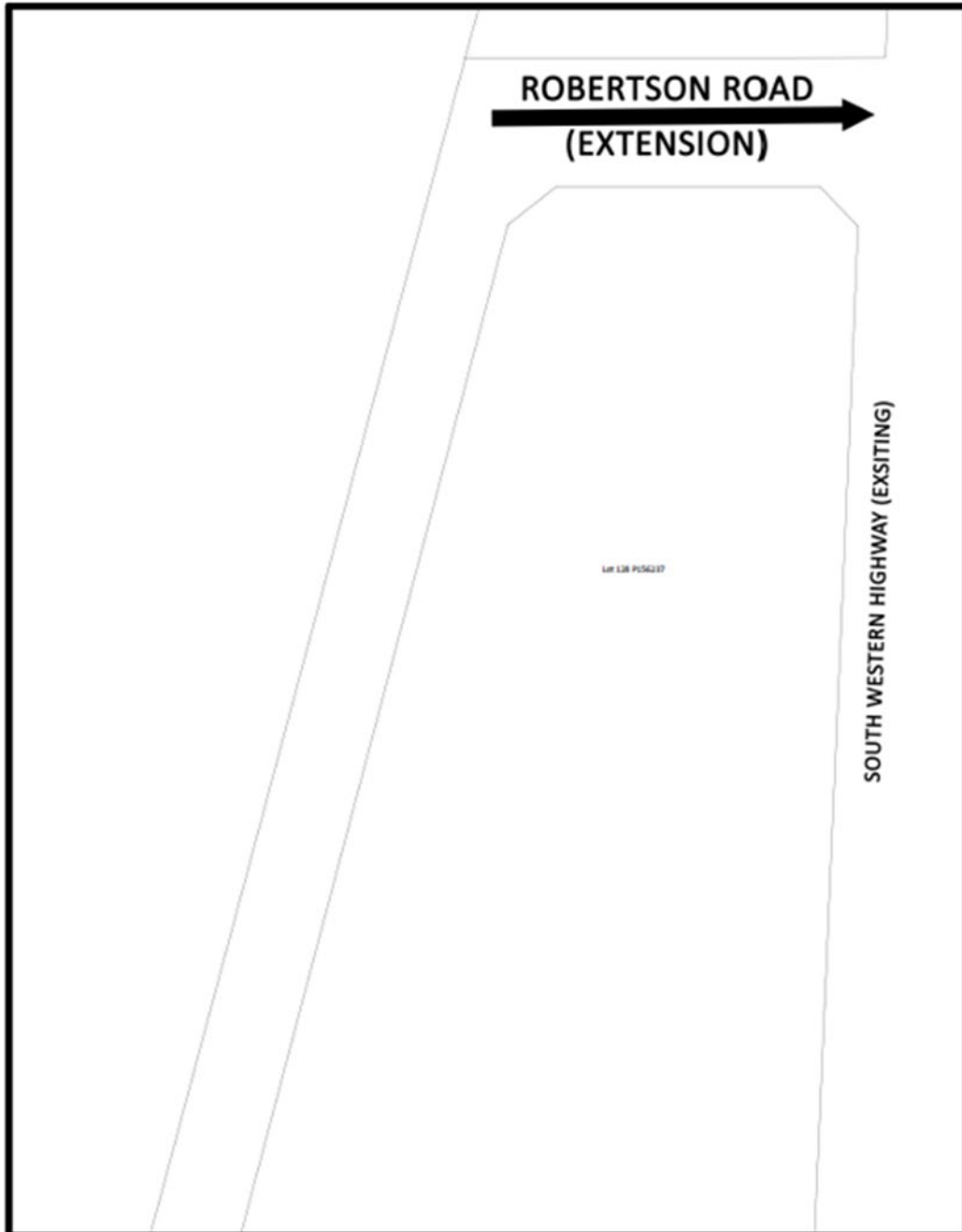


Figure 3: Proposed Road Name Layout

The continuation of the Robertson Road name is supported. It is considered that this would not pose any confusion for visitors to the area or emergency services. As shown in Figure 3, there would be no impact to street numbering of existing properties.

The road layout plan providing the location of the subject road can be found in **attachment 1**.



Community / Stakeholder Consultation

No consultation is required in accordance with Shire and Landgate policy.

Statutory Environment

Legislation

- *Land Administration Act 1997*

State Government Policies

- Policies and Standards for Geographical naming in Western Australia (Landgate Policy)

Local Planning Framework

- Local Planning Policy 1.7 – Road Naming (LPP1.7)
- Lot 1, Lot 3 and Lot 128 South Western Highway, Byford – Local Structure Plan (LSP)

Planning Assessment

LPP1.7 states that where more than four road names are proposed, then an overall theme should be proposed by the applicant. As the proposal only entails the extension of a single approved road name, no additional theme is required.

The proposed name has been assessed against the Landgate policy in conjunction with the Shire's LPP1.7. The policy provisions and considerations have been provided in the table below:

Policy Assessment	
Policy Requirement	Officer Comment
Consideration of current and future street names	The proposal would pose an extension to the existing 'Robertson Road' name. No conflict would be caused with any nearby current or future names.
Consideration shall be given to current and future street numbering to ensure numbering is sequential, easy to follow and considers future density increases	Officers consider the proposal to be acceptable, in that it reflects the intended road network of the locality under the LSP.
The origin of each name shall be clearly stated and subsequently recorded	No new name is proposed. The application is to extend an existing road name.
Names shall not be offensive or likely to given offence, incongruous or commercial in nature	The name is not considered to be offensive, incongruous, or commercial in nature.
Names shall be easy to read, spell and pronounce in order to assist emergency services, service providers and the travelling public	The name is suitable as it comprises of no more than nine letters and is only one word in length.



Policy Assessment	
Policy Requirement	Officer Comment
Unduly long names and names that comprise of two or more words should generally be avoided	
Proposals for road names shall include an appropriate road type suffix	The proposed suffix is considered to be appropriate and consistent with suffix definitions under the Landgate Policy. Road (Rd) – Open way or public passage primarily for vehicles.
Practical application of road names to maps and plans shall be considered such as the long street names should not be allocated to short roads	As shown on the road name plan earlier in this report, the road name is commensurate with the length of the road and are considered to be practical.

Options and Implications

Option 1

That Council ENDORSES the road name extension of 'Robertson Road' in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the proposal as contained within **attachment 1** to Landgate for final approval.

Option 2

That Council REFUSES TO ENDORSE the proposed road name extension for the following reasons.

Option 1 is recommended.

Conclusion

The proposal to extend the 'Robertson Road' name is considered appropriate in accordance with the Shire's LPP1.4 and the Landgate Policy, and reflects approved subdivision and development of the land. It is therefore recommended that Council endorses the proposal, and it be forward to Landgate for final approval.

Attachments (available under separate cover)

- **10.1.2 - attachment 1** - Road Layout Plan (E22/10474)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions



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 risks associated with this option.						
2	Council not endorsing the road name extension causing delays in the application process	<p>Policies and Standards for Geographical naming in Western Australia</p> <p>Local Planning Policy 1.7 – Road Naming</p>	Social / Community Outcomes	Possible	Moderate	MODERATE	Explain reason

Voting Requirements: Simple Majority

Officer Recommendation

That Council **ENDORSES** the road name extension of 'Robertson Road' in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the proposal as contained within attachment 1 to Landgate for final approval.



10.1.3 - Proposed Adoption of Local Planning Policy - Tree Retention and Planting (SJ3362)

Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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 for Council to consider the adoption of a new Local Planning Policy - Tree Retention and Planting, subject to minor modifications. The LPP has completed the process of public engagement and during this process one submission was received which is discussed within the report.

The new LPP was drafted to consolidate and update three existing LPPs, all of which relate to landscaping and revegetation. Having a single consolidated LPP will provide more clarity for applicants and Officers, in the process of development control and subdivision consideration. Following advertising, it is recommended that Council adopt the new LPP with minor modifications, the details of which are discussed within the report.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 15 February 2021 - OCM017/02/21 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

- 1. Pursuant to Schedule 2 Part 2 Clause 4(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, ADOPTS Draft Local Planning Policy 4.16 - Tree Retention and Planting as contained within attachment 1 for the purposes of public advertising.*
- 2. Pursuant to Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015, ADVERTISES Local Planning Policy 4.16 - Tree Retention and Planting for a period of not less than 21 days.*

Background

The aim of LPPs are to create more effective and efficient means of assessing and determining development applications, particularly through assisting in the exercise of discretion. LPPs provide information and guidelines for assessing applications, and in helping align expectations for intended development outcomes for an area.

It is important that LPPs are reviewed on a regular basis to ensure they are up to date, consistent with best practice, and in line with the strategic planning framework. The new proposed LPP has been drafted as part of the ongoing review of existing LPPs, in order to keep the Shire's planning framework up to date and as efficient as possible.



Community / Stakeholder Consultation

The new LPP was advertised between 24 February 2021 and 18 March 2021 and an advert was also placed in the Examiner Newspaper on 25 February 2021. During this period one submission was received supporting the protection of trees as follows:-

“Significant tree removal should be avoided at all costs unless the tree presents an immediate danger to the public. There are so many options to help preserve and protect older trees. I firmly believe more tree planting in the area is possible and necessary. Backyards are so tiny in these new estates, it's impossible to actually grow your own. Differing choices on verge trees would also have a greater impact on people's willingness to actually look after their tree. For example non-invasive ornamentals instead of what people view as destructive, dangerous natives, or fruiting trees. Also better planning for roads - lose the front verge entirely, make the road wider and plant in the centre of the road. This has positive impacts for the environment, slows down the many hoon drivers in the area and trees should be able to be better maintained by the council instead of relying on residents good nature to look after verge trees. Ellenbrook estates have done this extremely successfully. Addition of 'city farm' type plantings in parks would also be a fantastic idea.”

These comments are welcomed and it is considered that the LPP would strengthen the current planning framework in relation to tree preservation.

Statutory Environment

Legislation

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

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
- Draft Local Planning Scheme No. 3
- LPP4.13 Revegetation
- LPP4.16 Landscape and Revegetation
- LPP4.18 Street trees

Comment

New LPP - Tree Retention and Planting

Currently, the Shire has three LPPs that deal with landscaping, revegetation and street trees. The purpose of the new LPP (**attachment 1**) is to consolidate the provisions of these three LPPs into one, to ensure all the information is contained in one place, making it more efficient for assessment purposes and easier for members of the public to navigate the documents. Should Council resolve to adopt the new LPP, this will enable the current three LPPs to be effectively replaced by one. Accordingly, this will see LPP4.13, 4.16 and 4.18 revoked in accordance with the power provided under Clause 6(a) of the Deemed Provisions which state:

(6) *A local planning policy may be revoked —*

(a) by a subsequent local planning policy that —

(i) is prepared in accordance with this Part; and



(ii) expressly revokes the local planning policy;

- Existing LPP4.13 Revegetation (**attachment 2**)

This policy sets out five principles for revegetation including replacement planting for lost or lacking vegetation; preference for local native species to be used; revegetation to be undertaken in accordance with best practice; and a requirement for bank guarantees where works have not been completed prior to subdivision clearance. All these elements are considered to be addressed under the new LPP.

- Existing LPP4.16 Landscape and Revegetation (**attachment 4**)

This LPP contains a background as to why vegetation is important but lacks specific provisions for assessment purposes. The main provision relates to the protection of trees proposed to be retained as part of development, in accordance with the Australian Standard. These provisions are also considered to be contained within the new draft LPP. It is proposed to use the numbering of this LPP for the new draft LPP.

- Existing LPP4.18 Street trees (**attachment 3**)

This policy sets out four provisions requiring the provision of street trees which can be achieved through bonding; a preference for particular species; and a requirement for the retention of existing street trees where possible. All these provisions are considered to be addressed in the new draft LPP.

As previously presented to Council, the objectives of the new LPP are:

- *“To preserve and enhance the Shire’s landscape character;*
- *To protect and retain significant trees contributing to the biodiversity and amenity of the Shire;*
- *To provide guidance as to when the Shire will support tree removal and require replacement planting and additional planting in degraded areas;*
- *To enhance the Shire’s urban and rural areas through landscaping; and*
- *Increase canopy coverage, preserving the Shire’s urban and rural forest.”*

To achieve these objectives, the LPP is split into three parts:

1. Part 1 - Significant Tree Removal and Replacement as part of Development and Subdivision;
2. Part 2 - Design of Street Tree Planting as part of Subdivision;
3. Part 3 - Design of Street Tree Planting as part of Development.

Part 1 sets out the matters that are considered as part of an application for tree removal and lists circumstances where tree removal will generally not be supported. This part of the LPP is considered to have clearer and more transparent provisions for applicants than the existing LPPs, and will go further to assist Officers in the development assessment process. Initially this part related to development applications, however since advertising this section has been amended to also include subdivision considerations. The provisions within this part would now assist in both the consideration of applications for development approval and subdivision.

Part 1 also sets out requirements for replacement planting in instances where the Shire does support tree removal. If a tree cannot reasonably be replaced on the lot, consideration can be given to require replacement planting on the verge to enhance the visual amenity of the streetscape while also maintaining canopy cover.



In the unlikely circumstance that trees could not be reasonably replaced on the lot or the street, the LPP also allows an applicant to make a financial contribution to the Shire, which would be used towards tree planting in the Shire and increase canopy cover in accordance with the Urban and Rural Forest Strategy.

Part 2 of the LPP deals with street tree planting as part of the subdivision process. Once a subdivision has been approved, there is a requirement for the production of engineering/civil works drawings prior to commencement of works. The LPP requires for these to include street trees and how they will be maintained. Three options are available to an applicant/developer as follows:

Option 1 (preferred) - Applicant provides contribution payment to Shire who then takes responsibility. In this option, an applicant can choose to pay the Shire a contribution per street tree, based on actual costs incurred by the Shire. This payment must be made prior to the practical completion certification of the civil works. In receiving this contribution, the Shire will purchase, install and maintain all street trees within the subdivision for three years. Installation will occur at the most optimal time in the opinion of the Shire, taking into account development rates on each lot.

Option 2 - Applicant takes responsibility and plants the trees after clearance and after each lot is developed.

Option 3 - Applicant takes responsibility and plants the trees prior to clearance of the subdivision. The applicant is required to install and manage the street trees for a two year period post installation, performing sound arboricultural maintenance practices that promote good form and shape with a well-defined canopy, to the satisfaction of the Shire. Street trees which are not adequately maintained in the opinion of the Shire will be required to be removed, replaced and maintained for a further two years. Details of maintenance must be set out in the Street Tree Management Plan.

The key difference with this Option and Option 2, is that to achieve clearance of the subdivision a bond per street tree must be provided to the Shire. The Shire will return this in one amount once all street trees have been planted and maintained consistent with the Street Tree Management Plan.

Part 3 of the LPP deals with street tree planting as part of a development application and states that development other than residential, will be required to establish street trees on the verge of the lot. The LPP provides applicants/developers with two options in this regard as follows:

Option 1 (preferred) - Applicant provides contribution payment to Shire of Serpentine Jarrahdale who then takes responsibility.

In this option, an applicant can choose to pay the Shire a contribution per street tree, based on actual costs incurred by the Shire. This payment must be made prior to the issue of a Building Permit, as the Street Tree Management Plan (required prior to Building Permit) will demonstrate the planting areas of the street trees. In receiving this contribution, the Shire will purchase, install and maintain all street trees identified in the approved Street Tree Management Plan. Installation will occur at the most optimal time in the opinion of the Shire, taking into account development rates.

Option 2 - Applicant takes responsibility and plants the trees.

The applicant is required to install the street trees prior to occupation and manage the street trees for a three year period post installation, performing sound arboricultural maintenance practices that promote good form and shape with a well-defined canopy, to the satisfaction of the Shire.



Street trees which are not adequately maintained in the opinion of the Shire will be required to be removed, replaced and maintained for a further three years. Details of maintenance must be set out in the Street Tree Management Plan.

It is considered that the new LPP provides improved guidance for applicants/developers when proposing tree removal or planting, and a robust framework for Officers as part of the assessment process.

Proposed Modifications

Attachment 5 contains the initial version of the LPP presented to Council, with tracked changes to show the proposed modifications. These modifications include:

- Strengthened objectives;
- Removal of the scope of the LPP relating to lots with an area of 1ha or less;
- Inclusion of subdivision applications within Part 1;
- Updating of Part 1 to consider whether a tree proposed to be removed is locally native or hold environmental value;
- Allow an increased ratio for replacement planting where there is insufficient canopy cover or where mature trees are proposed to be replaced with saplings;
- An additional provision requiring replacement planting to consider local native species that should “*attain, within ten years, the effective canopy coverage of the trees lost as part of the proposal. Species selection and number of trees should consider this principle*”;
- Updating of Part 2 to require corner lots to provide one tree per frontage as part of subdivision;
- Added a list of considerations when determining species for replacement planting; and
- Increase in the cost of the contribution an applicant is to pay to the Shire for the purchase, planting and maintenance of a tree from \$600 to \$1,500 per tree. This has been calculated based on \$80 per hour to cover the cost of watering, including labour and machinery. This will ensure adequate watering for a two summer period, to enable survivability of the tree. The cost reflects the most recent cost analysis undertaken on a per tree basis.

Options and Implications

Option1

That Council:

1. ADOPTS new Local Planning Policy – Tree Retention and Planting, with the proposed modifications as contained within **attachment 1** in accordance with Clause 4(3)(b)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and number 4.16 be used for this new Policy.
2. PUBLISHES notification in the newspaper advising that new Local Planning – Tree Retention and Planting has been adopted in accordance with Clause 4(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. REVOKES LPP4.13 Revegetation Policy, LPP4.16 - Landscape and Vegetation Policy and LPP4.18 - Street Trees Policy in accordance with Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Option 2**

That Council DOES NOT ADOPT the new Local Planning Policy, and retain current LPPs 4.13, 4.16 and 4.18.

Option 1 is recommended.

Conclusion

The report is presented to Council recommending that the new draft LPP is adopted in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*.

It is considered that the LPP will assist applicants and Shire Officers through the development and subdivision process when dealing with tree removal and new street tree provision. The LPP will also ensure that the Shire's canopy cover is preserved and enhanced.

Attachments (available under separate cover)

- **10.1.3 - attachment 1** - Draft LPP - Tree Retention and Planting for Council's Adoption (E22/9967)
- **10.1.3 - attachment 2** - Existing LPP4.13 Revegetation Policy (E18/8815)
- **10.1.3 - attachment 3** - Existing LPP 4.18 - Street Trees Policy (E18/8809)
- **10.1.3 - attachment 4** - Existing LPP4.16 - Landscape and Vegetation Policy (E18/8812)
- **10.1.3 - attachment 5** – Draft LPP - Landscape and Vegetation Policy with Track Changes to show Proposed Modifications resulting from advertising (E22/9965)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework

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 risks associated with Option 1						
2	If Council resolves not to proceed with the new draft LPP, the planning framework may not reflect best industry practice	Planning framework processes and plans)	Reputation Organisational Performance	Possible	Minor	MODERATE	Reason for decision.

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **ADOPTS** new Local Planning Policy – Tree Retention and Planting, with the proposed modifications as contained within attachment 1 in accordance with Clause 4(3)(b)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and number 4.16 be used for this new Policy.
2. **PUBLISHES** notification in the newspaper advising that new Local Planning – Tree Retention and Planting has been adopted in accordance with Clause 4(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. **REVOKES** LPP4.13 Revegetation Policy, LPP4.16 - Landscape and Vegetation Policy and LPP4.18 - Street Trees Policy in accordance with Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.



10.1.4 - Proposed Adoption of Local Planning Policy 4.24 - Child Minding Centres (SJ3362)

Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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 for Council to consider the adoption of Local Planning Policy 4.24 - Child Minding Centres (LPP4.24). LPP4.24 has completed the process of public engagement. One submission was received during the public consultation period which has resulted in minor modifications to the LPP.

The LPP seeks to assist applicants and Shire Officers through the assessment of development applications for child minding centres. The LPP includes considerations pertaining to location, parking, traffic, infrastructure, amenity, landscaping and design which will help shape development outcomes within the Shire. The LPP for Council's adoption is contained within **attachment 1** and **attachment 2** and contains the LPP with track changes showing the modifications. It is recommended that Council adopt LPP4.24 subject to the proposed modifications.

Relevant Previous Decisions of Council

Ordinary Council Meeting - 21 February 2022 - OCM096/05/22 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

1. *Pursuant to Schedule 2 Part 2 Clause 4 (1) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to ADOPT Local Planning Policy 4.24 - Child Minding Centres as contained within attachment 1 for the purposes of advertising SUBJECT TO the Policy being amended as follows:*
 - *under the location criteria, the following row be inserted:*



<p>Child minding centres are adequately separated from any incompatible nearby uses, with this supported by a suitably qualified risk assessment forming part of an application. Such risk assessment is to consider elements such as dangerous goods, hazardous materials and public health considerations.</p>	<p>Where child minding centres are located within 200m of any existing development which carries with it dangerous goods licensing requirements, such proposal demonstrates that the potential for adverse health impacts is removed. Such demonstration to be in the form of a suitably qualified consultant study.</p>	
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2. Pursuant to Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015, ADVERTISES Local Planning Policy 4.24 - Child Minding Centres for a period of not less than 21 days as follows:
- a. publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of –
 - i. the subject and nature of the proposed policy;
 - ii. the objectives of the proposed policy;
 - iii. where the proposed policy may be inspected;
 - iv. to whom, in what form and during what period submissions in relation to the proposed policy may be made; and
 - b. give notice of the proposed policy to current child minding centre operators within the Shire, as well as peak industry bodies that represent the child minding centre sector.

Background

Officers drafted LPP4.24 which was presented back to Council on 16 May 2022 where it was resolved satisfactory for advertising. Advertising was undertaken between 10 June and 7 July 2022 whereby one submission was received.

Community / Stakeholder Consultation

The draft LPP was advertised on the Shire's website and a notice was also published in the Examiner newspaper.

During this period, one submission was received. The submission is in support of the LPP, as contained within **attachment 2**, it sets out further recommendations as follows:

- Requirement for separation from incompatible land uses such as outlets selling fast-food, alcohol and tobacco products;
- Traffic calming measures around centres; and
- Outdoor areas to contain adequate shade.

**Officer Comment:**

Officers support a degree of policy guidance on these kinds of matters. The LPP has been amended to include a discussion on potential incompatible uses. It has also been amended to address shading of outdoor areas, which is supported. In relation to traffic calming measures, while Officers support this mechanism, these are not associated with the development of land, rather the preceding subdivision process.

Statutory EnvironmentLegislation

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

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
- Draft Local Planning Scheme No. 3

Comment

The community benefits from child minding centres, particularly given the young family demographic which is prominent within the new growth areas of the Shire. This policy seeks to assist applicants seeking to establish child minding centres within the Shire to consider how they can approach site selection, design and layout in a manner which will promote good development outcomes. The policy aims to assist applicants in providing guidance on matters such as location, site design, environmentally responsive design, traffic, and noise management.

The policy aims to encourage the development of child minding centres which are:

- a) distributed strategically to provide the maximum benefit and access for the community;
- b) within easy walking distance of other primary and secondary mixed use areas which are a focus of employment;
- c) located in areas where adjoining uses are compatible;
- d) serviced by public transport (where available);
- e) considered suitable from a traffic engineering and safety view point; and
- f) of sufficient size and dimension to accommodate development without affecting the amenity of the area.

The proposed LPP includes the following objectives:

- To provide guidance for the location of child minding centres to best take advantage of the surrounding natural environment and provide a compatible setting with the locality.
- To ensure that amenity impacts, including noise and traffic, are managed appropriately.
- To promote a design of child minding centres which reflect the rural and natural character of the Shire.
- To provide guidance for the consideration of convenient access and layout.

The policy establishes acceptable development criteria which will generally be supported. Through providing an acceptable development pathway, applicants can consider how site



selection and design can respond to such criteria. The policy also establishes a performance based pathway, which provides opportunities for innovative or unique design proposals to demonstrate how they perform against the relevant expressed standard.

Proposals falling within performance based pathways may be required to be accompanied by relevant evidence-based information to enable consideration against the relevant performance based standard.

Proposals that do not satisfy acceptable or performance based standards will generally not be supported. The development standards relate to the following considerations:

- Location;
- Parking;
- Traffic;
- Infrastructure;
- Amenity;
- Landscaping; and
- Design.

The draft LPP is considered to achieve the elements set out in the Notice of Motion, and provide a sound basis in which to assess development applications and as such it is recommended that Council adopt the LPP with modifications.

Options and Implications

Option 1

That Council:

1. ADOPTS Local Planning Policy 4.24 - Childing Minding Centres with the proposed modifications as contained within **attachment 1** in accordance with Clause 4(3)(b)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. PUBLISHES a notification in the newspaper advising that Local Planning Policy 4.24 - Childing Minding Centres has been adopted in accordance with Clause 4(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Option 2

That Council DOES NOT ADOPT Local Planning Policy 4.24 - Child Minding Centres in accordance with Clause 4(3)(b)(iii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Option 1 is recommended



Conclusion

The report is presented to Council recommending that draft LPP4.24 is adopted in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*.

It is considered that the LPP will assist applicants and Shire Officers through the development process when dealing with child minding centres, and assist applicants when preparing development proposals for such a use.

Attachments (available under separate cover)

- **10.1.4 - attachment 1** - LPP4.24 for Council's adoption (E22/10275)
- **10.1.4 - attachment 2** - LPP4.24 with track changes showing modifications (E22/10273)
- **10.1.4 - attachment 3** - Submission (E22/10277)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework

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 risks associated with Option 1						
2	If Council resolves not to proceed with the new draft LPP, the planning framework may not reflect best industry practice	Planning Framework	Reputation Organisational performance	Possible	Minor	MODERATE	If policies are not updated, it will be important that Officers continue to assist applicants to understand the policy environment.



Continued

Ordinary Council Meeting Agenda Monday, 19 September 2022

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

- 1. ADOPTS Local Planning Policy 4.24 - Childing Minding Centres with the proposed modifications as contained within attachment 1 in accordance with Clause 4(3)(b)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
- 2. PUBLISHES a notification in the newspaper advising that Local Planning Policy 4.24 - Childing Minding Centres has been adopted in accordance with Clause 4(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**



10.1.5 - Proposed Amendment to Design of Approved Place of Worship and Caretakers Dwelling - Lot 7 Kargotich Road, Oldbury (PA22/352)

Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officers Interest:	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:	Sahibzada Fateh Singh Jee Inc
Owner:	As Above
Date of Receipt:	27 May 2022
Lot Area:	3.55ha (portion of Lot 7)
Town Planning Scheme No 2 Zoning:	'Rural'
Metropolitan Region Scheme Zoning:	'Rural'

Report Purpose

The purpose of this report is for Council to consider a development application seeking amendment to the design of an approved Place of Public Worship at Lot 7 Kargotich Road, Oldbury.

Pursuant to Clause 77(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal seeks to amend the current design of the development to increase the wall height and amend the roof design, to better reflect the standard square hall and domed sanctums.

The application only relates to amendments to physical works, given the land use has been approved and the development substantially commenced.

The application is presented to Council as a submission was received raising concerns of the form of development and its compatibility with the rural area and stormwater management. Officers do not have delegated authority to determine development applications where concerns cannot be satisfied by way of amendments or conditions, in accordance with Delegated Authority 12.1.1 - Determination of Development Applications.

For the reasons outlined in the report, Officers recommend Council approve the development application.

**Relevant Previous Decisions of Council**

Ordinary Council Meeting - 25 July 2016 - OCM140/07/16 - COUNCIL DECISION / New Motion: That Council reconsiders its decision of 26 April 2016 and approves the application submitted by Sahibzada Fateh Singh Jee Inc. for a Place of Public Worship and a Caretakers dwelling as indicated on the approved plans and does not relate to any other development on Lot 7 Kargotich Road, Oldbury, subject to the following conditions:

- 1. The extent of development is to be consistent with that shown on the approved plans attached to and forming part of this approval.*
- 2. Prior to the submission of a building permit the applicant/owner shall submit a revised plan illustrating retention of trees located within the north eastern corner of the site and relocation of the vehicle access way to the satisfaction of the Shire of Serpentine Jarrahdale.*
- 3. Prior to the commencement a detailed schedule of colours and finishes for all buildings shall be submitted and approved by the Shire and thereafter implemented.*
- 4. Prior to the commencement of works an Urban Water Management Plan shall be submitted and approved by the Shire and thereafter implemented.*
- 5. Prior to the occupation of the development a Landscape and Vegetation Management Plan shall be submitted and approved by the Shire and thereafter implemented.*
- 6. Prior to the commencement of works a notification pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title and included on the diagram or plan of survey. The notification is to state as follows:*
 - a. The land is located within the 1000 metre buffer area to the future West Mundijong Industrial Area and as such may be subject to associated offsite impacts from industrial land uses including noise, smoke, dust, odour, vibration and light.*
 - b. The Caretakers Dwelling is to be used in accordance with the definition contained within Town Planning Scheme No. 2 (as amended) which is a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site. The Caretaker's Dwelling is to be constructed with an internal floor area not exceeding 100m².*
- 7. Prior to the commencement of works a set of floor plans and elevation plans for the Caretaker's dwelling shall submitted and have approved by the Shire and thereafter implemented.*
- 8. Prior to the commencement a geotechnical report prepared by a suitably qualified professional shall be submitted and approved by the Shire and thereafter implemented,*
- 9. Prior to the commencement of a Bushfire and Emergency Management Plan shall be submitted and approved by the Shire and thereafter implemented.*
- 10. Prior to the commencement of works a Dust Management Plan shall be submitted and approved by the Shire and thereafter implemented.*
- 11. Prior to the commencement of works a Flood Management Plan shall be submitted and approved by the Shire and thereafter implemented.*
- 12. Prior to the occupation of any part of the development, the landowner shall provide 125 car parking bays in accordance with the approved plans.*
- 13. Prior to occupation of any part of the development, the landowner shall design and construct (at his own cost) a left turn deceleration lane and left turn acceleration lane on Kargotich*



Road in accordance with the approved Road Widening Concept Plan to the satisfaction of the Shire.

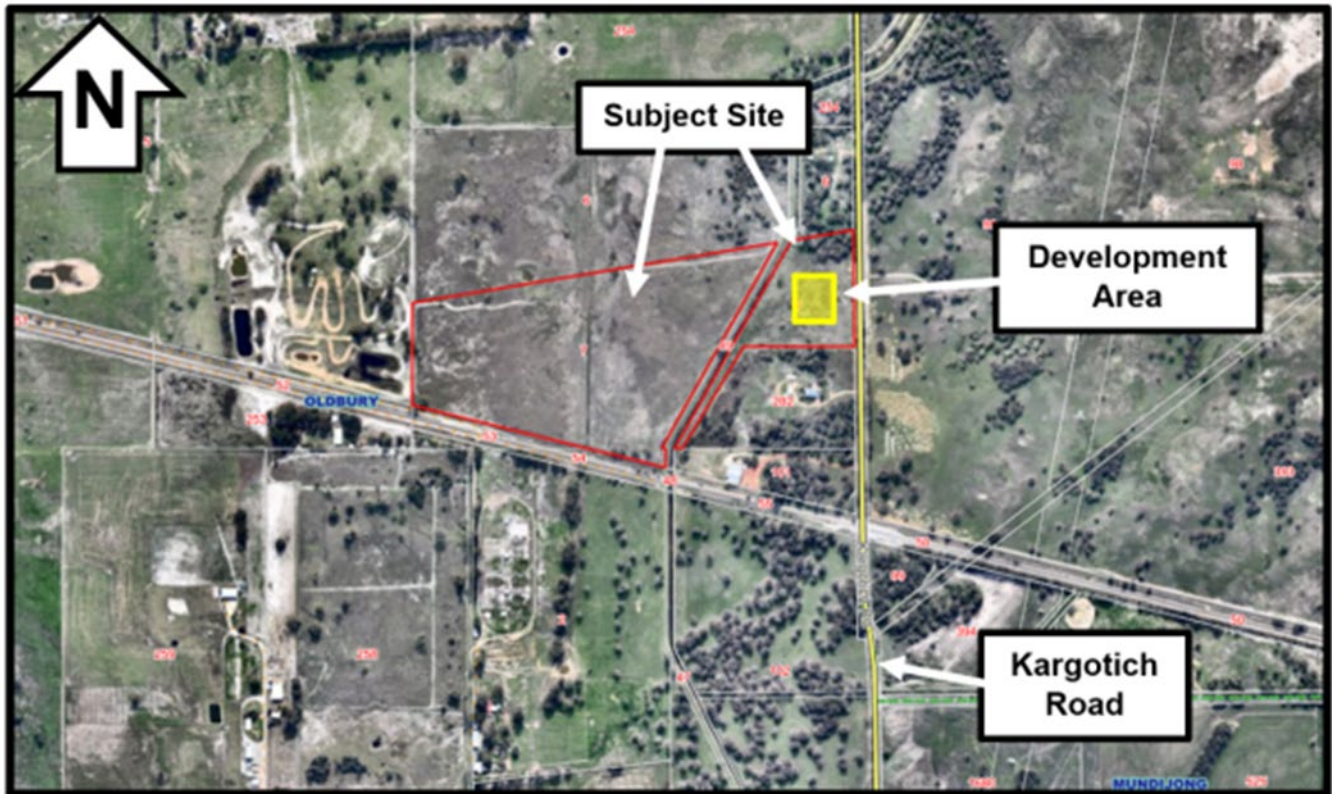
- 14. Prior to the occupation of any part of the development, the landowner shall widen the southbound carriageway of Kargotich Road accordance with the approved Road Widening Concept Plan to the satisfaction of the Shire*
- 15. Prior to the occupation of any part of the development, the vehicle parking area, access ways, crossover, turning lanes and road widening shall be designed, constructed, sealed, kerbed, drained, line marked accordance with the approved Road Widening Concept Plan to the satisfaction of the Shire.*
- 16. Prior to the occupation of any part of the development, a Traffic Management Plan prepared by a suitably qualified professional the landowner shall be submitted and approved by the Shire and thereafter implemented.*
- 17. Prior to the occupation of any part of the development, the landowner shall install an approved effluent disposal system.*
- 18. Prior to the occupation of any part of the development, a Noise Management Plan prepared by a suitably qualified shall be submitted and approved by the Shire, and thereafter implemented.*
- 19. Prior to the occupation of any part of the development, the landowner shall provide a water supply of minimum capacity of 120,000 litres to the satisfaction of the Shire.*
- 20. No signs are to be displayed in the road reserve adjacent to the site at any time.*
- 21. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, and watercourse and drainage lines is not permitted.*
- 22. All existing native trees and / or revegetated areas on the subject lot shall be retained and shall be protected from damage prior to and during construction.*
- 23. The owner shall execute and provide to the Shire of Serpentine Jarrahdale, a notification pursuant to section 70A of the Transfer of Land Act to be registered on the title of the property as notification to proprietors and/or (prospective) purchasers of the property of the following:*
 - a. the land is located within the 1 in 100 year flood plain which is subject to flooding and may be susceptible to inundation. A Deed of Indemnity is required to indemnify the Shire of Serpentine Jarrahdale in relation to any possible claims for damage should a flood event occur.*

The Section 70A Notification shall be prepared by the Shire's solicitors to the satisfaction of the Shire of Serpentine Jarrahdale. All costs of, and incidental to, the preparation of and registration of the Section 70A Notification, including the Shire's solicitor's costs, shall be met by the applicant/owner of the land. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the place of public worship.

Background

Existing Development

The subject site has a 207.51m frontage to Kargotich Road with two crossovers that have recently been constructed to facilitate the approved development. The site is currently vacant and has a total area of 19.25ha, which is dissected by an open Water Corporation drain. There is no direct access from Kargotich Road to the portion of Lot 7 to the west of the drain and therefore the proposed development is currently restricted to the eastern portion only.



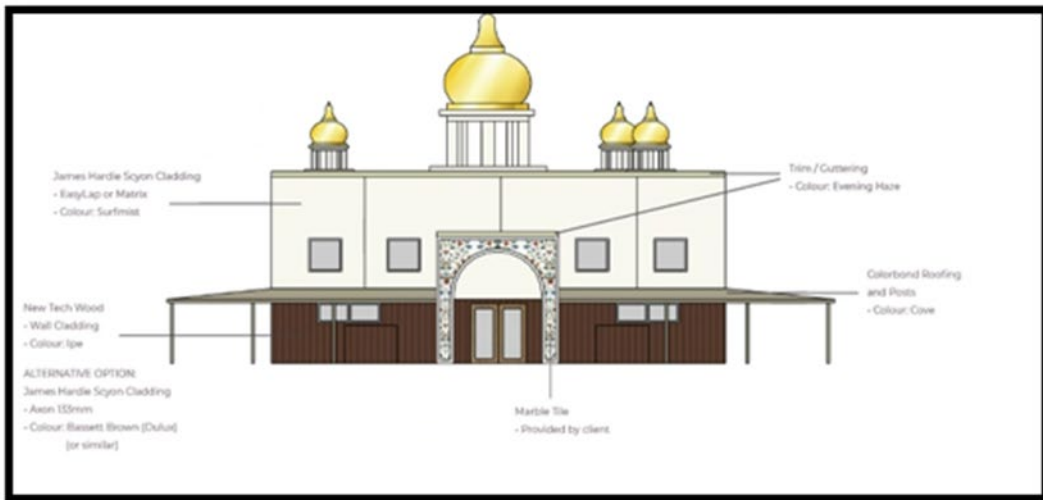
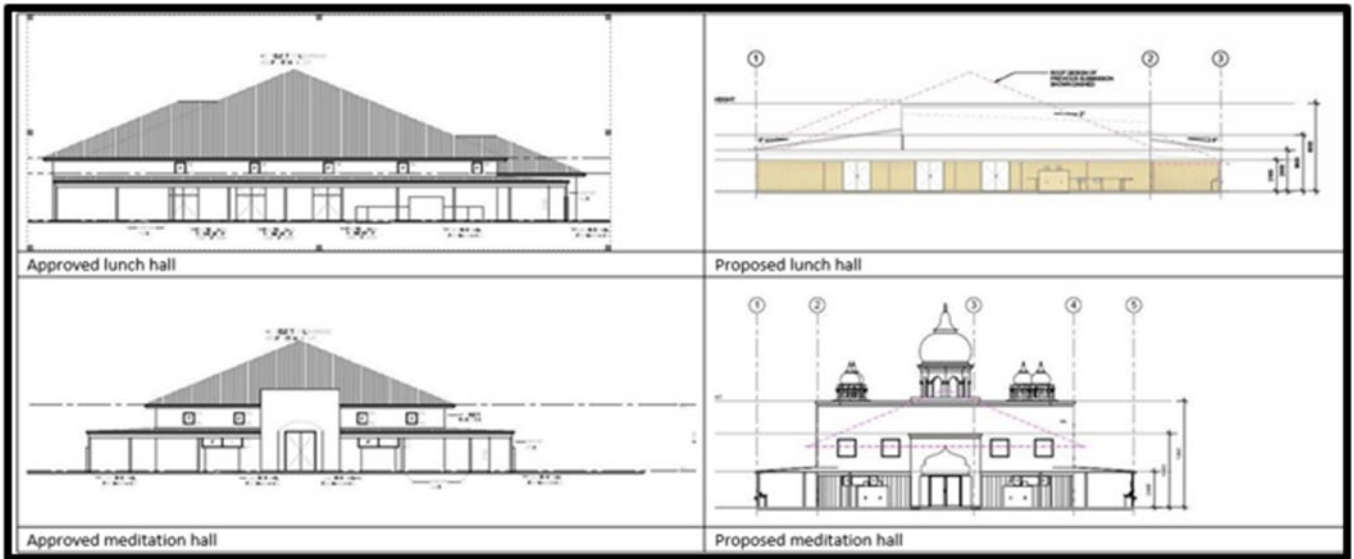
Location Plan

As part of the current approval, conditions were imposed requiring upgrades to the adjoining section of Kargotich Road, which have been undertaken by the applicant. The proposal has been substantially commenced.

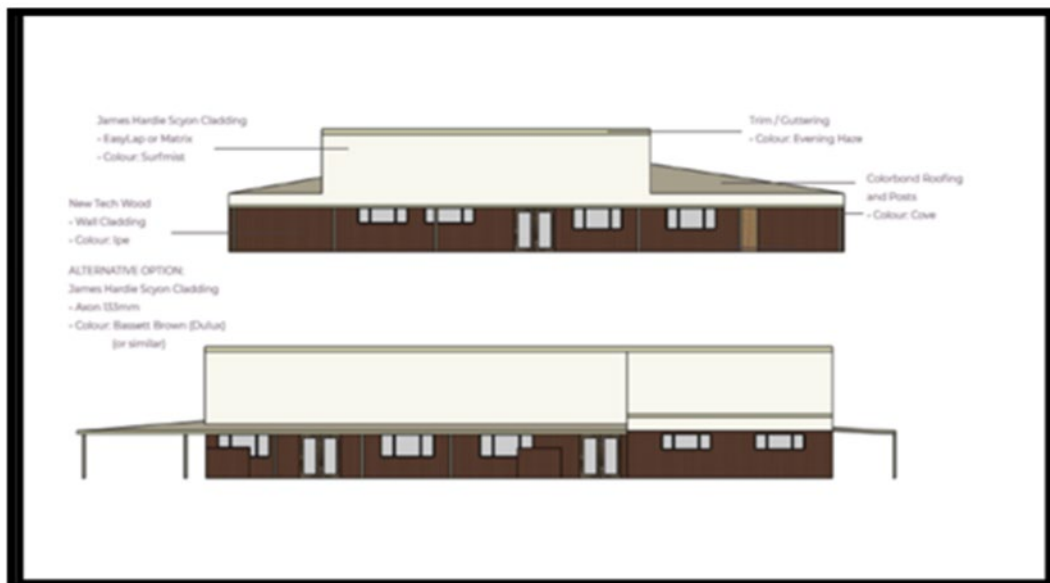
Proposed Development

The development application seeks approval to increase the wall height and amend the roof structure of the Meditation Hall and Lunch Hall, which forms part of the Place of Public Worship. The proposed amended roof design seeks to incorporate a skillion roof with traditional dome structures symbolic of Sikh Architecture. The amendments to the Lunch Hall similarly seek to increase the height of the wall and also amend the roof from the previously approved apex design to a skillion roof. The overall height of this component of the development has been reduced.

The revised proposal can be viewed within **attachment 1**. The approved plans compared to the proposed plans are depicted below.



Proposed Elevation Meditation Hall



Proposed Elevation Lunch Hall



The building changes from the 2018 approval to this application are documented in the following table.

Building	Element	2018 Approval	Current Proposal	Difference
Meditation Hall	Wall Height	4.0m	7.2m	+3.2m
	Roof/Building Height	8.0m	14.0m	+6.0m
Lunch Hall	Wall Height	3.8m	6.0m	+2.2m
	Roof/Building Height	9.2m	6.0m	-3.2m

Community / Stakeholder Consultation

The application was advertised for a period of 21 days from 3 June 2022 to 24 June 2022 to surrounding landowners within a 500m radius of the subject site, in accordance with LPP1.4 - Consultation for Planning Matters. The application was also advertised on the Shire's website for the same period.

At the conclusion of the consultation, one submission was received raising the following summarised concerns:

- Compatibility of the proposal within the overall character of this rural area in context with the surrounding landscape and development of nearby properties.
- Potential risk of over flooding due to the significant area of fill and hardstand proposed including roof structures having the potential to divert drainage into neighbouring properties.

These matters are discussed in the relevant section of the report below.

Consultation with other Agencies or Consultants

Water Corporation

The application was referred to Water Corporation as the subject area falls within the Oaklands Drainage Catchment in the Mundijong Drainage District, a rural drainage system. The department who provided no objections to the proposal, subject to the following matters being given due consideration.

Reticulated water and wastewater are not available to the subject area. The Water Corporation should be contacted if these services are required.

Drainage

The subject area falls within the Oaklands Drainage Catchment in the Mundijong Drainage District, a rural drainage system. The Oaklands Main Drain traverses the subject site. Rural drains are not designed to give flood protection at all times and some inundation of land can be expected. The Water Corporation maintains its existing drains to ensure they are capable of clearing water from adjacent rural properties within three days of a storm event, where contours and internal drainage make this physically possible. A dividing fence should be erected that is suitably secure and meet the Dividing Fence Act and relevant LGA law to prevent people entering the drain.



Developments within this catchment are required to contain the flows from a one in one hundred year storm event on site. Discharge to the Water Corporation drains must be compensated to pre-development levels. At the time of development, the developer may be required to provide calculations from a consulting engineer to demonstrate, to the satisfaction of the Water Corporation, that the runoff from the development has been restricted to pre development levels. No adverse discharge or runoff from the subject land would be allowed into our drainage system (ie wastewater treatment). To determine the flood level, the developer should contact the Department of Water.

General Comments

There are no changes required to the approved Stormwater Management Plan for the existing development resulting from Water Corporations comments.

A summary of the submissions can be viewed in **attachment 2**.

Statutory Environment:

Legislation

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

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
- Draft Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Shire of Serpentine Jarrahdale Local Planning Strategy

Local Planning Policies

- Local Planning Policy 1.4 - Public Consultation for Planning Matters (LPP1.4)

Planning Assessment

A full technical assessment was carried out against the current planning framework in accordance with Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* which can be viewed in **attachment 3**. For the purpose of this report, discussion is confined to the objection resulting in the item being presented to Council.

Land Use

The development is for amendments to the form of building previously approved by Council. Therefore, the use of the land for the approved purpose being a 'Place of Worship' under the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 is approved and remains valid.

Built Form

The images below provide a visual representation of the differences in height of the approved and proposed elevations. The changes have been made to replicate the representation of Sikh Architecture which incorporates dome structures which create a traditional identity for temples. Notably, the overall height of the Meditation Hall would increase as a result, and the overall height of the Lunch Hall would decrease. For both structures, wall height is increasing.

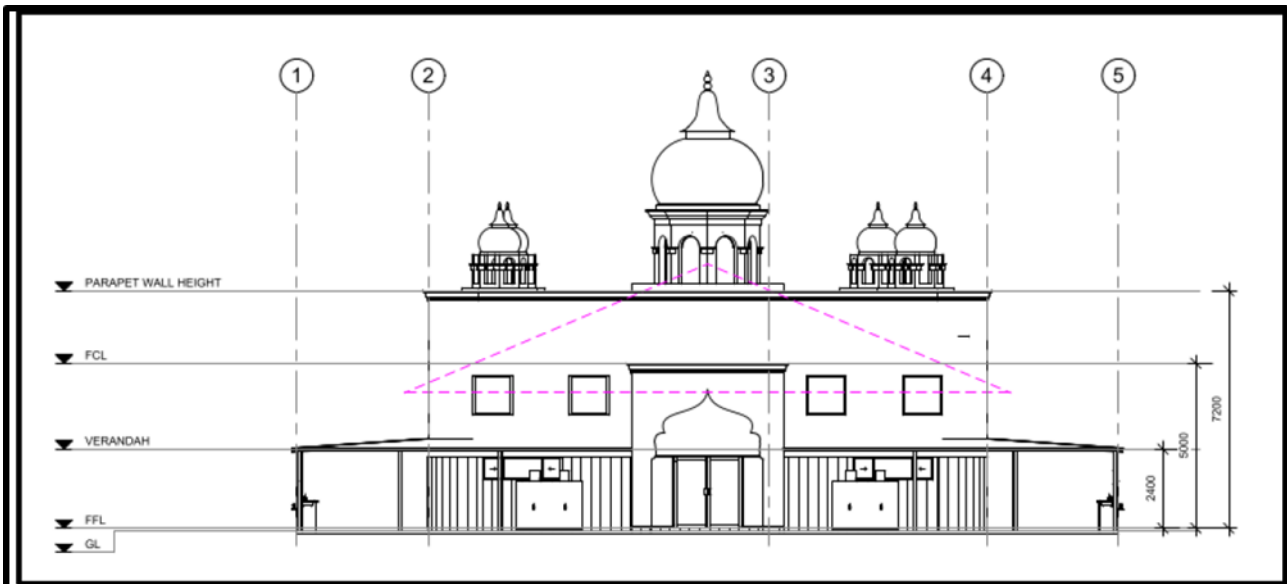


Figure 1: Front elevation of Meditation Hall with previous roof design shown dashed in pink

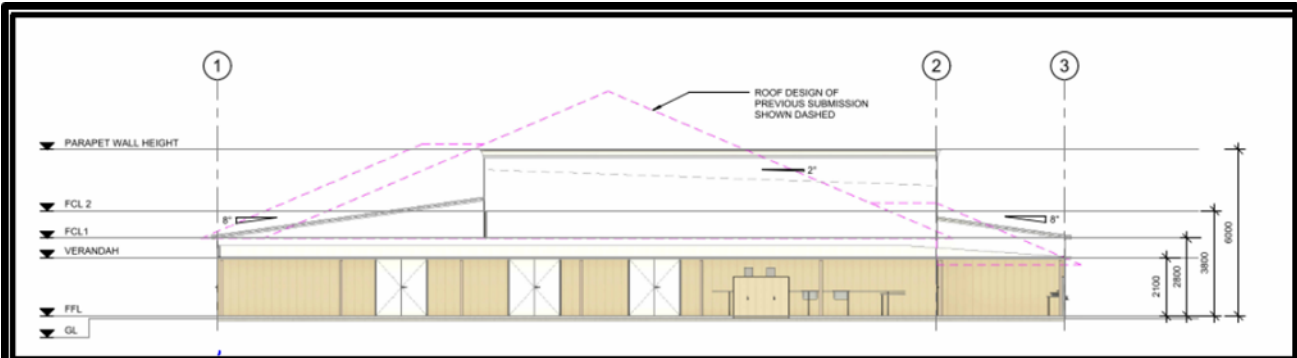


Figure 2: Front elevation of Lunch Hall with previous roof design shown dashed in pink

Officers note that the proposed amended skillion roof form and the increased wall height for both the Meditation and Lunch Halls, provide for an appearance of development that will be unique (if not unusual) within the Rural zone. That said, the land use of Place of Public Worship is a discretionary use for the Rural zone, and therefore provides a merits based assessment to consider (inter alia) the design of such places of public worship.

The higher walls and flat roof design is very typical of large rural sheds found in the Rural zone. This is considered relatively expected of such structures. Further, the inclusion of verandas elevate the association of development with a rural setting, and help to moderate what can otherwise be a plain looking box type building.

In terms of the dome architectural features, these are not commonplace in the Shire. Officers however do consider that the design does have merit, in that it is within a locality that is undergoing major land use change, through industrial development interfacing rural development. This interface will create a less coherent landscape of rural buildings, given the industrial area on the east side of Kargotich Road (south of the subject land) will accommodate a range of visible industrial buildings and complexes. This creates a different context compared, for example, to a rural area that is undergoing no land use change.

As a result, it is also expected along Kargotich Road to see larger forms of development, non-rural in nature. Therefore, the proposed amendments can be considered to reflect the varied



forms of future development expected along Kargotich Road, and not impact upon the amenity of the locality.

The applicant has also proposed to incorporate materials and colours in the development which seeks to elevate the rural tones of the Shire and to also reflect similar materials used in nearby developments. The dome structures are proposed to be constructed of brick and the colours of the building are proposed to be a combination of surfmist cladding and timber decking as seen earlier in the report. Officers also consider the use of appropriate colours and materials will work towards ensuring the development provides for harmonious interaction within the rural landscape

Officers support the changes to the form of previously approved development.

Drainage

Concerns were raised during the public consultation process relating to stormwater management resulting from the development. As part of the current planning approval for the site, the applicant has provided a Stormwater Management Plan prepared by JDA Hydrologists which has already been approved by the Shire. SMP can be viewed within **attachment 4**.

The SMP articulates that stormwater from buildings and hard surfaces will be channelled to appropriately sized two rainwater tanks with a collection capacity of 240m³. In accordance with the SMP, all stormwater not harvested in rainwater tanks will be directed into an open drainage swale/basin that would store 80m³.

Following a technical assessment of the SMP against the proposed amendments, Officers advise that no changes are required.

Deemed Provisions

Clause 77(1)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides that an owner of land in respect of which development approval has been granted by the local government to the following:

- c To amend an aspect of the development approved which, if amended would not substantially change the development approved*

Where an application has been received under Clause 77(1)(c), Council can approve an application subject to conditions subject to a merits based assessment being undertaken as follows:

- (4) The local government may determine an application made under subclause (1) by —
 - (a) approving the application without conditions; or
 - (b) approving the application with conditions; or
 - (c) refusing the application.

Officers have recommended a condition of approval in line with clause 77(4)(b) of the *Planning and Development (Local Planning Scheme) Regulations*.



Options and Implications

Option 1

That Council APPROVES the development application to amend the design of the approved Place of Public Worship Lot 7 Kargotich Road, Oldbury, subject to the following conditions:

1. 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	Development Plans received at the Shire Offices on 12 May 2022
--------------------------	--

- a. Prior to the issue of a Building Permit, a detailed schedule of colours and materials shall be submitted to and approval by the Shire of Serpentine Jarrahdale, suitably depicting the use of neutral toned colorbond and timber cladding in external design.

Option 2

That Council REFUSES the application to amend the design of the development for the following reasons:

- a. The proposed amendments are not considered compatible with the objectives of the Rural Zone, and reasonable expectations of design in the zone.

Option 1 is recommended.

Conclusion:

Officers consider that the proposed amendments to the form of development previously approved at Lot 7 Kargotich Road, Oldbury can be supported. It is considered that rural character and amenity of the area will not be unduly impacted, due to the immediate locality being under change in the short term. It is recommended that the application be approved subject to a colours and materials schedule being submitted.

Attachments (available under separate cover)

- **10.1.5 - attachment 1** - Development Plans (IN22/17605)
- **10.1.5 - attachment 2** - Summary of Submission (E22/10874)
- **10.1.5 - attachment 3** - Technical Assessment (IN22/17596)
- **10.1.5 - attachment 4** - Stormwater Management Plan (E22/10767)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework



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	That the development is considered incompatible with the rural zone which makes future development decisions more difficult due to the perspective that unique development forms are supported	Planning framework	Reputation	Possible	Moderate	MODERATE	Report has documented planning assessment clearly
2	That Council refuses the application due to non-compatibility with the rural zone	Planning framework	Organisational Performance	Possible	Moderate	MODERATE	Explain reasons for decision

Voting Requirements: Simple Majority

Officer Recommendation

That Council **APPROVES** the development application to amend the design of the approved Place of Public Worship Lot 7 Kargotich Road, Oldbury, subject to the following conditions:

- 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	Development Plans received at the Shire Offices on 12 May 2022
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- Prior to the issue of a Building Permit, a detailed schedule of colours and materials shall be submitted to and approval by the Shire of Serpentine Jarrahdale, suitably depicting the use of neutral toned colorbond and timber cladding in external design.



10.1.6 - Proposed Response to Request from State Development Assessment Unit for Shire Comment, Information or Recommended Conditions - Proposed Private Recreation (Motorsport) Facility - 732 Punrak Road, Keysbrook and 146 Wigg Road, Hopeland (PA17/1080)

Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officers Interest:	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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Proponent: Allering and Associates
 Owner: Stati Investment Pty Ltd & Keysbrook Nominees Pty Ltd
 Date of Receipt: 18 August 2022
 Lot Area: 50.3ha & 63.10ha
 Town Planning Scheme No 2 Zoning: 'Rural'
 Metropolitan Region Scheme Zoning: 'Rural'

Report Purpose

The State Development Assessment Unit of the Department of Planning, Lands and Heritage (DPLH) have advised the Shire that stakeholder consultation has commenced for a development application received under the significant development pathway of the *Planning and Development Act 2005*.

This is being assessed under Part 17 of the Act, and proposes a Private Recreation Facility for Motorsport at 732 Punrak Road, Keysbrook and 146 Wigg Road, Hopeland.

The Part 17 development pathway is for development proposals that have an estimated value of \$20 million in the metropolitan region, and the applicant of such development elects to submit via the significant development pathway, making the Western Australia Planning Commission (WAPC) is the decision-making authority.

The Shire, as a stakeholder, has been invited by the DPLH to provide information/comments/recommend conditions relevant to the application by 30 September 2022. This report requests Council to endorse, in response to this request, a set of recommended conditions should the WAPC determine to approve the development.

The DPLH has also advised that the application is separately (and currently) subject to a Public Environmental Review by the Environmental Protection Authority (EPA) under s38 of the *Environment Protection Act 1987*. This is the highest-level of environment assessment. As part of this process, the EPA have identified that its assessment will be dealing with the key environmental factors of:



- ‘Inland Waters’ (surface waters and groundwaters) and;
- ‘Social Surroundings’ (noise).

Subject to EPAs recommendation and responsible Minister determination, these matters will be subject to a Ministerial Statement under s45(5) of the Act. As such, the application cannot be determined by the WAPC until this process has been concluded. These specific environmental factors will need to be addressed as part of the EPA assessment.

This report recommends a set of conditions, to assist the WAPC, in determining the application.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 18 November 2019 – OCM250/11/19 - COUNCIL RESOLUTION

That Council:

1. *NOTES the current Draft Noise Management Plan, and REQUESTS the applicant of the Keysbrook Motorsport Facility to undertake a community engagement process on possible noise management measures for the facility, with the intent of updating the draft Noise Management Plan before being further considered by Council.*
2. *REQUESTS the applicant to secure an appropriately experienced independent facilitator, in order to run a workshop to discuss and explore the following issues, with residents located within a 5km radius of the proposed facility:*
 - a. *The nature of noise to be expected, particularly to help people contextualise the nature of the noise;*
 - b. *What reasonable and practicable measures the community may wish to think about to manage noise;*
 - c. *What reasonable and practicable measures the applicant may wish to consider;*
 - d. *The operational nature of the more routine (non-motorsport) functions;*
 - e. *The operational nature of the less routine (motorsport specific) events;*
 - f. *Where areas of consensus lie, or where areas of divergence exist; and*
 - g. *If there is a pathway forward to build further understanding or present options for the nearby community to consider, as part of an updated draft noise management plan.*

Note: This process was advanced by the applicant, however the EPA subsequently determined to formally assess the proposal. One of the relevant environmental factors to be considered are ‘Social Surroundings’ (noise).

Background

The Shire initially received an application for development approval in 2017 for a Motorsport facility at Lot 78, 732 Punrak Road, Keysbrook. That proposal did not advance through planning assessment and determination.

The EPA, on 21 April 2020, determined under the *Environment Act* that the proposal was to be assessed at the level of Public Environmental Review (PER). As part of the PER process, an Environmental Scoping Document (ESD) was prepared by the EPA which identifies the environmental factors that need to be addressed to obtain the necessary approvals by the EPA. Through this process, the EPA identified the preliminary key environmental factors as ‘Inland Waters’ (surface waters and groundwaters) and ‘Social Surroundings’ (noise). The applicant and the EPA are still continuing with this process under s38 of the *Environment Act* and is subject to a Ministerial Statement under s45 (5) of the Act.



In 2020, the Western Australian Government introduced Part 17 to the *Planning and Development Act 2005*, granting the WAPC decision making powers to determine what it termed significant proposals, being those over \$20 million in value in the metropolitan region. The applicant has submitted a new proposal for assessment under the significant development pathway. The 2017 application, originally submitted to the Shire, has thus not advanced and has been withdrawn.

The Planning Report and plans being now assessed by the DPLH can be viewed within **attachment 1** and **attachment 2**.

In terms of the lots associated with the proposed development, Lot 78, 732 Punrak Road, Keysbrook will accommodate the main tracks and race infrastructure and is 50.3ha in size. Lot 400, 146 Wigg Road, Keysbrook will be used to accommodate drainage and overflow parking for the Motorsport Facility, and is 63.1ha in size. Both lots are zoned 'Rural' and fall within the 'Poultry Farm' Special Control Area under Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS2).

The triangular shaped site of Lot 78 is mostly cleared of vegetation and has road reserves surrounding all its boundaries, Wigg Road to the north, Punrak Road to the east and south. Yangedi Road reserve is unbuilt along the west side.

The site currently comprises of a single dwelling with associated rural outbuildings. Lot 400 has a number of ponds and associated infrastructure associated with an approved marron farm on the property. A vegetated area to the north-west of the site is recognised under Bush Forever which is proposed to be retained as part of this proposal.

In terms of the locality, it generally comprises large rural lots which are used for a range of rural and non-rural uses. These include equestrian activities, poultry farms, turf farm, plant nursery, transport depots, airfield, weather station and extractive industries. The Sports Aircraft Builders Club (SABC) is located immediately north of the site, and a turf farm to the south-east. Aerial image of the properties are shown following:



Lot 78, 732 Punrak Road and Lot 400, 146 Wigg Road, Keysbrook

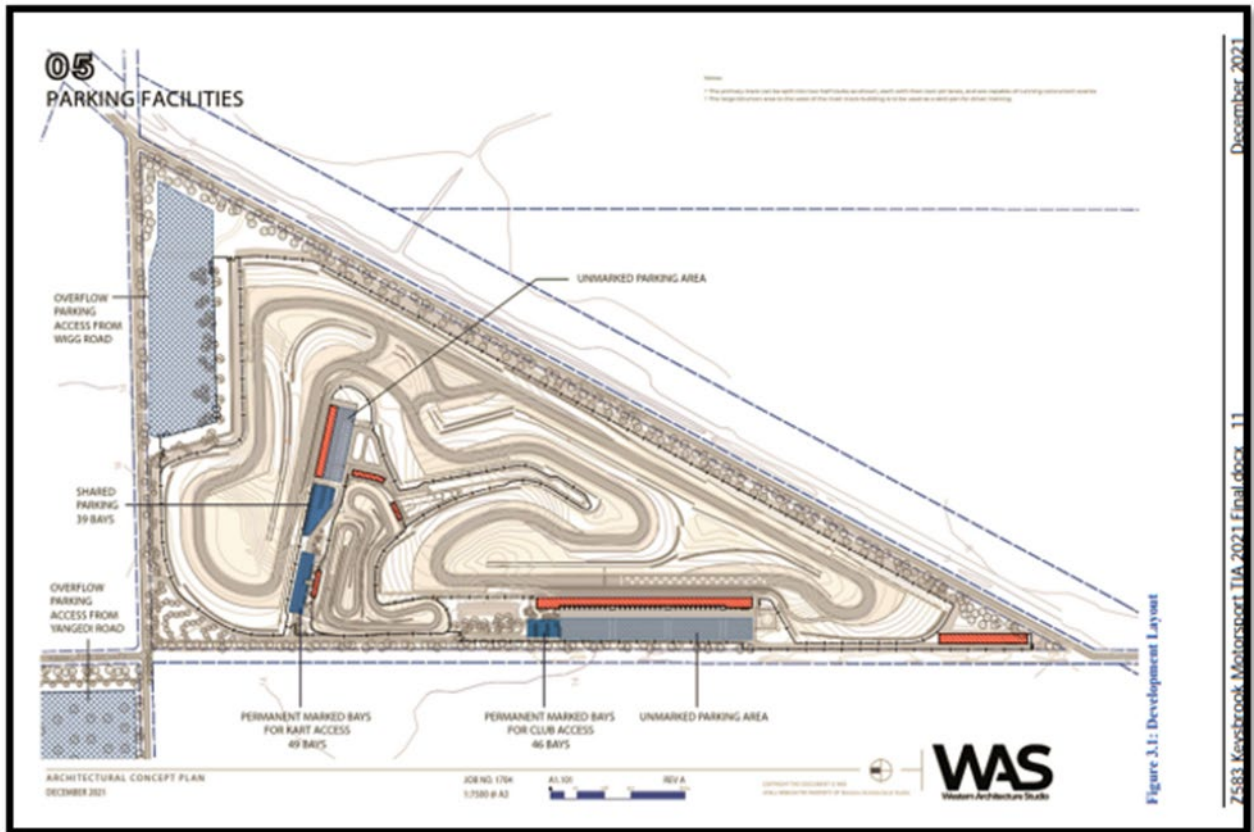
Proposed Development

The submitted application seeks approval from the WAPC for the construction of a Motorsport facility. It comprises the construction of a 3.5km racetrack and for a range of Class B-D motorsport activities to be undertaken onsite. Site plan of facility is shown following. Full plans can be viewed in **attachment 2**.

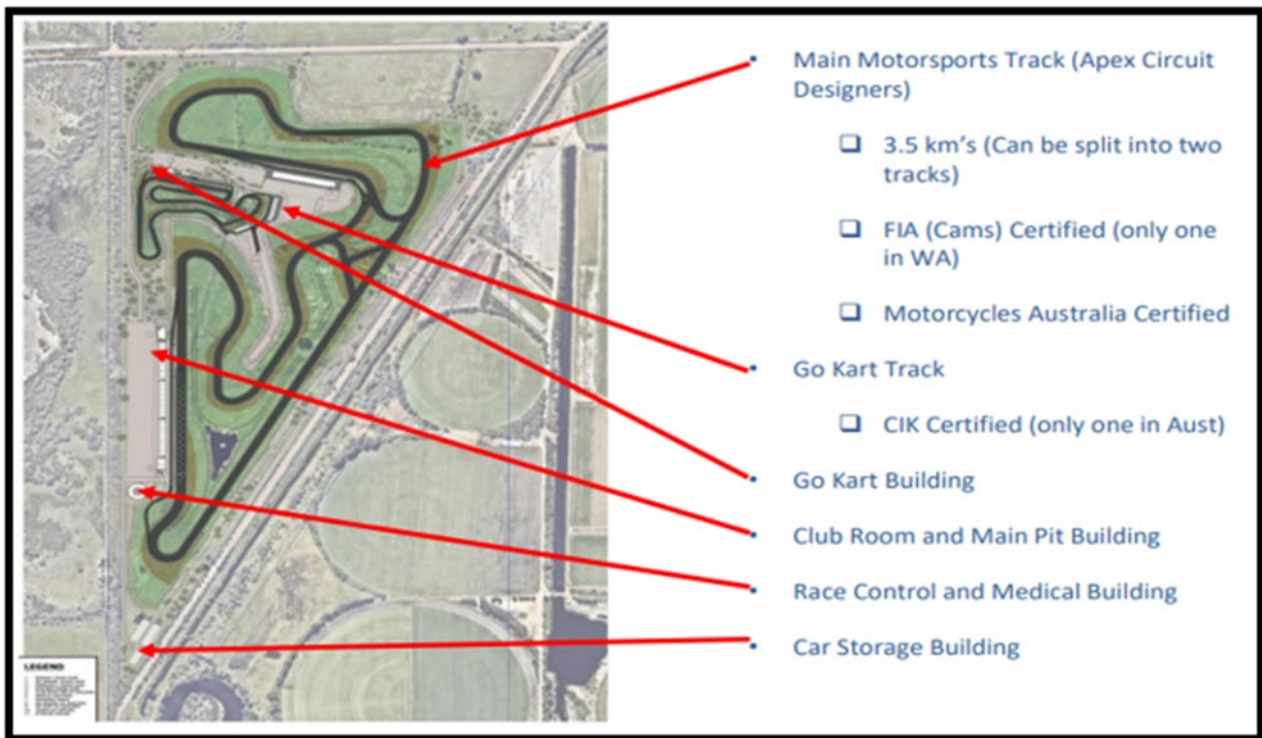
The proposed Motorsport facility located on Lot 78, 732 Punrak Road, Keysbrook comprises of the following:

- 3.5km racing circuit;
- Club room and main pit building;
- Go kart facility building including track;
- Race control and medical building;
- Car storage building;
- Car parking in two separate areas, 375 on the western boundary and 125 centrally located;
- Various overflow car parking areas;
- Helicopter landing area (for emergency medical evacuation).

Development on 132 Wigg Road mainly compromises of earthworks and batter to cater for overflow parking requirements on the larger event days only.



Parking Locations



Site Plan



Artist Impression of Main Circuit, Club Room, Control and Pit Building



Artist Impression of Pit Building

Primary access to the site is proposed from Wigg Road to the north. A secondary point of access is provided from Punrak Road to the south of the site. These two access points both connect to the link road located along the western boundary of the site providing access to the main facilities and parking area. The site will be secured with chain link fence around the perimeter.

In terms of the activities, the proposal seeks approval for a range of class B-D motorsport events as detailed below, to occur over 339 days of the year. The track will also be available for cycling and running events also.

Class B (up to 95dB)

- International events;
- Amateur Car Events (State and National);
- Bike Race Days;



- Track/test days for road and street bikes;
- Amateur Go Kart race and international events.

Class C-D (65dB-75dB)

- Driver education training;
- Manufacture days;
- Vehicle testing;
- Recreational Go-Karting and motor vehicle use.

Class C-D events comprise of more than 50% of the activities to occur on site. Class B events will represent less than 50% of the use of the facility which will be strictly controlled under the CAMS/FIA Regulations that have been set out in the proposed Noise Management Plan (NMP), which forms part of the Environmental Review Document (ERD) that is separately being considered by the EPA, pursuant to s38 of the EPA Act. Likely scheduling of activities are below:

Track Use	Vehicle Type	Frequency	Duration
Race Karts	Equivalent to 125cc Rotax Karts	Daily	8am-6pm
Hire Karts	Standard	Daily	8am-6pm
Manufacture Days	Various (non-modified)	Weekly	8am-6pm
Driver Training	Various (non-modified)	Weekly	8am-6pm
Amateur Events (State)	Formula Ford / GT3 Sports Cars	Average 15 times per year	2-3 days (over weekend)
Amateur Events (National)	Formula Ford / GT3 Sports Cars	Average 4 times per year	2-3 days (over weekend)
Amateur Events (track/test days)	Formula Ford / GT3 Sports Cars	Average 4-5 days per month	Weekdays (8am-6pm)
Bikes (racing)	Super bikes / Street bikes	Average 15 times per year	2-3 days (over weekend)
Bikes (track/test days)	Super bikes / Street bikes	Average 4-5 days per month	Weekdays (8am-6pm)
V8 Supercars	V8 Supercars	1 per year	3 days

Proposed Schedule of Events

In respect of motorsport classes, motorsport facility events are characterised into four event classes - based on noise - and these range from Class A to D. Class A Events (>95dba) are the loudest activities comprising drag racing and Speedway, which occur at venues like the Kwinana Motorsport Complex. Class A events are not proposed at Keysbrook.

The relevant classes are shown in the following table, with 50% mix proposed from Class B and the remainder Class C and D:



Class	Noise Limit		Examples of Activities within the class	
A	Above 95dB(A)		<ul style="list-style-type: none">• Speedway• Drag Racing	
B	Up to 95dB(A)		<ul style="list-style-type: none">• International Events• Amateur Car Events (State)• Amateur Car Events (National)• Amateur track/test days for road and race cars• Bike Race Days• Track/test days for road and street bikes• Amateur Go Kart Race Events (Rotax 125cc)• International and National Race Go Kart Race Events	
C	Up to 75dB(A)		<ul style="list-style-type: none">• Manufacturer Days• Driver Training	
D	Below 65dB(A)		<ul style="list-style-type: none">• Hire karts	

Community / Stakeholder Consultation

The DPLH have advised the Shire that the application has been referred to adjoining neighbours within a 5km radius of the site for a period of 42 days between 18 August and 29 September 2022.

The proposal has also been published in the local newspaper inviting the public to comment and made available on the DPLH website. The application has also been made available at the Shire in hard copy and on the Shire's website.

Statutory Environment

Legislation

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Environmental Protection Act 1987*
- Metropolitan Region Scheme
- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS2)

State Planning Policies

- State Planning Policy 2.5 - Rural Planning (SPP2.5)
- State Planning Policy 2.1 - The Peel-Harvey Coastal Plain Catchment (SPP2.1)
- State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)



Local Planning Framework

- Draft Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 (LPS3)
- Local Planning Strategy (LPS)

Planning Assessment

Planning framework

The WAPC's consideration of the proposal under the significant development pathway is not bound by the planning framework as in the normal development assessment pathway. Notwithstanding this, while the significant development pathway enables the WAPC to consider the broader economic and public benefits of a development proposal, it must still have regard to submissions and advice received during consultation, and give full consideration to:

- the purpose and intent of the Local Planning Scheme;
- ensuring orderly and proper planning, and preservation of amenity of the locality;
- the need to facilitate development responding to economic effects of COVID-19;
- relevant State planning policies and any other relevant WAPC policies.

In addition, and as mentioned above, under Part 17 of the PD Act the WAPC is bound by the provisions of the *Environmental Protection Act 1986* and so is unable to make a decision that would be contrary to any Ministerial Statement issued in accordance with the EP Act.

In respect of the planning framework, the following is noted:

1. Private recreation is a discretionary use within the Rural zone, meaning (ordinarily) that Council may, at its discretion, permit the use;
2. As part of the WAPC's consideration of the Local Planning Strategy, it resolved to include mention of the proposal under s5.3 (Tourism) of the Strategy as shown following. This was not specifically recommended in Council's consideration of the Strategy:



Table 24: Tourism: Strategy and Actions Summary

STRATEGIES	ACTIONS
a. Identify locally distinctive natural and environmental assets, unique features and characteristic settlements within the Shire to generate tourism.	1. Allow holiday accommodation land uses to be considered under LPS 3 within both the Serpentine and Jarrahdale Heritage/Tourism Precincts.
b. Identify new activities and enterprises to attract visitors which offer a point of difference to distinguish the Shire within the region.	2. Allow some non-rural land uses, such as boutique food and beverage outlets and private recreation to be considered in rural zones under LPS 3 to encourage tourism.
c. Protect and enhance the character and heritage within the Serpentine and Jarrahdale townsites to attract visitors.	3. Include a special use zone within LPS 3 to provide appropriate land use and development provisions for Jarrahdale to allow the development of tourism uses.
d. Facilitate a range of accommodation services within the Shire to encourage tourism.	4. Investigate trails as a part of a transport plan.
e. Create an extensive network of trails across the Shire to improve accessibility and promote recreation activities.	
f. Attract and encourage the diversification and development of businesses which are likely to contribute to local tourism and employment (such as a Motorsport and Tourism facility in Keysbrook subject to necessary approvals) through appropriate land use planning.	
g. Encourage the development of tourism precincts which co-locate tourism activities, accommodation and access to transport connections.	
h. Improve local walkways and off road mountain biking and bridle trails to encourage recreational opportunities.	

The planning framework could therefore contemplate approval of the proposal.

How does a review by the Environmental Protection Authority impact the development assessment process?

Proposals likely to have a significant effect on the environment, referred to as “significant proposals”, are referred to the Environmental Protection Authority (EPA) for environmental impact assessment. The EPA have already determined that this proposed motorsport facility should be assessed, and the level of assessment has been set at Public Environmental Review.

Assessment of an application for significant development can continue while a review is undertaken by the EPA, including consultation with the public and relevant State and local government stakeholders.

However, the WAPC is constrained from making a decision on the application until the EPA has completed its review and the Minister for Environment has made a decision about whether the proposed development should be allowed to proceed.

This recognises that the important environmental factors, often closely interact with the consideration of the merits of a proposal. Particularly for this proposal, noise and hydrology impacts are identified as important environmental factors that are being dealt with through the PER process.



Noise

As mentioned previously, effects on social surrounds (noise) is an environmental factor being assessed by the EPA as part of the PER environmental impact assessment process. This is the highest level of environmental impact assessment available.

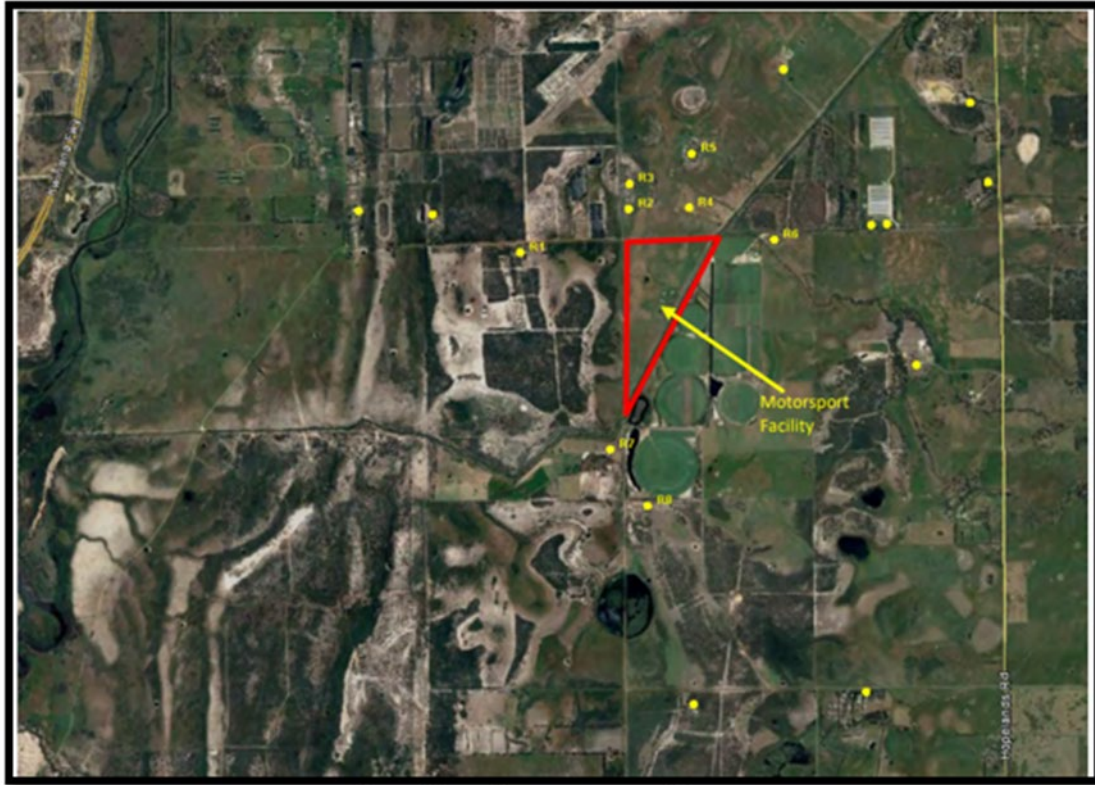
In the situation that the Minister determines that a proposal may be implemented, a statement will be issued. Such Ministerial statement reflects that a proposal may be implemented, and such implementation may be subject to implementation conditions and procedures. Such conditions and procedures become the responsibility of the relevant State Agency to regulate.

The primary noise source during operation of the Motorsport facility will be from Class B-D vehicles during racing events (and associated training sessions being Class B events). It is estimated that between 5-36 cars would operate at race events, with the same estimated range in motorbikes to be operating during race events. Racing is proposed to occur over 339 days of the year. Class of vehicles are as follows:

Vehicle Class	Track Use	Modelled Class of Vehicle	Modelled Maximum Sound Pressure Level at 30m from exhaust*	Noise Modelling reference in Noise Assessment
A	NA	NA	NA	NA
B	Race events for Cars, Bikes and Go-Karts	GT3 and Formula Ford Superbikes 125cc Rotax Kart Race	Up to 95 dB(A)	Figures 4-1 to 4-4
C	Manufacturer Days and Driver Training	Manufacturer Car	73 dB(A)	Figure 4-6
D	Hire Karts	Hire Karts	64 dB(A)	Figure 4-5
NA	Other recreational, educational and entertainment based events, including Seminars, Cycling Events; and School Hire (e.g. Cross Country events)	NA	NA	NA

Overview of Track Use

An acoustic assessment, which can be viewed within the submitted Environmental Assessment Report (EAR), is contained within **attachment 3**. The assessment was submitted to demonstrate the noise emissions from the Class B-D vehicles proposed to be used and the existing noise levels in the locality. The acoustic assessment identified that there are eight sensitive receptors within a 1km radius of the site and a total of 17 sensitive receptors within 2 km of the site as captured below.



Sensitive Receptors – 1km

The acoustic assessment also identifies the assigned levels of the *Environment (Noise) Regulations 1997* (Noise Regulations) for the area and the existing noise levels within the locality based on three noise loggers to the north south and south-east of the site are detailed below. The existing noise levels are between 34dB-43dB, compared to the 45dB assigned within the Regulations.

The acoustic assessment modelled noise received from all class of vehicles proposed to be used at sensitive receptors within 1km from the site.

Race Type	L _{A10} dB Noise Level at Each Receiver Location							
	R1	R2	R3	R4	R5	R6	R7	R8
Formula Ford	65	72	69	72	66	67	66	62
Porsche GT3	66	74	70	73	67	68	67	63
Superbikes	66	73	70	72	67	68	66	63
125cc Rotax Kart	52	58	54	55	49	52	48	45
Hire Kart	31	37	34	35	29	31	27	24
Manufacturer Car Day	40	48	45	49	41	43	40	36
Mon to Sat Assigned Level ¹	45	45	45	45	45	45	45	45
Sunday Assigned Level ²	40	40	40	40	40	40	40	40

Noise Emissions



The acoustic assessment identifies that generally noise emissions received at sensitive receptors from all class of vehicles exceed the assigned levels as per the above table. Noise contour plans can be seen within the acoustic assessment within **attachment 3**.

This explains the reason why noise is an important factor being assessed as part of the EPA PER process. A number of measures are proposed to manage noise, and can be seen within the submitted Environment Assessment Report (**attachment 3**).

These include:

1. Event Scheduling (an annual events schedule is proposed to provide a means of determining the amount of weekday and weekend Class B events to minimise noise that adjacent residents would be exposed to);
2. Vehicle noise limits and compliance checks (all vehicles using the track must comply with relevant noise limits, with a compliance procedure to check this. A track supervisor will also be stationed in the race control building for the duration of all track use to monitor track noise);
3. Permanent noise monitoring (a permanent noise monitoring system within the site will run continuously and designed to allow the results to be recorded and made available to the public in a real time transparent manner, via the facility's website);
4. Operational noise management initiatives;
5. Notification of proposed events;
6. Acoustic packages for surroundings dwelling (individually tailored acoustic mitigation solutions offered to residents within a 2km radius of the facility. The packages will be determined based on a number of factors including, but not limited to, the proximity of the dwelling to the development and orientation of the dwelling);
7. Noise enquires and feedback procedures;
8. Review of the Noise Management Plan.

As mentioned earlier, the PER process identifies noise as an important environmental factor. This PER process will be considering the above measures, and other relevant matters, in the assessment of this environmental factor.

Roads

The development site lies to the east of the Kwinana Freeway and south of Karnup Road in the Hopeland area of the Shire of Serpentine Jarrahdale. The site is bounded by Punrak Road, Wigg Road and Yangedi Road (road reserve unbuilt).

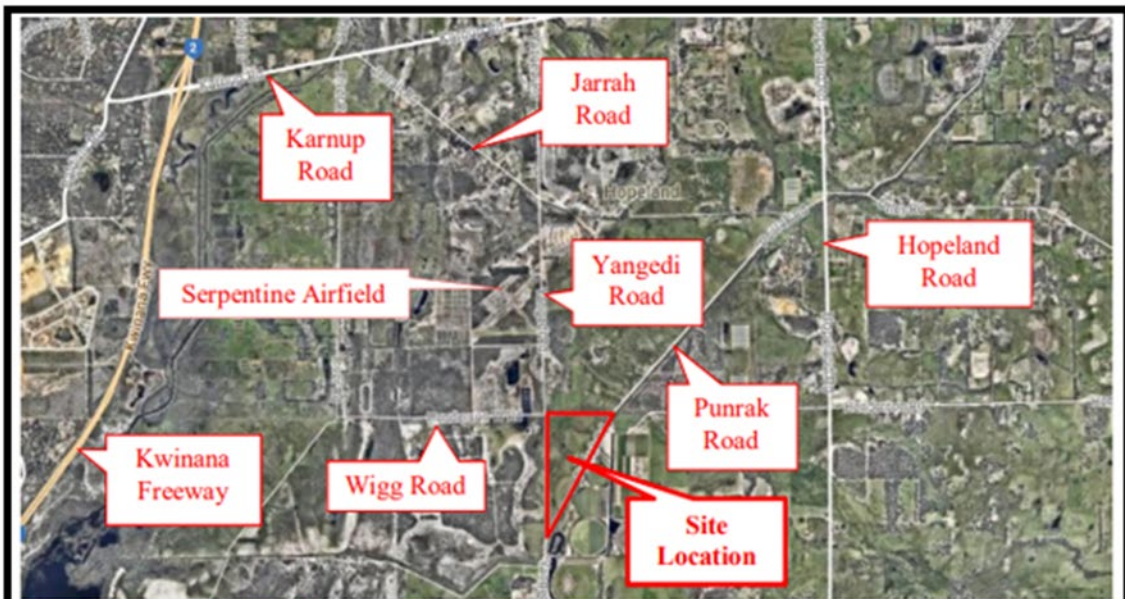


Figure 2.1: General Locality Plan. Source: Nearmap



Local Road Network

Punrak Road and Wigg Road are access roads. In respect of current road conditions:

- Wigg Road (4m asphalt with gravel shoulders which becomes gravel about half way along the northern frontage in a western direction);
- Punrak Road (4m asphalt with gravel shoulders);
- Yangedi Road north (gravel before transitioning to 6m asphalt with gravel shoulders at the northeast entry to SABC);
- Yangedi Road south (condition of Punrak Road).



Main Roads Road Hierarchy

The existing vehicle movements along the identified roads are as follows:

Road	Location	Average Daily Traffic Flow	
		2017	2021
Hopeland Road	Between Wigg Road and Karnup Road	1,000	-
Punrak Road	500m south of Karnup Road	100	-
	500m south of Jarrah Road	-	71
	400m south of Henderson W Road	-	55
Wigg Road	1,000m west of Punrak Road	20	-
Yangedi Road	300m south of Karnup Road	170	-
	500m south of Jarrah Road	-	145

Existing Traffic Count

The applicant submitted a Traffic Impact Assessment (TIA) which can be viewed in **attachment 4** which identifies the race activities proposed to be undertaken and the likely number of patrons and trip generation. These are as follows:

V8 Supercar Events

V8 super cars can potentially draw between 20,000 and 80,000 spectators. Other V8 Super car events elsewhere in Australia such as Clipsal 500 (South Australia) and Phillip Island (Victoria) can draw up to 250,000 spectators over the course of an event.

International Race Events

The facility has the potential to also host international race events, such as the World Rally Championship or international events such as the World Rally Championship or international sports car endurance races (e.g. Bathurst) subject to interest by those events. It is expected that such events would draw patrons of a similar number to V8 Super Car Events.



State (amateur) Motorsport Events

Such events would be attended by local drivers and support teams, with spectators typically limited to family, friends and individuals associated with the event. Such events would typically occur over a weekend where there may be between 100 and 150 individual vehicles racing over the course of the two-day period. Such events are unlikely to draw a large spectator following and spectators are likely to be in the range of 100-500 people per day, depending on the event.

Minor Events

It is noted that in addition to car races, the main track is designed to also host motorcycle events of various categories. Such events are likely to occur throughout the year, mainly on weekends when state and national club meetings occur.

Trip Generation

In terms of trip generation associated with the minor events scenario, the range of activities associated with these events is unlikely to generate more than 500 patrons to the site. It is expected that for those smaller events, generally, patrons will be attending the site by private vehicle. The average occupancy of these vehicles is likely to be two people per vehicle. This would indicate a total number of 250 vehicles arriving at the venue. Based on a worst-case scenario that 250 vehicles will be attending site at the same time, localised road upgrades to the immediate road network is identified. It is likely that this number is slightly more as it is anticipated that there will be approximate 100 staff required during this event scenario, albeit attending site likely before the patrons attend site.

In terms of trip generation associated with the major events scenario, as stated in the application, a larger event is likely to be up to 50,000 spectators spread over three days. Although there will be a significant amount of patrons likely to attend site via buses/coaches it is still expected that an event of this scale would generate a significant amount of vehicle movements to site and in addition to proposed upgrades, will be subject to traffic management. The TIA indicates that the average occupancy level of these vehicles attending site on the larger events is three per vehicle, with buses and coaches to carry an average of 45 passengers.

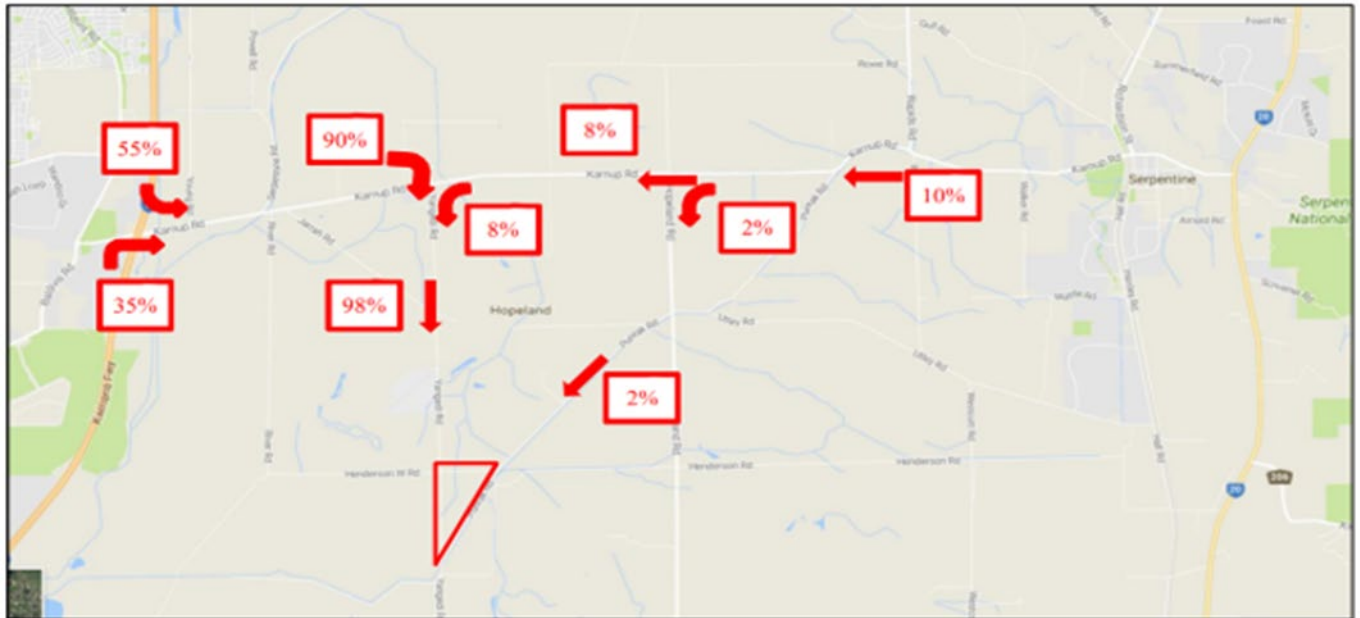
The TIA assumes that if the maximum forecast attendance of 50,000 is realised, this is likely to be split unevenly over three days, with more people likely to attend on the third day, on a worst-case scenario 25,000 people. Public transport/coaches will be encouraged, with the cost of public transport and chartered coaches being included in the ticket prices. It is anticipated that of the 25,000 patrons, 35% of these patrons (being 8,700) will attend by bus/coach. The remaining 16,300 people will be expected to arrive in up to 4,878 private vehicles, this based on an occupancy rate between 3-3.5 people per vehicle. Based on this, this generates a total of 1,626 movements to the site an hour as reflected in the below table.

	Persons/vehicle	No. of vehicles	Persons	Arrival over	Vehicles per hour
Public carpark	3.35	4,878	16,341	3hrs	1,626
Coach	45	193	8,685	3hrs	64
Total		5,071	25,026		1,690

Trip Generation - Major Event Scenario



The TIA has modelled based on the location of other venues such as RAC's track at Perth Airport and Barbagallo in the northern suburbs, it is expected that attendance at the typical daily activities such as Go Karting, driver training and track days, not associated with specific events, will be biased towards residents of the southern suburbs, Rockingham, Mandurah and other areas further south. Generally, trips will involve travelling either north or south on Kwinana Freeway to the Karnup Road intersection. Trip distribution is as follows:



Anticipated Trip Distribution

Trip distribution even in the larger events are not anticipated to vary from the above. The TIS suggests that approximately 90% of trips will approach the site eastbound along Karnup Road having emanated from Kwinana Freeway. The remaining 10% trips are estimated to approach the site from east along Karnup Road. These roads will be sign posted to encourage the use of Yangedi Road to access the site. Minimal trips are anticipated from south along Yangedi Road.

The TIA further acknowledges that the shortest trip to site is from Kwinana Freeway, through the partially sealed Jarrah Road. However, given the nature of the road and the presence of residences along this street, patrons will be discouraged from using this route. Traffic controllers will be used in larger events to channel patrons though Yangedi Road and Karnup Road, which is the preferred route.

Based on the anticipated traffic distribution and generation of the development, the applicant has proposed a number of road upgrades to ensure a safe local road network which accesses the site.

Proposed upgrades as follows:

Yangedi Road

Yangedi Road, north of the Serpentine Airfield access, is predominantly constructed as a 6m sealed pavement with 1m unsealed shoulders. South of the airfield through to Wigg Road, Yangedi Road is a 6m unsealed gravel road. This length of Yangedi Road (approximately 1.6m) will be required to be upgraded to match the standard of road further north, being 6m sealed asphalt road pavement with 1m unsealed shoulder.



Karnup Road/Yangedi Road

Localised widening is proposed at the Karnup Road/Yangedi Road intersection to allow eastbound through traffic to safely pass to the left of vehicles waiting to turn right into the side road. A condition for a channelised right turn is recommended by Officers.

Wigg Road

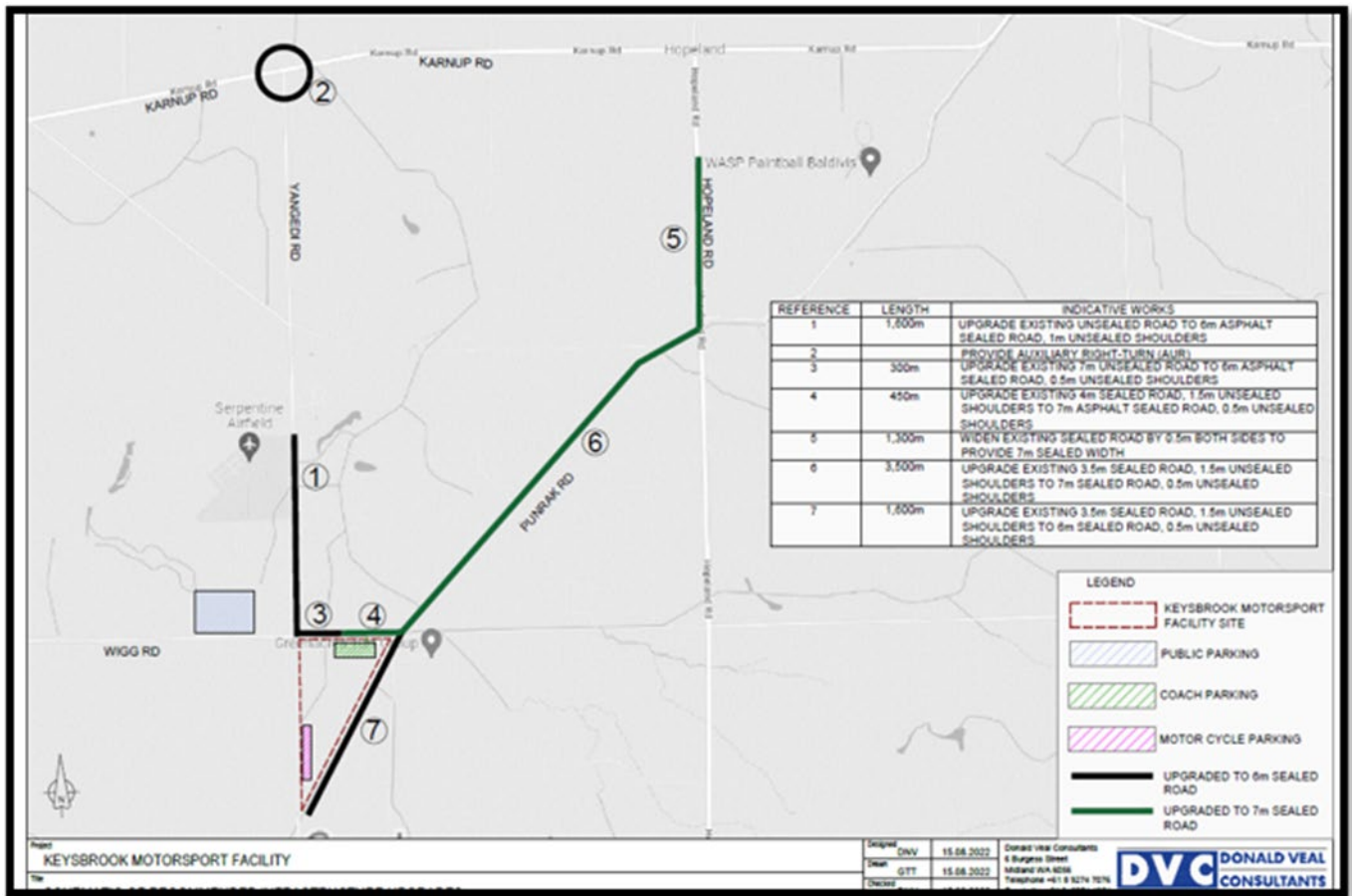
One of the main accesses to the site is on Wigg Road, east of Yangedi Road. For the larger events, Wigg Road will be utilised to access the on-site coach/bus parking, with the proposed access some 450m west of Punrak Road. The recommended upgrades to Wigg Road as identified in the TIS proposes the first 300m of Wigg Road, east of Yangedi Road to be constructed to a 6m sealed asphalt pavement with 0.5m unsealed shoulders. From here to Punrak Road, the sealed width to be increased to 7m with 0.5m unsealed shoulders as buses will be traversing this length for the larger events.

Hopeland Road

For major events, Hopeland Road is to be utilised by coaches/buses. Typically, a 7.0m width is required for buses. The route has sufficient width for the northern section, however, for a length of 1.3km north of Punrak Road, the sealed width varies between 6m-7m. Widening of this 1.3km section by 0.5m on either side has been recommended in the TIA.

Punrak Road

The other access to the site is on Punrak Road located on the southern end of the site. For minor events, Punrak Road is not anticipated to carry significant traffic to the site. For larger events Punrak Road will be utilised by more traffic and buses. A 7m width is required by buses. Presently, Punrak Road has a 3.5m sealed pavement with 1.5m sealed shoulders. More traffic however is anticipated to be present. The TIA recommends Punrak Road be upgraded to a 7m sealed width with 0.5m unsealed shoulders between Wigg Road and Hopeland Road, a section of approximately 3.5km in length. From Wigg Road to the proposed site access way, the road is required to be widened to 6m with 0.5m unsealed shoulder, a section of approximately 1.6km in length. The extent of the required upgrades can be seen in the below map.



TIA Recommended Upgrades

REFERENCE	LENGTH	INDICATIVE WORKS
1	1,600m	UPGRADE EXISTING UNSEALED ROAD TO 6m ASPHALT SEALED ROAD, 1m UNSEALED SHOULDERS
2		PROVIDE AUXILIARY RIGHT-TURN (AUR)
3	300m	UPGRADE EXISTING 7m UNSEALED ROAD TO 6m ASPHALT SEALED ROAD, 0.5m UNSEALED SHOULDERS
4	450m	UPGRADE EXISTING 4m SEALED ROAD, 1.5m UNSEALED SHOULDERS TO 7m ASPHALT SEALED ROAD, 0.5m UNSEALED SHOULDERS
5	1,300m	WIDEN EXISTING SEALED ROAD BY 0.5m BOTH SIDES TO PROVIDE 7m SEALED WIDTH
6	3,500m	UPGRADE EXISTING 3.5m SEALED ROAD, 1.5m UNSEALED SHOULDERS TO 7m SEALED ROAD, 0.5m UNSEALED SHOULDERS
7	1,600m	UPGRADE EXISTING 3.5m SEALED ROAD, 1.5m UNSEALED SHOULDERS TO 6m SEALED ROAD, 0.5m UNSEALED SHOULDERS

Officers have recommended conditions addressing the upgrade requirements, albeit slight variations to account for shoulder widths and sealing of shoulders. These upgrades are assessed as suitably to support the operation of the development.



Surface Water and Groundwater Management and Wetlands

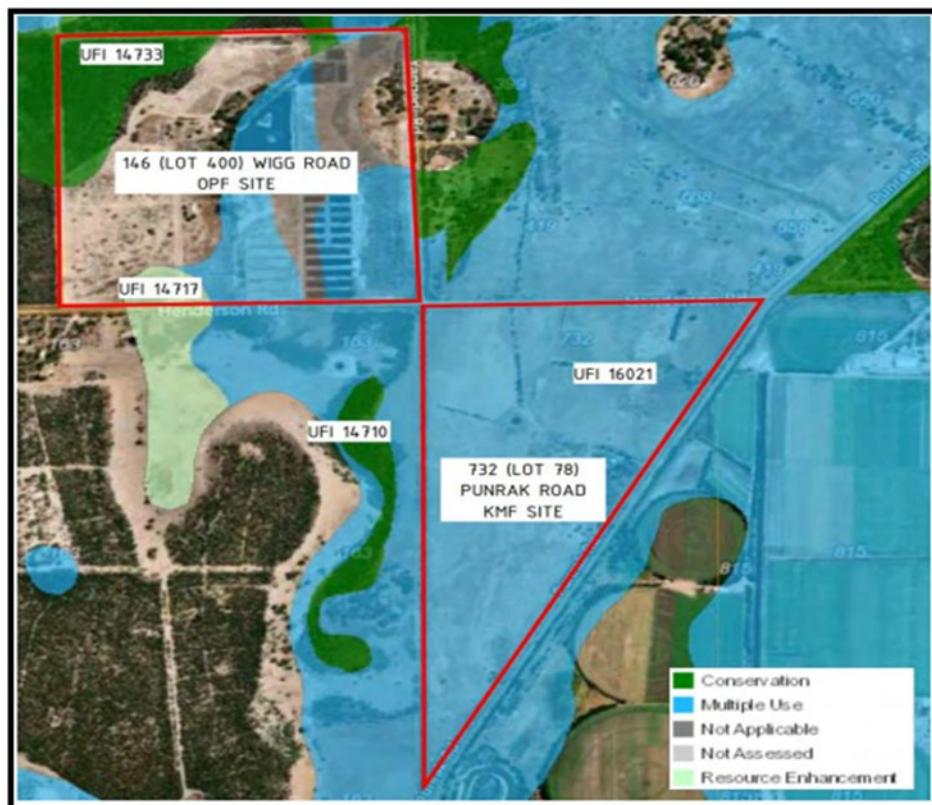
Surface and groundwater flows have also formed a key aspect of the PER process currently under assessment by the EPA. In the ESD prepared by the EPA, the applicants have a mandatory requirement to successfully demonstrate that the proposed development will not interrupt or change water flows and the infiltration and recharge to groundwater. In terms of wetland values, surface water and groundwater influences play a key role in supporting wetland vegetation and drives the seasonal wetting and drying cycle of the wetland. These aspects of the development are currently under assessment by the EPA. The submitted Environmental Assessment Report addresses surface, groundwater and wetland management which can be viewed within **attachment 3**.

Two Water Corporation drainage networks exist in the vicinity of the site. The Punrak Drain is located to the east of Punrak Road and Hymus Drain is located north of Wigg Road . The Punrak Drain is the larger of the two drains. It forms by the merging of Dirk Brook (east) and Karnet drain (North-East) at the intersection of Punrak Road and Wigg Road. The Punrak Drain flows to the south-west merging into Lake Amarillo which feeds into the Serpentine River.

The Hymus Drain is perennial stream much smaller than the Punrak Drain. The drain flows in a north-west direction. The Hymus drain, along with other minor agricultural drains merge to form the Hopelands drain which also feeds into the Serpentine River.

Pre-development surface runoff flows north towards the Hymus Drain. A small amount of surface runoff to the west is also expected, however these minor surface runoffs will eventually make their way back to the north of the site.

Further to the drains, the Motorsport site is covered by Multiple Use Wetland (UFI:16021) and part of the overflow site on Lot 400 comprises of a Resource Enhancement Wetland (UFI:4733) as well as parts of two Multiple Use Wetlands (UFI:14718). This is shown in the following images:



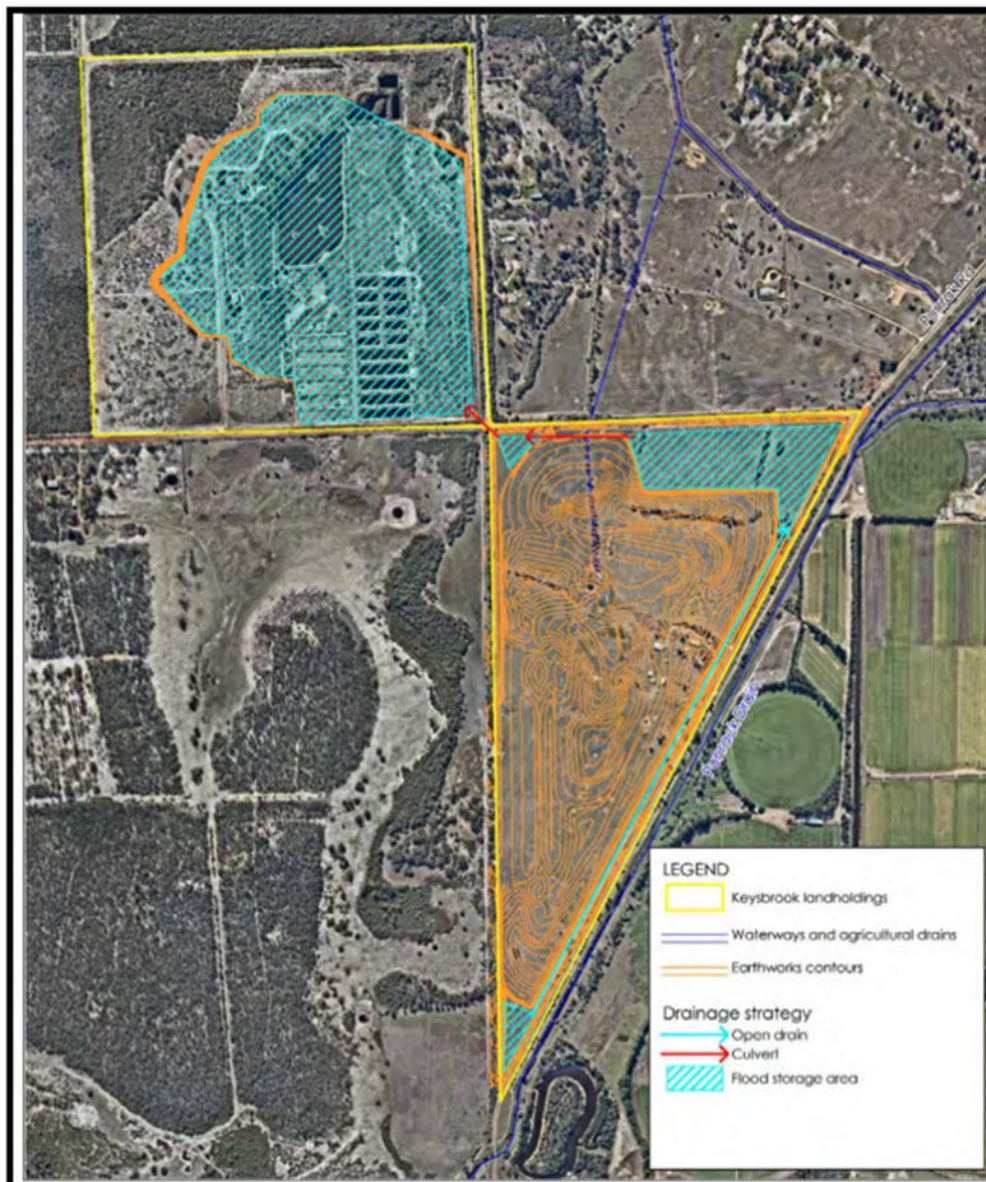
Location of Wetlands



The development proposes approximately 3ha of impervious area. As the main racing site is relatively flat, large quantities of fill (approximately 3m in height in various locations) is proposed to be brought to site to create a gradient across the site and provide adequate separation to groundwater.

Impervious areas of the facility are proposed to fall towards vegetated bio-retention swales within the Motorsport site, surrounding the racetrack to capture the first 15mm of rainfall on across the site. A total of approximately 5,300m³ of bio filtration storage area is across the site. Once the bio-retention swales are full, water will move into perimeter storage areas before either being slowly released offsite at pre-development flows or subsequent to a larger event, discharged at the permissible rate onto the overflow area of Lot 400. The proposed methodology has been proposed to ensure water moves from its natural south to north direction at volumes and at a rate equivalent to pre-development rates.

In terms of the quality of the water, noting the likelihood of hydrocarbons being present, the swales will be designed to achieve a minimum reduction of 60% Total Phosphorous (TP) and 45% Total Nitrogen (TN) to meet the requirements of Better Urban Water Management.



Drainage Concept



Bushfire

The submitted Bushfire Management Plan (**attachment 5**) demonstrates that the habitable buildings of the development have been sited within an area subject to a Bushfire Attack Level (BAL) of 12.5 or lower for both sites. The BMP proposes continual maintenance of grassland to ensure the low BAL is maintained.

In terms of vehicular access, the main facility (Lot 78) will be provided with two separate entry/exit points. The main entry to the site will be from Wigg Road in the north, with a secondary access point on Punrak Road in the south. The existing public road network provides access options to at least three destinations via the existing public road network as follows:

- Option to travel northeast to the town site of Baldivis via River Road/Yangedi North Road/Hopeland Road, Karnup Road and Kwinana Freeway;
- Option to travel northwest to the town site of Serpentine via Hopeland Road and Karnup Road;
- Option to travel southwest to the town site of Mandurah via Yangedi Road, Elliott Road, Hopeland Road and Lakes Road.

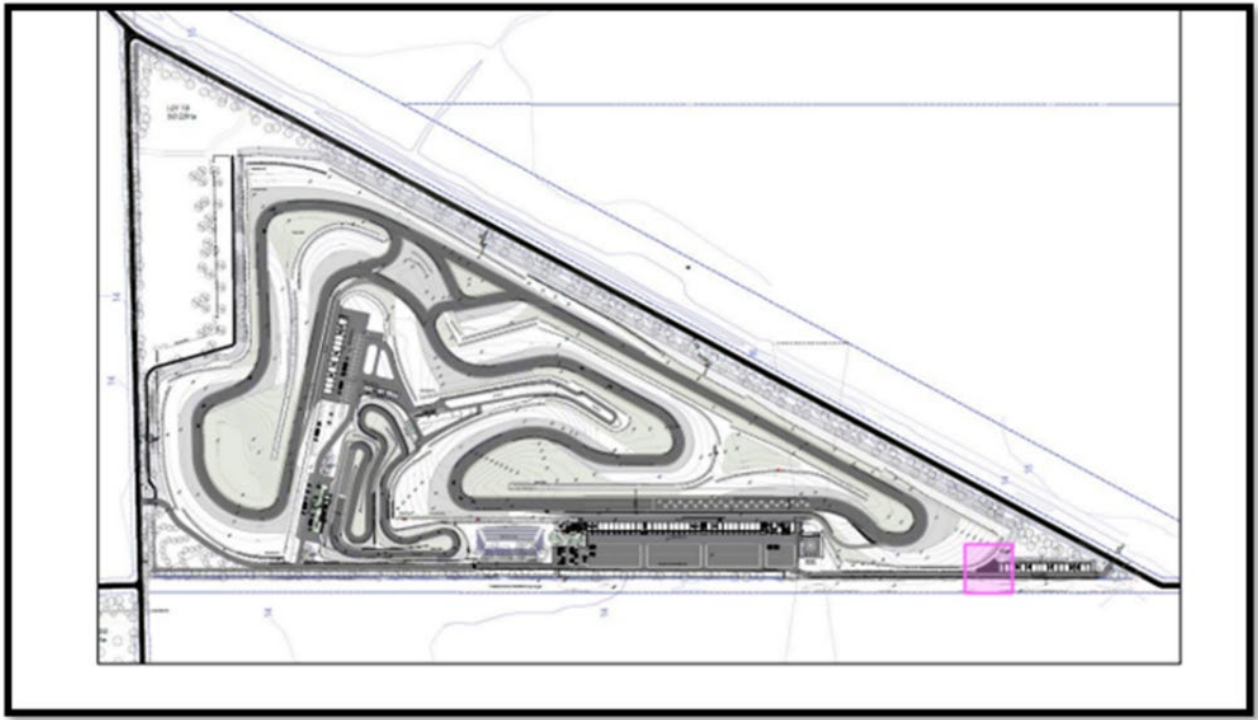
In terms of the overflow carpark, this is accessed by a single-entry point from Yangedi Road north which provides access options to the north and to the west and east by Wigg Road. The site will have access to a secondary emergency point in the instance there was a threat of a bushfire. Internal driveways of the main site is proposed to have a minimum width of 6m to enable two-way traffic in the event of a bushfire emergency.

Reticulated water is not available to the site. The applicant has proposed a dedicated firefighting water supply of 50kl located adjacent to the pit building. The water supply tank is to meet the water supply technical requirements of the Guidelines for Planning in Bushfire Prone Areas (the Guidelines). The applicant has also submitted a Bushfire Emergency Evacuation Plan (BEEP) which has been prepared in accordance with the Guidelines.

Officers consider the BMP and BEEP generally align with the bushfire planning framework, however, note the Department of Fire Emergency Services (DFES) have also been referred the application to comment directly to the DPLH as part of this process, who are the experts in bushfire planning.

Waste Management

The bin storage area is proposed to be located to the south of the site as detailed in the image below.



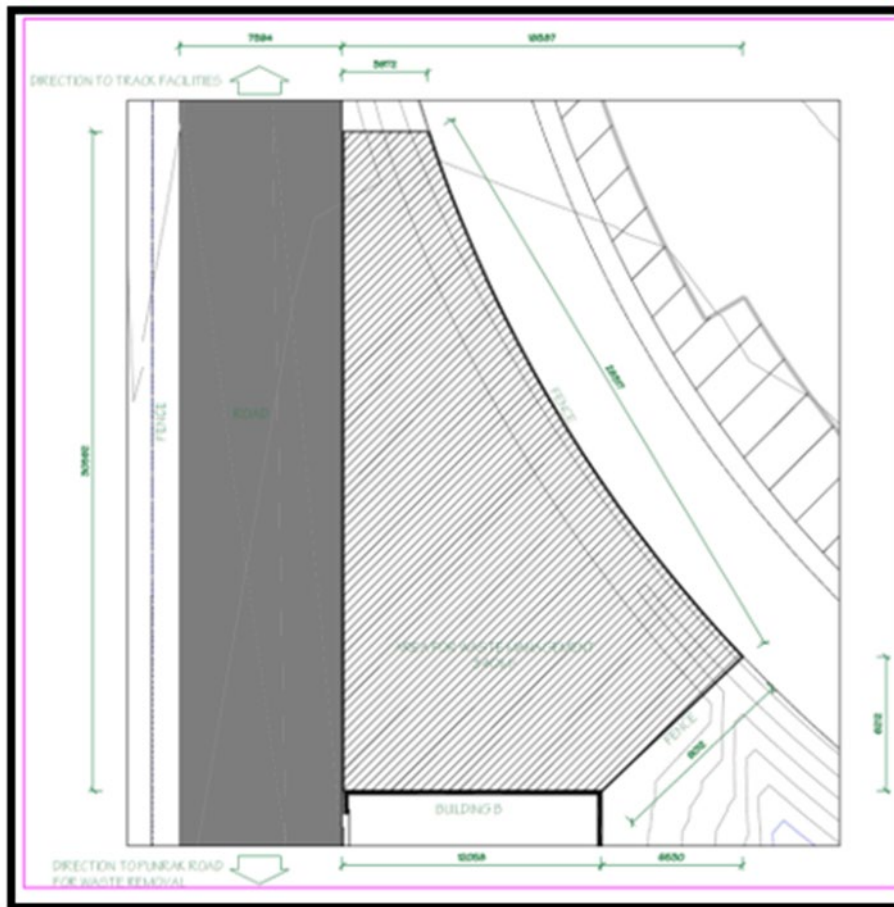
In order to achieve an estimated projection of waste volumes for the proposal, the applicant has prepared a Waste Management Plan (**attachment 6**) using the *Western Australian Local Government Associations' (WALGA) Commercial and Industrial Waste Management Plan Guidelines (2014)* and using an 'Office' waste generation rate. Based on this, the following waste volumes are likely to be generated.

Keysbrook Buildings	Area (m ²)	Waste Generation Rate (L/100m ² /day)	Waste Generation (L/week)
Refuse	8,654	10	6,058
Recycling	8,654	10	6,058
Total			12,116

To meet the volumes of waste generated, the applicant has proposed the following:

Waste Stream	Waste Generation (L/week)	Number of Bins Required					
		240L	660L	1,100L	1.5m ³	3.0m ³	4.5m ³
Refuse	6,058	26	10	6	5	3	2
Recycling	6,058	26	10	6	5	3	2

A total area of 340sqm has been dedicated for the purposes of bin storage which can be seen below:



Total Waste Area

The design of the bin storage Area/Area for waste management is proposed to be designed to incorporate the following:

- Smooth impervious floor sloped to a drain connected to the sewer system;
- Taps for washing of Bin Storage Areas;
- Adequate aisle width for easy manoeuvring of bins;
- No double stacking of bins;
- Doors to the Bin storage area self closing and vermin proof;
- Doors to the bin storage area wide enough to fit bins through;
- Ventilated to a suitable standard;
- Appropriate signage.

Officers are generally supportive of the design and likely volumes generated.

Public Art

Artwork has been proposed within the Motorsport facility (contained within **attachment 7**) in the below location.



It is intended to be a 2d Artwork painted onto the concrete run-off at turn number 1. The run-off area is a flat concrete surface intended to allow a driver to effectively break should they leave the racetrack in an emergency. The artwork is proposed to incorporate the following themes:

- Motorsport
 - o Chequered Flags and associated motorsport symbology
- Western Australian Theme
 - o Western Australian unique themes
- Movement Theme
 - o The artwork shall consider movements and how the artwork is experienced by television viewers
- Legibility
 - o Legible from different scale.

A concept drawing of the likely art piece is below:



Proposed Public Artwork

Officers have recommended a condition requiring public art to be provided in accordance with the Shire's policy framework.

Landscaping

The proposal seeks to landscape both properties with an emphasis of improving the visual appearance of the site when viewed from the surrounding road network. The applicant seeks to use a range of species of vegetation, and Officers have recommended a condition requiring a Landscape Management Plan being prepared comprising of native species and vegetation that complements the wetland environment in proximity to the site.





Options and Implications

Option 1

1. That Council, in response to the request by the Department of Planning Lands, Heritage, PROVIDES the comments and information in this report and RECOMMENDS the following conditions in the instance that the Western Australian Planning Commission considers it appropriate to approve the proposed development for a Private Recreation (Motorsport) Facility at 732 Punrak Road, Keysbrook and 146 Wigg Road, Hopeland:

- a. Prior to issue of a Building Permit, road upgrade plans are to be submitted to and approved by the Shire of Serpentine Jarrahdale. The road upgrade plans are to include all details and specifications for the road and infrastructure upgrades identified in DVC drawing SK6, specifically being:
 - i. 1,600m of Yangedi Road between Serpentine Airfield access and Wigg Road - upgraded to provide a minimum 6 metre sealed carriageway and minimum 1 metre sealed shoulders;
 - ii. Yangedi Road / Karnup Road intersection to be construct with an Auxiliary Right Turn (AUR) treatment in order to accommodate right turn movements from Yangedi Road into Karnup Road;
 - iii. 300m of Wigg Road between Yangedi Road and the proposed access to the upgraded to provide a minimum 6 metre sealed carriageway with a minimum 0.5 metre unsealed shoulders;
 - iv. 450m of Wigg Road between the proposed access to the site and Punrak Road upgraded to provide minimum 7 metre carriageway and a minimum 0.5 metre unsealed shoulders;
 - v. 1,500m of Hopeland Road north of the Hopeland Road/Punrak Road intersection widened to provide a minimum 7 metre seal width;
 - vi. 3,500m of Punrak Road between Hopeland Road and Wigg Road widened to provide a minimum 7 metre sealed carriageway with a minimum 0.5 metre unsealed shoulders;
 - vii. 1,600m of Punrak Road between Wigg Road and the end of the property boundary widen to provide minimum 6 metre carriageway and minimum 0.5 metre unsealed shoulders.

All road and infrastructure upgrades to be undertaken by the applicant in accordance with the road upgrade plans (once approved by the Shire), and all upgrades must be completed prior to operation of the development. All intersection works associated with the road upgrades are to also include suitable lighting treatments.

- b. Prior to issue of a Building Permit, a Landscape Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. The Landscape Plan must demonstrate:
 - use of native species and vegetation which are suitable to the local landscape context;
 - adequate levels of screening along the boundaries of the subject land;
 - planting of batters to ensure suitability stabilisation and prevention of erosion/sand drift.

Landscaping is to be undertaken and maintained by the applicant in accordance with the Landscape Plan (once approved by the Shire), and all landscaping must be completed prior to operation of the development.



- c. A Traffic Management Plan to be submitted for all Major Events (those exceeding 500 attendees) to the satisfaction of the Shire of Serpentine Jarrahdale. The Plan must demonstrate how patrons will be managed to access the site using Karnup/Yangedi and Karnup/Hopland/Punrak Roads. The use of Jarrah Road is strictly prohibited for all events.
- d. Prior to the issue of a Building Permit, the applicant shall submit and have approved plans depicting the proposed art piece consistent with Local Planning Policy 1.6. Upon approval of the plans, the art piece is to be installed and thereafter maintained to the satisfaction of the Shire.
- e. No permanent supply of fuel to be stored onsite. Fuel is to be managed via on demand services.
- f. Prior to the submission of Building Permit, a Waste Management Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. This must reflect compliance with the Shire of Serpentine Jarrahdale Health Local Law 1999. Waste is to be managed in accordance with the Waste Management Plan (once approved by the Shire).
- g. Prior to the submission of a Building Permit, an Operational Management Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. The Plan must demonstrate how fuel spills will be dealt with on site and also how fuel brought to site by competitors will be stored. Operations are to be managed in accordance with the Operational Management Plan (once approved by the Shire).
- h. The Bushfire Management Plan and Bushfire Emergency Evacuation Plan are to be fully implemented prior to operation of the development, and thereafter maintained.
- i. Prior to the issue of a Building Permit, the applicant shall prepare a signage and landscaping plan, to the specifications and satisfaction of the Shire, that depicts an appropriate 'sense of finding and arrival' design for Karnup Road where it intersects with the Yangedi Road and Hopeland Road intersection access points. This is to include an appropriate articulation of landscaping and signage at these intersections, which provides the intended sense of arrival and anticipation of the facility. Once approved by the Shire, the signage and landscaping plan shall be implemented prior to operation of the development.
- j. Prior to issue of a Building Permit, a lighting and security plan shall be submitted to and approved by the Shire. This is to ensure that lighting for security purposes does not create an adverse amenity impact due to excessive lighting.
- k. The development is only permitted to operate during day light hours.

Option 2

- 1. As per Option 1, however a modified condition (a) to make all road upgrades a minimum asphalt sealed width of 7m, with minimum 1m sealed shoulders.

Option 1 is recommended.

**Conclusion**

The Shire has been invited by the DPLH to provide comments, information and any recommended conditions for the proposed Private Recreation Facility (Motorsport) at 732 Punrak Road, Keysbrook and 146 Wigg Road, Hopeland.

The application is currently subject to a PER process under the Environment Act which is the highest level of environmental assessment. Key aspects of this process will assess noise and hydrology impacts resulting from the development. Officers have recommended a number of conditions as requested by the DPLH in the instance WAPC consider it appropriate to approve the development. The recommended conditions do not address those matters being dealt with by the EPA.

Attachments (available under separate cover)

- **10.1.6 - attachment 1** - Planning Application Report (E22/11310)
- **10.1.6 - attachment 2** - Development Plans (E22/11313)
- **10.1.6 - attachment 3** - Environmental Assessment Report (E22/11314)
- **10.1.6 - attachment 4** - Traffic Impact Assessment (E22/11315)
- **10.1.6 - attachment 5** - Bushfire Management Plan and Bushfire Evacuation Plan (E22/11316)
- **10.1.6 - attachment 6** - Waste Management Plan (E22/11317)
- **10.1.6 - attachment 7** - Public Art Report (E22/11318)

Alignment with our Strategic Community Plan

Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework
Outcome 2.2	A sustainable natural environment

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	By recommending conditions there is a risk that the WAPC won't accept all of them	Conditions which meet the test of reasonableness and proper planning purpose	Reputation	Possible	Moderate	MODERATE	The conditions are addressed and explained in this report fully
2	By recommending deferral, there is a risk that the WAPC will determine the application once the EPA process has concluded. There is the risk that the WAPC will not have the benefit of locally considered conditions, and this could see development determined without the right conditions imposed.	Planning Framework	Reputation	Possible	Moderate	MODERATE	Explain reasons for decision



Voting Requirements: Simple Majority

Officer Recommendation

1. That Council, in response to the request by the Department of Planning Lands, Heritage, PROVIDES the comments and information in this report and RECOMMENDS the following conditions in the instance that the Western Australian Planning Commission considers it appropriate to approve the proposed development for a Private Recreation (Motorsport) Facility at 732 Punrak Road, Keysbrook and 146 Wigg Road, Hopeland:

a. Prior to issue of a Building Permit, road upgrade plans are to be submitted to and approved by the Shire of Serpentine Jarrahdale. The road upgrade plans are to include all details and specifications for the road and infrastructure upgrades identified in DVC drawing SK6, specifically being:

- i. 1,600m of Yangedi Road between Serpentine Airfield access and Wigg Road - upgraded to provide a minimum 6 metre sealed carriageway and minimum 1 metre sealed shoulders;
- ii. Yangedi Road / Karnup Road intersection to be construct with an Auxiliary Right Turn (AUR) treatment in order to accommodate right turn movements from Yangedi Road into Karnup Road;
- iii. 300m of Wigg Road between Yangedi Road and the proposed access to the upgraded to provide a minimum 6 metre sealed carriageway with a minimum 0.5 metre unsealed shoulders;
- iv. 450m of Wigg Road between the proposed access to the site and Punrak Road upgraded to provide minimum 7 metre carriageway and a minimum 0.5 metre unsealed shoulders;
- v. 1,500m of Hopeland Road north of the Hopeland Road/Punrak Road intersection widened to provide a minimum 7 metre seal width;
- vi. 3,500m of Punrak Road between Hopeland Road and Wigg Road widened to provide a minimum 7 metre sealed carriageway with a minimum 0.5 metre unsealed shoulders;
- vii. 1,600m of Punrak Road between Wigg Road and the end of the property boundary widen to provide minimum 6 metre carriageway and minimum 0.5 metre unsealed shoulders.

All road and infrastructure upgrades to be undertaken by the applicant in accordance with the road upgrade plans (once approved by the Shire), and all upgrades must be completed prior to operation of the development. All intersection works associated with the road upgrades are to also include suitable lighting treatments.

b. Prior to issue of a Building Permit, a Landscape Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. The Landscape Plan must demonstrate:

- use of native species and vegetation which are suitable to the local landscape context;



- adequate levels of screening along the boundaries of the subject land;
- planting of batters to ensure suitability stabilisation and prevention of erosion/sand drift.

Landscaping is to be undertaken and maintained by the applicant in accordance with the Landscape Plan (once approved by the Shire), and all landscaping must be completed prior to operation of the development.

- c. A Traffic Management Plan to be submitted for all Major Events (those exceeding 500 attendees) to the satisfaction of the Shire of Serpentine Jarrahdale. The Plan must demonstrate how patrons will be managed to access the site using Karnup/Yangedi and Karnup/Hopland/Punrak Roads. The use of Jarrah Road is strictly prohibited for all events.
- d. Prior to the issue of a Building Permit, the applicant shall submit and have approved plans depicting the proposed art piece consistent with Local Planning Policy 1.6. Upon approval of the plans, the art piece is to be installed and thereafter maintained to the satisfaction of the Shire.
- e. No permanent supply of fuel to be stored onsite. Fuel is to be managed via on demand services.
- f. Prior to the submission of Building Permit, a Waste Management Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. This must reflect compliance with the Shire of Serpentine Jarrahdale Health Local Law 1999. Waste is to be managed in accordance with the Waste Management Plan (once approved by the Shire).
- g. Prior to the submission of a Building Permit, an Operational Management Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. The Plan must demonstrate how fuel spills will be dealt with on site and also how fuel brought to site by competitors will be stored. Operations are to be managed in accordance with the Operational Management Plan (once approved by the Shire).
- h. The Bushfire Management Plan and Bushfire Emergency Evacuation Plan are to be fully implemented prior to operation of the development, and thereafter maintained.
- i. Prior to the issue of a Building Permit, the applicant shall prepare a signage and landscaping plan, to the specifications and satisfaction of the Shire, that depicts an appropriate 'sense of finding and arrival' design for Karnup Road where it intersects with the Yangedi Road and Hopeland Road intersection access points. This is to include an appropriate articulation of landscaping and signage at these intersections, which provides the intended sense of arrival and anticipation of the facility. Once approved by the Shire, the signage and landscaping plan shall be implemented prior to operation of the development.
- j. Prior to issue of a Building Permit, a lighting and security plan shall be submitted to and approved by the Shire. This is to ensure that lighting for security purposes does not create an adverse amenity impact due to excessive lighting.
- k. The development is only permitted to operate during day light hours.



10.1.7 – Response to Notice of Motion – Urban and Rural Forest Strategy Implementation (SJ2454)

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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 provide Council with a cross-Directorate Progress Report on the Shire's Urban and Rural Forest Strategy, noting the progress made for all Goals and Strategies and Implementation Framework. This report was requested by Council at the Ordinary Council Meeting on 20 June 2022 (OCM125/06/22).

Relevant Previous Decisions of Council

Ordinary Council Meeting – 20 June 2022 – OCM125/06/22 – COUNCIL RESOLUTION / Councillor Recommendation
That Council REQUEST the Chief Executive Officer provide a cross Directorate Progress Report to Council noting the progress made for all Goals and Strategies and Implementation Framework as contained in attachment OCM099.1/09/18 by the September 2022 Ordinary Council Meeting.

Ordinary Council Meeting - 25 September 2018 - OCM099/09/18 - COUNCIL RESOLUTION / Officer Recommendation
That Council endorses the Urban and Rural Forest Strategy, as per attachment OCM099.1/09/18.

Background

The Shire developed an Urban and Rural Forest Strategy to guide actions to maintain and improve tree canopy and vegetation within the Shire's communities now and into the future.

Trees are receiving more recognition by Local Governments across Australia and internationally for the important services they provide in urban areas. This includes their ability to provide shade and cool outdoor space (particularly in countering the urban heat island effect); reduce air pollution and demand for energy; support local biodiversity and local character; and improve the mental and physical wellbeing of the community. These benefits support a healthy population and the Shire is committed to protecting and enhancing tree canopy and vegetation coverage in its communities.



Integration of the Strategy across the Shire's activities ensures the development of leafy, green suburbs which are desirable places to live. It also helps to protect and enhance the natural environment which is highly valued by the Shire's residents and visitors. Implementation of the Strategy demonstrates Council's support for the retention and protection of existing trees and vegetation, and its enhancement where possible.

Community / Stakeholder Consultation

The Implementation Plan for the Urban and Rural Forest Strategy was compiled by Officers across the organisation, who have associated actions under the adopted Strategy.

Statutory Environment

Nil.

Comment

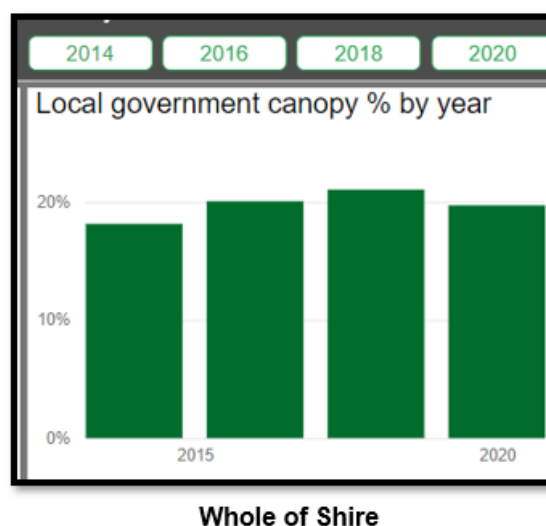
The Urban and Rural Forest Strategy is designed to guide actions to maintain and improve tree canopy and vegetation. The Strategy is implemented via a series of strategies and actions, such as canopy coverage targets, tree retention mechanisms, community education, and processes for selecting the right tree for each location.

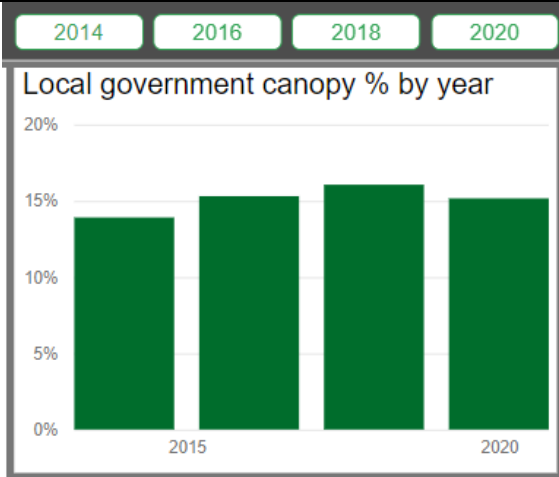
The principles and goals of the Strategy are also reflected into the planning and development approval process. Integration into the approvals process for new developments sets parameters for landscaping against coverage minimums.

The Strategy was adopted by Council in 2018, and as of 2022, is four years into its ten-year life. The implementation report (**attachment 1**) reveals that about half (49%) of the actions are implemented or ongoing (business as usual) and a quarter (24%) are partially implemented. This places the Strategy on track to achieve full implementation, within its ten year timeframe.

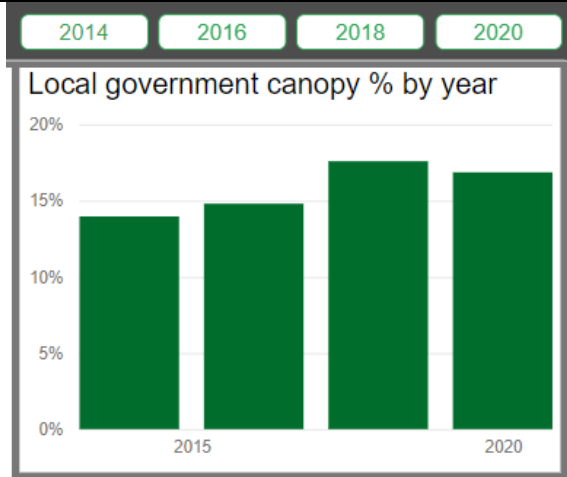
Of those partially implemented and not yet implemented actions, 2% are overdue, 8% are due in the current financial year, and the remainder are not yet due. The Strategy is actively monitored and reviewed, and Officers support implementation through aligning activities to achievement of the specific actions.

In respect of overall tree canopy status and tracking for the Shire, there are a number of influences which impact changes within the district. These can be understood through comparing a Shire wide result with specific suburb results. This is shown following:

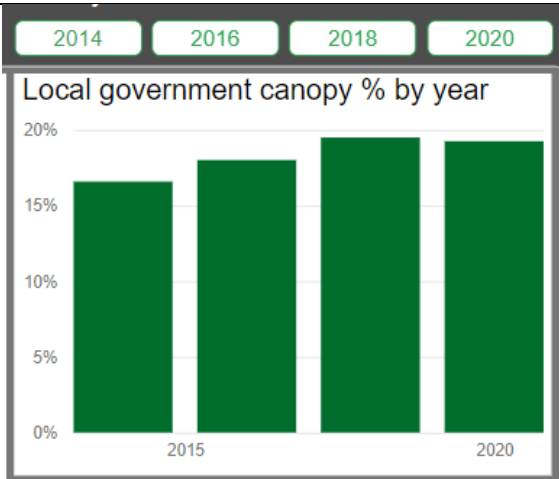




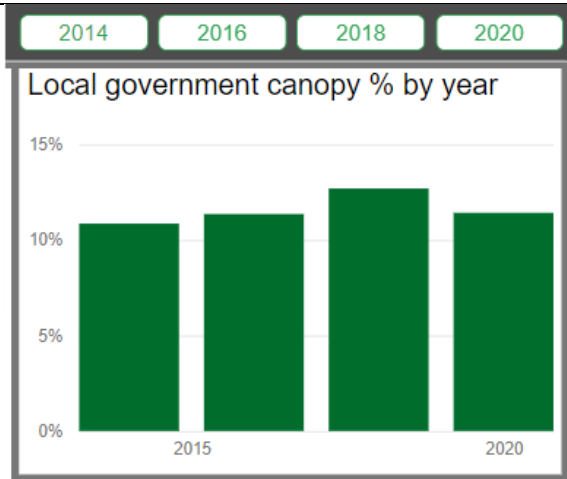
Byford



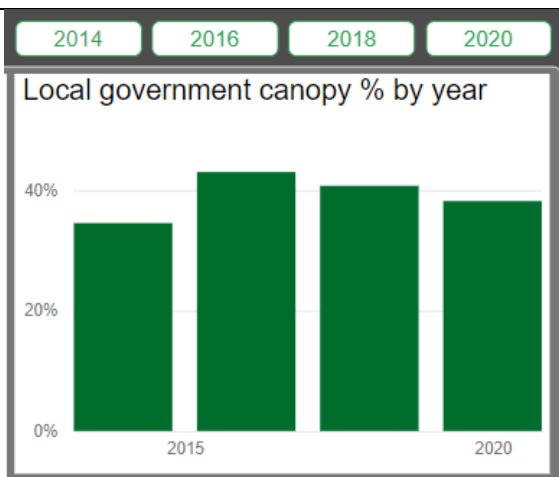
Cardup



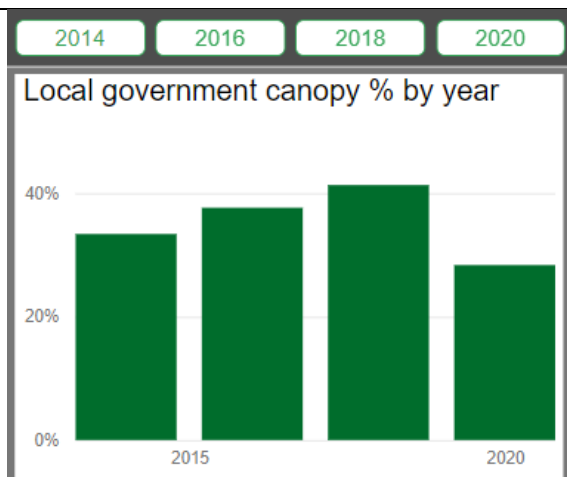
Darling Downs



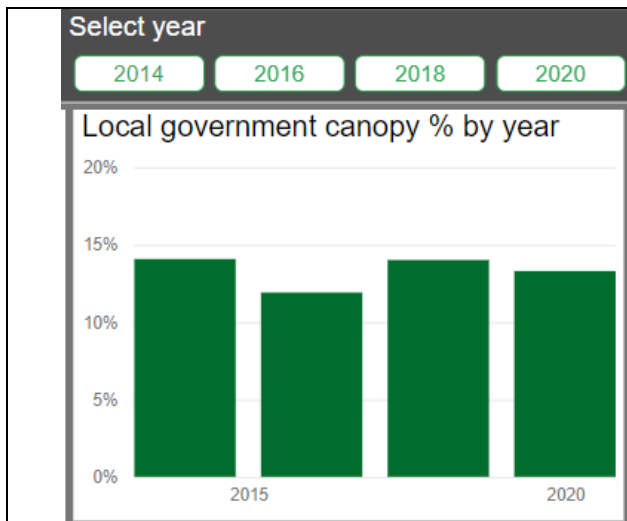
Hopeland



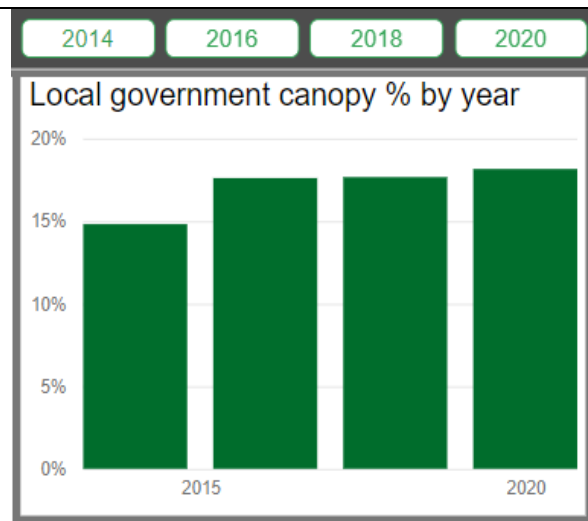
Jarrahdale



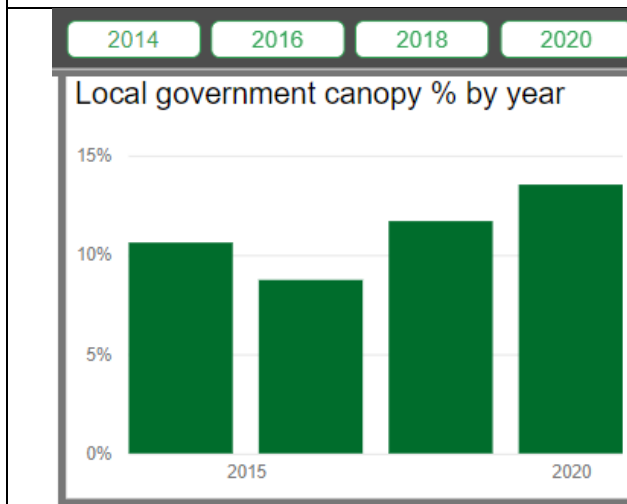
Keysbrook



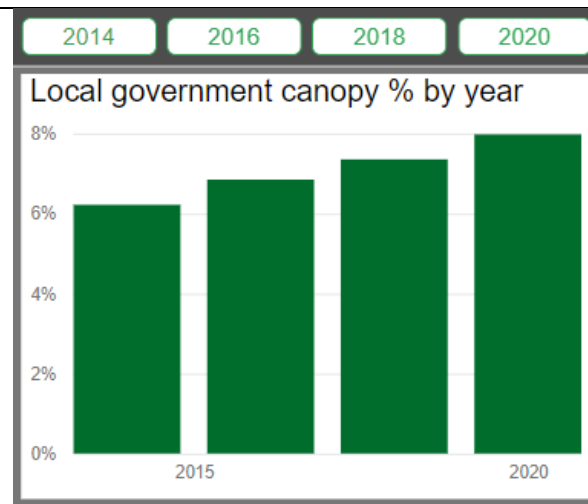
Mardella



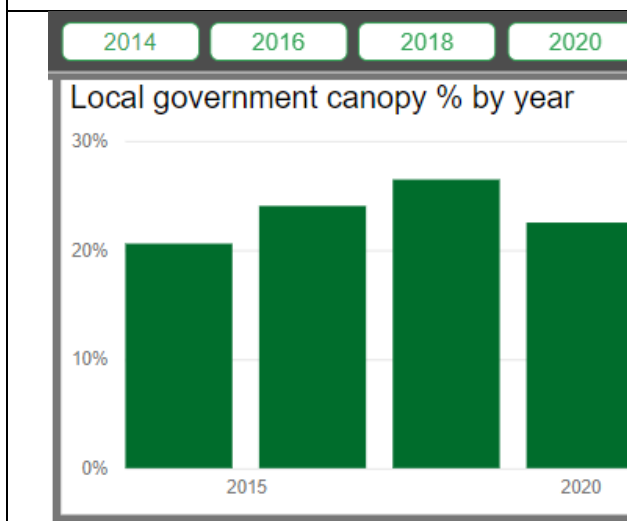
Mundijong



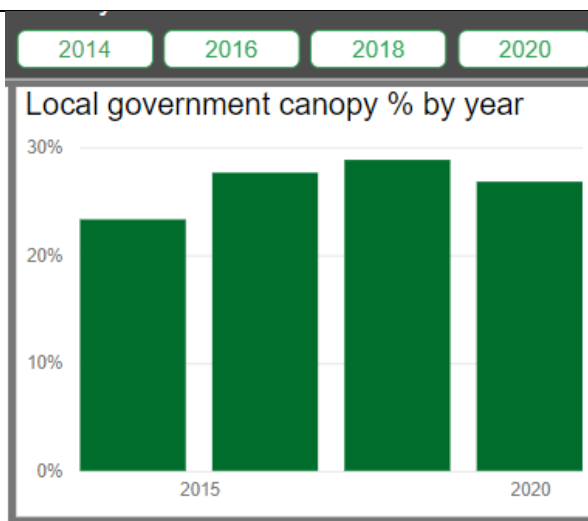
Oakford



Oldbury



Serpentine



Whitby



This data appears to reveal:

- The impacts of growth (Byford, Serpentine, Whitby);
- Sand mining activities (Keysbrook, Hopeland);
- Burning activities (Jarrahdale).

With further infrastructure being delivered for the Shire, growth rates continuing to remain high, and extensive mining now underway in the Darling Range area to the south of the Shire, there is expected to be further adverse trends in particular parts of the Shire when the 2022 results become available later this year. This will remain a focus of Officers interfacing with such projects, noting the supporting strategy and policy frameworks that seek to minimise and offset tree loss.

Options and Implications

Option 1

That Council NOTES the Urban and Rural Forest Strategy Implementation Report, as per **attachment 1**.

Option 2

That Council DOES NOT NOTE the Urban and Rural Forest Strategy Implementation Report.

Option 1 is recommended.

Conclusion

This cross-Directorate Progress Report on the Shire’s Urban and Rural Forest Strategy notes the progress made for all Goals and Strategies and Implementation Framework. This report was requested by Council at the Ordinary Council Meeting on 20 June 2022. As of August 2022, half the actions are implemented, a quarter are partially implemented, and 2% are overdue. Officers are continuing to monitor actions, and prepare (at appropriate stages) detailed business cases for consideration to continue what is currently an appropriate rate of implementation.

Attachments (available under separate cover)

- **10.1.7 - attachment 1** – Urban and Rural Forest Strategy Implementation Report (E22/10296)
- **10.1.7 - attachment 2** – Urban and Rural Forest Strategy (E18/9654)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Outcome 1.2	A recognised culture and heritage
Strategy 1.2.1	Recognise local heritage
Outcome 2.2	A sustainable natural environment
Strategy 2.2.1	Develop, maintain and implement plans for the management and maintenance of Shire controlled parks, reserves, and natural assets



Financial Implications

Officers are continuing to monitor actions, and prepare (at appropriate stages) detailed business cases for consideration to continue what is currently an appropriate rate of implementation.

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 has no risks associated.						
2	Council not noting the update	Continuation of implementation as business as usual	Organisational Performance	Unlikely	Insignificant	LOW	Continued implementation as business as usual

Voting Requirements: Simple Majority

Officer Recommendation

That Council NOTES the Urban and Rural Forest Strategy Implementation Report, as per attachment 1.



10.1.8 - Final endorsement of Jarrahdale Oval Recreation Space and Trail Head Master Plan (SJ2081)

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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 endorsement of the Jarrahdale Oval Recreation Space and Trail Head Master Plan, in light of the submissions received during the community engagement period.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 20 June 2022 – OCM133/06/22 COUNCIL RESOLUTION / Officer Recommendation
That Council ENDORSES the Jarrahdale Oval Recreation Space and Trail Head Master Plan for purposes of community engagement as per the community engagement plan previously approved by Council.

Background

The Jarrahdale Trails Town Business Case was endorsed by Council in October 2021 as a guide for future use, facilities, and planning requirements for the Jarrahdale area. As part of the action plan for this business case, the drafting of a Master Plan was identified for Jarrahdale Oval, to guide future development of the precinct area, based upon the informing principles of the Jarrahdale Trails Town Business Case.

The Shire appointed UDLA to undertake the Jarrahdale Oval Recreation Space Trail Head Master Plan. UDLA provided the Shire with a Master Plan and Council endorsed the Master Plan in June 2022 as per **attachment 1** for the purpose of community engagement.

The Trails Head spatially aims to cater for the following:

- Large scale events and festivals;
- Small scale community events and markets;
- Trail users and specific parking needs;
- Dog off-leash park;

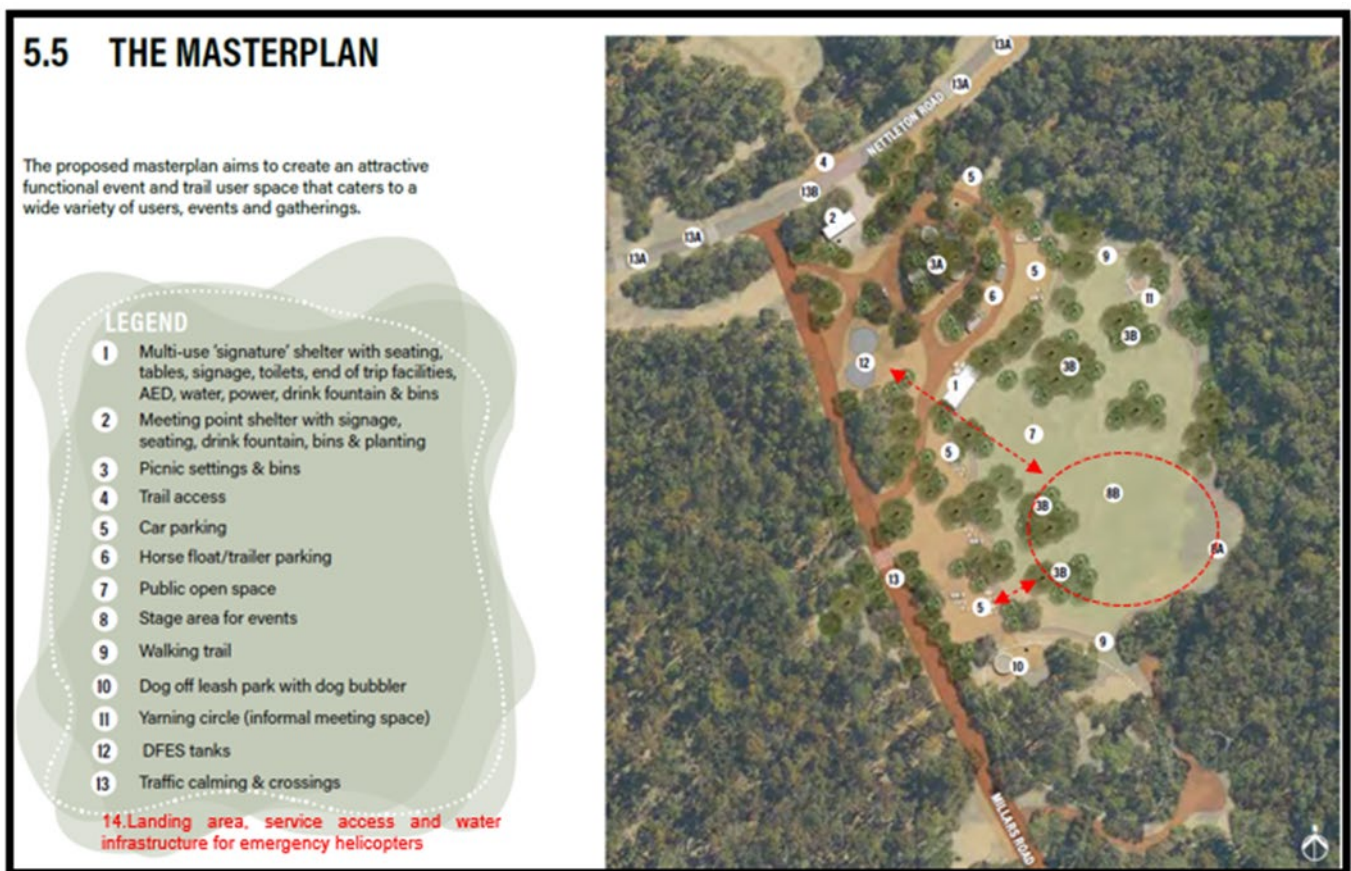


- DFES access to water tanks and fire safety.

The following principles aim to be the key drivers for change to the Jarrahdale Oval:

- Connect to and compliment the Trail Centre;
- Maintain and enhance Jarrahdale's natural and cultural heritage;
- Retain all trees;
- Be safe and accessible;
- Provide more opportunity for passive recreational pursuits and natural bushland connection.

The Master Plan that was advertised in the community engagement process aims to facilitate the aspects above. A copy of the Plan is shown below.



Jarrahdale Oval Recreation Space and Trail Head Master Plan Map

Community / Stakeholder Consultation

The Draft Master Plan was advertised for public comment between 8 June and 8 August 2022. Consultation took place in line with the endorsed Community Engagement Plan, using the 'Your Say SJ' portal, social media platforms and public notices. The Master Plan was published online to the project page via Your Say SJ. Relevant stakeholders and community groups were consulted via the Shire's Community Services Directorate and meetings with relevant advisory groups to enable appropriate participation and produce a wide variety of submissions.



Stakeholders included the Serpentine Jarrahdale Equine Community, Jarrahdale Volunteer Bushfire Brigade, Serpentine Jarrahdale Trails Walking Group, DBCA, relevant recreation bodies and other State Government Agencies.

In respect of submissions, 24 were received. These raised a number of feedback items, which include:

- Improving safety and security for the area;
- Concerns that a trails head at the oval could detract from secondary activities taking place within the town;
- Opportunity for BMX or pump track addition;
- Concern about a fire pit and potential issues this could cause;
- Concerns about ongoing hooning behaviour and how this could occur by increased activity at Jarrahdale Oval;
- Need to ensure adequate parking and road upgrades;
- Fencing to help keep animals out that could destroy revegetation activities;
- Support for greater community events and activation;
- Desire for protecting existing trees;
- Unclear as to what function the trails head will play, given it may not be the logical start point for trail walkers;
- Unclear as to whether some activities could be better located closer to town, for example Yarning Circle;
- Future redevelopment must not impinge upon the role the oval plays in relation to local emergency management. The oval provides Jarrahdale's only green open space suitable for aircraft landing and refuelling, for emergency evacuation of seriously injured people, for any ad hoc emergency incident management;
- Concerns about the level of activity that the facility provides, which could increase visitors;
- Request for active sports facilities, such as football goals;
- Could the site generate revenue to help maintain the improvements;
- Concerns regarding the ability to afford and maintain the improvements;
- Concerns regarding the reduction in the size of the dog exercise area;
- Maintaining access to emergency static water tank supplies.

These are dealt with specifically in the schedule of submissions, and discussed further following.

Comment

The full Schedule of Submissions is as per **attachment 2**. Officer responses to the submissions are included in the Schedule of Submissions.

It was noticeable from the submissions that the oval plays a valued role, not only for community recreation and special events, but also for emergency fire and rescue operations in the event of natural and other disasters. There are a number of potentially competing priorities, and it is the



role of the Master Plan to attempt to moderate between priorities, and set a unified plan for the future.

In respect of emergency management, Officers consider this to be an important consideration, and this does require amendments to the version of the plan advertised. The key changes to facilitate this operation is to allow for sufficient space and clearance on the oval to safely land emergency rescue helicopters, and to be effectively fuelled or accessed whatever the case may be. It is therefore important to ensure that this is a key aspect which is reflected by the Master Plan.

The take-off and landing distances for helicopters will need to be addressed at detailed design stage, to take into consideration the flight paths and spatial operational requirements of the emergency rescue helicopter and possible emergency landing areas for helitacs. The Civil Aviation Safety Authority identify the importance of providing suitable clearance to allow for an angled decent and take-off. Furthermore, the kinds of trees to be planted in the area should not exceed a safe maximum height to allow rotorcraft operation and from an operational perspective, there will be a requirement to reduce the vegetation height in some areas to facilitate the safe flight path.

A sufficient area for landing and refuelling will also have to be made available which may necessitate the deletion of the proposed tree infill south of the oval (#38 as seen in the map). This area will also have to be of sufficient size to accommodate Fire Brigade training needs. This needs to also include:

- a small diameter pipeline from the water tanks to the area;
- suitable access for fuel trucks and other vehicles that may be required to service the helicopters.

This spatial component is recommended to be added to the Master Plan and detailed in the associated text.

Other considerations

The submissions supported the retention and strengthening of natural elements, natural shade, and enhanced use of the space for equine and other uses. There were concerns that the location was away from the town, which could take activity away from the town rather than supporting the vibrancy of the town itself. It is considered, however, that the trails head will be secondary to an ultimate trails centre, which would be the facility that creates the focus of activity and be located within the town.

The development and integration of trails and the use of the oval as a trail hub was flagged as an important aspect that will have to be further developed through the Trails Development Program. The overall Trails Town Business Case contemplates the role of the trail head as a supporting piece of infrastructure, that can focus upon a range of trail users being accommodated.

The Master Plan does not attempt to provide complete design solutions for all the elements as this is not possible at this scale. The implementation of these proposals will have to be detailed during the design process of the various components, taking the other activities into consideration, and based upon the guidance provided by the Master Plan. This includes the size, scale and availability of the dog park, the suitability of a fire pit at the yarning circle, the upgrading of the roads and parking facilities. It is acknowledged that feedback range in degrees of support and non support for differing elements, but overall Officers consider that the collection of elements are important to creating a degree of focus and diversity in activity for a location that is otherwise relatively isolated.



Submissions also reflected on the management of the oval and the current shortcomings regarding the facilities. This is also reflected by the planning for the oval, which does seek to ensure the right scale of facility is delivered, and the right collection of supporting activities integrated.

While noting the submissions received, Officers recommend the only change being in response to the emergency management requirements needing to be maintained as part of the oval.

Options and Implications

Option 1

That Council ENDORSES the Jarrahdale Oval Recreation Space and Trail Head Master Plan, subject to the modifications required to accommodate emergency helicopter operations from the site.

Option 2

That Council DOES NOT ENDORSE the Jarrahdale Oval Recreation Space and Trail Head Master Plan.

Option 1 is recommended.

Conclusion

The purpose of advertising the Master Plan is to provide an opportunity for consultation to the community and relevant stakeholders enabling a solid foundation of understanding for a Master Plan. The submissions identified various useful aspects, which have been considered and form part of the recommendation to Council. Officers recommend that Council support the identified change to the Master Plan, to ensure operation of emergency helicopters from the oval and endorse the Jarrahdale Oval Recreation Space and Trail Head Master Plan as a guide for future planning of this space.

Attachments (available under separate cover)

- **10.1.8 – attachment 1** – Jarrahdale Oval Recreation Space and Trail Head Master Plan (IN22/8998)
- **10.1.8 – attachment 2** – Summary of Submissions (IN22/17121)

Alignment with our Strategic Community

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 3.2	A vibrant tourist destination experience
Strategy 3.2.1	Actively support tourism growth within the district
Outcome 4.2	A strategically focused Council
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions



Financial Implications

The implementation of the Master Plan has been staged in three parts. It has an identified potential cost of circa \$4m, noting this is not identified for funding under the Long Term Financial Plan. Given this, implementation of the Master Plan will be reliant on grant opportunities and advocacy, both of which will benefit from having a Master Plan adopted that supports the case being made.

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	Endorsement of the Master Plan could create a suboptimal outcome for the site from certain community perspectives given the divergent community views	Robust assessment	Reputation	Possible	Moderate	MODERATE	The assessment has been documented in the report to council
2	If Council resolves not to endorse the Master Plan, the site will continue to operate as is, and the Trails Town Business Case will likely be delayed in implementation given the keynote action associated with the oval.	Strategic Planning Framework.	Reputation	Possible	Moderate	MODERATE	Nil.

Voting Requirements: Simple Majority

Officer Recommendation

That Council ENDORSES the Jarrahdale Oval Recreation Space and Trail Head Master Plan, subject to the modifications required to accommodate emergency helicopter operations from the site.



10.1.9 - Approval of the Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan (SJ3901)

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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 for Council to resolve to approve the Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan in terms of Section 77K(3) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Advancing the Shire's Parking Plan under the auspices of the new provisions introduced into the Deemed Provisions, will enable the Shire to maintain a consistent, fair, and transparent approach to the consideration of relevant development proposals specifically in the Byford Town Centre.

Relevant Previous Decisions of Council

*Ordinary Council Meeting - 20 June 2022 - OCM135/06/22 - COUNCIL RESOLUTION / Officer Recommendation -
That Council RESOLVES to prepare and advertise the Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan in accordance with Section 77K(1) of the Planning and Development (Local Planning Schemes) Regulations 2015.*

Background

The Action Plan for Planning Reform (Action Plan) called for a consistent policy with practical criteria, basic benchmarks and fair methodology for considering the use of cash in lieu of car parking in established town centres, retail/café corridors and other commercial and mixed-use centres.

The purpose of standardising how local governments implement cash in lieu is to better create certainty and transparency for all parties in the assessment of development applications throughout the Perth Metropolitan and Peel Region Scheme areas. This is particularly important in rapidly growing centres like the Shire, where planning is undertaken in a clear, consistent, fair and equitable manner to underpin effective outcomes.

It is noted that cash in lieu is only applicable for non-residential development that requires development approval and a parking space shortfall of at least two bays is applicable.

This Payment in Lieu of Parking Plan (the Plan) has been created under the framework of the Deemed Provisions, and has been prepared in the Manner and Form approved by the Western Australian Planning Commission (WAPC).



It continues the current planning and policy frameworks for the Shire, which provide for cash in lieu arrangement and supporting policy framework.

Council has now formally advertised the Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan in terms of Section 77K(1) of the Deemed Provisions.

Community / Stakeholder Consultation

The Plan was advertised in accordance with the requirements of the statutory provisions with formal advertising closing on 26 August 2022.

A total of four submissions were received. It is noted that two of the submissions were concerned that Council was going to require payment for parking in the town centre from shoppers and residents, which is not the case. The Plan only requires payment in-lieu-of parking that development need to provide as part of their planning requirements when they are unable to do so in their developments. Two of the submissions requested that more parking be provided in the town centre. This cannot be mandated by the Plan as it is regulated by the Local Planning Scheme. Both did support the provision of parking in George Street, Byford.

As such, Officers consider that these submissions do not address any fundamental shortcomings of the Plan and therefore do not require any changes to the Plan.

The submissions are listed below:

Submitter	Submissions	Officer Response and recommendation
Anonymous Submitter 1 through Your Say SJ	<i>With the highest rates in the state, you want to charge for parking? Can't think of an area in Armadale even that charges for parking in the central city. Time limits, I can support that. Supplying 'minimum' car parking and then charging, feels like the Shire isn't supporting the town's needs or growing needs. Provide adequate and surplus parking for a growing and thriving town, please.</i>	The Plan does not propose to charge residents and shoppers for parking or time-limit parking.
Anonymous Submitter 2 through Your Say SJ	<i>There will need to be more parking than suggested. Make development pay for parking plan right at the beginning and think of the future needs. I agree with parking on George.</i>	The Plan allows for shortfalls in parking on private developments to be provided on roads such as George Street, Byford.
Anonymous Submitter 3 through Your Say SJ	<i>As a rates payer in Jarrahdale , we have lost Council services and our rates have not been reduced. I see no need for this parking plan, it's just to get more money from us. We don't know where the money will go, and this should have been organised prior</i>	The Plan does not propose to charge residents and shoppers for parking. Parking provided for through the Plan will be provided in George Street and the Plan has been drafted to allow for sensible planning for possible parking



Submitter	Submissions	Officer Response and recommendation
	<i>to development for enough parking. Isn't that called town planning.</i>	shortfalls that may be experienced in the Byford Town Centre.
Anonymous Submitter 4 through Your Say SJ	<i>I believe the council should enforce current parking requirements on businesses wishing to develop land in the Byford town centre AND provide parking in the areas on the map provided. Of particular concern is parking for people with disabilities, parents with young children and older people. They should be able to park near businesses they need to visit. If the development is not suitable without its own parking, then it isn't suitable.</i>	The local planning framework determines the number of parking spaces; the Parking Plan essentially distributes those that cannot be provided on site to those areas that require additional parking such as George Street.

Statutory Environment

Planning & Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 9A 77K. Advertising payment in lieu of parking plan

(3) After the expiry of the period within the submissions may be made, the local government must-

(a) review the proposed payment in lieu of parking plan in the light of the submissions made;

(b) resolve -

(i) to approve the plan without modification; or

(ii) to approve the plan with modifications; or

(iii) not to approve the plan.

(4) If the local government approves the payment in lieu of parking under subclause (3)(b)(i) or (ii), the local government must publish notice of the approval in accordance with clause 87.

Comment

Payment in lieu (also called cash-in-lieu) for car parking refers to a payment made “in lieu” of providing the minimum number of on-site car parking spaces specified in the planning framework. Local Governments can use the funds generated from payment in lieu payments to construct additional shared public parking for a particular area or initiatives such as new footpaths, cycling infrastructure, improved public transport or other appropriate community benefits.

This Plan, together with the Deemed Provisions, governs the application of payments in lieu of providing car parking for development in the area(s) identified in this Plan. This Plan outlines the purposes for which payment in lieu of car parking will be used in the areas(s) identified and how money collected will be administered.

The Plan has the following objectives:



- a. To facilitate the provision and development of adequate parking facilities within the Byford Activity Centre, which reflects the planning intent for a mixed use, urban, vibrant and accessible centre.
- b. To provide the optimal balance of parking, which recognises and supports the desired planning intent for an accessible activity centre by all modes of transit.
- c. To ensure that parking does not create an adverse impact upon the planned public realm of a walkable, active and desirably street edged development form in the activity centre.
- d. To support access by public transport, walking and cycling, as well as private vehicles.

The Plan identifies, under s3.1c, the nominated infrastructure to be funded by payments in lieu of parking. This includes:

- the location of the preferred parking infrastructure, which is on the western road verge of George Street, delivered as 90 degree embayed parking;
- the location of the preferred street tree planting along Abernethy Road shared paths.

The Payment in Lieu of Car Parking Plan (Plan) manner and form template - clause 77J of the Deemed Provisions - requires a Plan to be prepared in the manner and form approved by the Western Australian Planning Commission (WAPC). Local governments are required to approve a Plan to apply cash in lieu conditions to development approvals. The Plan is required to specify the area to which it applies, and the purpose for which money is paid. It may apply to any part or all of a scheme area, as set out in a Local Planning Scheme.

The Plan has effect for 10 years, unless otherwise approved by the WAPC. The Plan will be revisited when the need for additional payment in lieu of parking occurs in other developing areas, such as Mundijong.

Following on from the formal advertising as discussed under the Community / Stakeholder Consultation section, Council is requested to decide whether to approve the plan with modifications, without modifications, or to not approve the plan. As the submissions received do not object specifically to the statutory provisions of the plan and do not require modifications to the plan, it is recommended that the Serpentine Jarrahdale Payment in Lieu of Parking Plan be approved without modifications.

Options and Implications

Option 1

That Council:

1. RESOLVES to approve the Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan (the Plan) without modification in accordance with Section 77K(3) of the Deemed Provisions of the Scheme.
2. REQUESTS the Chief Executive Officer to publish notice of the approval in accordance with clause 87 of the Deemed Provisions.

Option 2

That Council RESOLVES not to approve the Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan.

Option 1 is recommended.

**Conclusion**

This Payment in Lieu of Parking Plan, together with the Deemed Provisions, governs the application of payments in lieu of providing car parking for development in the area(s) identified in this Plan. This Plan outlines the purposes for which payment in lieu of car parking will be used in the areas(s) identified and how money collected will be administered. It does not propose that residents and shoppers in the Byford Town Centre pay for parking.

Following on from the formal advertising, Council is required to decide whether to approve the Plan with modifications, without modifications, or to not approve the Plan. As the submissions received do not object specifically to the statutory provisions of the Plan and do not require modifications to the Plan, Officers recommend that the Serpentine Jarrahdale Payment in Lieu of Parking Plan be approved without modifications.

Attachments (available under separate cover)

- **10.1.9 - attachment 1** - Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan (E22/6895)

Alignment with our Strategic Community Plan

Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework
Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources

Financial Implications

The Shire has established and maintains a Reserve Account for money collected under the Plan (clause 771(1)) established under the provisions of the *Local Government Act 1995*, Section 6.11. The reserve account is operated in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*. Interest earned on the Reserve Account under the Plan is treated in accordance with clause 771 of the Deemed Provisions. One payment in lieu of parking amount exists within the account, and is available for implementing the plan. This amount is \$96,000.



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 Option 1.						
2	If the Parking Plan is not approved the Shire will not be able to allow payment-in-lieu parking to be made to assist with development in the Byford Activity Centre and allow the approval of development applications that require payment in lieu to facilitate the development.	Planning framework	Financial	Possible	Moderate	MODERATE	Explain reasons for not supporting the plan

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **RESOLVES** to approve the Draft Serpentine Jarrahdale Payment in Lieu of Parking Plan (the Plan) without modification in accordance with Section 77K(3) of the Deemed Provisions of the Scheme.
2. **REQUESTS** the Chief Executive Officer to publish notice of the approval in accordance with clause 87 of the Deemed Provisions.



10.1.10 – Final Endorsement of Shire of Serpentine Jarrahdale Local Heritage Survey (SJ2740)

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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

This report provides Council with the results of the community engagement regarding the Shire's Local Planning Survey, based upon Council's adoption of the draft Local Heritage Survey in December 2021.

It also requests Council to endorse the final Local Heritage Survey for submission to the Heritage Council. Subject to Council endorsement, the Local Heritage Survey will reflect the requirements of the new Heritage Act 2018 pertaining to local governments preparing such survey.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 13 December 2021 – OCM341/12/20 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

- 1. ENDORSES the Draft Local Heritage Survey for the purposes of community consultation for a period of 60 days;*
- 2. REQUESTS the Chief Executive Officer to ensure all place owners on the Draft Local Heritage Survey are sent a letter advising them of the Draft Survey, the consideration to classify their place and the table explaining the different classifications.*

Background

The *Heritage Act 2018* (the Act) requires each local government to identify places of cultural heritage significance in a Local Heritage Survey. This is intended to be an up-to-date list of such places, noting that the Shire's original Survey is in excess of 20 years old and needed review. An up to date survey is considered the most effective control to understanding the cultural heritage significance of places within the district, based upon collaboration with the community.

The Shire's Corporate Business Plan 2020-2024 highlights the importance of Arts, Culture and Heritage within the Shire. The Plan identifies that the Shire "...provide local programs and opportunities for residents to participate and engage in arts, culture and heritage" and provides outcomes to recognise local heritage (1.2.1).



This action is in part dependent on the Shire preparing an up-to-date Local Heritage Survey, to replace the original version dated 2000. Once the Local Heritage Survey has been updated and renewed, it will be a good opportunity to consider ways in which to support place owners and the community in experiencing and learning about heritage.

In February 2021, Council resolved to undertake community engagement to invite new nominations for places, and obtain updated information for existing places, to form a new Draft Local Heritage Survey.

In December 2021 Council endorsed the Draft Local Heritage Survey as per **attachment 1** for the purposes of community consultation for a period of 60 days and required that all place owners on the Draft Local Heritage Survey be sent a letter advising them of the Draft Survey, the consideration to classify their place, and the table explaining the different classifications.

Community / Stakeholder Consultation

The latest engagement focused on specific landowners of places, and resulted in 197 letters of engagement being sent. During this period, Officers met with any landowners who had requested further discussion. The engagement resulted in 28 responses, of which 23 were objections to proposed place classifications, with the remaining five supporting the proposed place classification.

The responses to the engagement and the submissions received are as per **attachment 2**.

Statutory Environment

Legislation

- *Heritage Act 2018*, Part 8 – Local Heritage Surveys
- *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 Part 3 Clause 8.

State Government Guidelines

- Guidelines for Local Heritage Surveys

Comment

Heritage surveys are a compilation of all places that the community have identified that could be of heritage value. The survey then classifies those places that are assessed as having heritage value, into one of four Management Categories depending on their heritage significance.

Management Categories 1 and 2 are provided specific heritage protection under the planning framework, while Category 3 and Category 4 indicate some heritage significance, though not to the degree that warrants protection under the planning framework.

In many cases, the assessment of a specific place is not able to classify it into one of the above four Management Categories, due to insufficient information or just because it does not have the heritage significance that allows it to be classified at all. In those situations, such places are included in the survey as having been nominated, but not classified and thus not having any encumbrances or protection as a heritage place.

Change to Management Categories

The Management Categories that are to be used in the Local Heritage Survey are as per **attachment 3** to the report. The table below is a summary:



Level of significance to the local area	Classification	Description
Exceptional	Category 1	Essential to the heritage of the locality rare or outstanding example.
Considerable	Category 2	Very important to the heritage of the locality.
Some/moderate	Category 3	Contributions to the heritage of the locality.
Little	Category 4	Has elements or values worth noting for community interest otherwise makes little contribution.

It should be noted that Category 3 has been revised to be more reflective of the classification required for heritage buildings in Serpentine Jarrahdale. The change is reflected in the table below:

Original Category 3	Revised Category 3
<p>Significant as an individual place with considerable value to the Municipality.</p> <ul style="list-style-type: none"> • Retain if possible; • Protection of façade or retain scale and setback in the event of demolition and redevelopment; • Encourage adaptive re-use; • Photographically/oral history record the place prior to any major redevelopment or demolition. Refer to <i>Guide to preparing an Archival Record</i> Heritage Council. 	<p>Significant as an individual place with considerable value to the Municipality.</p> <p>Possible recommendations:</p> <ul style="list-style-type: none"> • Retain if possible; • Encourage adaptive re-use of the building; • Recommend protection of façade where warranted, retain scale and setback or reuse building materials if possible, in the event of demolition and redevelopment; • Photographically / oral history record the place prior to any major redevelopment or demolition. Refer to <i>Guide to preparing an Archival Record</i> Heritage Council.

Assessment of nominated heritage places

Given the importance of a robust assessment of place classifications, Officers applied for and were awarded a heritage grant from the Department of Planning, Lands and Heritage. This grant was for the purposes of engaging a heritage consultant, to assist Officers and Council with a reassessment of those places that were particularly close between two levels of category. This has allowed a degree of independent assessment to occur, which has added robustness to the final recommendation to Council. The consultant report is as per **attachment 4**.

Final Local Heritage Survey

The outcomes from landowner engagement, Officer assessment and consultant review are provided following.

An abridged list of places in the Local Heritage Survey as per **attachment 5** presents a table of the places that have been categorised in the Heritage Survey due to their significance as per the above categorisation methodology.

A list of places not categorised in the Local Heritage Survey is as per **attachment 6**. This table presents a list of places that were included in the original survey, but cannot be classified due to



insufficient information being available to endorse a specific heritage classification. These places are suitable to be listed in the Survey because they were nominated, but are not classified and have no heritage status. This may change in the future if additional information comes to light, to illuminate further heritage value that may warrant categorisation.

The full Local Heritage Survey is as per **attachment 7**. This is the formal document that will be presented to the Heritage Council in terms of Section 103 (1) of the *Heritage Act 2018*.

Consideration of places to be included in the Local Planning Scheme Heritage List

The process of a Local Heritage Survey also informs a future process to determine what additional places Council may choose to elevate to a Heritage List under the Scheme. That is, a Local Heritage Survey does not, in and of itself, automatically elevate a place on the Survey to a Heritage List. Rather, it is a decision of Council under Clause 8(1) of the Deemed Provisions of the Scheme which states:

8(1) The local government must establish and maintain a heritage list to identify places within the Scheme area that are of cultural heritage significance and worthy of built heritage conservation.

In maintaining a heritage list (given the Shire already has one under the Scheme), Clause 8(3) of the Deemed Provisions states:

8(3) The local government must not enter a place in, or remove a place from, the heritage list or modify the entry of a place in the heritage list unless the local government -

- (a) notifies in writing each owner and occupier of the place and provides each of them with a description of the place and the reasons for the proposed entry; and*
- (b) invites each owner and occupier to make submissions on the proposal within a period specified in the notice; and*
- (c) carries out any other consultation the local government considers appropriate; and*
- (d) following any consultation and consideration of the submissions made on the proposal, resolves that the place be entered in the heritage list with or without modification, or that the place be removed from the heritage list.*

In completing the updated Local Heritage Survey, Officers can in the future report to Council on the Heritage List, and any changes in this respect.

It is generally expected that all Category 1 and Category 2 places be elevated to the Heritage List under the Scheme (thus enabling a greater degree of protection). Category 3 and Category 4 places would generally be expected to remain only on the Survey. This will be the subject of future reporting to Council, consistent with the Deemed Provisions process.

From an incentive based perspective, Clause 12 of the Deemed Provisions states:



- 12. Variations to local planning scheme provisions for heritage purposes**
- (1) The local government may vary any site or development requirement specified in this Scheme to —
 - (a) facilitate the built heritage conservation of a place entered in the State Register of Heritage Places under the *Heritage Act 2018* section 42 or included on the heritage list; or
 - (b) enhance or preserve heritage values in a heritage area.
 - (2) A variation under subclause (1) may be unconditional or subject to any conditions the local government considers appropriate.
 - (3) If the local government is of the opinion that the variation of site or development requirements is likely to affect any owners or occupiers in the general locality of the place or the heritage area the local government must —
 - (a) consult the affected parties by following one or more of the provisions for advertising under clause 64(4); and
 - (b) have regard to any views expressed prior to making its determination to vary the site or development requirements under this clause.

From a regulatory perspective, Clause 13(2) of the Deemed Provisions states:

13(2) If the local government forms the view that a heritage place is not being properly maintained the local government may give to a person who is the owner or occupier of the heritage place a written notice requiring the person to carry out specified repairs to the heritage place by a specified time, being a time that is not less than 60 days after the day on which the notice is given.

This is subject to independent review by the State Administrative Tribunal (SAT), if an affected landowner felt aggrieved by such written notice. This power is intended to avoid demolition by neglect.

Finally, it would be unlikely that a place on the Heritage List (Management Category 1 and 2) would be permitted to be demolished, however this would be subject to a merits-based assessment by way of a development application.

Officers intend to report to Council in the future, subject to the outcomes of the Local Heritage Survey, pertaining to the Shire's Heritage List as per the Deemed Provisions.

Summary of outcomes of the engagement and the impact on the Local Heritage Survey

Officers have considered all feedback received and have engaged the assistance of a suitably qualified consultant to assist in reviewing eleven sites that needed further investigation and heritage assessment. A summary of modifications to the previous version of the Local Heritage Survey in table format is listed following:



Nominated Place	Number of places included	Next steps
Category 1	8	To be included in the Local Planning Scheme No.3 Heritage List
Category 2	36	To be included in the Local Planning Scheme No.3 Heritage List
Category 3	49	Consideration given to recommendations when building applications are received
Category 4	17	Consideration given to recommendations when building applications are received
Uncategorised	68	No action – possible re-assessment in next survey

The following table reveals the place names and addresses for Category 1 and 2, including **highlighting in yellow** those places which are not yet on the Heritage List.

Category	Description
Category 1	<p>Whitby Falls Hostel (Whitby Falls Estate) - 1617 South Western Highway, Whitby</p> <p>Middleton's Store (Serpentine General Store) - 6 Wellard Street, Serpentine</p> <p>Spencer's Cottage (Carralong Cottage) - Serpentine Gorge</p> <p>Turner Cottage - 1631 Karnup Road, Serpentine</p> <p>Mill Manager's Residence - 25 Foster Way, Jarrahdale</p> <p>Whitby Falls Coach House (Jarrahdale Inn c1873) - 1600 South Western Highway, Whitby</p> <p>Lowlands (Group of Buildings) - 509 Lowlands Road, Hopelands</p> <p>Old Serpentine School (Bridge School) and large Moreton Bay Fig - South Western Highway, Serpentine</p>
Category 2	<p>Uniting Church (Byford Uniting Presbyterian Church) - 9 Clifton Street, Byford</p> <p>Baldwin's Cottage (Staging Post and Inn) - 2464 South Western Highway, Serpentine</p> <p>Bateman Homestead - 150 Jersey Road, Oakford</p> <p>Former Catholic Convent and Church (St. Maria Goretti's) - 21 Atkins Road, Jarrahdale</p> <p>Buckland's Cottage (Millbrook Cottage) - 16 Rhodes Place, Jarrahdale</p> <p>Chestnuts - Chestnut Road, Jarrahdale</p> <p>Jarrahdale Tavern (former Murray Arms Hotel) - 640 Jarrahdale Road, Jarrahdale</p> <p>Bishop Hale's Cottage (Lefroy's) - 65 Gordon Road, Serpentine</p> <p>Stone Ruins (Longbottom's Cottage) - 64 Gordon Road, Serpentine</p> <p>Gooralong Park and Remains of Flour Mill - Chestnut Road, Jarrahdale</p>



Category	Description
	Mundijong Tavern - 32 Paterson Street, Mundijong
	Residence (former Old Mundijong Hotel) - 233 Watkins Road, Mundijong
	The Nook (Szczenicki's Cottage) - Lot 1 Roman Road, Mundijong
	Mundijong Railway Station - Railway Reserve, Mundijong
	Keysbrook Farm House - 3303 South Western Highway, Keysbrook
	Old Bolinda Vale Farmhouse - 3067 South Western Highway, Keysbrook
	St Stephen's Church - 5 Falls Road, Serpentine
	Lake View (Mead's House) - 325 Kiln Road, Cardup
	Millrace Farmhouse - 4 Homestead Place, Byford
	Wungong Farm Cottage - 78 Bruns Drive, Darling Downs
	Lazenby's Old Farmhouse (Nairn's) - 101 Kiln Road, Byford
	Burnbrae Orphanage (Plaistowe's Farm) - 38 Admiral Road, Karrakup
	Ye Olde Serpentine Inn - Richardson Street, Serpentine (Railway Reserve)
	Old Cheese Factory - 46 Hall Road, Serpentine
	Yangedi Swamp - Yangedi Road, Hopelands
	Redgum Patch - Alice Road, Cardup
	Manjedal Brook - length from Nettleton to Kargotich Roads
	Italian Prisoner of War Camp - Balmoral Road, Jarrahdale
	Ivan Elliot's Shearing Shed - 761 Hopeland Road, Keysbrook
	Jarrahdale Swamp - Jarrahdale Road, Serpentine
	Flora Roads - Soldiers Road/Paterson Street (Turner Road to Mundijong Roads) and Mundijong Road from Paterson Street to Lightbody Road
	Jarrahdale Townsite Heritage Area (map included in Stephen Carrick Architects Heritage Report)
	Former Roads Board Building - 10 Paterson Street, Mundijong
	Mundijong Primary School (former) - 12 Paterson Street, Mundijong
	Hopeland School (Community Hall) - 289 Hopeland Road, Hopelands
	Old Post Office and Telegraph Office - 631 Jarrahdale Road, Jarrahdale

Jarrahdale Townsite Heritage Area

Jarrahdale Timber Town (Heritage Park) and Jarrahdale Townsite Heritage Precinct were assessed as part of the Local Heritage Survey (LHS) in the year 2000, resulting in overlapping curtilage areas indicated in mapping systems.

The Shire engaged a qualified Heritage Consultant to assess the Jarrahdale Timber Town (Heritage Park) and the Jarrahdale Townsite Heritage Precinct side-by-side to alleviate any confusion to the Jarrahdale Community.



Jarrahdale Townsite Heritage Area has a Management Category 2 'Very important to the heritage of the locality'.

Individual places within this area are also recognised as a Management Category 3 'Contributions to the heritage of the locality'.

A development application of an individual place would be assessed as a Category 3 for the place itself and also for its importance within the precinct of the Jarrahdale Townsite Heritage Area (Category 2).

This will recognise the dual ambition that balances individual 'Place' based proposals against the larger 'Area' based importance. The dual ambition is aimed at the preserving the feel of the Jarrahdale townsite as we all know and love, by avoiding any change to the overall character of the 'Area' through loss of individual places and the aesthetics they lend to Jarrahdale as a townsite.

Options and Implications

Option 1

That Council:

1. ENDORSES the Final Local Heritage Survey.
2. REQUESTS the Chief Executive Officer to advise the Heritage Council that the Shire has prepared a Local Heritage Survey in terms of Section 103 (1) of the *Heritage Act 2018* and to provide a copy of the finalised Local Heritage Survey to the Heritage Council and the public in terms of Section 103(4).

Option 2

That Council DOES NOT ENDORSE the Local Heritage Survey.

Option 1 is recommended.

Conclusion

This report updates Council on the outcomes of the recent community engagement that has taken place regarding local heritage within the Shire and more specifically the discussions and negotiations with landowners affected by the survey. The recent community engagement was based upon Council's adoption of the draft Local Heritage Survey in December last year.

It also requests Council to endorse the Draft Local Heritage Survey for submission to the Heritage Council.

Attachments (available under separate cover)

- **10.1.10 - attachment 1** - Draft Local Heritage Survey used for engagement purposes with landowners (E21/14565)
- **10.1.10 - attachment 2** - Schedule of Submissions (E22/756)
- **10.1.10 - attachment 3** - Final Management Categories (E22/10383)
- **10.1.10 - attachment 4** - Heritage Assessment for Local Heritage Survey Stephen Carrick Architects (IN22/18403)



- **10.1.10 - attachment 5** - Abridged list of places that have been categorised in the Local Heritage Survey (E22/10385)
- **10.1.10 - attachment 6** - Abridged list of places that have not been categorised in the Local Heritage Survey (E22/10386)
- **10.1.10 - attachment 7** - Final Local Heritage Survey for endorsement (E22/10494)

Alignment with our Strategic Community Plan

Outcome 1.2	A recognised culture and heritage
Strategy 1.2.1	Recognise local heritage

Financial Implications

There are no direct or indirect financial implications associated with the adoption of the strategy.

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	Progressing the Local Heritage Survey update for the first time since 2000 could create increased community attention on heritage, and this could create divergent community views, given the submissions received	A thorough assessment according to The Heritage Act 2018	Reputation	Possible	Major	SIGNIFICANT	This item has been reported to Council (three times) and extensively advertised to the community, with Officers also meeting with any concerned residents to discuss their concerns.
2	The Draft Local Heritage Survey is not progressed.	Nil	Reputation	Possible	Major	SIGNIFICANT	To ensure compliance with the Heritage Act, this option is not recommended.



Continued

Ordinary Council Meeting Agenda Monday, 19 September 2022

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **ENDORSES** the Final Local Heritage Survey.
2. **REQUESTS** the Chief Executive Officer to advise the Heritage Council that the Shire has prepared a Local Heritage Survey in terms of Section 103 (1) of the *Heritage Act 2018* and to provide a copy of the finalised Local Heritage Survey to the Heritage Council and the public in terms of Section 103(4).

**10.1.11 – Revision of Council Policy 2.1.11 – Street Lighting (SJ526-02)**

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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 request Council to amend Council Policy 2.1.11 – Street Lighting to provide the Shire's policy position regarding the provision of effective and efficient lighting on all new road, public open space and public accessway infrastructure projects.

The revised Policy seeks to support LED technologies as part of all new lighting assets. The Policy also aligns to the Western Power Corporate Strategy 2021 to 2031 which has an associated action to *Replace all streetlights with LEDs by 2029*.

Relevant Previous Decisions of Council

*Ordinary Council Meeting – 18 December 2017 – OCM179/12/17 – COUNCIL RESOLUTION / Officer Recommendation – **extract***

That Council:

- 1. Adopts the revised Policies as contained in attachment OCM179.1/12/17 effective from 18 December 2017.*

(Council Policy 2.1.11 – Street Lighting had minor revisions at this time.)

Background

The Shire is one of the fastest growing local governments in Australia. The Shire has a number of active subdivisions and developments underway, and this will continue well into the future as Byford and Mundijong continue rapid change.

Such subdivision and development activities involve the creation of new public roads and public open spaces, commensurate with the transfer of undeveloped (former) rural areas, into new urban areas. These new infrastructure assets require lighting, and such lighting consumes energy. Energy consumption is both a financial cost to local government, and an environmental cost in respect of the base load source of such energy.

Community / Stakeholder Consultation

Nil.



Statutory Environment

- Local Government Act 1995
- IPWEA (WA) Subdivisional Guidelines
- AS/NZS 1158. 1.2:2010 Lighting of roads and public spaces

Comment

A Council Policy exists in respect of Street Lighting (refer **attachment 1**). This Policy is recommended for updating, in order to establish the Shire's support and commitment to pursuing the highest efficiency solutions for new lighting assets. The new recommended Policy is provided at **attachment 2**.

The Policy updates include the following key matters:

1. Establishing the policy positions for all subdividers and developers, proposing new lighting assets as part of new road and POS infrastructure, to provide the most energy efficient lighting infrastructure that meets the applicable Australian Standards, available from Western Power's standard range.
2. Ensuring such new lighting assets are compliant with the requirements of the current edition of the Institution of Public Works Engineering Australia WA Division Subdivisional Guidelines (IPWEA Subdivisional Guidelines).
3. Supporting Light-emitting diode (LED) lighting as the preferred policy position for all new lighting assets.

The updates to the Policy will also enable subdividers and developers within the Shire to align their activities to Western Power's Corporate Strategy Action Plan 2021 to 2031. This identifies under the section *Decarbonising our community*, an action to *Replace all streetlights with LEDs by 2029*. Refer to **attachment 3** for the full version.

Corporate Strategy Actions | 2021-2031

Icon	Category	Key Actions
	Optimising our transition to the modular grid	<ul style="list-style-type: none"> Apply existing risk practices to the hybrid network Underground meshed urban areas through financial partnerships with local communities Deploy 4,000 SPS or equivalent in the autonomous network by 2031 Develop a roadmap for microgrids in the autonomous region and have appropriate trials in place by 2025 People, property and fleet investment to support the modular grid
	Integrating Distributed Energy Resources (DER) into the grid	<ul style="list-style-type: none"> Manage critical system low risks while maximising the opportunity for the community to invest in DER Develop a functioning distribution system operator capability by 2025, scale post 2025 Invest in SCADA to address obsolete assets, improve reliability and embrace new technology Complete the roll-out of advanced metering infrastructure by 2027 Connect up to 1GW/3GWh of storage to the network by 2031
	Delivering outcomes for customers	<ul style="list-style-type: none"> Improve response times for customers Proactive engagement to encourage industry attraction and development Review the contributions policy during AA5 Review credit policy for customer connections to provide greater flexibility Enable customer self-service by 2025 Developing standards to integrate flexible solar Continue public communication activities
	Driving financial sustainability	<ul style="list-style-type: none"> Recover \$B60M in deferred revenue in AA5 Engage government on long term financial sustainability Develop network tariff proposals that improve cost reflectivity Create a productivity improvement fund to target business improvements that deliver 6% IRR within five years Develop unregulated profitability of \$10M per annum by 2024 Investment benefits discipline Review approach to tax on capital contributions
	Decarbonising our community	<ul style="list-style-type: none"> Implement Western Power's 2050 net-zero transition plan by 2023 Ensure that Western Power can support greater than 50% of all energy needs by renewable sources by 2031 Transition >25% of our light passenger fleet to electric vehicles by 2025 Develop standards for the optimised charging of electric vehicles by 2025 Replace all streetlights with LEDs by 2029 Thought leadership on electrification



It is recommended Council amend Policy 2.1.11, including an appropriate update to its name being from *Street Lighting* to *New Lighting As Part Of New Public Infrastructure*.

Options and Implications

Option 1

That Council AMENDS Council Policy 2.1.11 New Lighting As Part of New Public Infrastructure as per **attachment 2**.

Option 2

That Council DOES NOT AMEND Council Policy 2.1.11.

Option 1 is recommended.

Conclusion

Amendment of Council Policy 2.1.11 will provide greater clarity on the Shire's expectations regarding the provision of effective and efficient lighting on all new road, public open space and public accessway infrastructure projects. It will create alignment to the broader commitments being made to transition lighting towards LED technologies. It will also result in lower energy costs and emission outputs. It is recommended for support.

Attachments (available under separate cover)

- **10.1.11 – attachment 1** – Existing Council Policy 2.1.11 – Street Lighting (E17/11944)
- **10.1.11 – attachment 2** – New Council Policy 2.1.11 – New Lighting As Part of New Public Infrastructure (E22/6701)
- **10.1.11 – attachment 3** – Western Power Corporate Strategy 2021 to 2031 (IN22/18124)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Outcome 1.3	A safe place to live
Strategy 1.3.3	Enhance community safety

Financial Implications

Amendment of Council Policy 2.1.11 will have positive financial implications, insofar that LED technologies use less energy. The component of the energy tariff associated with energy consumption will be lesser under an LED solution.



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	Council does not support changes to Council Policy 2.1.11.	Council has an existing, albeit old, Policy which will continue to represent Council's position.	Organisational Performance	Unlikely	Moderate	MODERATE	Implement the existing Policy.

Voting Requirements: Simple Majority

Officer Recommendation

That Council AMENDS Council Policy 2.1.11 New Lighting As Part of New Public Infrastructure as per attachment 2.



10.1.12 - Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup - Request for Preliminary Comment (PA22/538)

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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:	Burgess Design Group
Owner:	Land Group WA - Cardup PTY LTD
Date of Receipt:	20 July 2022
Lot Area:	55.5ha
Town Planning Scheme No 2 Zoning:	Rural
Metropolitan Region Scheme Zoning:	Rural

Report Purpose

The purpose of this report is for Council to consider the request received from the Western Australian Planning Commission (WAPC) to provide preliminary comment on the proposed Metropolitan Region Scheme (MRS) Amendment to rezone Lot 30 Soldiers Road to 'Urban' under the MRS, with a concurrent amendment to the Shire's Town Planning Scheme No. 2 (TPS2) to rezone the land to 'Urban Development'. It is recommended Council provide preliminary comment outlining the various regional planning considerations and opportunities, which provide a supporting framework for the proposed MRS Amendment.

Relevant Previous Decisions of Council

There are no previous Council decisions relating to this matter.

Background

The WAPC have requested that the Shire provide preliminary comment on a Proposed MRS Amendment to rezone a 55.5ha portion of land, forming part of the future Mundijong Urban Precinct. The proposal is to rezone the land from 'Rural' to 'Urban'. The subject site is located to the north west of Soldiers Road and Bishop Road as shown in Figure 1. The subject site has operated as a farm for livestock grazing since the 1970s, with several fenced open paddocks, a dwelling, various sheds, and structures. A water course traverses the central portion of the site in an east-west direction and is bordered by trees and some remnant vegetation.



The proponent provided a submission on the Shire's then Draft Local Planning Strategy and Draft Local Planning Scheme No. 3 in regard to the future urbanisation of the subject site, promoting an objectives-based approach to be undertaken. The proponent also provided a submission on the Shire's Draft Mundijong District Structure Plan, supporting the identification of the subject site as a Development Investigation Area and providing comments in regard to the transport network and Norman Road.



Figure 1: Subject Site

Community / Stakeholder Consultation

Once the Department of Planning, Lands and Heritage (DPLH) have received preliminary comments on the Proposed MRS Amendment, DPLH may present a report to the WAPC to consider whether to formally initiate an amendment to the MRS. Should an amendment be initiated, the WAPC will seek formal comment on the MRS Amendment proposal from the Shire, State agencies, stakeholders and the community.

Statutory Environment

Legislation

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



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 Strategy
- Draft Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
- Mundijong District Structure Plan
- Local Planning Policy suite

Planning Assessment

Planning Framework

The WAPC’s Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks provide a land use planning and infrastructure framework to accommodate 3.5 million people by 2050, defining the urban form of the Perth and Peel regions. Under the South Metropolitan Peel Sub-Regional Planning Framework, the subject site is identified as ‘Urban Expansion’. Urban Expansion is defined as *land that has been identified for future urban development*.

In respect of this specific land, the document states it represents consolidating and rounding off Mundijong. The land is shown following:



Extract from Frameworks Document



Local Planning Strategy

The subject site is identified as part of Development Investigation Area (DIA) 1 - Bishop Road Precinct under the Shire's approved Local Planning Strategy. The Local Planning Strategy states that all of the DIAs identified by the Strategy are located adjacent to existing urban areas and have the potential to be contained within logical boundaries such as major roads. Section 3.1.6 of the Local Planning Strategy outlines a development vision and intent for DIA 1, specifying the matters that require further consideration. These matters include innovative housing opportunities, resource and energy efficiency, managing the transition in land use and density to ensure land use compatibility, landscape protection and the surrounding road network.

Mundijong District Structure Plan

The subject site is identified as Development Investigation Area (DIA) 1 under the Mundijong District Structure Plan. The Mundijong District Structure Plan states that the purpose and intent of DIA 1 is to explore the potential for urban expansion with consideration for innovative housing opportunities. It also identifies the matters to be addressed by a future structure plan for the site. These matters to be addressed are similar to those identified within the Local Planning Strategy and specifically include:

- Investigate opportunities for innovative housing typologies that have consideration for best practice sustainability;
- Exemplar resource and energy efficiency;
- Water minimisation;
- Alternate construct methods;
- Investigate current zoning and land uses;
- Manage the transition of land uses most specifically to the north;
- Better utilise available land;
- Deliver innovative land use and housing diversity and choice;
- Reduce the need for people to travel by car;
- Identify infrastructure requirements;
- Servicing requirements;
- Visual/landscape protection;
- Bushfire hazard;
- Interface with Bishop Road, Soldiers Road, the future extension of Tonkin Highway and the newly identified roads (Doley and Norman Road extensions) required by the sub-regional framework; and
- Any other requirements that may be determined by the Shire of Serpentine Jarrahdale or State government agencies.

The Mundijong District Structure Plan identifies the western extension of Norman Road and a north-south road extending from Bishop Road, with the eastern portion of Bishop Road, which abuts Court Grammar School, becoming a lower order road connection. A high school has also been identified at the subject site within the Mundijong District Structure Plan.



Figure 2: Mundijong District Structure Plan

Transport Network

The Mundijong District Structure Plan identifies the western extension of Norman Road traversing the subject site. The WAPC's South Metropolitan Peel Sub-Regional Planning Framework states that *'some refinement of east-west connections may be appropriate, including westward extension of Norman Road to connect to Bishop Road'*. This connection has been reflected in the Mundijong District Structure Plan. The western extension of Norman Road provides a logical and important east-west transport connection, which will accommodate traffic to and from the Whitby urban area. The Norman Road extension through the subject site will set the cardinal directions to configure the street block orientation of the proposed 'Urban' area. It will also alleviate a significant conflict of traffic on Bishop Road at the intersection with Soldiers Road where Court Grammar School is located. This portion of Bishop Road abutting Court Grammar School will be a lower order road providing a safe active streetscape to interface with the school.

The Mundijong District Structure Plan identifies a north-south road connection extending from Bishop Road. This north-south road runs through the Planning Investigation Area of Cardup. The Shire has previously raised concerns about this Planning Investigation Area, and this potential north south road. According to the Shire's strategic planning, the intent for the Cardup rural living area, is to remain an equestrian focussed special rural zone, that reinforces a land use separation



between the Byford urban area and the Mundijong urban area. This reflects the intent of enabling unique a character to develop for both urban areas, rather than allowing a sprawling urban front to occur. Also, having accessible countryside close to urban areas has been seen as a central feature to the attractiveness of the Shire as a place to live.

As a result, Officers do not support the Bett Road connection through the established rural living precinct to the north of the subject site. The Bett Road connection would divide the existing rural living precinct, and would adversely impact the rural lifestyle amenity of the rural living properties, many of which accommodate equestrian activities. Increased traffic volumes and speeds through this character area are not appropriate and are not supported. North-south traffic flows can more appropriately be accommodated via the future Hopkinson Road/Doley Road connection. A north-south road connection from Bishop Road can connect with Hopkinson Road, providing an important local transport linkage.

Interface Management

Rural Living

The subject site abuts an established rural living area zoned 'Special Rural' under Town Planning Scheme No.2 and 'Rural Residential RR-2' under Draft Local Planning Scheme No.3. This area is comprised of existing rural living properties which are approximately 2ha in size. The interface between the proposed 'Urban' area and the rural living area must be sensitively managed with an appropriate transition in density to minimise adverse impacts on the rural living land uses, amenity and character. Many of the properties abutting the subject site accommodate equestrian activities which should be protected with an appropriate separation to future residential land uses at the subject site.

A sensitive transition in residential density should be identified at the northern interface of the subject site, providing homestead lots with residential densities no greater than R2 - R5. Visual amenity impacts to the rural living properties should be addressed with measures such as landscaped planted buffers and vegetation screening acting as a shelter belt at the northern interface of the subject site. This is important to retain the established rural lifestyle character and visual amenity of the rural living area. Management of this interface is dependent upon such transitional design arrangements that have been identified for the land.

Cardup Business Park

The Cardup Business Park is located to the north-east of the subject site and accommodates general industry land uses, provided such have no adverse offsite impacts. Specifically, a concrete manufacturing plant is located within the Cardup Business Park approximately 220m from the subject site. The Environmental Protection Authority's (EPA) '*Guidance for the Assessment of Environmental Factors No.3 - Separation Distances between Industrial and Sensitive Land Uses*' provides advice on the use of generic separation distances between industrial and sensitive land uses to avoid conflicts between incompatible land uses. Residential development is considered a sensitive land use under the EPA Guidance Statement. The EPA Guidance Statement outlines that a separation distance of 1,000m is required between sensitive land uses and cement product manufacturing works, where concrete or cement is mixed, prepared or treated, producing from 5,000 to 150,000 tonnes per year, due to noise and dust emissions. The above EPA Guidance Statement description of cement product manufacturing works is consistent with the existing operations within the Cardup Business Park. As such, the recommended buffer of 1,000m encroaches within the subject site, which is proposed to accommodate residential land uses. Additionally, the Shire has received current and historical



concerns from the community about noise and vibration generated by concrete manufacturing operations received at sensitive receptors located up to 1.3km away from the manufacturing area.

The EPA Guidance Statement contains that where practicable, adverse environmental impacts should not extend beyond the boundary of an industrial site, and where this is not possible, should not extend beyond the boundaries of a buffer area. Section 4.4.2 of the EPA Guidance Statement specifies where a proposed separation distance is less than the generic distance prescribed, it is recommended that the proposal does not proceed in the absence of site-specific investigations and a report demonstrating that the separation distance will meet acceptability criteria and that enforceable management techniques will be applied to ensure an appropriate environmental outcome. Therefore, a scientific study based on site and industry specific information must be prepared to demonstrate that a lesser buffer distance will not result in unacceptable impacts. Furthermore, the Environmental Assessment Report provided as part of the Proposed MRS Amendment should be modified to reflect the above recommended buffer requirement and should not state that noise and dust emissions are unlikely.

Railway

The subject site adjoins an existing railway to the east and the Kwinana Freight Rail to the south. The subject site falls within the State Planning Policy 5.4 Road and Rail Noise recommended 200m trigger distance for assessment of transport noise impacts from the Kwinana Freight Railway. Additionally, noise is to be expected to be received from train horns that must be used approaching the level crossing to the south. Potential noise impacts from the Kwinana Freight Rail should be addressed and the interface between the rail and the proposed urban area must be sensitively managed. A vegetation shelter belt should be retained to the north of the freight rail to address this interface. Consideration should also be given to the interface of the proposed urban area with Soldiers Road and the adjacent potential future passenger railway. There are many mature native trees within the road reserve of Soldiers Road on the eastern boundary, which creates a rural tree lined vista. This vegetation and vista should be retained.

Urban Form and Schools

The applicant has stated that it is the intent of the proposal to develop the subject site to provide affordable housing and sustainable housing opportunities in the locality. It is stated that this will include developer/builder synergies, sustainable development initiatives and housing affordability, with efficiency savings being passed on to future landowners. This development intent aligns with the objectives specified for the subject site under the Local Planning Strategy and Mundijong District Structure Plan. The site has the capacity to be developed into 'themed' neighbourhoods, under the overarching sustainable development vision.

The Mundijong District Structure Plan identifies a high school within the subject site, north of the extension of Norman Road. A primary school site has been identified in the western portion of DIA 1, which is not included as part of this proposed MRS Amendment. Future planning and design of the subject site should incorporate the high school site as identified within the Mundijong District Structure Plan.

Public Open Space and Drainage

A District Open Space (DOS) should be provided within the subject site, which accommodates a senior AFL sized oval. The DOS should be anchored at the prominent south-east corner location within the subject site. This location could also provide the opportunity for some shared use by the existing Court Grammar School, through increasing available green space nearby.



An existing water course traverses the subject site, which will be developed as a multiple use corridor (MUC). This central MUC will provide an ordering element for the future development of the subject site. Consideration should be given to the amount of land required for the water course, drainage and an appropriate foreshore reserve. As the site is located on clay soils with limited infiltration, a significant area of land may be required for drainage. Future planning of the subject site must ensure that the function of public open space areas includes useable active recreational spaces. It should be clarified if the site has sufficient groundwater allocation for public open space irrigation.

A Local Water Management Strategy (LWMS) will be required to be provided at the future structure planning stage. The Environmental Assessment Report provided with the MRS Amendment request does not provide current baseline monitoring. The subject site has some flood constraints in its current form, which will need to be addressed in a LWMS. The LWMS also must address drainage across Soldiers Road and to the railway corridor with the support of the relevant agencies. The Environmental Assessment Report states that there are no available groundwater contours across the subject site. There will need to be further groundwater monitoring undertaken to support the LWMS to demonstrate the maximum groundwater levels. This is particularly important given the subject site is predominantly comprised of clay soils. The Infrastructure Servicing Report states that public open space retention basins should operate as dry basins with a minimum clearance of 0.3m between basin invert level. This level of clearance should be increased to a minimum of 0.5m, to ensure effective infiltration without prolonged pooling of water (due to ground saturation). This will increase the amount of fill required to the site. If the separation is too shallow, the drainage basins may become mosquito and midge habitat. These matters should be addressed in the LWMS at the structure plan stage.

Environmental Considerations

A Level 2 Flora and Vegetation Field Survey was undertaken in 2016 which identified the site as 'completed degraded', however it did not assess which existing vegetation is of value and worthy of retention along the boundaries or water course. It should be noted that there is still significant value in the individual and shelter belt tree retention at the subject site. It is recommended that an assessment of trees be undertaken to determine tree retention and identify trees that provide habitat for black cockatoos, as well as broader landscape values. Significant trees for retention should be indicatively identified at the future structure plan stage to ensure trees are incorporated into public open space and road reserves. Native vegetation within road reserves should be retained, with the Soldiers Road reserve being identified as a Bush Forever site. The Environmental Assessment Report states that the site may accommodate bandicoots and as such, fauna relocation will be required.

Local native species should be recommended for landscaping to support the sustainable, resource efficient objectives of the proposed development. Consideration should be given to the types of vegetation to be used within the proposed development and should be guided by the Department of Fire and Emergency Services (DFES) publication 'Plant Guide within the Building Protection Zone for the Swan Coastal Plain of WA' and the SJ Landcare publication 'Keeping it Local'. The Bushfire Management Plan should allow for vegetation retention and revegetation of the water course.



Options and Implications

Option 1

That Council PROVIDES preliminary comments of SUPPORT in accordance with the content of this report to the Western Australian Planning Commission, on the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup.

Option 2

That Council PROVIDES preliminary comments NOT SUPPORTING the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup to the Western Australian Planning Commission.

Option 1 is recommended.

Conclusion

The Proposed MRS Amendment seeks to rezone 55.5ha of land located to the north of Mundijong from 'Rural' to 'Urban'. The subject site is identified as 'Urban Expansion' under the WAPC's South Metropolitan Peel Sub-Regional Planning Framework and 'DIA 1' under the Shire's Local Planning Strategy and Mundijong District Structure Plan. Key considerations for the proposal include the transport network, interface management, urban form and schools, public open space and drainage and environmental considerations. Officers recommend the Proposed MRS Amendment be supported subject to these considerations.

Attachments (available under separate cover)

- **10.1.12 - attachment 1** - Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup (IN22/10931)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework
Outcome 2.2	A sustainable natural environment
Strategy 2.2.1	Develop, maintain and implement plans for the management and maintenance of Shire controlled parks, reserves, and natural assets
Strategy 2.2.2	Seek to minimise resource usage and continue to maximise reuse opportunities
Strategy 2.2.3	Continue to minimise the volume and impact of waste generated with the district
Outcome 3.3	An innovative, connected transport network
Strategy 3.3.1	Maintain, enhance and rationalise the Shire's transport network in accordance with affordable sound Asset Management Plans



Financial Implications

There are no direct 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	There are no risks associated with this option.						
2	That Council PROVIDES preliminary comments NOT SUPPORTING the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup to the Western Australian Planning Commission.	Planning legislation and framework.	Social Community Outcomes /	Possible	Moderate	MODERATE	Provide reason for decision.

Voting Requirements: Simple Majority

Officer Recommendation

That Council PROVIDES preliminary comments of SUPPORT in accordance with the content of this report to the Western Australian Planning Commission, on the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup.



10.1.13 – Proposed Amendments To Local Planning Policy 3.5 (Byford Town Centre Public Realm Guidelines) and Local Planning Policy 3.8 (Byford Town Centre Built Form Guidelines) (SJ2663 and SJ2666)

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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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Proponent:	Shire of Serpentine Jarrahdale
Owner:	Various
Lot Area:	Various
Town Planning Scheme No 2 Zoning:	Urban Development
Metropolitan Region Scheme Zoning:	Urban

Report Purpose

The purpose of this report is for Council to consider amendments to draft Local Planning Policy 3.5 (Byford Town Centre Public Realm Guidelines) and Local Planning Policy 3.8 (Byford Town Centre Public Realm Guidelines), for advertising for public comment. The amendments aim to update the existing policies, in order to reflect the updated structure plan for Byford Town Centre. Adopting these draft Policy amendments will allow community engagement to occur, and Officers will report back to Council (following advertising) to consider the policy amendments for final approval.

Relevant Previous Decisions of Council

*Ordinary Council Meeting – 23 July 2018 – OCM063/07/18 - COUNCIL RESOLUTION / Officer Recommendation – **extract***

That Council:

- 1. Pursuant to Clause 4(3)(b)(i & ii) of Part 2 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 resolves to adopt the new and revised Local Planning Policies as listed within OCM063.2/07/18.*

Background

Local Planning Policies perform an important function in the Local Planning Framework to guide planning decisions and ensure that a consistent approach and direction is provided to Shire Officers, community and developers. This ensures that consistent approaches to the exercise of discretion is carried out, and in the case of these policies helping shape positive built form and public realm outcomes.



Local Planning Policy 3.5 (Byford Town Centre Public Realm Guidelines) and Local Planning Policy 3.8 (Byford Town Centre Built Form Guidelines) were prepared in 2015, to assist with the implementation of the first version of the Byford Town Centre Local Structure Plan. The purpose of these Local Planning Policies is to ensure that both high quality-built form and high-quality public realm areas are provided for within the Byford Town Centre.

An amended Local Structure Plan for the Byford Town Centre was recently prepared by Rowe Group, responding to a number of changes occurring within the Byford Town Centre precinct. The amended Byford Town Centre Local Structure Plan was approved by the Western Australian Planning Commission (WAPC) on 15 February 2022. The amended Byford Town Centre Local Structure Plan has been updated substantially, with major changes pertaining to the layout of residential, commercial, mixed use and community purpose land uses, multiple use corridors and road layout. In addition, a major inclusion to the Local Structure Plan is the provision of the Metronet Station Precinct situated along the existing railroad corridor, between the Old Town Centre and the New Town Centre areas. These approved changes to the Local Structure Plan now require amendments to the associated Local Planning Policies 3.5 and 3.8. The amended Local Structure Plan, as approved in February 2022, is shown in Figure 1 following:

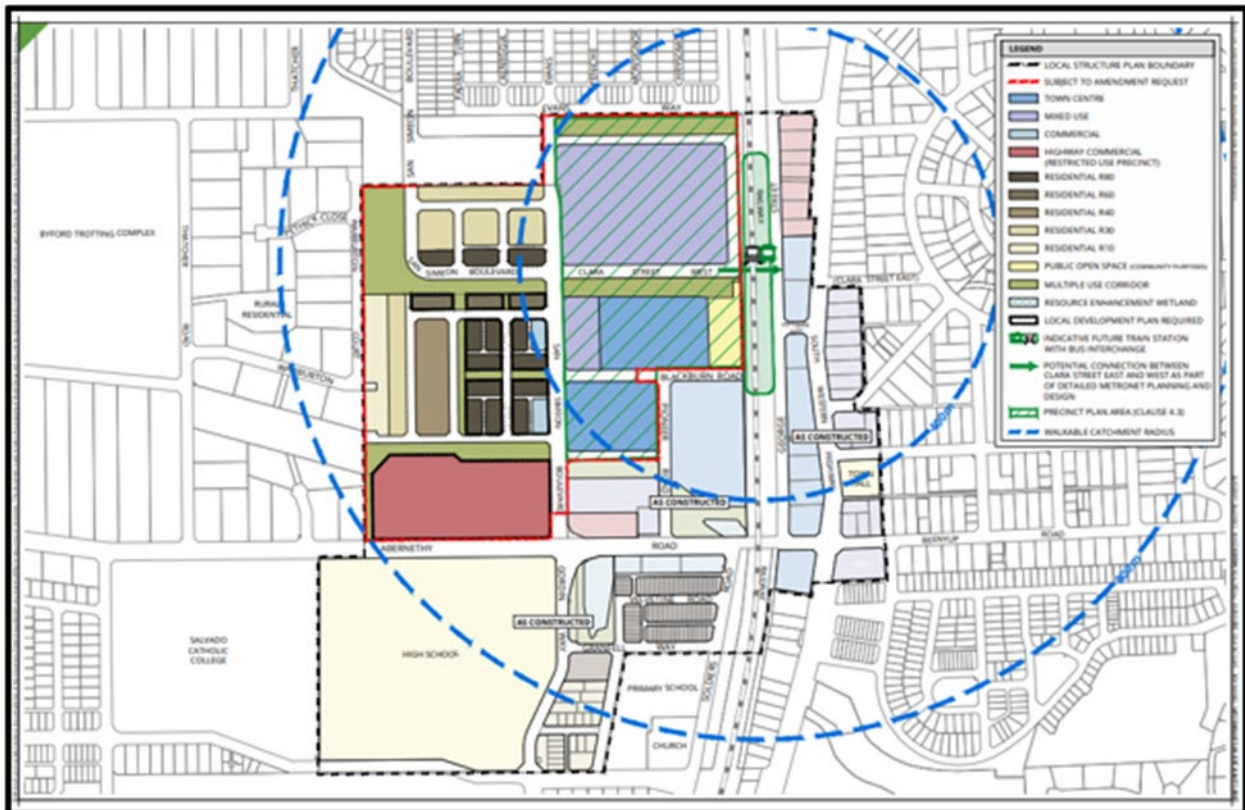


Figure 1: Current Byford Town Centre Local Structure Plan

Of further background note, the outcomes of the 2021 Byford Activity Centre Forum created several recommendations to progress the planning of the Byford Town Centre in an integrated manner. A number of actions were recommended from the Byford Activity Centre Forum and noted by the Council decision at the February 2022 Ordinary Council Meeting, which has additionally led to the review of the two Local Planning Policies.



Community / Stakeholder Consultation

Pursuant to Clause 4(1) Part 2 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), Local Planning Policies are required to be made available for community consultation and comment for a period of not less than 21 days. This applies to new policies and to major amendments to policies, of which Local Planning Policy 3.5 and Local Planning Policy 3.8 are.

Statutory Environment

Legislation

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

State Government Policies

- State Planning Policy suite

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
- Draft Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Byford District Structure Plan
- Byford Town Centre Local Structure Plan
- Local Planning Policy suite

Planning Assessment

Local Planning Policy 3.5 – Byford Town Centre Public Realm Guidelines

The Byford Town Centre Public Realm Guidelines have been developed to create a vibrant and integrated district centre, comprising of an identifiable character and distinct sense of place. The policy has been developed based on context analysis and contextual interpretation to assist in identifying unique elements of Byford, in order to orient the Town Centre around the community. Understanding the context around the Byford Town Centre is important for developing a sense of place and an active public realm to generate a vibrant Town Centre.

General policy provisions relate to urban ecology, streetscape, shared streets and civic spaces, greenways and public open space and are focussed on generating safe pedestrian and transit-oriented spaces that make use of Byford's natural assets.

To ensure that Local Planning Policy 3.5 – Byford Town Centre Public Realm Guidelines aligns with the Byford Town Centre Local Structure Plan, a number of changes have been made that include:

- Amendment of precincts to reflect the changes in the layout of land uses, including the addition of the Metronet Station Precinct. The Policy now includes four precincts including Commercial Precinct, Residential Precinct, Metronet Station Precinct and the South Western Highway Precinct.
- References to the planning policy framework have been updated to reflect the current planning policy framework in place.



- Maps and diagrams throughout the Policy have been updated to ensure that they reflect the current and approved Local Structure Plan layout.
- The streetscape provisions being amended so that the requirements of the street design, allocating widths to road reserves and footpaths, align with the requirements set out in Liveable Neighbourhoods to ensure consistency throughout the Shire.
- Precinct Policy Provisions being reviewed and updated to align with the updated precincts outlined in the first point, including a review of the provisions to align with the requirements of the Byford Town Centre Local Structure Plan and align with orderly and proper planning throughout each precinct.

Local Planning Policy 3.8 – Byford Town Centre Built Form Guidelines

The Byford Town Centre Built Form Guidelines have been prepared to facilitate and coordinate the Shire's desired built form and development outcomes within the Byford Town Centre area. The Policy has been developed from a vision, principles and a built form concept that has been informed by context identification, analysis and interpretation. It focuses on creating a vibrant and integrated District Centre, an identifiable character and sense of place, a safe pedestrian and transit-oriented space, and a place that capitalises on natural assets.

The Policy applies to all development applications within the Byford Town Centre Local Structure Plan area and guides the provision of infrastructure and assessment of applications regarding built form within the Byford Town Centre. The Policy addresses matters including setbacks, building height, articulation, materials, orientation and character, privacy, parking, outdoor amenities, signage, crime prevention, public space, stormwater management and urban ecology.

In order to align the Local Planning Policy 3.8 – Byford Town Centre Built Form Guidelines with the amended Byford Town Centre Local Structure Plan there have been a number of modifications made to the Policy:

- Amendment of precincts to reflect the changes in the layout of land uses, including the addition of the Metronet Station Precinct. The Policy now includes four (4) precincts including Commercial Precinct, Residential Precinct, Metronet Station Precinct and the South Western Highway Precinct.
- References to the planning policy framework has been updated to reflect the current planning policy framework in place.
- Addition of a parking provision to ensure a balance of parking is provided within the Town Centre area. This reflects the parking ratio that was originally adopted as part of the first version of the Byford Town Centre Structure Plan. The new parking provision is as follows: *“The minimum parking requirement for non-residential uses within the LSP is one bay for every 20m² gross leasable area (GLA), less any on-street parking adjoining the site”*.
- Clarification on policy provisions relation to signage requirements to remove ambiguity about what is required in the built form.
- Precinct Policy Provisions being reviewed and updated to align with the precincts outlined in the first point, including a review of the provisions to align with the requirements of the Byford Town Centre Local Structure Plan and align with orderly and proper planning throughout each precinct.

By adopting the policy amendments for advertising, the Shire will be able to invite community feedback and stakeholder consideration.



Options and Implications

Option 1

That Council, pursuant to Clause 4 of the Deemed Provisions, RESOLVES TO ADVERTISE the amended Local Planning Policy 3.5 - Byford Town Centre Public Realm Guidelines, as contained within **attachment 1**, and the amended Local Planning Policy 3.8 - Byford Town Centre Built Form Guidelines, as contained within **attachment 2**, for a period of 21 days after the day on which the notice is first published.

Option 2

That Council RESOLVES NOT TO ADVERTISE the proposed amendments to the policies.

Option 1 is recommended.

Conclusion

The Byford Town Centre Local Structure Plan has been recently amended in 2022. Local Planning Policy 3.5 - Byford Town Centre Public Realm Guidelines and Local Planning Policy 3.8 - Byford Town Centre Built Form Guidelines are proposed to be amended to respond to the updated Local Structure Plan. The Policies have also been updated to reflect the opportunities associated with new development within the town centre. Officers recommend that the proposed Policy amendments be advertised for public comment according to the Regulations.

Attachments (available under separate cover)

- **10.1.13 - attachment 1** - Local Planning Policy 3.5 - Byford Town Centre Public Realm Guidelines (E21/9336)
- **10.1.13 - attachment 2** - Local Planning Policy 3.8 - Byford Town Centre Built Form Guidelines (E21/9341)
- **10.1.13 - attachment 3** - Byford Town Centre Local Structure Plan (E22/10546)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 1.3	A safe place to live
Strategy 1.3.1	Comply with relevant local and state laws, in the interests of the community
Strategy 1.3.2	Support local emergency services
Strategy 1.3.3	Enhance community safety
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework
Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local businesses within the district
Outcome 3.2	A vibrant tourist destination experience
Strategy 3.2.1	Actively support tourism growth within the district
Outcome 4.1	A resilient, efficient and effective organisation



Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources
Strategy 4.1.2	Maximise the Shire's brand and reputation in the community
Outcome 4.2	A strategically focused Council
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions
Strategy 4.2.3	Provide clear strategic direction to the administration

Financial Implications

There are no long-term financial implications resulting from this process.

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 is no risk associated with Option 1.						
2	If Council resolves not to proceed to advertise Local Planning Policy 3.5 and Local Planning Policy 3.8 the standard of built form and public realm that the Council and community require and expect will not occur and poor and ad hoc built form outcomes may occur.	Planning Framework	Social / Community Outcomes	Possible	Moderate	MODERATE	Nil

Voting Requirements: Simple Majority

Officer Recommendation

That Council, pursuant to Clause 4 of the Deemed Provisions, RESOLVES TO ADVERTISE the amended Local Planning Policy 3.5 - Byford Town Centre Public Realm Guidelines, as contained within attachment 1, and the amended Local Planning Policy 3.8 - Byford Town Centre Built Form Guidelines, as contained within attachment 2, for a period of 21 days after the day on which the notice is first published.



10.1.14 – Request For Council Agreement To Treatment Of Clara Street Level Crossing As Part Of Future Extension (SJ2633)

Responsible Officer:	Director Development Services
Senior Officer:	Director Development Services
Disclosure of Officer's Interest:	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 State Government is currently undertaking design of the Byford Rail Extension Project. This includes all aspects of station precinct design, including station accessibility and integration with the local context of Byford.

Part of this integration is being achieved through the delivery of key station access connections, including a new level crossing that will connect George Street to the station precinct, aligned with Clara Street (west of George Street). This forms part of a range of infrastructure items that are being delivered as part of the project, which will provide significant community benefit both to the station project and to the broader planning and development of the Byford town centre. This includes:

- Sansimeon Boulevard extension through to Gordin Way roundabout and Clara Street West;
- North-South connection between Sansimeon Boulevard and Evans Way;
- Upgrade to George Street including completion of the unconstructed section and intersection upgrades at Larsen/George, Evans/George and Pitman/George;
- Pedestrian overpass at Larsen Road, connecting east and west sides of Larsen Road for pedestrians;
- Thomas Road over rail bridge.

These infrastructure items would have otherwise been delayed, had it not been for the Metronet project.

In respect of the new Clara Street West connection to George Street, a letter has recently been received from the Managing Director of Metronet seeking from the Shire:

“written acknowledgement of the temporary nature of this crossing should a future at-grade extension of the urban rail network, or other potential significant upgrade of rail services through the crossing (for example a potential longer-term fast-rail service) occur.”

This report recommends that the Shire acknowledge the request, by stating that it considers the future extension of the urban rail network southwards should be done by grade separation (similar



to what is occurring in the City of Armadale), and based on this connectivity will be able to be improved.

Relevant Previous Decisions of Council

Nil.

Background

The scope for the Byford Rail Extension has been recently confirmed, to include a new at-grade station in Byford, which will be delivered by the Office of Major Transport Infrastructure Delivery (OMTID). As part of the project, there is also a range of local infrastructure improvements being undertaken, which reflects the commitment of Metronet to ensure the station precinct is fully accessible.

The Shire advocated to ensure the Byford Rail Extension project would place a station within the heart of the town centre. It is worth noting that original options being tested included the rail station being located north of Thomas Road, well outside the community of Byford and distant to the other settlement nodes of the Shire. The Shire advocated to ensure that the community, economic and environmental benefits of having a station precinct anchoring the Byford town centre, were well understood by the State Government. This resulted in the station being agreed to be placed within the Byford town centre, as an integrated precinct, reflecting the strategic planning for this activity centre and surrounding hypergrowth community.

As part of this placement, a new temporary level crossing on the regional rail network at Clara Street (West) is proposed. This crossing, which is located immediately south of the new Byford Station, will allow the connection of Clara Street West, from George Street, through to Sansimeon Boulevard, providing local east-west connectivity across the rail corridor.

Community / Stakeholder Consultation

Councillors were provided initial project briefings from Metronet during 2020. These occurred at the 6 July and 7 December 2020 Policy Concept Forum meetings. The most recent project briefing of Council occurred on 22 August 2022.

Statutory Environment

- *Local Government Act 1995*

Comment

The State Government is currently undertaking detailed design of the Byford Rail Extension Project. As mentioned above, this includes all aspects of station precinct design, including station accessibility and integration with the local context of Byford.

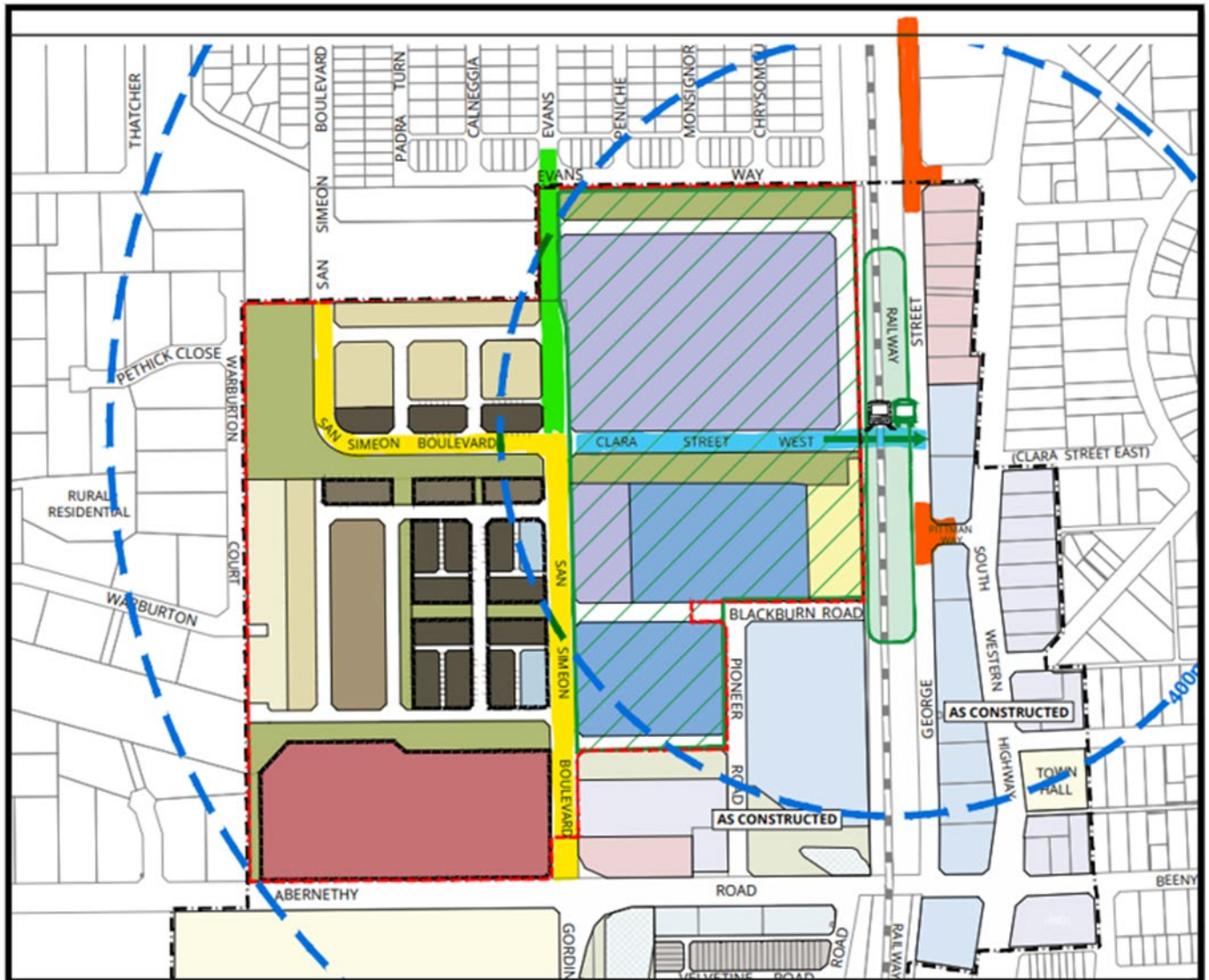
Part of this integration is being achieved through the delivery of key station access connections, including a new level crossing that will connect George Street to the station precinct, aligned with Clara Street (west of George Street). This forms part of a range of infrastructure items that are being delivered as part of the project, which will provide significant community benefit both to the station project and to the broader planning and development of the Byford town centre. This includes:

- Sansimeon Boulevard extension through to Gordin Way roundabout and Clara Street West;
- North-South connection between Sansimeon Boulevard and Evans Way;



- Upgrade to George Street including completion of the unconstructed section and intersection upgrades at Larsen/George, Evans/George and Pitman/George;
- Pedestrian overpass at Larsen Road, connecting east and west sides of Larsen Road for pedestrians;
- Thomas Road over rail bridge.

The town centre local road infrastructure items are shown via the adopted Byford Town Centre Structure Plan following:



Local Road Infrastructure Items

These infrastructure items would have otherwise been delayed, had it not been for the Metronet project.

At the 7 December 2020 PCF briefing, Metronet updated Council on the joint Premier and Ministerial announcement which occurred on 24 November 2020. This announced that investigations were underway into a priced option for an elevated station at Byford. As a result of these investigations, the Shire has been informed that the station will be delivered at grade, consistent with the original project planning for the station.



Officers consider that an at grade station solution is a workable solution for only (up to) the medium-term of Byford's future growth. In this medium-term period, an at grade solution maintains the rail corridor at its current level; supports opportunities for tree retention in the corridor; provides new road connectivity and; supports new business attraction and investment. In the long term however, when Byford becomes a significant city centre in its own right, there will be increased pressure for east and west community and business integration across the rail corridor, meaning that a grade separated rail solution will be needed. This is potentially up to (or before) 2050. The long term also recognises that future passenger rail services need to be extended to Mundijong, further warranting Byford becoming elevated.

Delivery of an initial at grade solution, with that solution eventually grade separated, delivers the key community benefits of an accessible and connected station precinct and town centre. It particularly ensured placement of the station within the town centre, rather than north of Thomas Road, as was originally being considered.

In respect of the at grade solution, the Managing Director of Metronet has recently written to the Shire (refer **attachment 1**) on 15 August 2022, requesting "*written acknowledgement of the temporary nature of this crossing should a future at-grade extension of the urban rail network, or other potential significant upgrade of rail services through the crossing (for example a potential longer-term fast-rail service) occur.*"

Officers recommend that Council, consistent with the position expressed in this report, respond to this request as follows:

- *The Shire considers that an at grade station solution for Byford, with the included range of new road and pedestrian infrastructure, represents a medium-term solution for Byford;*
- *The Shire notes the Clara Street West rail crossing is presented as remaining for the medium-term;*
- *In the long term, Byford will grow into one of the most important city centres in the southeast corridor of Perth. At this point in time, there will be the need to create increased east west community and business connectivity across the rail corridor;*
- *Accordingly, in the long term, the station precinct for Byford will warrant elevation, and therefore connectivity at Clara Street West (plus others) will be maintained;*
- *This is considered to be timed with future decisions to extend the passenger rail corridor southwards, to Mundijong.*

Officers consider that this reflects an effective response to the letter request.

Options and Implications

Option 1

That Council, in response to the request received from the Managing Director of Metronet, AUTHORISES the Chief Executive Officer to provide the following acknowledgement pertaining to the new Clara Street West crossing:

- *"The Shire considers that an at grade station solution for Byford, with the included range of new road and pedestrian infrastructure, represents a medium-term solution for Byford;*
- *The Shire notes the Clara Street West rail crossing is presented as remaining for the medium-term;*



- *In the long term, Byford will grow into one of the most important city centres in the southeast corridor of Perth. At this point in time, there will be the need to create increased east west community and business connectivity across the rail corridor;*
- *Accordingly, in the long term, the station precinct for Byford will warrant elevation, and therefore connectivity at Clara Street West (plus others) will be maintained;*
- *This is considered to be timed with future decisions to extend the passenger rail corridor southwards, to Mundijong.*

Option 2

That Council, in response to the request received from the Managing Director of Metronet, AUTHORISES the Chief Executive Officer to provide the following acknowledgement pertaining to the new Clara Street West crossing:

“The Shire acknowledge that the Clara Street West crossing cannot remain at grade upon either:

- *future at grade extension of the urban rail occur southward and/or*
- *other potential significant upgrade of rail services through the crossing occur.”*

Option 1 is recommended.

Conclusion

This report deals with the Shire’s response to the design for the Byford Rail Extension project, which includes an at grade station and range of new road and pedestrian infrastructure items. This includes a new Clara Street West crossing. It is recommended that Council provide its position to Metronet on the Clara Street West crossing, as requested, consistent with this report.

Attachments (available under separate cover)

- **10.1.14 - attachment 1** – Letter from Metronet (IN22/18302)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework
Outcome 3.3	An innovative, connected transport network

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 is a risk that this acknowledgement may not satisfy the request of Metronet	Byford District Structure Plan Byford Town Centre Structure Plan	Strategic Stakeholder Relationships	Possible	Moderate	MODERATE	Nil. It is considered appropriate to clearly state the Shire's preference and strategic position
2	There is a risk that not making the acknowledgement clear in respect of how future planning should treat further infrastructure changes, the Shire may not be able to retain connectivity.	Byford District Structure Plan Byford Town Centre Structure Plan	Strategic Stakeholder Relationships	Possible	Major	SIGNIFICANT	Explain reason for decision



Voting Requirements: Simple Majority

Officer Recommendation

That Council, in response to the request received from the Managing Director of Metronet, **AUTHORISES** the Chief Executive Officer to provide the following acknowledgement pertaining to the new Clara Street West crossing:

- *“The Shire considers that an at grade station solution for Byford, with the included range of new road and pedestrian infrastructure, represents a medium-term solution for Byford;*
- *The Shire notes the Clara Street West rail crossing is presented as remaining for the medium-term;*
- *In the long term, Byford will grow into one of the most important city centres in the southeast corridor of Perth. At this point in time, there will be the need to create increased east west community and business connectivity across the rail corridor;*
- *Accordingly, in the long term, the station precinct for Byford will warrant elevation, and therefore connectivity at Clara Street West (plus others) will be maintained;*
- *This is considered to be timed with future decisions to extend the passenger rail corridor southwards, to Mundijong.*



10.1.15 - Dog Exercise Area - Lot 8053 Tourmaline Boulevard, Byford (SJ899-7)

Responsible Officer:	Coordinator Community Safety
Senior Officer:	Director Development Services
Disclosure of Officers Interest:	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 enable Council to specify the southern end of Lot 8053 Tourmaline Boulevard, Byford, as a Dog Exercise Area.

Relevant Previous Decisions of Council

*Ordinary Council Meeting - 15 February 2021 – OCM19/02/21 - COUNCIL RESOLUTION
That Council:*

1. *SUPPORTS an approach for Shire Officers to engage with LWP, who will be responsible for preparing plans (for Shire consideration and approval) for their permanent dog park as part of future stages of subdivision of The Glades development;*
2. *NOTES that any additional dog park developed by subdividers includes the standard two years of annual maintenance before such park transfers for maintenance responsibility to the Shire;*
3. *CONTINUES with Bill Hicks Reserve in its current time limited use for off leash dog exercise;*
4. *REQUESTS the Chief Executive Officer issues a local public notice specifying its intention of designating Jarrahdale Oval (Reserve 6428 being Lot 2657 Millars Road) as an “off leash dog exercise area”; per Section 31 of the Dog Act 1976.*
5. *In the event that there are no submissions received, DESIGNATES Jarrahdale Oval (Reserve 6428 being Lot 2657 Millars Road) as an “off leash dog exercise area”, 29 days after the local public notice is issued;*
6. *In the event that submissions are received, REQUESTS the Chief Executive Officer present a further report to Council.*

Part (1) of Council’s resolution relates to this item.

Background

The Shire currently has a dog exercise area located on Larsen Road, Byford which has had high attendance since opening in early 2020 (Byford Bark Park). With this park being at the northern end of Byford, Council resolved in February 2021 to support an approach for Officers to engage with LWP (developer of The Glades Estate) who had identified plans to develop a second permanent dog exercise area, replacing a temporary dog exercise area they had developed as an interim measure in an earlier stage of subdivision.



LWP has now had plans approved to develop this dog exercise area, as part of subdivision landscaping plans for the overall park proposed on Lot 8053. The southern portion of the park is proposed for the Dog Exercise Area.

The park is currently being developed, and is expected to be completed before the end of this year.

The Shire has accepted the management order of Lot 8053 Tourmaline Boulevard, Byford on 16 August 2022, being a Reserve for the purpose of "Public Recreation and Drainage". Accordingly, it is important to make arrangements to properly gazette the Dog Exercise Area, so that it is ready for public use upon completion of the park.

Community / Stakeholder Consultation

This is required to be undertaken should Council resolve to support giving notice of the Dog Exercise Area. Once public notice has been completed for 28 days, the Council can, by absolute majority, specify the area to be a dog exercise area. Thus, a future report will return to Council, outlining any submissions received should Council endorse giving notice to declare.

Statutory Environment

Dog Act 1976

- s31(3A) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.*
- s31(3C) At least 28 days before specifying a place to be a dog exercise area under subsection (3A), a local government must give local public notice as defined in the Local Government Act 1995 section 1.7 of its intention to so specify.*

Local Government Act 1995

- s1.7 Local public notice Where under this Act local public notice of a matter is required to be given, notice of the matter must be -*
 - (a) published on the official website of the local government concerned in accordance with the regulations; and*
 - (b) given in at least 3 of the ways prescribed for the purposes of this section.*

Local Government (Administration) Regulations 1996

s3A(2) -

- (a) publication in a newspaper circulating generally in the State;*
- (b) publication in a newspaper circulating generally in the district;*
- (c) publication in 1 or more newsletters circulating generally in the district;*
- (d) N/A*
- (e) circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;*
- (f) exhibition on a notice board at the local government offices and each local government library in the district (for 28 days prior)*



(g) *posting on a social media account administered by the local government (for 28 days prior).*

Comment

The Shire has accepted the management order of Lot 8053 Tourmaline Boulevard on 16 August 2022, being a Reserve for the purpose of “Public Recreation and Drainage” (refer Shire letter to Department of Planning, Lands and Heritage - **attachment 1**).

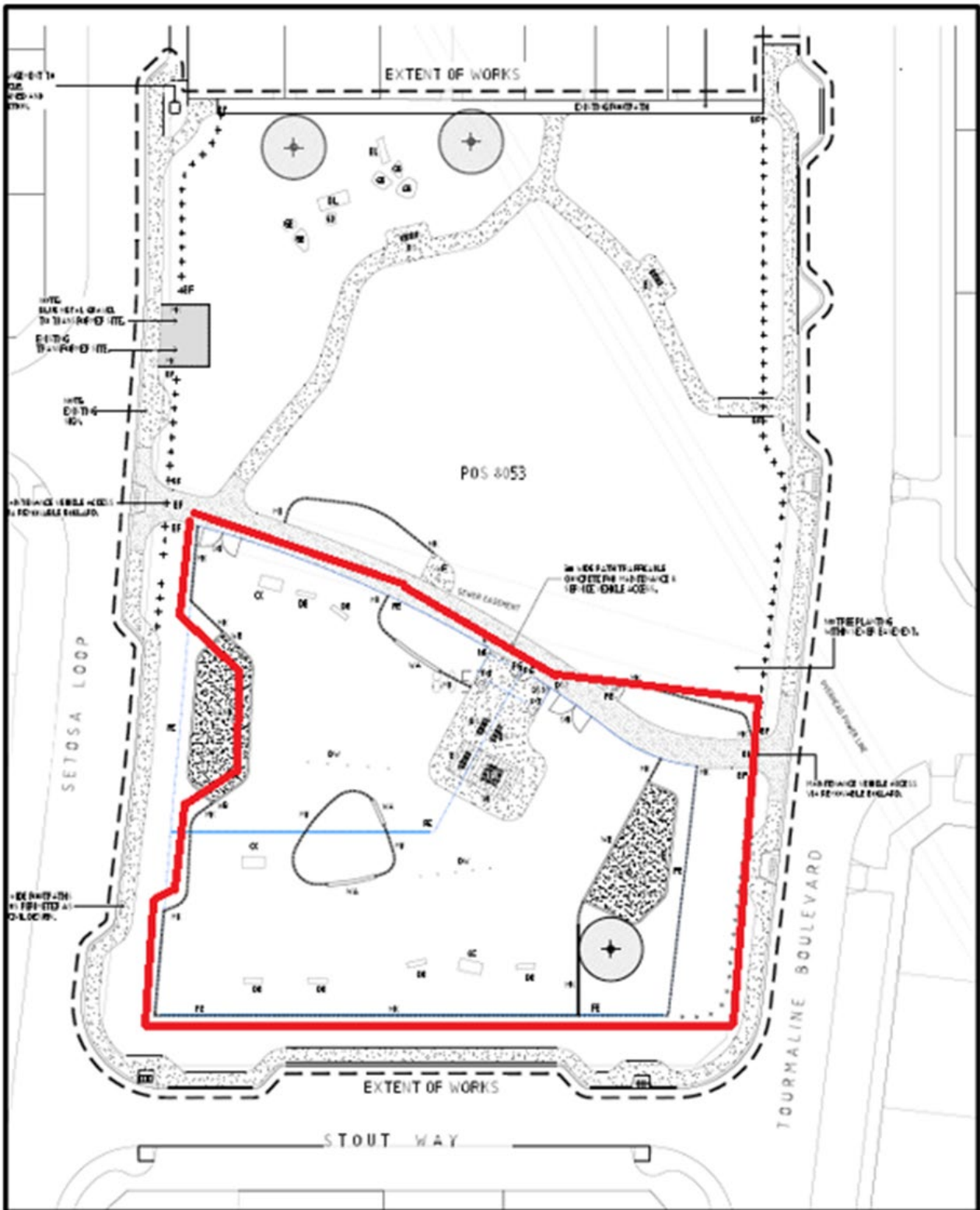
The dog park will be built by LWP, as per the design provided within **attachment 2**. The southern end of this location will be fenced as the dog exercise area, while the northern end will be normal public open space and dogs will not be permitted unless on a lead (as is the usual requirement for public areas which are not designated dog exercise areas).

LWP, developer of The Glades at Byford, has undertaken its own community consultation via Facebook posts and erecting signs at the location. This however does not replace the statutory requirements that all local governments must follow to consider declaring a dog exercise area.

Under the *Dog Act 1976*, the Shire is required to give local public notice of its intention to specify an area to be a dog exercise area at least 28 days prior.

Once public notice has been completed for 28 days, the Council can, by absolute majority, specify the area to be a dog exercise area.

A location plan of the site is shown below, with the fenced area within the red boarder.



Site Location



Options and Implications

Option 1

That Council:

1. ENDORSES the advertising of the proposed dog exercise area, located at the southern end of Lot 8053 Tourmaline Boulevard, Byford (within the fenced area).
2. NOTES that advertising will be undertaken in accordance with the Community Engagement Plan provided at **attachment 3**, and will specifically include direct letters to properties within 500m plus the other methods stipulated.
3. NOTES that following the 28 days of notice period, Council will receive a further report detailing submissions received and Officer comment, to consider the matter for final determination.

Option 2

That Council DOES NOT ENDORSE to specify the location at Lot 8053 Tourmaline Boulevard, Byford to be a dog exercise area.

Option 1 is recommended.

Conclusion

LWP / the Glades Estate has been approved to build a dog park at Lot 8053 Tourmaline Boulevard, Byford. This dog park is to be built by LWP, and will be required to be suitably designated for such dog exercise area use.

Attachments (available under separate cover)

- **10.1.15 - attachment 1** - Tourmaline Boulevard, Byford (L8053) 405474 - Reserve - Recreation & Drainage - Acceptance of management order (OC22/1007)
- **10.1.15 - attachment 2** - The Glades, Byford - Icaria Stage 12 POS 8053 - accepted Landscape Plans (IN22/16887)
- **10.1.15 - attachment 3** - Community Engagement Plan (E22/11212)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 2.2	A sustainable natural environment
Strategy 2.2.1	Develop, maintain and implement plans for the management and maintenance of Shire controlled parks, reserves, and natural assets



Financial Implications

There will be financial implications after the two years that LWP cease maintaining the area. Shire Operations Team will maintain the area, as it does all new public open spaces. The Shire has approved plans which take account of operational asset management costs. The dog exercise area will also be available for booking, for dog training, for limited periods given the likely demand for this given the rates of dog ownership (especially puppies) in the Shire.

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	Advertising the proposed dog exercise area to the community, which results in community objection	Dog Act requires community notice	Social / Community Outcomes	Possible	Moderate	MODERATE	Ensure a well developed community engagement plan that explains the process of engagement and also the background to the proposal
2	Not specifying this area as a dog exercise area	Current dog exercise areas	Social / Community Outcomes	Possible	Moderate	MODERATE	Explain reason for decision

Voting Requirements: Absolute Majority

Officer Recommendation

That Council:

1. **ENDORSES** the advertising of the proposed dog exercise area, located at the southern end of Lot 8053 Tourmaline Boulevard, Byford (within the fenced area);
2. **NOTES** that advertising will be undertaken in accordance with the Community Engagement Plan provided at attachment 3, and will specifically include direct letters to properties within 500m plus the other methods stipulated;
3. **NOTES** that following the 28 days of notice period, Council will receive a further report detailing submissions received and Officer comment, to consider the matter for final determination.

**10.2 Infrastructure Services reports**

10.2.1 - Minutes of the Rivers Regional Council – 18 August 2022 (SJ581)	
Responsible Officer:	Director Infrastructure Services
Senior Officer:	Director Infrastructure Services
Disclosure of Officers Interest:	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 meeting held on 18 August 2022.

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 is a member of the Rivers Regional Council.

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

On 18 August 2022 an Ordinary Council Meeting of the RRC was held. The unconfirmed minutes of the meeting is contained in **attachment 1**. While Council is under no obligation to consider the minutes of the meeting, the unconfirmed minutes are presented for Council's information. Council's decision on this matter does not confer endorsement or otherwise of the minutes. The confirmation of minutes will be a matter for the members of the RRC at their next meeting. The minutes do not record any contentious matters that require further attention of Council at the time.



Options and Implications

Option1

That Council NOTES the unconfirmed minutes of the Rivers Regional Council meeting held on 18 August 2022.

Option 2

That Council DOES NOT NOTE the unconfirmed minutes of the Rivers Regional Council meeting held on 18 August 2022.

Option 1 is recommended.

Conclusion

As a member of the RRC, the unconfirmed minutes of the RRC Ordinary Council Meeting held on 18 August 2022 are attached for Council's information.

Attachments (available under separate cover)

- **10.2.1 - attachment 1** - Rivers Regional Council Ordinary Council Meeting Minutes – 18 August 2022 (IN22/17284)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

Financial Implications

Nil.

Risk Implications

Nil.

Voting Requirements: Simple Majority

Officer Recommendation

That Council NOTES the unconfirmed minutes of the Rivers Regional Council meeting held on 18 August 2022 as contained in attachment 1.



10.2.2 – Maintenance of rural road verges (SJ648)	
Responsible Officer:	Manager Operations
Senior Officer:	Director Infrastructure Services Director Development Services
Disclosure of Officers Interest:	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 respond to the Council resolution made at the 15 December 2021 Meeting. This resolution requested the Chief Executive Officer to present a report to the February 2022 Ordinary Council Meeting, pertaining to Urgent Business Item 7.2 of the Bushfire Advisory Committee (BFAC) Minutes. Urgent Business Item 7.2 related to maintenance of road verges.

Information was still being collated to consider various verge maintenance methodologies at the time of the February 2022 Ordinary Council Meeting therefore, the Council Resolution action could not be met. The necessary information is now available to be presented to Council.

Relevant Previous Decisions of Council

<p><i>Ordinary Council Meeting – 15 December 2021 - OCM347/12/21 - COUNCIL RESOLUTION / Officer Recommendation</i></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>RECEIVES</i> the Bush Fire Advisory Committee Minutes of 18 November 2021 as per attachment 1. 2. <i>NOTES</i> the recommendations contained therein. 3. <i>REQUESTS</i> the Chief Executive Officer to present a report to the February 2022 Ordinary Council Meeting pertaining to Urgent Business Item 7.2.

Background

At the November 2021 BFAC Meeting, the Serpentine Bushfire Brigade Captain presented a report regarding concerns on rural road verge fuel loadings. This report was presented as urgent business. BFAC resolved:

That the Bush Fire Advisory Committee ENDORSES that the Infrastructure Directorate produce a consolidated road verge management plan that includes:

- a. Annual spraying and fuel hazard reduction programme:*
- b. A transition plan to facilitate the transformation from current state to an annual maintenance steady state:*



- c. *Seek input into the verge treatment plan from the Shire's Emergency Services Department and the Shire's Bush Fire Brigades during development of the plans.*

Community / Stakeholder Consultation

Stakeholder consultation has commenced with relevant stakeholders including various Volunteer Fire Brigades regarding areas of concern and high-risk road verges. The consultation has also covered different treatment options, methodologies and prioritisation of locations to be treated. It should be noted that the consultation will be continuing with the Brigades collaboratively to achieve on ground improvements to mitigate the fire risk on road verges as far as practicable.

Statutory Environment

- *Bush Fires Act 1954*
- *Local Government Act 1995*
- *Environmental Protection Act 1986*
- *Work Health and Safety Act 2020*
- Council Policy 2.27 – Permissible Verge Treatments – Rural

Comment

There are several influencing factors relating to the condition and maintenance of road verges that need to be considered holistically including cost, time, resources, methodology, policy, legislation, risk and safety for both the community and Shire staff.

Factors:

- Resources including equipment and operators to undertake maintenance works;
- Policy implications of the Council's Policy (Permissible Verge Treatments – Rural) which encourages adjacent landowners to undertake maintenance but also places maintenance of non-compliant verges upon the Shire;
- The Environmental Protection Act requires that removal or taking of native vegetation is done so under a permit or is in line with an approved Bushfire Management Plan;
- The range of methods to undertake maintenance is varied including burning, slashing, mulching, excavation of drains, tree pruning and removal and powerline maintenance clearing. One or more may be required to maintain a section of verge;
- Increased safety of the community is the objective of verge maintenance works as is the safety of the employees or contractors working for the shire when undertaking such works. The requirements for traffic management for such works is increasing in complexity and cost due to changes in WH&S legislation, Main Roads WA Code of Practice and increased scope of maintenance work;
- Cost is the most significant factor as it dictates the extent of an operational program.

Resource considerations - equipment

The Shire owns several pieces of equipment that are suitable to undertake road verge vegetation maintenance such as:

- Offset flail mower;



- Forestry mulcher;
- Slashing decks;
- Land shark slasher/mulcher;
- Kubota M100GX tractor (with 3PL, PTO and a FEL);
- Case Positrack; and
- Utility mounted Spray Unit.

The list of equipment and implements is suitable to be used for a verge maintenance program. Contractors are also utilised to undertake works on verges.

Resource Considerations - Staff

Staff resources have not been allocated solely to the role of verge maintenance within the Shire's current Operations structure. Given the size of the Shire, the length of roads that need to be audited and the amount of work that is required to be programmed and undertaken, it is probable that staff should be appointed to positions which have the primary role of verge maintenance, or that the work is accounted for within operational team requirements. Given the growing size of the Shire and increasing number of residents, balancing the requests for work will likely see the formation of supporting maintenance areas, where similar work types are bundled together, and the requirement for dedicated Officers within each of those areas.

A comprehensive review of the Shire's Operations at the Depot is being procured currently which will include advice on structuring of staff resources to address the service delivery gaps. Resourcing and methodologies used to undertake verge maintenance works will be a key component of this review and recommendations to change and improve this process will be listed as actions as required.

Policy Considerations

The Permissible Verge Treatments policy potentially requires a review to clarify the roles and responsibilities of residents and the Shire in relation to verge maintenance works and should include collaborative objectives that encourage ownership of verges, operational standards and compliance processes. This is particularly important in rural roads where private lot boundaries along road frontage can be of a substantial length.

As per the Verge Maintenance Policy, if the condition of the verge requires intervention, ultimately the Shire is obliged to do so. This work falls to the operations team and, due to the partial reliability upon residents to maintain their verges, cannot accurately forecasted each year for extent and completeness.

Current situation

Currently the Shire undertakes maintenance of verges via slashing and spraying with various types of equipment, machinery and internal staff resources. Contractors are also utilised to provide this service in certain areas or when staff resources or equipment are unavailable. These works are delivered in conjunction with traffic management services that generate operational high costs, require Main Roads Western Australia approval in some instances, and are a hinderance to public vehicle movement capabilities.

Present budgets and resource capabilities enable the application of a verge schedule that provides:

- slashing works being delivered across all Shire verges once a year; and



- a secondary slashing across approximately half the Shire where practicable.

These works are inclusive of chemical application controls, line trimming, tractor mounted and OutFront rotary mower slashing equipment.

The remainder of the verge maintenance budget is utilised for reactive/adhoc works such as urgent or high-risk line of sight concerns, fire hazards and tree work.

The ability of the Shire to deliver the works above to full capacity recently has been affected by staff shortages, contractor unavailability and changing weather patterns rendering spraying works ineffective. It is likely that this will take an extended period to mitigate due to the persisting vacancies in positions and backlog of work requests.

Moving Forward

To enable improved service delivery and achieve outcomes regarding verge maintenance for fuel load mitigation, development of a series of service levels applicable to the variety of Shires road classifications and verge types has commenced.

By developing service levels for various road classifications and verge types, which can include location, speed zoning, the appropriate treatments (and their frequency) acceptable/not acceptable standards and intervention triggers, the ability to determine priority of work and appropriate schedule will be much improved.

A suggestion made by the Bushfire Advisory Committee was preparation of a 'Verge Management Plan' for the Shire's roads verges. This approach has not been supported in favour of developing Service Levels as an initial step towards ultimately development of a works program in the coming years. The works program once developed, will inform budgeting and resource allocation as a longer-term strategy. The Service Levels will be used as guide to inform the scope of works and prioritisation of locations to be treated.

The Service Levels will be a working document that are used to determine:

- identification of work locations;
- prioritisation of work locations;
- a desired outcome;
- (agreed) service level indicators; and
- maintenance activities required to achieve the outcomes.

A draft Service Level for Verge Maintenance – Fuel Load Reduction has been prepared in response to BFAC request and corresponding Council resolution, refer **attachment 1**. This Service Level is still undergoing further development as input from relevant stakeholders has not been received in full. As such, the new approach is being presented to assure Council and the Bushfire Advisory Committee that the objectives of the request are being considered realistically based on a service level methodology, although the pathway is different to that which was suggested. The service level strategy will be finalised following the Operations review and will then be implemented for a 12-month period during which performance and costs will be recorded, measured, analysed and used as a measuring tool to develop future works programs, schedules and budgeting.

At the completion of the 12-month period, a review of the Service Level methodology will occur ranging from adjusting Service Level Indicators to determining the efficiency of the Service Level



approach. Any identified issues, efficiencies, resourcing capacity and cost will be used in development of future works plans.

Furthermore, as the bushfire season is fast approaching, realistic methods of mitigating current verge fuel loads have been undertaken or are being considered for the interim, cognisant of current limitations, and include:

- Modification of equipment to increase efficiency;
- Securing contractor services enabling staff to undertake more verge mowing;
- Securing specialist contractors;
- Traffic management required to slow traffic or close roads to enable works to be undertaken;
- In-house spraying (commenced);
- Slashing using tractor mounted implements; and
- Meeting with Fire Control Officers to review the Service Level and prioritise roads with the network.

The above works should result in the vegetation density and height reduced to acceptable levels although there is likely to be an impact on the delivery of other services due to achieving the target service levels.

Options and Implications

Option 1

That Council:

1. ADOPTS the proposed Service Level approach as contained within **attachment 1**, to address the verge maintenance and fuel load reduction; and
2. REQUESTS the Chief Executive Officer incorporate the Service Level based verge maintenance and fuel load reduction strategy into the Shire's Bushfire Risk Management Plan, subject to a successful 12-month trial of the proposed approach.

Option 2

That Council DOES NOT ADOPT the approach and REQUESTS the Chief Executive Officer prepare a consolidated Road Verge Management Plan for Council consideration.

Option 1 is recommended.

Conclusion

Current resources limit the Shire's ability to provide a level of service that manages fuel loads within all verges and drains throughout the Shire. Acceptable maintenance levels have not been determined and the location of risks has not been formally prioritised.

The Shire's Emergency Services Team addresses mitigation according to the adopted Bushfire Risk Management Plan (BRMP), which does not extend funding to verge maintenance.

Officers recommend forming of Service levels for Verge fuel load management, implementation of a trial period for Service Levels and supporting relevant outcomes from an operational review that will be run concurrently with the Service Level trial.



Attachments (available under separate cover)

- **10.2.2 – attachment 1 - Service Level: Verge Maintenance – Fuel Load Reduction (Draft) (E22/10650)**

Alignment with our Strategic Community Plan

Outcome 1.3	A safe place to live
Strategy 1.3.2	Support local emergency services
Strategy 1.3.3	Enhance community safety
Outcome 2.1	A diverse, well planned built environment
Strategy 2.2.1	Develop, maintain and implement plans for the management and maintenance of Shire controlled parks, reserves, and natural assets
Strategy 2.2.4	Support community groups (both new and existing), who are preserving and enhancing the natural environment.
Outcome 2.3	A productive rural environment
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources
Strategy 4.1.2	Maximise the Shire's brand and reputation in the community
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions

Financial Implications

There may be significant budget implications should a level of service be required for rural verge maintenance with the Shire that is beyond the current resources to provide. The current Council policy seeks to share this with adjoining owners of land although if the Shire was to assume responsibility for all verges, there will be cost increases.

The development of costs (i.e. \$/Km) can be developed during a trial period which can then inform subsequent service levels and budgets. Operational Reviews being undertaken concurrently may assist (re)allocation of internal resources or identifying the quantum of new resources, if required. As such, there will be no additional cost within this current FY but there may be implications for future years.



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	Unable to resource necessary Service level implementation	Detail due diligence before implementation of service level	Financial	Possible	Moderate	MODERATE	
2	Perception of the community that 'nothing is being done'.	Reduction of fuel loads within verges via maintenance programs	Reputation	Likely	Minor	LOW	Maintenance programs implemented. Resourced appropriately

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **ADOPTS** the proposed Service Level approach as contained within attachment 1, to address the verge maintenance and fuel load reduction; and
2. **REQUESTS** the Chief Executive Officer incorporate the Service Level based verge maintenance and fuel load reduction strategy into the Shire's Bushfire Risk Management Plan, subject to a successful 12-month trial of the proposed approach.



10.2.3 – Petition – Footpath on Adonis Street and Richardson Street, Mundijong (SJ1271)

Responsible Officer:	Manager Engineering Services
Senior Officer:	Director Infrastructure Services
Disclosure of Officer’s Interest:	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 of the investigation in response to the petition received at the 20 June 2022 Ordinary Council Meeting requesting Council to construct a footpath along Adonis Street and Richardson Street, Mundijong.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 20 June 2022 – OCM119/06/22 - COUNCIL RESOLUTION
 1. That Council **ACCEPTS** the non-conforming petition and **REQUESTS** that the Chief Executive Officer present a report on the matter at a future meeting of Council

Background

A petition was presented at the 20 June 2022 Ordinary Council Meeting for the construction of a footpath along Adonis Street (linking Cockram Street to Richardson Street) and construction of another footpath along Richardson Street (linking Adonis Street to Paterson Street). The petition included 120 signatures including 109 identified as residents of the Shire.

Officers have undertaken an assessment of the two proposed footpaths and prepared concept plans and cost estimates for the staged construction of footpaths along Adonis Street and Richardson Street, Mundijong.

Community / Stakeholder Consultation

Policy Concept Forum

Nil.

The applicant was contacted by Shire Officers to discuss the petition. The applicant indicated that based on discussions with residents who signed the petition, their highest priority is to have a footpath along Adonis Street to link to the existing footpath in Cockram Street to Richardson Street. The next priority would be to construct a footpath along Richardson Street to connect Adonis Street to Mundijong Primary School followed by a footpath linking Mundijong Primary School to the footpath along Paterson Street.



Statutory Environment

Nil.

Comment

Shire Officers have inspected the site and undertaken an assessment of the two roads on which the petition calls for footpaths to be installed, Adonis Street and Richardson Street.

On Adonis Street, between Cockram Street and Richardson Street, there are 5 rural properties on the west side. On the east side, there are 22 residential properties including those in Wallace Street and Senior Court from which residents could gain direct access to a footpath installed on the East side of Adonis Street. Based on this, it is proposed that a footpath be installed on the East side of Adonis Street, as indicated in **attachment 1**.

On Richardson Street, the number of properties on each side of the road is similar, and in determining the best alignment for a footpath, two other factors have been considered. These are mainly the location of Mundijong Primary School being on the north side of Richardson Street and presence of at least 15 mature trees on the south side of Richardson Street. Locating the footpath on the south side of the Richardson Street would require the removal of majority of the mature trees, and in addition, would require a formal crossing for school children. In order to preserve the trees and provide direct access from the school to the footpath, it is proposed that the footpath will be located on the north side of Richardson Street, as shown on **attachment 2**.

The total length of footpath required to be installed along Adonis Street between Cockram Street and Richardson Street is 470 meters. The construction cost for this footpath has been estimated at \$154,000. The scope of works will include installation of a 2 m wide concrete footpath and pram ramps, tree pruning, kerb repair and installation of 90m long piped drainage to replace the existing open drain.

The total length of footpath to be installed on Richardson Street between Adonis Street and Paterson Road is 575 meters. The construction cost of this footpath has been estimated at \$196,000. The scope of works will include installation of a 2m wide concrete footpath, pram ramps, 360m of new kerbing and 105m of new piped drainage to replace the existing open drain.

The total estimated cost of both footpaths is \$350,000. The footpaths can be constructed in 3 stages as funding becomes available. The following staging of the project is based on prioritisation as discussed with the applicant:

- Stage 1 – 470m East side of Adonis Street – Cockram Street to Richardson Street - \$154,000;
- Stage 2 – 300m North side of Richardson Street – Adonis Street to Butcher Street - \$105,000;
- Stage 3 – 275m North side of Richardson Street – Butcher Street to Paterson Street - \$91,000.

Options and ImplicationsOption 1

That Council:

1. ACCEPTS the findings of the investigation in response to the petition received at the 20 June 2022 Ordinary Council Meeting;
2. REQUESTS the Chief Executive Officer to prepare a business case for funding consideration of each stage at a future budgeting process by Council; and
3. REQUESTS the Chief Executive Officer advise the lead petitioner of Council's resolution.



Option 2

That Council DOES NOT ACCEPT the findings of the investigation in response to the petition received at the 20 June 2022 Ordinary Council Meeting.

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. Footpaths are also key infrastructure assets in providing an alternative transport option for school children. In urban settings, footpaths are essential to link residential areas to commercial hubs, educational centres and sporting complexes amongst other hubs. The footpaths proposed in this report will provide the essential infrastructure assets as means of safe pedestrians and cyclist access to the Mundijong Primary School and the commercial precinct. The proposed footpaths will provide safe infrastructure for the local residents and encourage more walking and cycling within the community.

Attachments (available under separate cover)

- **10.2.3 - attachment 1** – Adonis Street footpath concept design (E22/10762)
- **10.2.3 - attachment 2** – Richardson Street footpath concept design (E22/10763)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 1.3	A safe place to live
Strategy 1.3.3	Enhance community safety
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework
Outcome 3.3	An innovative, connected transport network
Strategy 3.3.1	Maintain, enhance and rationalise the Shire's transport network in accordance with affordable sound Asset Management Plans

Financial Implications

Delivery of the footpaths is currently estimated at a total cost \$350,000. Delivery of the footpaths in 3 stages will have the following financial impacts on Shire municipal monies to fund the works from annual budgets:

Stage 1 – \$154,000

Stage 2 – \$105,000

Stage 3 – \$91,000



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	The business case and associated budget process will see delivery of sections of footpath over a number of years.	An approach to the consideration of installation of footpaths within road reserves.	Reputation	Possible	Moderate	MODERATE	
2	Injury to pedestrians/cyclists having to use road or verge to commute where no footpath is installed.	An approach to the consideration of installation of footpaths within road reserves.	Physical or Psychological	Unlikely	Catastrophic	MODERATE	

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **ACCEPTS** the findings of the investigation in response to the petition received at the 20 June 2022 Ordinary Council Meeting;
2. **REQUESTS** the Chief Executive Officer to prepare a business case for funding consideration of each stage at a future budgeting process by Council; and
3. **REQUESTS** the Chief Executive Officer advise the lead petitioner of Council's resolution.



10.2.4 – Engineering Services - Council Policy Review - Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale, Subdivision Road Upgrade and Subdivision Drainage Headworks (SJ526-02)

Responsible Officer:	Manager Engineering Services
Senior Officer:	Director Infrastructure Services
Disclosure of Officer's Interest:	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:

- adopting revised Council Policy - Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale; and
- rescinding Council Policies Subdivision – Road Upgrade and Subdivision – Drainage Headworks.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 20 June 2022 – OCM146/06/22 - COUNCIL RESOLUTION / Officer Recommendation
That Council NOTES the proposed forward calendar of routine policy review in attachment 1.

Background

At the June 2022 Ordinary Council Meeting, Council noted the proposed forward calendar of routine policy review. This calendar identified the following three Council policies for review by September 2022:

- Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale;
- Subdivision – Road Upgrade;
- Subdivision – Drainage Headworks.

As such, Officers have completed a review of each policy for Council consideration as outlined in this report.

Community / Stakeholder Consultation

Nil.



Statutory Environment

Review of Council Policies

Section 2.7 of the *Local Government Act 1995* provides that the role of Council is to 'determine the local government's policies'. The amendment, adoption or rescindment of any Council Policy must therefore be resolved by Council.

Council Policy - Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale

The following legislation is related to Council Policy - Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale:

- *Road Traffic (Vehicles) Act 2012* – provides the Commissioner of Main Roads the authority to approve RAV access.
- *Road Traffic (Vehicles) Regulations 2014* – provides licensing and standards for vehicles.

Council Policies Subdivision – Road Upgrade and Subdivision – Drainage Headworks

The following legislation has been considered in the review of Council Policies 'Subdivision – Road Upgrade and 'Subdivision – Drainage Headworks':

- *Planning and Development Act 2005* – division 4 sets out the requirement for a person constructing and/or upgrading road and drainage as part of a subdivision to meet the costs or make an arrangement with the local government. If this does not occur, provision is made for the local government to recover the reasonable costs. Where constructed or upgraded roads have common boundaries with land subdivided by another subdivider at a later time, provision is also made for the recovery of costs from the later subdivider by the original subdivider.

Comment

Council Policy - Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale

This policy sets out the circumstances where Restricted Access Vehicle (RAV) Operations are permitted on designated roads under the care, control and management of the Shire. Although Main Roads WA is the agency responsible for ultimately approving RAV Operations, their approval process requires consultation with the local government to ensure any local operating conditions are applied.

On review of Council Policy - 'Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale', Officers have determined certain sections of the policy to be redundant, unnecessarily duplicated (e.g. already dealt with via other Council policy/process instruments) or requiring update. The recommended changes as contained in **attachment 2**, comprise the following:

- 'Designated Roads': All RAV designated roads can be found via the Main Roads WA website, including an interactive map illustrating all RAV networks within the state. Unnecessary duplication and possible inconsistencies could occur if the Shire were to maintain its own record of RAV roads within the Shire separate to Main Roads WA.
- 'Future Designated Roads': Description of specific future roads to be considered for RAV access are not necessary to include in this policy as these will be determined through future RAV route assessments (i.e. through the normal development application and/or RAV route application assessment processes).



- ‘Assessment Process’: Consolidated and simplified due to removal of references to specific future road considerations (as outlined above), removal of duplicate text already occurring elsewhere in the policy, highlighting the requirement for all RAV applications to conform with Main Roads WA Route Assessment Guidelines and inclusion of reference to the WALGA Policy for Assessing Applications to Operate Restricted Access Vehicles (RAV) on Local Government Roads.

In summary, the revised Council Policy as contained in **attachment 1** provides the Director of Infrastructure Services authorisation to support an application to add or amend a RAV route and provide advice and conditions back to Main Roads WA accordingly, subject to the following:

- RAV Operations on networks 1 to 10 must comply with the Main Roads Route Assessment Guidelines.
- Any application for the operation of a Tri-drive RAV network must include a cost recovery method in accordance with the WALGA Policy for Assessing Applications to operate Restricted Access Vehicles (RAV) on Local Government Roads and be determined by Council.
- Concessional load RAV networks are not permitted on any Shire managed roads.

Council Policies Subdivision – Road Upgrade and Subdivision – Drainage Headworks

These policies primarily deal with the bearing of costs for constructing or upgrading drainage and roads as part of a subdivision application.

On review of Council Policies ‘Subdivision – Road Upgrade and ‘Subdivision – Drainage Headworks’, Officers have determined that both policies are redundant and recommend both policies be rescinded.

The primary reason for this determination is that, at a local subdivision plan area level, State Government legislation, policies and documents provide the framework to ensure conditions associated with the upgrade or construction of local road and drainage infrastructure (including cost arrangements) be imposed when approving subdivisions.

The main components of the existing framework are:

- *Planning and Development Act 2005*

Division 4, sections 158 & 159, set out the requirement for a person constructing and/or upgrading road and drainage as part of a subdivision to meet the costs or make an arrangement with the local government. If this does not occur, provision is made for the local government to recover the reasonable costs. Where constructed or upgraded roads have common boundaries with land subdivided by another subdivider at a later time, provision is also made for the recovery of costs from the later subdivider by the original subdivider.

- *Western Australian Planning Commission (WAPC) Model Subdivision Conditions Schedule*

Model condition T5 makes provision for the imposition of a condition of subdivision by the Shire on a WAPC Conditional Approval for the full or partial upgrading or construction of road/s.



- *Department of Planning, Lands and Heritage and WAPC Local Government Guidelines for Subdivisional Development.*

Section 1.13 – Developer Responsibilities, specifically point 1.13.4 – Road Upgrading for Subdivisions provides the guidance and direction for Local Government Officers to impose road upgrade and construction conditions.

- *Institute of Public Works Engineering Australia - Subdivisional Guidelines*

Among other things, the guidelines outline best practice processes for calculating costs associated with subdivision works. Officers apply this guideline in the event costs need to be estimated for the purposes of recovering costs. Note – the Development Contribution Plans manage this when the subdivider is a developer.

- *Subdivision and Development Fronting Historic Laneways within the Byford Old Quarter Local Planning Policy*

This Local Planning Policy adopted by Council in March 2022, outlines the requirements for the subdivision of lots that front historic lanes within the Byford Old Quarter area and ensures the laneways are upgraded to the Shire's requirements.

Additionally, at regional or outside of Local Subdivision Area Level, the following State and Shire policies and documents exist to ensure the upgrade or construction of higher order/regional road and drainage infrastructure.

- *WAPC State Planning Policy 3.6 – Infrastructure Contributions.*

This policy sets out the principles and requirements for the upgrade of existing and/or construction of new road and drainage infrastructure (among other infrastructure) required to facilitate development.

- *Shire of Serpentine Jarrahdale Infrastructure Development Contribution Plans (DCP)*

DCA 1 Byford, DCA 2 West Mundijong Industrial and DCA 3 Mundijong-Whitby, prepared in accordance with State Planning Policy 3.6 Infrastructure Contributions, enable the application of infrastructure contributions by the Shire for new and upgrades to (among other infrastructure) road and drainage infrastructure and the equitable sharing of such costs between land developers.

In consideration of the above framework being in place, it is recommended Council Policies 'Subdivision – Road Upgrade' and 'Subdivision – Drainage Headworks' be rescinded.

Options and Implications

Option 1

That Council:

1. ADOPTS Council Policy – Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale as contained in **attachment 1**;
2. RESCINDS Council Policies – 'Subdivision – Road Upgrade' and 'Subdivision – Drainage Headworks'.

Option 2

That Council:

1. ADOPTS Council Policy – Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale as contained in **attachment 1** with the following amendments:



- _____
- 2. RESCINDS Council Policies – ‘Subdivision – Road Upgrade’ and ‘Subdivision – Drainage Headworks’.

Option 3

That Council:

1. DOES NOT ADOPT the revised Council Policy – Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale.
2. DOES NOT RESCIND Council Policies – ‘Subdivision – Road Upgrade’ and ‘Subdivision – Drainage Headworks’.

Option 1 is recommended.

Conclusion

Council Policy - Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale outlines the process of all RAV applications referred to the Shire being assessed in accordance with Main Roads WA Route Assessment Guidelines.

Council Policies Subdivision – Road Upgrade and Subdivision and Drainage Headworks primarily deal with the bearing of costs for constructing or upgrading drainage and roads as part of a subdivision application. State Government legislation, policies and documents provide the framework to ensure conditions associated with the upgrade or construction of local road and drainage infrastructure are imposed when approving subdivisions. Officers have determined that both policies are redundant and recommend both policies be rescinded.

Attachments (available under separate cover)

- **10.2.4 - attachment 1** – Council Policy – Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale (E22/10977)
- **10.2.4 - attachment 2** - Council Policy – Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale – Tracked Changes (E22/10976)
- **10.2.4 – attachment 3** – Council Policy - Subdivision – Road Upgrade (E22/10975)
- **10.2.4 – attachment 4** – Council Policy - Subdivision – Drainage Headworks (E22/10974)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.3	Provide clear strategic direction to the administration

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 option 1.						
2	Amendments made may not be informed by sufficient operational information.	Nil	Organisational Performance	Unlikely	Minor	LOW	Nil
3	If Council do not adopt the revised Policy, and do not rescind the outdated policies, the Shire will continue to have out of date policies and will not achieve the policy review schedule. This may be looked unfavourably on at future regulation 17 reviews. Additionally, outdated policies increase risks associated with compliance and efficiencies as they may not address the current operational environment.	Nil	Organisational Performance	Possible	Minor	MODERATE	Nil.

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **ADOPTS Council Policy – Restricted Access Vehicle Operations within the Shire of Serpentine Jarrahdale as contained in attachment 1;**
2. **RESCINDS Council Policies – ‘Subdivision – Road Upgrade’ and ‘Subdivision – Drainage Headworks’.**

**10.3 Corporate Services reports**

10.3.1 - Confirmation of Payment of Creditors – August 2022 (SJ801)	
Responsible Officer:	Manager Finance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	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; and
- d) Sufficient information to identify the transaction.

A detailed list of invoices for the period 1 August 2022 to 31 August 2022 is provided in **attachment 1**.

Options and Implications

Option 1

That Council RECEIVES the Schedule of Accounts as paid under delegated authority from 1 August 2022 to 31 August 2022, totalling \$5,520,634.37.

Option 2

That Council DOES NOT RECEIVE the Schedule of Accounts as paid under delegated authority from 1 August 2022 to 31 August 2022, totalling \$5,520,634.37.

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 August 2022 (E22/11083)
- **10.3.1 - attachment 2** – Westpac Purchasing Card Report – 28 June 2022 to 27 July 2022 – Redacted (E22/11079)

Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources

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 1 August 2022 to 31 August 2022 totalled \$5,520,634.37.



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

Officer Recommendation

That Council RECEIVES the Schedule of Accounts as paid under delegated authority from 1 August 2022 to 31 August 2022, totalling \$5,520,634.37 as contained in attachment 1.

**10.3.2 - Monthly Financial Report – July 2022 (SJ801)**

Responsible Officer:	Manager Finance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	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 31 July 2022.

Relevant Previous Decisions of Council

Special Council Meeting – 25 July 2022 – SCM026/07/22 - COUNCIL RESOLUTION – extract

8. 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 2022/23 for reporting material variances shall be:

- a) 10% of the amended budget; or
- b) \$10,000 of the amended budget.

Whichever is greater.

In addition, that the material variance limit be applied to total revenue and expenditure for each Nature and Type classification and capital income and expenditure in the Statement of Financial Activity.

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. The *Local Government Act 1995* further states that this statement can be reported by either by Nature and Type, Statutory Program or by Business Unit. 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. 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 31 July 2022.

The municipal surplus as at 31 July 2022 is \$35,286,608 which is favourable, compared to a budgeted deficit for the same period of \$5,374,031. The primary causes of this are a higher than anticipated opening position as well as the underspend in Materials and Consumables year to date.

Furthermore, as the budget was not adopted until late July, expenditure was restricted to purchases required for business continuity with expenditure contingent to the adopted of the budget not commencing until after adoption.

Further information on material variances that may have an impact on the outcome of the budgeted closing surplus position are listed below:

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 \$10,000.

Fees and Charges

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

Interest Earnings

Unfavourable variance of \$14,569 due primarily to :

- Timing of maturity of term deposits. Those that are maturing have a lower interest rate than the current bank rate.

Other Revenue

Favourable variance of \$24,381 due primarily to:

- Unexpected reimbursements received
 - Insurance Claims - \$11,801;
 - Reimbursement from Western Australia Local Government Association for cost of Rangers to attend Animal Welfare Training - \$9,405;

Profit on Asset Disposal

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



Operating Expenses

Employee Costs

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

Materials and Contracts

Favourable variance of \$402,036 due primarily to:

- The Shire engaged less external contractors and used less materials for the period than anticipated in the following areas
 - Parks and Garden and Natural Area Management - \$110,000
 - Facilities Maintenance - \$32,000
 - Civils Maintenance - \$27,000
- Other significant variance include:
 - The Shire utilised less consulting services for the period than anticipated - \$66,000
 - No Bulk Waste Disposal for Waste Transfer Station was undertaken during the month - \$54,000
 - The Shire utilised less legal services for the period than anticipated - \$30,000
 - ICT equipment for new FTE yet to be purchased as positions not approved until late in the month - \$18,500

Utility Charges

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

Depreciation on Non-Current Assets

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

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%.

Interest Expenses

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

Loss on Disposal of Assets

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

Other

Capital Expenditure

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

Refer to Capital Works Expenditure within **attachment 1** for further details.

Non-Operating Grants, Subsidies and Contributions

Favourable variance of \$423,272 due primarily to:



- Unbudgeted Developer Contributions received;
 - Byford DCP - \$359,248;
 - Community Infrastructure DCP - \$64,024;

Proceeds from Disposal of Assets

Favourable variance of \$80,264 due primarily to:

- Sale of the following vehicle occurring sooner than anticipated:
 - Toyota Prado - \$48,541;
 - Subaru Liberty - \$31,723;

Repayment of Loans

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

Repayment of Leases

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

Transfers to/from Cash Backed Reserves (Restricted Assets)

Unfavourable variance to Transfer to Reserve of \$417,217 due primarily to:

- Unbudgeted Developer Contributions transferred to reserve;
 - Byford DCP - \$359,248;
 - Community Infrastructure DCP - \$64,024;

No variance analysis required for Transfer From Reserves, variance to budget is less than 10%.

Options and Implications

Option 1

That Council RECEIVES the Monthly Financial Report for July 2022 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 July 2022, 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 - July 2022 (E22/11013)



Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources

Financial Implications

As at 31 July 2022, the Shire's respective cash position was as follows:

Municipal Fund: \$1,980,844.88

Trust Fund: \$304,221.61

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	Nil.						
2	That Council does not receive the Monthly Financial Report for May 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

Officer Recommendation

That Council RECEIVES the Monthly Financial Report for July 2022 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.



10.3.3 – Corporate Business Plan Performance Report – April to June 2022 and 2021-2022 End of Year (SJ940-3)

Responsible Officer:	Manager Governance and Strategy
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	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 to provide Council with a quarterly performance report against the 2021-25 Corporate Business Plan (CBP) for the period 1 April to 30 June 2022 and an end of year performance report for the period 1 July 2021 to 30 June 2022.

Relevant Previous Decisions of Council

<p><i>Ordinary Council Meeting – 16 May 2022 - OCM112/05/22 - COUNCIL RESOLUTION / Officer Recommendation</i></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>NOTES the performance report against the 2021-25 Corporate Business Plan for the period 1 January to 31 March 2022 as contained in this report and attachment 1.</i> 2. <i>ADOPTS the amendments to the Corporate Business Plan 2021-25 as outlined in this report and attachment 2.</i>

Background

On 16 August 2021, Council adopted the Shire of Serpentine Jarrahdale Corporate Business Plan 2021-25 (OCM228/08/21) and subsequently adopted amendments on 13 December 2021 (OCM356/12/21), 21 March 2022 (OCM050/03/22) and 16 May 2022 (OCM112/05/22).

The Corporate Business Plan 2021-25 is the Shire of Serpentine Jarrahdale's four-year delivery program, aligned to the Shire's Integrated Planning and Reporting Framework (i.e. Strategic Community Plan, Annual Budget, Long Term Financial Plan and other supporting strategies). The purpose of the plan is to operationalise the Community's vision and the Shire's strategic objectives through the establishment of actions that address each strategy contained within the Strategic Community Plan.

The Shire of Serpentine Jarrahdale has established periodic performance reporting against the 2021-25 Corporate Business Plan to provide Council and the Community with an update towards the achievement of these actions, such as the delivery of key projects and the successful implementation of service level changes.



Community / Stakeholder Consultation

Nil.

Statutory Environment

Local governments have a statutory obligation under s5.56(1) of the *Local Government Act 1995* (WA) ('the Act') to plan for the future of their district. Regulations have been made under s5.56(2) of the Act to briefly outline the minimum requirements to achieve this.

Regulations 19C and 19DA of the *Local Government (Administration) Regulations 1996* (WA) ('the Regulations') require a local government to ensure that a Strategic Community Plan and Corporate Business Plan are made for its district. Any amendments to a Corporate Business Plan must be adopted by absolute majority (Regulation 19DA(6)).

Guidelines for the monitoring and reporting against the Corporate Business Plan are outlined in the Integrated Planning and Reporting Framework and Guideline September 2016 issued by the Department of Local Government and Communities. The Guideline states, "*it is open to local governments to design complementary means of reporting progress and outcomes to the community*".

Comment



Quarterly Performance Report 1 April to 30 June 2022

The Shire of Serpentine Jarrahdale has completed a quarterly performance report against the 2021-25 Corporate Business Plan for the period 1 April to 30 June 2022 ('the Report'). The Report is contained in **attachment 1** for the Council to note.




As the Report relates to the period up to 30 June 2022, changes to projects that have occurred in the period from 1 July 2022 will be reflected in subsequent reports.

Report Structure

Grouped under each key objective area of the Strategic Community Plan (People, Place, Prosperity, Progressive), the Report provides a narrative update against each respective action of the CBP's Delivery Program. To ensure consistency and to enable summary reporting, each action is also allocated a traffic light status in accordance with the following key:

Status	Selection Criteria
 On Track or Complete	Action is complete or on target.
 At Risk or Behind Target	Minor issues have put achievement of the project due date or level of service at risk. or Minor issues have put the project/service behind target. The causes for this are being managed by routine procedures and the issues are likely to be resolved by the next reporting period.



Status	Selection Criteria
 Critical	Major issues have prevented the service/project from commencing or continuing. The causes for this do/will require significant action to rectify and the issues are likely to be ongoing into future reporting periods
 On hold	Work is unable to commence due to a dependency (e.g. awaiting grant funding or completion of another project).
 Deferred or Not Proceeding	<p>Action is no longer proceeding within its planned year of the Corporate Business Plan but will be occurring within a future year of the Corporate Business Plan.</p> <p>Or</p> <p>Action is no longer proceeding within the timeframe of the current Corporate Business Plan. This may be due to a change in direction caused by external factors (e.g. loss of grant funding / change of government) or a change of direction by Council.</p>

Report Summary

The Report provides an update against 122 actions in the Corporate Business Plan. Statistics this period show:

- **61.5%** are on track or complete (75/122);
- **37%** are at risk or behind target (45/122);
- **0%** are critical;
- **1.5%** are on hold (2/122); and
- **0%** are deferred or not proceeding.

Key achievements and highlights this reporting period are as follows:

- Advocacy efforts through the Federal Government election resulting in:
 - A \$145M commitment towards the duplication of Thomas Road from South Western Highway to Tonkin Highway and the construction of the ultimate intersection solution at Tonkin Highway and Thomas Road.
 - A \$6M commitment towards Trails development in the Peel Region of which \$1.6M towards to the development of Equine Trails in Jarrahdale.
- Adoption of the Master Plan for the Civic Purpose Site in Byford Town Centre.
- Endorsement of the Jarrahdale Oval Recreation Space and Trail Head Master Plan for community consultation.
- Adoption of the draft 20 Year Facilities Plan for the Shire's Six Bush Fire Brigades, Emergency Support Brigade and SES Unit.
- Endorsement of the Mounts Loop Trail Master Plan.
- Delivery of the Anzac Day Processional March and Commemorative Service.
- Delivery of the WA Tree Festival 2022.



- Delivery of the Free Verge Plant Program.
- Secured funding from WA Primary Health Alliance to conduct two Camp Hero camps for 80 students from Byford Secondary College, Salvado Catholic College and Court Grammar School in August to develop leadership skills.
- Awarded \$24,000 in community grants to 6 groups under the Community Grants Program.
- Delivery of a Seniors Bus Excursion to Hillarys for 55 seniors.
- Completion of the Abernethy Road Inquiry.
- Launch of the Project Management Lifecycle module in OneComm and adoption of the Project Management and Contract Management Council Policies.
- Release of an all-staff training module of Gifts.
- Adoption of the Council Policy for the recording of in-person Council and Committee meetings.
- Endorsement of the Jarrahdale Bridle Trail Development – Concept Plan with DBCA.
- Completion of the following road projects:
 - Gossage Road Upgrade: Section between King Road and Kargotich Road upgraded to meet RAV 3 requirements
 - Anketell Road and Thomas Road/Anketell Road Intersection
 - Rowley Road
 - Kingsbury Drive
 - Meads Street
 - Mundijong Road
 - Reseals for the following 9 roads: 3 sections of Linton Street North, Binshaw Avenue, South Crescent, Blair Road, Blytheswood Road, Anstey Street and Gladstone Drive.
- Completion of the Karnup Road Culvert Replacement.
- Endorsement of the revised concept plan for the Keirnan Park Sports Recreation Precinct and commencement of detailed design.
- Commencement of the Byford Hall Refurbishment in preparation for the Library Relocation.
- Progress towards the Administration Accommodation project including adoption of the Administration Building Redevelopment Concept Plan, Council Chamber's Relocation Concept Plan, and Project Implementation Plan.
- Hosted a Community Information Breakfast for the Shire's draft 2022/23 Annual Budget including Differential Rates.
- Upgraded the turf at the Bark Park.
- Media Launch of the Local Food Action Plan.
- Completion of minor facility works including:
 - New backboards and roof repairs at the Serpentine Jarrahdale Community Recreation Centre
 - Upgrades to Old Hopeland School



- Disability Improvements at Serpentine Bridge School.
- Completion of the landscape design and irrigation for the upgrade of the Bruno Gianatti Hall – Outdoor Hub.



The following actions **completed** this reporting period are:

- Byford Community Purpose Site Master Plan.
- Jarrahdale Oval Master Plan.
- Horse and Pony Expo.
- Jarrahdale Equine Trails Network Concept Plan.
- Gossage Road Upgrade.
- State Blackspot Road Upgrades - Anketell Road and Thomas Road / Anketell Road Intersection.
- Metropolitan Regional Road Group Upgrades - Rowley Road and Kingsbury Drive.
- Karnup Road Culvert Replacement.
- Roads to Recovery Reseal Program – 3 sections of Linton Street North, Binshaw Avenue, South Crescent, Blair Road, Blytheswood Road, Anstey Street and Gladstone Drive.
- Federal Blackspot Road Upgrades - Meads Street and Mundijong Road.
- New Street lighting at Karnup Rd / Yangedi Rd in Hopeland.
- Minor Facility Renewals - New backboards and roof repairs at the Serpentine Jarrahdale Community Recreation Centre and Upgrades to Old Hopeland School.
- Project and Contract Management Framework.
- Drainage Renewal – minor improvement works along the northern edge of Briggs Park Upper Oval.



The **45** actions identified as **at risk or behind target** are:

7 Major Capital Projects:

Action 1:	<u>Drainage Material Disposal</u> Find a disposal solution for the drainage material produced from operations (as opposed to disposal at landfill).	Status			
		Q1	Q2	Q3	Q4
Comment:	The resource responsible for this project was vacant for the reporting period and as such progress towards the project is delayed.				
Remedial Action:	The resource for the project commenced in June 2022 and the project has been extended in the draft 2022-26 Corporate Business Plan to 31 December 2022 with the following milestones: 1) Conduct volumetric survey of existing stockpiles to inform cost analysis for procurement of shredder vs contractor hire				



	2) Provide recommendations to Council as per business case findings
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Action 2:	<u>Tip Shop</u> Establish the tip shop at the Waste Transfer Station in Mundijong.	Status			
		Q1	Q2	Q3	Q4
Comment:	Work undertaken toward the tip shop this reporting period includes the laying of the pad and the purchase of the sea containers and dome shelter. The project is behind schedule due to difficulties sourcing contractors to undertake the footings and asphalt laying. The tentative opening date of the tip shop is 13 August.				
Remedial Action:	Construction of access road and pad is scheduled for early July. Sea containers and domed roof to be installed by mid-July and facility is anticipated to be operational by mid-August.				

Action 3:	<u>Marcora Trail Upgrades</u> Trails upgrades to Marcora Trail (Carpark Improvements and maintenance works on the trail).	Status			
		Q1	Q2	Q3	Q4
Comment:	Scope and detail of agreement for Marcora Trail works verbally agreed between Shire Officers and DBCA. Awaiting formalised draft to present to Council for endorsement. Anticipated for August/September OCM subject to receipt of DBCA feedback.				
Remedial Action:	Monthly meeting scheduled with DBCA. Update to be requested at July meeting if not received prior.				

Action 4:	<u>Whitby Falls Trail Drainage Upgrade</u> Install drainage solution at the Whitby Falls Trail.	Status			
		Q1	Q2	Q3	Q4
Comment:	Detailed drainage design and modelling is being finalised and construction works will be undertaken in the dry months late 2022 early 2023.				
Remedial Action:	Detailed engineering design and stormwater modelling has been undertaken to ensure that the drainage solution is sized accordingly. This additional design stage has delayed the project.				



Action 5:	<u>New Depot Accommodation</u> Purchase of land and relocation of Depot.	Status			
		Q1	Q2	Q3	Q4
Comment:	During the course of the year Officers identified this as an opportunity that could be slowed to reduce the financial exposure of the Shire in the long term financial plan. Officers are investigating opportunities for suitable sites within the West Mundijong Industrial Area for purchase for the future Depot. Once identified, a report will be prepared that will outline the suitability of the Shire acquiring the investment.				
Remedial Action:	<p>The timelines for the project have been readjusted in the draft 2022-26 Corporate Business Plan with the following milestones due by 30 June 2023:</p> <p>Identification of a suitable site within the West Mundijong Industrial Area and draft Council report that includes:</p> <ul style="list-style-type: none"> • Due Diligence on proposed site. • Setting a Maximum Acquisition Price including costs of construction for Depot. 				

Action 6:	<u>Depot Accommodation Upgrades</u> Refurbishment to the current Depot Accommodation.	Status			
		Q1	Q2	Q3	Q4
Comment:	<p>Project scope has increased significantly from that initially intended resulting in amendments to both schedule and budget.</p> <p>Site feature survey has been completed and final building revisions issued to Instant Products, for review and confirmation of pricing. Once pricing is received Officers will seek final fabrication approval.</p> <p>A disposal solution for the existing buildings is being considered.</p>				
Remedial Action:	Project is on track with revised targets as detailed in the draft 2022-26 Corporate Business Plan. The new due date for completion of works is December 2022.				

Action 7:	<u>Byford Library</u> Relocate the Mundijong Library to Byford.	Status			
		Q1	Q2	Q3	Q4
Comment:	Practical Completion of construction works is estimated to be provided in mid July 2022. The program was extended by the Steering Group to reflect the impacts of COVID and supply chain issues on construction works.				
Remedial Action:	Continue to deliver project and extend the due date of the project to July in the review of the Corporate Business Plan. The formal opening event is scheduled for late August.				

**21 Capital Works Programs:**

	<u>Drainage Renewal</u>	Status			
		Q1	Q2	Q3	Q4
Action 1:	Renew Shire drains - · Culverts – 2 x Elliot Road · Hopkinson Road Drainage works				
Comment:	Unable to procure contractor to complete works within 21/22 financial year. Hopkinson Road drainage works to be completed as part of Hopkinson Road rehabilitation works during the first quarter of 22/23 financial year. The Elliott Road culverts are anticipated to be delivered over second quarter of 2022/23.				
Remedial Action:	Funds carried forward, contractor to be procured to complete works over summer 2022-23.				

	<u>Street Lighting - New</u>	Status			
		Q1	Q2	Q3	Q4
Action 2:	Install new street lighting at the following Shire locations: - Mundijong Road / Lampiter Drive, Mundijong - King Road / Coyle Road, Oldbury				
Comment:	Mundijong / Lampiter lighting supply and installation is awarded, contractor waiting delivery of pole, which was delayed, installation is due late July 2022. King / Coyle with Western Power to design, also delayed due to their workload.				
Remedial Action:	Projects carried forward.				

	<u>Signage on equine trails</u>	Status			
		Q1	Q2	Q3	Q4
Actions 3 and 4:	Install signage on equine trails Upgrade signage at Jarrahdale Heritage Walk				
Comment:	The Jarrahdale Heritage Walk signage has been a project that has been managed and delivered by the Jarrahdale Heritage Society with the support of the Shire. The project is progressing with installation expected to be completed by end September subject to weather. Officers are working with the DDRA to upgrade signage at the 70 Acres equestrian facility.				
Remedial Action:	Continue to deliver projects, funds have been carried forward into 2022-23.				



Action 5:	<u>Trail Renewal</u> Renewal capital works on the Shire's Trails	Status			
		Q1	Q2	Q3	Q4
Comment:	<ul style="list-style-type: none"> - project did not get delivered in 2021/2022 - project will be partially bundled with the Equine trails signage projects 				
Remedial Action:	Project and funds carried forward to 22/23 FY				

Action 6 and 7:	<u>Parks and Gardens Renewal</u> <ul style="list-style-type: none"> · Fencing at Serpentine Sports Reserve · Claire Morris Reserve (Harwood Pass) and Mundijong Oval Fencing and Shelters 	Status			
		Q1	Q2	Q3	Q4
Comment:	Installation of Fencing at Serpentine Sports Reserve is underway, currently 60% completed. Mundijong Oval Fencing and Shelters <ul style="list-style-type: none"> - change in construction materials required due to size of shelter - recertification of shelter required due to change in material - fabrication of shelter has commenced offsite Claire Morris Reserve (Harwood Pass) <ul style="list-style-type: none"> - Work has not progressed 				
	Remedial Action:				
	Continue to progress with project and funds have been carried forward into 2022-23. Works are estimated to be complete by the end of December.				

Actions 8, 9, 10 and 11:	<u>Minor Facility Renewals</u> Admin building aircon renewal Mundijong Landcare Building (electrical wiring and switchboard) Recreation centre doors, septic and stage SJ Recreation Centre Renewals (Refer OCM263/09/21)	Status			
		Q1	Q2	Q3	Q4
Comment:	Work has not progressed on these projects this reporting period due to resources being allocated to other priority projects. Admin building aircon renewal - The air condition units condition verification will be undertaken throughout the Administration Office to verify which units need to be replaced or upgraded in order to confirm the scope of works.				



	All other projects - Officers will inspect the building to confirm the scope of works and develop a brief to seek quotes and engage a contractor to undertake the works. The anticipated start date is currently September/October 2022.
Remedial Action:	Admin building aircon renewal - Once units have been verified funds will be obtained through a budget review; if possible. All other projects - Works have been carried forward in the 2022-23 annual budget.

Action 12	<u>Minor Facility Renewals</u> Baseball Dugouts at Briggs Park	Status			
		Q1	Q2	Q3	Q4
Comment:	The project is underway but is behind schedule due to a change in materials required to recertify the design following additional advice being received on the size of the shelter. Fabrication has commenced.				
Remedial Action:	Continue to deliver project. The estimated completion date is by the end of September 2022.				

Action 13:	<u>Universal Access and Inclusion Program</u> Deliver access and inclusion improvements on Shire facilities	Status			
		Q1	Q2	Q3	Q4
Comment:	Work has not progressed on this project this reporting period due to resources being allocated to other priority projects. The latest list of tasks is being re-costed and re-prioritised considering a lengthy time lapse between when the list was developed and now. Once the review is completed, a revised list of works will be issued for implementation. The anticipated start date is currently September/October 2022.				
Remedial Action:	Funds are carried forward into 2022-23.				

Action 14:	<u>Commodity Route Supplementary Fund</u> Renew Karnup Road and Yangedi Road.	Status			
		Q1	Q2	Q3	Q4
Comment:	Procurement have completed quotation process via WALGA panel contractors. The project is expected to be awarded late July 2022 and expected to be delivered prior by the end of Dec 2022.				



Remedial Action:	An extension of time has been sought from the funder and the updated delivery timeline has been reflected in Service Team Planning. Council will continue to receive reports until the project is complete.
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Action 15:	<u>State Blackspot Road Upgrades</u> Keirnan Street	Status			
		Q1	Q2	Q3	Q4
Comment:	Keirnan Street construction commenced in June 2022 and is expected to be completed by December 2022.				
Remedial Action:	A 6-month extension of time request to the end of December 2022 for the Kiernan Street project has been approved by Main Roads WA.				

Action 16 & 17:	<u>Metropolitan Regional Road Group Upgrades</u> Nettleton Road Hopkinson Road	Status			
		Q1	Q2	Q3	Q4
Comment:	<p>Nettleton Road - There was no tender submission received for RFT05/2021 and subsequent quote submission from WALGA panel contractors via RFQ20-2021 exceeded the budget.</p> <p>Hopkinson Road - MRRG have approved an additional funding of \$61,989 to assist the delivery of the project due to recent hike in construction costs. Project will be delivered first half of 2022-23. Vegetation clearing has been completed.</p>				
Remedial Action:	<p>Nettleton Road - Additional funding has been requested as part of 22/23 capital budget. Subject to funding approval, this project will be awarded to the Shire's annual supply contractor to undertake the works with anticipated completion prior to end of December 2022.</p> <p>Hopkinson Road - Next step to seek formal RFQ for road shoulder widening and culvert works. Once these works are completed, the pavement reseal will be carried out by our appointed contractor via RFT 06-2021.</p>				

Action 18:	<u>Road to Recovery Reseal Program</u> Keirnan Street Tonkin Street	Status			
		Q1	Q2	Q3	Q4
Comment:	Keirnan Street and Tonkin Street were delayed due to a shortfall in funding.				
Remedial Action:	Additional funding for Keirnan Street has been approved by Main Roads WA and this project will be delivered during the second quarter of 22/23. Delivery of				



	Tonkin Street will be subject to approval of additional funding through the budget review process.
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Action 19:	<u>Federal Blackspot Road Upgrades</u> Nettleton Road	Status			
		Q1	Q2	Q3	Q4
Comment:	As there was no tender submission from RFT05/2021 and also subsequent quote submission from WALGA panel contractors via RFQ20-2021 exceeded the budget, Nettleton Road is delayed.				
Remedial Action:	It is recommended that Officers investigate using Stabilised Pavements Australia who were awarded Tender RFT 05-2021 to complete the work. Main Roads WA have approved a 6-month extension of time to end of December 2022.				

Action 20:	<u>Gordin Way Bus Bay Extension</u>	Status			
		Q1	Q2	Q3	Q4
Comment:	Design is complete, construction was proposed to be carried out in April 2022 school holidays, which did not eventuate due to lack of project management resources. Construction work will be completed during the second quarter 22/23 financial year.				
Remedial Action:	Works rescheduled to next school holidays.				

Action 21:	<u>IT Renewal</u>	Status			
		Q1	Q2	Q3	Q4
Comment:	ICT raised an order for 70 new laptops in August 2021 with the Shire receiving a total of 20 laptops from this order in May 2022. Due to the global semiconductor shortage the ETA for delivery has changed many times with the new ETA being August 2022. ICT hardware would normally be supplied within 6 weeks from the time a purchase order was raised, ICT is keeping pressure on suppliers and we are not disposing of any old laptops until the global shortage ceases which has a revised date being in August 2022.				
Remedial Action:	ICT are trying to use Vendors who use different distributors for their equipment orders which should assist with the current supply shortages. ICT is in continuous discussions with its vendors on any changes to the delivery times.				

**15 Strategic Operating Projects:**

Action 1:	<u>Equine Facility Masterplan</u> Undertake the development of a masterplan for existing Shire owned/managed equine facilities	Status			
		Q1	Q2	Q3	Q4
		-	-		
Comment:	Community workshops undertaken and feedback sought on draft master plans from facility user groups. Draft Equine Facilities Master Plan expected to be presented to Council at July OCM for public comment.				
Remedial Action:	To allow for public comment, the new end date for this project of 31 December 2022 has been incorporated into the draft 2022-26 Corporate Business Plan.				

Action 2:	<u>Community Activation Strategy</u> Development of a strategy providing clear direction and targeted outcomes for the Community based on community feedback, demographic trends and best practice models.	Status			
		Q1	Q2	Q3	Q4
		-			
Comment:	Project milestones and timelines extended in order to accommodate 2021 census data. By incorporating new census data, the document will contain the most up to date supporting information to maintain relevance and applicability over the intended 3-year life of the strategy. Consultation approach is in development and roll out dependent on timed release of census information (expected July 2022)				
Remedial Action:	Milestones extended to December 2022.				

Action 3:	<u>Reconciliation Action Plan</u> Develop a Reconciliation Action Plan.	Status			
		Q1	Q2	Q3	Q4
Comment:	RAP development and direction endorsed by Council at March 2022 OCM (OCM060/03/22) and milestones updated accordingly in Q4. Consultation with key community ATSI representatives underway (including Byford Secondary College), with workshops and further Council engagement to occur in 2022/23 financial year.				
Remedial Action:	Awaiting confirmation of relevant ATSI service providers from consultation processes, in order to secure workshops for Council and community. Expected to be delivered by end Q2 2022/23.				



Action 4:	<u>Byford Town Teams</u> Assist in the establishment of a Byford Town Team and review final outcomes report.	Status			
		Q1	Q2	Q3	Q4
Comment:	Final outcomes report has been submitted by Town Teams Movement. This has been reviewed and the report outlines establishment and progress details for the Activate Byford Town Team over 2021/22 financial year. However, does not contain forward 12-month plan that includes delivery of projects approved for funding. Awaiting submission of 12 month forward plan for Activate Byford group in order to present outcomes to Council and close project.				
Remedial Action:	Presentation of outcomes and forward plan of Activate Byford Town Team anticipated for September 2022 OCM.				

Action 5:	<u>Equine Priority – Awareness Campaign</u> Run an awareness campaign to educate people on how horses and other vehicles can safely interact on trails and roads.	Status			
		Q1	Q2	Q3	Q4
Comment:	COVID-19 impacted the availability of local talent for the development of local content and assets for the awareness campaign. Content development is rescheduled for August/September 2022 and implementation of the campaign scheduled for November 2022 onwards.				
Remedial Action:	Carry forward the Equine Priority - Awareness Campaign in the 2022/23 Communications and Customer Engagement Service Team Plan and 2022-26 Corporate Business Plan. Revised project completion date 31 December 2022.				

Action 6:	<u>Equine Priority - Funding Opportunity Resource</u> Provide a resource that outlines funding opportunities available to equine not-for-profit and community groups and businesses.	Status			
		Q1	Q2	Q3	Q4
Comment:	Grant funding opportunities and Information has been uploaded to the Shire's Grants and Funding page under Third party funding opportunities. This will be presented/communicated to the Equine Advisory Group at the next available meeting.				
Remedial Action:	Present webpage to the Equine Advisory Group at the next available meeting and extend date of project within Corporate Business Plan to ensure project close out.				



Action 7:	<u>Mobile Library Service</u> Implement a mobile library service.	Status			
		Q1	Q2	Q3	Q4
Comment:	The Mobile Library Service is due to commence service delivery on Monday, 11 July and will visit Mundijong (Mondays), Serpentine (Wednesdays) and Jarrahdale (Thursdays) weekly. The service will also attend the SJ Farmers Market on a fortnightly basis, anticipated to commence in Spring. The service will also deliver the Shire's fortnightly Books on Wheels service. Promotion and activation of the service will be ongoing.				
Remedial Action:	The Mobile Library Service is due to commence service delivery on Monday, 11 July.				

Action 8:	<u>Serpentine Jarrahdale Community Recreation Centre Operation and Management Arrangement</u> Establish new operation and management arrangements for the Serpentine Jarrahdale Community Recreation Centre, as determined by Council.	Status			
		Q1	Q2	Q3	Q4
Comment:	Tender RFT11/2021 awarded at 15 June 2022 Special Council Meeting. Draft contract (included within tender documentation) for awarded term currently being progressed. Will be presented to Council in due course as per resolution SCM011/06/22.				
Remedial Action:	Draft contract being progressed as finalised version for presentation to Council. Transitional contract extended from 1 July 2022 to 30 September in order to continue operations at the SJ Community Recreation Centre until new contract in place.				

Action 9:	<u>FOGO Processing Facility Feasibility Plan</u> Develop a feasibility study on the proposed FOGO processing facility.	Status			
		Q1	Q2	Q3	Q4
		-	-	-	
Comment:	The resource responsible for this project was vacant for the reporting period and as such commencement of the project was delayed. The Request for Quotation is currently planned for August 2022.				
Remedial Action:	The resource for the project commenced in June 2022 and the project has been extended in the draft 2022-26 Corporate Business Plan to 31 December 2022 with the following milestones: 1) Undertake Feasibility Study for collection and processing options 2) Provide recommendations to Council as per study.				



Action 10:	<u>FOGO</u> Install FOGO options for the collection and disposal of shire waste.	Status			
		Q1	Q2	Q3	Q4
Comment:	FOGO rollout on hold due to current lack of processing capacity in existing FOGO facilities. FOGO roll out planned to commence 2023/2024 pending feasibility study for processing options.				
Remedial Action:	The draft 2022-26 Cooperate Bushiness Plan amends the roll-out timeline for FOGO to 2023-24 and includes the feasibility project to be completed by December 2022				

Action 11:	<u>Equine Priority - Emergency Preparedness</u> Implement an Equine Emergency Preparedness Program.	Status			
		Q1	Q2	Q3	Q4
Comment:	Due to a changeover in the resource responsible for this project, progress has fallen behind.				
Remedial Action:	A new resource has been allocated to the project and will be re-engaging with the Equine Group as soon as possible. The due date of the project has been extended through Service Team Planning.				

Action 12:	<u>Heritage Park Business Case</u> Development of Heritage Park Business Case.	Status			
		Q1	Q2	Q3	Q4
Comment:	<p>Consultation has been undertaken with Landcare SJ and Jarrahdale Heritage Society about their current level of involvement in the maintenance of the site, and their support for future development. On site meetings were held with the Shire's Emergency Services to discuss mitigation activities and associated costs.</p> <p>The next stage is to identify what the level of responsibility the Shire would have, develop costings around this, and develop the business case.</p>				
Remedial Action:	The end date for this project will be recommended to be extended to 31 December 2022 through the review of the Corporate Business Plan.				



Action 13:	<u>Organisational Development RoadMap</u> Implement the actions within the Organisational Development RoadMap.	Status			
		Q1	Q2	Q3	Q4
Comment:	As described last reporting period, not all planned activities under the roadmap have been achieved due to more pressing work being completed on both COVID and WHS related documentation and processes. Work has progressed this reporting period to implement a new performance review strategy to feed into talent and succession planning with a focus on career development. The new strategy will provide greater opportunity for the organisation to identify high performing staff and ensure we continue to develop and retain them.				
Remedial Action:	New milestones for delivery under the Roadmap have been set through the draft 2022-26 Corporate Business Plan.				

Action 14:	<u>Electrical, HVAC inspection and renewal report</u> Review the electrical wiring and isolation boxes within Shire facilities for compliance.	Status			
		Q1	Q2	Q3	Q4
Comment:	This project has been carried forward due to resource allocation requirements to complete priority projects in 2021-22. The anticipated start date is currently August/September 2022.				
Remedial Action:	Project has been removed from the draft 2022-26 Corporate Business Plan as it is not deemed a strategic operating project. Project will continue and is included in the relevant business units Service Team Plan with a due date of 31 December 2022.				

Action 15:	<u>Commercial Feasibility of developing Lot 814</u> Undertake needs analysis, opportunities study, feasibility and business case for development options of Lot 814	Status			
		Q1	Q2	Q3	Q4
		-	-		
Comment:	Following an RFQ process, Officers have selected Urbis to undertake need and opportunity assessment, feasibility assessment and Business Case to guide decision making for Lot 814 Millars Road, Jarrahdale. Officers are currently working with Urbis in which inception meetings, document review and engagement plans have been discussed. Officers note that the activity / project is delayed due to the deferral of the Officer's recommendation to commence the project in March (subsequently endorsed in April).				
Remedial Action:	The project has been extended to 31 December 2022 as part of the annual review of the Corporate Business Plan.				

**2 Services:**

Action 1:	<u>Internal Audit</u> Ensure an independent, objective assurance and advisory designed to add value and improve the operations of the Shire.	Status			
		Q1	Q2	Q3	Q4
Comment:	During this period the internal audit function was unable to be delivered in its entirety due to the ill health of the Internal Auditor. Delays were experienced in the completion of audits in line with the endorsed Internal Audit Plan and no reports were able to be provided to the Audit Committee or Council.				
Remedial Action:	Review Internal Audit Plan and propose revised internal audit dates, to be provided for consideration at the August ARG Meeting. Complete outstanding audits and update the recommendations report for presentation at the August ARG meeting.				

Action 2:	<u>Environmental Health</u> Provide efficient, effective, compliant environmental health services	Status			
		Q1	Q2	Q3	Q4
Comment:	During this quarter the team faced resourcing challenge associated with the shortfall of the part time Environmental Health Trainee position for 6 weeks and full time Environmental Health Officer for 7 weeks. Despite the period of shortfall, the team was able to maintain health premise assessments within 30% tolerance of the planned assessments for this period. In addition, the team was able to resolve a backlog of 11 technical on-going complaints that require extensive Officer involvement.				
Remedial Action:	As remedial action to return the number of premise inspections to 100% of planned Health premise assessments for the next reporting period, the team is currently recruiting a part time Environmental Health Officer to return to the team to full resourcing. As additional remedial action the Health Team increased efficiency in process mapping and look to implement the use of iAuditor for digital inspections for the next reporting period.				

Details of the remaining 75 actions **on track** and 2 actions **on hold** this reporting period are outlined in **attachment 1**.

Further commentary on these results is provided later in this report under the conclusion.

Performance Report 2021-2022 End of Year

2021-2022 Highlights and Achievements

Highlights of the Shire's major achievements and service statistics over the year is provided below by respective objective areas.



People – A connected, thriving, active and safe community

Key Achievements

- Delivery of the 2021 Emergency Services Volunteer Awards Evening to honour the outstanding contributions of local firefighting and SES volunteers.
- Installation of the Jarrahdale Communications Tower generator backup and asset protection zone.
- Announcement of a \$1.1M self-supporting loan from DFES towards the Oakford Fire Station.
- Managed the 2021/22 fire season and high threat period, including compliance against the fire control notice.
- Adoption of the draft 20 Year Facilities Plan for the Shire's Six Bush Fire Brigades, Emergency Support Brigade and SES Unit.
- Reopening of Baker Hall for community use.
- Delivery of several new and regular community events, workshops and programs including:
 - SJ Food Truck Fiesta
 - Muddy Buddies Adventures
 - Celebration of the SJ Library's 50th birthday with approximately 400 attendees.
 - Delivery of the Shire's SJ Rocks Concert event with over 300 attendees.
 - Beginner Auslan workshops in partnership with Access Plus WA Deaf
 - Inaugural SJ Christmas Lights Competition
 - 2021 SJ Garden Competition.
 - Australia Day celebration at Briggs Park including a Community BBQ and Cricket Match and the Citizenship and Australia Day Awards ceremony.
 - Anzac Day Processional March and Commemorative Service
 - WA Tree Festival 2022
 - Free Verge Plant Program
 - Seniors Bus Excursion to Hillary's for 55 seniors
- Official media launch of the Shires Local Food Action Plan 2021-24 in collaboration with Healthway, ECU and WALGA.
- Facilitated the delivery of 6 workshops under the Shires Local Food Action Plan such as gardening, composting, food waste management and food sustainability.
- Received \$4,905 grant fund as part of the Healthy Venues Project to revamp the SJ Rec Centre Café menu to be more healthy.



Key Annual Service Statistics

Community Activation

- Arts, Culture and Heritage – 53 event applications processed and 9,500 attendees at events. Delivered 11 Citizenship Ceremonies to 239 conferees
- Sport and Recreation – 541 KidSport applications approved, 566 participants at programs and activities
- Volunteers - 71 volunteers recognised through the Volunteer Recognition Initiative
- Community Grants and Contributions - \$90K provided to 22 community groups
- Youth Services – 137 drop-in session with an average of 18 participants and 29 school holiday activities for 725 participants
- Senior Support – 20 workshops/sessions for 272 participants
- Children and families – 594 service providers, families and/or attendees participating in events

Library

- 38 adult program and activities delivered to 788 participants
- 95 children program and activities delivered to 1,284 participants
- 14,230 e-resource loans
- 46,576 library resources borrowed
- 23,216 library loans through the self-serve machine
- 302 new library members

Environmental Health

- 264 Food Safety Assessments
- 197 Health Premises Assessments (including applications for effluent disposal systems, trading in public places, public building applications and applications for food premises)
- 115 Other Health Premises Assessments (including skin penetration premises, public buildings, lodging houses and offensive trade premises)
- 47 health assessments on event applications
- 596 health risk assessments
- 102 Wastewater Applications Determined
- 18 After Hours Noise Approvals Determined
- 11 Light Industry
- 36 public building assessments completed
- 60 Recreational / Aquatic sampling premise assessments completed
- 33 Drinking water sampling premise assessments completed



- 290 Food and trading in public places premise assessments completed
- Inspection of over 7800 animal carcasses at Karnet Prison Farm
- Successfully enforced 34 compliance matters for offence against the health and amenity of the community such as sand drift, improper waste management at a shopping complex, non-compliance's in a food business and fly breeding in waste material.

Compliance

- 127 formal complaints received, and 260 site inspections undertaken
- 3 prosecutions were commenced resulting in \$96,538 from enforcement action.
- \$14,119 in fees received as a result of development compliance and submission of retrospective development applications
- Managed three State Administrative Tribunal appeals
- 11 extractive industry site inspections carried out and \$102,000 worth of extractive industry licences

Emergency Services

- Provided training for 386 Bush Fire Brigade Volunteers
- 12,933 Firebreak Inspections undertaken
- \$288,000 Mitigation Activity Funding Acquitted

Rangers / Community Safety

- 151 cat registrations
- 1,141 dog registrations
- 89 dog infringements / cautions
- 79 dust and building waste infringements / warnings
- 26 litter infringements / cautions
- 8 livestock infringements / warnings
- 241 parking infringements / warnings
- 4 infringements for illegal burns
- 14 neighbourhood watch meetings
- 7,203 e-watch newsletters distributed
- 9 Community BBQs

Facilities

- 3 leases completed
- 155 regular hires
- 5 seasonal sporting facility hires
- 735 casual bookings



Place – A protected and enhanced natural, rural and built environment

Key Achievements

- Key progress towards the Keirnan Park Recreation Precinct project including:
 - Endorsement of the Stakeholder Engagement Plan and consultation with local sporting groups;
 - Delivery of three community information sessions at the Food Truck Fiesta event, Beenyup Primary School and Shire of Serpentine Jarrahdale;
 - Execution of an Aboriginal Heritage agreement between the Shire of Serpentine Jarrahdale and South West Aboriginal Land and Sea Council;
 - Community consultation via an on-line Design Inspiration Survey;
 - Establishment and appointments to the Stakeholder Reference Group;
 - Endorsement of the concept design; and
 - Commencement of the detailed design.
- Byford Hall Refurbishment in preparation for the Library Relocation
- Completion of the following road projects:
 - Abernethy Road
 - Kingsbury Drive between Scarp Road and Day Road.
 - Gossage Road Upgrade: Section between King Road and Kargotich Road upgraded to meet RAV 3 requirements
 - Anketell Road and Thomas Road/Anketell Road Intersection
 - Rowley Road
 - Kingsbury Drive
 - Meads Street
 - Mundijong Road
 - Reseals for the following 9 roads: 3 sections of Linton Street North, Binshaw Avenue, South Crescent, Blair Road, Blytheswood Road, Anstey Street and Gladstone Drive
- Completion of the Karnup Road Culvert Replacement.
- Completion of minor facility works including:
 - New backboards, LED lighting and roof repairs at the Serpentine Jarrahdale Community Recreation Centre
 - Re-stumping work at the Hopeland Community Hall.
 - Upgrades to Old Hopeland School
 - Disability Improvements at Serpentine Bridge School
- Completion of the landscape design and irrigation for the upgrade of the Bruno Gianatti Hall – Outdoor Hub.
- Upgraded the turf at the Bark Park.



- Construction of the new car park at the Briggs Park Recreation Precinct in Byford.
- Award of a commemorative park bench and plaque in celebration of 10-years as a Waterwise Council.
- Approval of the Significant Tree Register.
- Negotiation of a sustainable power purchase agreement through WALGA.
- Establishment of a Town Team in the Byford CBD.
- Council adoption of the Jarrahdale and Serpentine Cemeteries Masterplan.
- Receipt of the Financial Assistance Agreement between the Department of Local Government, Sport and Cultural Industries and the Shire of Serpentine Jarrahdale for the upgrading of Byford Skate Park.
- Development of six new Local Planning Policies: Subdivision and Development Fronting Historic Lanes within the Byford Old Quarter, Child Minding Centres, Serpentine Airfield Development Standards, Rural Short Stay Accommodation, Temporary Accommodation and Tree Retention.

Key Annual Service Statistics

Statutory Planning

- Received 595 development applications and determined 530 applications valued at \$76.7M
- Involved in 5 State Administrative Tribunal matters
- Determined 8 Joint Development Application Panel applications

Building

- 1262 Building Approvals at a value of \$179,415,224
- Determined 903 Certified Building Applications in an average assessment time of 6 days.
- Determined 359 Uncertified Building Applications in an average assessment time of 12 days
- 423 Swimming Pool Inspections with 66% compliance
- Major projects approved include:
 - The \$1 million refurbishment of Byford Hall as the new Byford Library
 - Two additional Childcare Centre's
 - The Commercial warehouse / show rooms in Cardup Business Park

Strategic Planning

- Processed 92 applications – 22 subdivision applications, requests for 51 subdivision clearances, 17 local development plans, a scheme amendment and a structure plan amendment

Engineering

- Released 38 bonds
- Approved 44 civil drawings



- Assessed 45 clearances
- Approved 252 crossovers
- Approved 9 stormwater management plans
- Provided advice on 219 development applications
- Approved 12 landscape plans
- Approved 5 Urban Water Management Plans

Expenditure on new assets:

- \$102K on new facilities
- \$108K on new/upgraded footpaths
- \$1.2M on new parks
- \$2.1M on road upgrades
- \$77K on new street lighting
- \$113K on bridge upgrades
- \$454K on carpark upgrades

Expenditure on asset renewals:

- \$2.6M on facility renewals
- \$12K on footpath renewals
- \$49K on park renewals
- \$3.3M on road renewals
- \$1.2M on drainage renewals

Expenditure on asset maintenance:

- \$7.9M expenditure on asset maintenance including buildings, civils, parks and reserves
- Actioned 2,724 reactionary maintenance requests

Waste

- 94% of bins collected at first pass
- 99% of missed bins recovered within 24 hours
- Processed the following waste through the Watkins Road Transfer Station:
 - 2,609 tonnes of hard waste
 - 1,682 tonnes of recyclable waste (cardboard, metal, electronics, batteries and green waste)
 - Recycled 1,503 mattresses and 2,306 tyres

*Prosperity – An innovative, commercially diverse and prosperous economy***Key Achievements**

- Planning for the Byford Town Centre including:
 - Delivery of a Community survey
 - Delivery of the Byford Activity Centre Forum
 - Securement of the Management Order for the Community Purpose Site within the Byford Activity Centre.
 - Adoption of the Master Plan for the Civic Purpose Site in Byford Town Centre
- Approval of the West Mundijong Industrial Area Local Structure Plan.
- Council endorsement of the West Mundijong Industrial Area Business Case.
- Delivery of the Invest SJ Business Breakfast in partnership with Peel CCI.
- Endorsement of the Jarrahdale Oval Recreation Space and Trail Head Master Plan for community consultation.
- Drafting and formal advertising of the Serpentine Jarrahdale Payment in Lieu of Parking Plan.
- Final Approval of the Court Grammar School Shared Use Agreement.
- Engagement on the Local Heritage Survey.
- Annual revision of the Community Infrastructure, Byford and Mundijong Development Contribution Plans.
- Endorsement of the Mounts Loop Trail Master Plan.
- Endorsement of the Jarrahdale Bridle Trail Development – Concept Plan with DBCA.

*Progressive – A resilient organisation demonstrating unified leadership and governance***Key Achievements**

- Advocacy efforts through the Federal Government election resulting in:
 - A \$145M commitment towards the duplication of Thomas Road from South Western Highway to Tonkin Highway and the construction of the ultimate intersection solution at Tonkin Highway and Thomas Road
 - A \$6M commitment towards Trails development in the Peel Region of which \$1.6M towards to the development of Equine Trails in Jarrahdale
- Progress towards the Administration Accommodation project including adoption of the Administration Building Redevelopment Concept Plan, Council Chamber's Relocation Concept Plan, and Project Implementation Plan and commencement of detailed design for the Staff Amenity Upgrade and Council Chambers relocation phase.
- Development of key COVID-19 preparedness documentation including:
 - Several new Business Operating Procedures to guide organisational response to an infection in the workplace



- Updated Health and Safety Risk Assessment
- Updated COVID-19 Business Continuity Plan
- Updated Communications Plan
- Updated COVID Leave Council Policy
- Electronic Meetings Council Policy
- Completion of key actions under the Organisational Development Roadmap including:
 - Development of the Flexible Work Business Operating Procedure
 - Critical roles review
 - Remuneration market relativity review
 - Implementation of a new performance review process
- Launch of the Project Management Lifecycle module in OneComm and adoption of the Project Management and Contract Management Council Policies.
- Transition of the Accounts Receivable module into OneComm.
- Adoption of a new Communication Protocol to provide a partnership and framework of communications between Council and the Administration.
- Conduct of the 2021 ordinary local government election, the swearing in ceremony and a 3-day Councillor induction.
- Infrastructure Directorate review and restructure.
- Completion of the Abernethy Road Inquiry.
- Release of an all-staff training module of Gifts.
- Adoption of the Council Policy for the recording of in-person Council and Committee meetings.

Key Annual Service Statistics

Customer Service

- 3,366 enquiries resolved at front counter
- 16,861 enquires resolved by phone
- 1,783 calls taken by the After-hours service
- 31,307 Customer Requests Received
- 30,670 Customer Requests Completed

Communications

- 38 Your Say SJ pages with 12,052 total visits and 1,021 engagements
- 41 Media responses
- 27 Media releases
- 42 communication plans developed and implemented



- 84 design projects delivered
- 647,703 users reached through social media
- 583,000 website visits

ICT & Records

- Registered 19,535 documents into Content Manager
- Completed 11 Freedom of Information Applications
- Completed 9,618 Service Requests

Governance

- Management of the invalidity complaint into the 2021 Local Government Election in the North Ward
- 11 Ordinary Council Meetings, 8 Committee Meetings and 9 Special Council Meetings with all agenda and minutes released within statutory timeframes.
- Released 7 tenders and 18 requests for quote
- Processed 1,987 purchase orders
- Processed 18 conflict of interest disclosures, 7 secondary employment applications and 3 gift disclosures

Finance

- Adoption of the 2021-22 Annual Budget in July 2021
- Adoption of the Annual Financial Statements and Audit Report 2020-2021 in February 2022

Performance against the Corporate Business Plan 2021-25 Key Performance Indicators

The results of the Corporate Business Plan 2021-25 Key Performance Indicators as at 30 June 2022, is provided below.

KPI 1: 80% of strategic operating projects are completed by their due date

Result: 35% (6/17)

As at 30 June 2022, the Corporate Business Plan 2021-25 contained the following 17 Strategic Operating Projects due on, or before 30 June 2022. Of these, 6 were completed by their due date.

Project	Due Date	Date Completed	KPI Met	Comment	Estimated Completion date
ICT Governance Framework	30 December 2021	18 November 2021	✓	-	-
Jarrahdale Equine Trails Network Concept Plan	31 December 2021	20 June 2022	X	As advised in the Q2 Performance Report – A draft plan was received from DBCA and Officers provided feedback to DBCA in	-



Project	Due Date	Date Completed	KPI Met	Comment	Estimated Completion date
				December. By Q3 a final draft was received however DBCA wished to confirm the costings associated with the concept. Once this was finalised the plan was presented to Council in June.	
Electrical, HVAC inspection and renewal report	31 March 2022	N/A	X	As advised in the Q3 Performance Report - Work did not progress on this project due to resources being allocated to other priority projects.	31 December 2022
Mobile Library Service	31 March 2022	11 July 2022	X	As advised in the Q3 Performance Report - Delays in receiving the van from the dealership and the cost for the purchase of the van coming in higher than anticipated delayed the project.	-
Project and Contract Management Framework	30 June 2022	28 June 2022	✓	-	-
West Mundijong Industrial Area Business Case	30 June 2022	13 December 2021	✓	-	-
Byford Community Purpose Site Master Plan	30 June 2022	16 May 2022	✓	-	-
Horse and Pony Expo	30 June 2022	20 June 2022	✓	-	-
Jarrahdale Oval Master Plan	30 June 2022	20 June 2022	✓	-	-
Community Activation Strategy	30 June 2022	N/A	X	Project was flagged behind target in Q2 due to resourcing constraints. In Q3 it was advised that the project	31 December 2023



Ordinary Council Meeting Agenda Monday, 19 September 2022

Project	Due Date	Date Completed	KPI Met	Comment	Estimated Completion date
				should be extended to allow the incorporation of new census data.	
Byford Town Teams	30 June 2022	N/A	X	Refer to Q4 commentary earlier in this report.	30 September 2022
Equine Priority – Awareness Campaign	30 June 2022	N/A	X	Refer to Q4 commentary earlier in this report.	31 December 2022
Equine Priority – Emergency Preparedness	30 June 2022	N/A	X	Refer to Q4 commentary earlier in this report.	31 December 2022
Equine Priority – Funding Opportunity Resource	30 June 2022	N/A	X	Refer to Q4 commentary earlier in this report.	30 September 2022
Heritage Park Business Case	30 June 2022	N/A	X	As advised in the Q3 Performance Report, the high level of complexity and dependency associated with stakeholders extended the timeframe of this project.	31 December 2022
Serpentine Jarrahdale Community Recreation Centre Operations and Management Arrangements	30 June 2022	N/A	X	Refer to Q4 commentary earlier in this report.	30 September 2022
Commercial Feasibility of developing Lot 814	30 June 2022	N/A	X	Refer to Q4 commentary earlier in this report.	31 December 2022



KPI 2: 85% of budgeted capital works are expended

Result: 40%

Total amount of capital expenditure for 2021-22 was \$13,960,787, with \$9,571,130 spend relating to new projects and \$4,389,656 relating to carried forward projects. This equates to 40% of the new projects capital budget being expended as at 30 June 2022 (this figure was 9.7% in the previous quarter).

	Budget	Actuals	%
Carry-forward	9,628,927	4,389,656	46%
New Capital	24,109,158	9,571,130	40%
All Capital	33,738,085	13,960,787	41%

The removal of significant budget commitments for major capital projects that were unable to proceed (see below), alters the percentage of new capital expenditure for 2021-2022 to 61%.

	Budget	Actuals	%
Carry-forward	6,378,927	4,333,260	68%
New Capital	15,318,760	9,332,834	61%
All Capital	21,697,687	13,666,093	63%

Major capital projects that were unable to proceed:

- Jarrahdale Road Bridge - \$2M – the Shire is not the delivery agency for this work
- Depot Land Purchase - \$3M – identification of a suitable site is still to occur
- Oakford Bush Fire Brigade - \$1.15M – this project is on hold pending finalisation of the land management order and funding arrangements
- Admin Accommodation - \$2.64M – the milestone for 2022-23 was to deliver the concept plan and this was achieved
- Principal Shared Path Soldiers Road - \$3.25M – this project is on hold pending confirmation of Metronet rail over road design and PTA's infrastructure planning within the rail reserve.

The result of 40% shows a 12% improvement when compared to the expenditure in the last financial year (2020-2021), and overall the Shire has delivered approximately \$3M more in capital works in 2021-2022 when compared to 2020-2021:

2020/21

	Budget	Actuals	%
Carry-forward	7,862,996	5,940,149	76%
New Capital	16,140,873	4,517,327	28%
All Capital	24,003,869	10,457,476	44%



KPI 3: Improvement is seen in all key result areas of the community perceptions survey

Result: Not applicable – the survey is carried out biannually and is not due again until 2022-23.

KPI 4: Improvement is seen in the Performance Index Score of the Employee Scorecard Survey

Result: Not yet available – the survey will be carried out in September 2022.

KPI 5: Financial Sustainability – maintain a financial health indicator above 70 (as published on the MyCouncil website)

Result: 73

Please note, this result is subject to completion of the audited financials.

Further commentary on these results is provided later in this report under the conclusion.

Corporate Business Plan Annual Review

In accordance with the Corporate Business Plan annual review process, the following amendments were formalised through the adoption of the 2022-26 Corporate Business Plan by Council in August 2022:

- Amendments to the due dates of the Strategic Operating Projects detailed in the results of KPI 1.
- Incorporation of the next steps required to deliver on the major government funded capital projects and Council's key strategic projects including Keirnan Park Recreation and Sporting Precinct, Administration Accommodation, New Depot Accommodation, Hypergrowth Road Upgrades, Byford Skatepark and Oakford Bush Fire Brigade Station.
- Inclusion of all capital projects with a value over \$250,000 as 'Major Capital Projects' to align with the new Council Policy Project Management. These new projects are:
 - SJ Community Recreation Centre – Asset Management Works
 - Nettleton Road Upgrade
 - Hopkinson Road Upgrade
 - Larsen Road Upgrade
 - Keirnan Street Upgrade
 - Bishop Road Upgrade
 - Mundijong Road Upgrade
 - Kingsbury Drive Upgrade
 - Whitby Street, Mundijong
 - Mundijong Road and King Road Intersection

The following previous major capital projects with a value below \$250,000 are now incorporated into the Capital Works Program:

- Bruno Gianatti Hall – Outdoor Hub Project
- Marcora Trail Upgrades
- Whitby Falls Trail Drainage Upgrade
- Jarrahdale Kitty's Gorge Carpark



- Tip Shop (SJ Reuse Shop)
- Removal of the Jarrahdale Road Bridge Major Capital Project. The Shire is not the delivery body for this project. Officers will continue to work with Main Roads and make a contribution as required and that service level is articulated within the responsible business unit service team plan.
- Removal of the following Strategic Operating Projects:
 - Community Transport Program – the Shire has insufficient resources to undertake this project
 - Libraries Strategic Plan – this plan is not required until further development of the Byford Town Centre (10 + years)
- Inclusion of the following new Strategic Operating Projects as adopted in the 2022-23 Annual Budget:
 - Watkins Road Waste Transfer Station Survey and Planning
 - Local Heritage Survey
 - Clem Kentish Reserve Master Plan
 - Scrivener Road - Gravel Pit
 - Operations Centre Structure Review
 - Major Review - Strategic Community Plan
- Deferral of the FOGO project from 2022-23 to 2023-24.

Options and Implications

Option 1

That Council:

1. NOTES the performance report against the 2021-25 Corporate Business Plan for the period 1 April to 30 June 2022 as contained in this report and **attachment 1**.
2. NOTES the Corporate Business Plan Performance Report on the 2021-2022 Financial Year as contained in this report.

Option 2

That Council DOES NOT NOTE the performance reports contained in this report.

Option 1 is recommended.

Conclusion

Over the course of the 2021-2022 financial year, the Shire has achieved or progressed many significant initiatives as outlined in this report including several major road upgrades, development of a Project Management Framework, delivery of the Byford Library and Mobile Library Services and progress towards Council's key strategic projects (Administration Accommodation, Keirnan Park Sports Recreation Precinct, Byford Town Centre and Trails). When compared to last financial year (2020-2021) the Shire has delivered approximately \$3M more in capital works in 2021-2022. As outlined in this report, some projects and activities did not meet their planned



targets. The challenges experienced throughout the year that impacted on the Shire's ability to achieve the targets included:

1. The management and response across the Organisation, but in particular, in the Community and Organisational Development Directorate, to manage the impacts of COVID-19 on the Organisation and the new Work Health and Safety Reforms.
2. The timing and recruitment of new staff as a result of turnover across the organisation, but in particular, within the Infrastructure Directorate.
3. Significant challenges in recruiting staff in a tight and competitive labour market.
4. The capacity and cost increases from consultants, sub-contractors and suppliers to provide materials and undertake work for the Shire in a very competitive market.
5. Resource consumption to unforeseen projects / priorities with limited control over costs and timing.
6. The Shire's growth increasing the day-to-day operations and consuming resources.

Notwithstanding, on analysis of the reasons behind not meeting the targets and consideration of lessons learned, the following improvements are currently being implemented:

- The Corporate Business Plan will be reviewed when significant recruitment will be undertaken e.g. the review of the operations business unit and the recruitment of the Director of Community and Organisational Development.
- 19 of 20 Service Team Plans are aimed to be in place by 30 September.
- The certainty of projects proposed for delivery will be scrutinised more closely prior to allowing them to be detailed within the Corporate Business Plan and Budget. For example, if a projects funding is uncertain or its commencement is subject to Council / external approval, it is unlikely to be included within the plan.
- Further enhancement and implementation of the project management framework to ensure the scope definitions of projects is better defined at initiation, roles and responsibilities are clear and the duration of projects is realistic.
- Amendments to project due dates as part of CBP Performance Reports will be sought from Council where unforeseen changes in direction and unforeseen priorities have affected projects timelines.

To incorporate the above improvements, a mid-year review of the Corporate Business Plan is proposed to be undertaken.

Attachments (available under separate cover)

- **10.3.3 - attachment 1** – Corporate Business Plan 2021-25 Performance Report 1 April to 30 June 2022 (E22/10802)

Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources

**Financial Implications**

There are no financial implications associated with the Officer Options.

Risk 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 & 2	There are no significant risks associated with Option 1 & 2.						

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **NOTES** the performance report against the 2021-25 Corporate Business Plan for the period 1 April to 30 June 2022 as contained in this report and attachment 1.
2. **NOTES** the Corporate Business Plan Performance Report on the 2021-2022 Financial Year as contained in this report.



10.3.4 - Strategic Risk Register Quarterly Review Report – August 2022 (SJ2881)

Responsible Officer:	Manager Governance and Strategy
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	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.
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.

Report Purpose

The purpose of this report is to provide Council with an overview of the quarterly review undertaken on the Shire's Strategic Risk Register and recommend the updated risk register for endorsement.

This report was tabled at the Audit, Risk and Governance Committee Meeting of 22 August 2022, but was unable to be considered due to a loss of quorum at the meeting pursuant to Clause 6.2 of the Shire's Standing Orders.

Given these circumstances, to ensure Council's regular oversight of risk management is undertaken in accordance with Council's Policy on Risk Management, this report is provided to Council directly for consideration.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 20 June 2022 – OCM037/03/22 - COUNCIL RESOLUTION - extract

2. ADOPTS Audit, Risk and Governance Committee Resolution ARG013/05/22 and NOTES the Strategic Risk Register Review as contained within this paper; ENDORSES the updated Strategic Risk Register as contained within attachment 1; and ADDS the Project Management Office as an Action in Risk 16.

Background

Risk Management is a framework of culture, processes and structures directed towards the effective management of risk. This includes consideration of both potential opportunities and adverse effects on existing operations. As all actions and transactions involve risk, effective Risk Management involves the anticipating, understanding and monitoring of risk. It contributes to good corporate governance by providing reasonable assurance to Council, Executive Management and the community that the organisational objectives will be achieved within a tolerable degree of residual risk.



In September 2020, Council, on recommendation from the Committee, endorsed the Shire's new Strategic Risk Register and approved the revised Council Policy Risk Management (OCM281/09/20). These are important achievements towards improving the risk management processes at the Shire as they provide a mechanism for Shire executives to manage risk at a strategic level and an avenue for the Committee and Council to monitor strategic risk through quarterly reporting.

Community / Stakeholder Consultation

N/A

Statutory Environment

Regulation 17 of the *Local Government (Audit) Regulations 1996 (WA)* ('the Regulations') require the CEO to review the appropriateness and effectiveness of the Shire's systems and processes in relation risk management, internal control and legislative compliance (r. 17(1)). The review may include any or all of the abovementioned matters (r. 17(2)) and the results of any review must be reported to the Shire's Audit, Risk and Governance Committee (r. 17(3)). Each matter must be the subject of a review not less than once in every 3 financial years (r. 17(2)).

The most recent review of risk management was completed by the Shire in the 2021-22 financial year and considered by the Committee at its February 2022 meeting. The next review is due no later than 30 June 2025.

Comment

Strategic Risk Register Quarterly Review – August 2022

In accordance with Council Policy Risk Management, the Executive Management Group reviewed the Strategic Risk Register and prepared the following report. Committee members and Councillors agreed to the structure of this report at the Strategic Workshop held 4 November 2020.

Strategic Risk Register

Quarterly Review – August 2022

1. Changes to Risk Ratings

- Risk 11 (Community Engagement) risk rating reassessed to LOW (was MODERATE) with a revised consequence rating of MINOR (was MODERATE) and likelihood rating of UNLIKELY (was POSSIBLE). This reduction in risk rating is primarily driven from Council's approval of a dedicated Engagement Officer and the work completed over the last 12 months to align engagement activities to the IAP2 methodology. In accordance with Council Policy – Risk Management, this risk is now within Council's Risk Appetite.
- Risk 13 (Desirable place - Vibrant community in a rural setting) risk rating reassessed to MODERATE (was SIGNIFICANT) with a revised consequence rating of MODERATE (was MAJOR) and likelihood rating of UNLIKELY (was POSSIBLE) and the control environment has also been reassessed to 'Adequate' (was inadequate). This improvement is primarily driven from the establishment of contemporary library services including the Byford Library and Mobile Library Service.

2. New and Emerging Risks

Next reporting period, the Executive Management Group will review Risk 16 (Capital Projects) to broaden its context to capture other challenges and uncertainties associated with the delivery



of capital projects in the current environment. With the number of capital projects on the horizon and the organisations ongoing investment into this area, it is important that the risk adequately reflects all material factors.

Additionally, the Executive have identified that the timelines on actions 15, 16 and 17 relating to data and maintenance schedules for open drains and roadside verges on Risk 6 (Bush Fire Management) may require a review due to other priorities, such as asset data currently being focused on building.

The Committee can expect to receive an update for these two items at the next meeting.

3. Updates to Risk Mitigation Strategies

Actions complete and moved to controls

Risk 2 (Organisational Workforce)

- Action 3 – Review the performance appraisal system is complete and added as control 11. This review has resulted in an enhanced performance appraisal system that aligns closer with the performance objectives of the organisation and provides greater transparency for career development. The completion rate of performance reviews has also increased as a result.

Risk 3 (Financial sustainability)

- Action 2 - Investigate routine reporting to Council on the status of grant funded works is complete. Officers plan to incorporate this requirement into the exception reporting as part of embedding the Project Management Office into the organisation. A new action to this effect has been added. Additionally, control 3 has been updated to reflect the Corporate Business Plan routine reporting already being received by Council and the Project and Contract Management Framework has been added as control 12.

Risk 5 (Organisational Efficiency)

- Action 4 – Policy/procedure review schedule and process is complete and added as control 12. At the June Ordinary Council meeting, Council adopted a 'Council Policy Review Forward Calendar' to set out a timeline for the review of policies that aligns to need and organisational capacity. This is now in place and underway as a matter of course. Under the Calendar policies will be reviewed at least once every six years.

Risk 6 (Bushfire Management)

- Action 10 – Implement the 2021-22 Mitigation Activity Funding (MAF) is complete. The annual acquittal of MAF is listed as control 9 and processes are now established as business as usual. Therefore, 2022-23 MAF funding will not be added as a separate action.
- Action 11 – Record all permits to burn issued by the Shire and ensure community safety team regulate the enforcement of conditions placed on these permits is complete. This process is listed as control 7 and now that processes are embedded as business as usual the action is complete.

Risk 7 (Environment Sustainability)

- Action 8 – Investigate use of recycled material for road construction is complete and added as control 24. Various recycled material has been used in recent projects including recycled concrete for Rowley Road and recycled asphalt for the Tip Shop. The consideration of recycled material is now part of business as usual.



- Action 10 - Present a report to Council on climate change in accordance with OCM039/03/22 is complete. The next steps are outlined at action 5 (see actions amended below).

Risk 9 (Partnerships / Alliances)

- Action 3 - Explore opportunities for alliances with north and west local government groupings is complete. A report will be provided to Council for consideration of membership on the South East Corridor Councils Alliance and a new action to this effect has been added (see new actions below)

Risk 12 (Desirable place - Economy)

- Action 3 - Trails Planning (Masterplan for Equine Trails) is complete and added as control 24.
- Action 8 - Jarrahdale Equine Trails Network Concept Plan is complete and added as control 23.

Risk 15 (Employee Work Health and Safety)

- Action 4 - Review Work Health and Safety review and gap analysis with OSH Committee and Executive Management Group to determine final actions, resources and planning, present the findings to Council and place final actions on the risk register is complete. Five new risk mitigation actions have been added to the risk (see new actions below).

Risk 16 (Capital Projects)

- Action 1 - Ensure the review of the Corporate Business Plan has a particular focus on the timing of major projects cognisant of current market factors is complete. The Corporate Business and its review process is control 3.
- Action 3 – Project and Contract Management Framework is complete and added as control 8.

Actions amended

Risk 1 (Culture)

- Action 2 – Implementation of the Training and Talent and Succession OneComm Modules have been removed. Officers have further investigated the purpose and functionality of the modules and have determined that they are unlikely to lower the level of risk (in the context of culture) as they are simply the administrative tool for the collection of data for existing manual processes. These processes are already listed as controls.
- Action 3 – Review the organisational vision and values due date amended to 30 September 2023 (was December 2022) to align with the revised due date in the recently reviewed Corporate Business Plan.

Risk 2 (Organisational Workforce)

- Action 2 – Develop an Employee Value Proposition due date amended to 30 September 2023 (was December 2022) to align with the revised due date in the recently reviewed Corporate Business Plan.

Risk 3 (Financial Sustainability)

- Action 1 – Progress DCP's for Byford and Mundijong due date amended to 30 September 2022 (was 30 June 2022). The Shire is still awaiting approval of these plans by the WA Planning Commission (endorsed by Council in November 2020). Officers have been



informed that the plans are scheduled for the August WAPC meeting. The Shire President and CEO have asked for a meeting with the Minister about this matter.

Risk 4 (Organisational Capability)

- Action 3 – Undertake community consultation on the local heritage survey description updated to *Finalise the new local heritage survey (assessment of places and presentation to Council)* and due date amended to 30 September 2022. This reflects the next steps in the process to finalise the survey.
- Action 4 - Progress DCP's for Byford and Mundijong due date amended to 30 September 2022. As detailed above, the Shire is awaiting approval of these plans by the WAPC.

Risk 6 (Bushfire Management)

- Action 2 – Prepare bush fire management plans for all outstanding Shire reserves and a schedule of implementation works in accordance with management plans due date amended to 30 June 2022 (was 31 December 2022). The extension is required as resources and capacity are redirected to the brigade work, health and safety reforms.
- Action 12 - Preparation of a Register of Properties where an incident must be responded to by career Fire Officers, with a report on the matter being presented to Council due date amended to 31 August 2022 (was 31 July 2022).

Risk 7 (Environment Sustainability)

- Action 5 - Research and report to Council on options for a Climate Change action plan for the Local Government description amended to *'In conjunction with the community, develop an updated Climate Change Strategy and Local Action Plan within two years of the declaration'* and a due date of 30 September 2024 set. This reflects the next steps following a report on climate change to Council in June 2022 (OCM136/06/22).
- Action 7 – Implementation of FOGO due date amended to 30 June 2024 (was 30 June 2023). This aligns to the new implementation timeline for the project.
- Action 9 – Response to the environmental impact assessment regarding bauxite mining within Jarrahdale due date amended to 30 June 2023 (was 30 September 2022). The impact assessment is yet to be released.

Risk 9 (Partnership / alliances)

- Action 2 - As part of the Major Strategic Review, canvas the community's view in building greater alliances north and west of the metro area due date set to 30 September 2023 (was tba). This aligns to the timeline of the Major Strategic Review as set within the latest review of the Corporate Business Plan.

Risk 10 (Stakeholder management)

- Action 1 - Stakeholder matrix / management plan due date amended to 30 September 2022 (was 30 June 2022). The first stage of the project (to undertake a stakeholder audit) is complete however the full plan is yet to be finalised.

Risk 11 (Community Engagement)

- Action 3 - Consult with Council to ascertain mitigation strategies for the community engagement risk and detail these on the register once known is removed. Following Council's decision to proceed with a dedicated Engagement Officer, the risk has been



reassessed and is now within appetite (refer to changes to risk ratings above). Further mitigation actions are therefore not required.

Risk 12 (Desirable place - Economy)

- Action 7 – Heritage Park Business Case due date amended to 31 December 2022 (was 30 November 2022) due to a high level of complexity and dependency associated with stakeholders. This date aligns to the due date within the recently reviewed Corporate Business Plan.
- Action 9 - Jarrahdale Oval Master Plan due date extended to 17 October 2022 (was 30 June 2022). The plan was endorsed by Council in June however community consultation is currently underway and the expected adoption date by Council is October.
- Action 10 - Investigate the commercial feasibility of developing LOT 814, Jarrahdale to support the Jarrahdale Trail Town Initiative due date amended to 31 December 2022 (was 30 September 2022) due to the deferral of the Officers recommendation to commence the project in March (subsequently endorsed in April). This date aligns to the due date within the recently reviewed Corporate Business Plan.

Risk 13 (Desirable place - Vibrant community in a rural setting)

- Action 1 - Develop Libraries Strategic Plan outlining lifelong learning and social connection and the plans for a new library premise in Byford is removed. This project has been removed from the Corporate Business Plan and with the new contemporary library services, will not be required until further development of the Byford Town Centre (10+ years).
- Action 6 - Equine Facility Masterplan due date amended to 31 December 2022 (was 31 July 2022). This date aligns to the due date within the recently reviewed Corporate Business Plan.

New actions

Risk 5 (Financial sustainability)

- Action 3 - Implement exception reporting to Council (including risks associated with granted funded projects) through embedding of the Project Management Office (due 30 November 2022)

Risk 9 (Partnerships / alliances)

- Action 4 - Consider membership on the South East Corridor Councils Alliance (due 31 December 2022)

Risk 14 (Emergency Management)

- Action 8 - Develop a Vulnerable Communities Plan as part of the Local Emergency Management Arrangements (due 30 June 2023)

Risk 15 (Employee Work Health and Safety)

- Action 5 - Undertake works necessary to ensure compliance to revised WHS legislation adhering to ISO45001 standard (due 31 March 2023)
- Action 6 - Undertake an internal WHS audit (due 30 September 2023)
- Action 7 - Restructure the WHS business unit to meet resource requirements (due 31 December 2022)



- Action 8 - Delivery of the works outlined on the Corrective Action Register (due 31 March 2023)
 - Action 9 - Develop an operational WHS risk register (due 30 November 2022)
 - Action 10 - Implementation of agreed actions related to Bushfire Brigades (ARG009/02/22) (due 31 March 2023)
- 4. Other**
- Risk 15 (Employee Work Health and Safety) renamed to *Worker* Work Health and Safety to align with definition within the new legislation.
 - The following controls have been added to Risk 7 (Environment Sustainability):
 - 23 - Climate Change Declaration
 - 25 - Continue to implement and report against the Shire's 2015 Climate Change Strategy and Local Action Plan
 - The Mobile Library Service and Byford Library have been added as controls to Risk 13 (Desirable place - Vibrant community in a rural setting)

The updated Strategic Risk Register incorporating the amendments from the above review is contained within **attachment 1**.

Options and Implications

Option 1

That Council:

1. NOTES the Strategic Risk Register Review as contained within this paper.
2. ENDORSES the updated Strategic Risk Register as contained within **attachment 1**.

Option 2

That Council:

1. DOES NOT NOTE the Strategic Risk Register Review as contained within this paper.
2. DOES NOT ENDORSE the updated Strategic Risk Register as contained within **attachment 1**.

Option 3

That Council:

1. NOTES the Strategic Risk Register Review as contained within this paper.
2. REQUESTS that the Chief Executive Officer make revisions as specified by Council to the Strategic Risk Register.

Option 1 is recommended.



Conclusion

Progress this quarter towards the mitigation actions on the risk register is again substantial, with 12 actions complete resulting in several new controls and mitigation actions. Consequential to the annual review of the Corporate Business Plan and the development of Service Team Plans, several mitigation actions have had their due dates amended this quarter to align with organisation capacity and resourcing. Pleasingly, two risks have reduced in overall risk rating with one of those now within Council's risk appetite. Two areas of emerging risk have been identified for review by the Executive and the Council can expect to receive an update on these following the next Audit, Risk and Governance Committee meeting.

The ongoing reporting and monitoring of Strategic Risk provides assurance to Council that the register is being monitored and mitigation actions are underway. It is also a key tool in supporting the Council's responsibilities pertaining to risk management.

Attachments (available under separate cover)

- **10.3.4 – attachment 1** – Strategic Risk Register (E20/8711)
- **10.3.4 – attachment 2** – Strategic Risk Register – Tracked Changes (E22/9802)

Alignment with our Strategic Community Plan

Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources
Outcome 4.2	A strategically focused Council
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions
Strategy 4.2.3	Provide clear strategic direction to the administration

Financial Implications

There are no financial implications associated with this report. The recommendation of additional or amended risks or controls may have financial implications for Council to consider.



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	If Council DO NOT note this report or endorse the updated register <u>without reason</u> , then there is a risk the Council will be seen as non-compliant with its responsibility to oversee risk. This could lead to impacts on organisational performance as specialist input is not obtained.	Nil.	Organisational Performance	Rare	Insignificant	LOW	Nil.
3	If the Council recommends revisions to the register, these may not be informed by sufficient operational information.	Nil.	Organisational Performance	Rare	Insignificant	LOW	Nil.

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **NOTES** the Strategic Risk Register Review as contained within this paper.
2. **ENDORSES** the updated Strategic Risk Register as contained within attachment 1.



10.3.5 – OneComm Project: Deferral of Phase 3 (SJ3729)

Responsible Officer:	Manager Information Communication Technology
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	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 approve/note.
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Report Purpose

This report seeks Council to:

1. APPROVE the deferral of OneComm Phase 3 and the Investment Prioritisation and Optimisation module; and
2. NOTE the revised Long-Term Financial Plan OneComm implementation financial projections for the 2024-2025 Financial Years as listed under the financial implications section of this report.

Relevant Previous Decisions of Council

*Ordinary Council Meeting – 15 November 2021 – OCM322/11/21– COUNCIL DECISION / Officer Recommendation – **extract***

This report seeks Council to:

1. *APPROVE the revised scope and extending the duration of Phase 3 through to June 2024;*
2. *APPROVE the introduction of OneComm Phase 2.8 to implement Project Lifecycle Management and Investment Prioritisation and Optimisation;*
3. *APPROVE the creation of the ICT Reserve for (\$250,000) the purpose to provide for the Shire's ICT requirements; and*
4. *NOTE the revised Long-Term Financial Plan OneComm implementation financial projections for the 2021-2022, 2022-2023 and 2023-2024 Financial Years as listed under the financial implications section of this report.*

*Ordinary Council Meeting – 17 May 2021 – OCM127/05/21 – COUNCIL DECISION / Officer Recommendation – **extract***

That Council REQUESTS that the Chief Executive Officer:

1. *List for consideration in the 2021/2022 budget the employment of a Project Management Officer and associated consultation funds to facilitate the implementation of a project management office.*
2. *Provide a report detailing a revised OneComm implementation timetable and associated costs to Council for consideration.*



*Ordinary Council Meeting – 14 December 2020 – OCM402/12-20 – COUNCIL DECISION / Officer Recommendation – **extract***

1. *NOTES the progress of the OneComm Project – Phase 2;*
2. *NOTES the progress of the OneComm Project – Phase 2.5; and*
3. *NOTES the OneComm systems efficiency baseline on the efficiencies and improvements, tangible and intangible, to Council gained over the 2020/2021 Financial Year.*

*Ordinary Council Meeting – 15 June 2020 – OCM164/06/20 – COUNCIL DECISION / Officer Recommendation – **extract***

1. *NOTES the completion of the OneComm Project – Phase 1;*
2. *NOTES the progress of the OneComm Project – Phase 2;*
3. *APPROVES the implementation of the Online Customer Request Management as Phase 2.5 to commence in September 2020 and implement in April 2021;*
4. *APPROVES deferring the implementation of OneComm Phase 3 by 12 months to commence in September 2021 to allow the City of South Perth to proceed ahead of the Shire;*
5. *APPROVES deferring the implementation of OneComm Phase 4 by 12 months to commence in September 2022 to allow the City of South Perth to proceed ahead of the Shire;*
6. *APPROVES deferring the Strategic Asset Management implementation to Phase 4, the 2022-2023 financial year; and*
7. *APPROVE deferring funding allocation for 'new scope items' and issues until the 2022-2023 financial year at a cost of \$460,000.*

*Ordinary Council Meeting – 25 September 2018 – OCM107/09/18 – COUNCIL DECISION / Officer Recommendation - **extract***

That Council:

1. *Approves the adoption of the Integrated Enterprise Resource Planning Strategy;*
2. *Approves the supplier, TechnologyOne, as the sole supplier of Australian Local Government Authority Integrated Enterprise Resource Planning System under Local Government (Functions & General) Regulations 1996 11(2);*
3. *Agrees to enter into a contract with TechnologyOne to purchase their Enterprise Resource Planning System, called OneCouncil, with final contract subject to Chief Executive Officer and Shire President approval;*
4. *Approves the adoption of the pre-configured business processes inherent in the TechnologyOne OneCouncil solution for implementation at the Shire of Serpentine Jarrahdale;*
5. *Approves the implementation of the TechnologyOne OneCouncil solution using Cloud technology (Option 1); and*
6. *Approves, pursuant to section 6.8 of the Local Government Act 1995, the schedule of variations to the 2018/19 Budget as presented below, resulting in no change to the closing budget municipal surplus of \$0 as at 30 June 2019:*



Background

To date, the OneComm project team has successfully implemented the following:

- Phase 1 - Finance, Human Resources, Purchasing, Payroll, Safety and Financial Asset Registers;
- Phase 2 - Business Intelligence, Corporate Performance Planning, Asset Management for Operating Works, e-Recruitment and Enterprise Budgeting; and
- Phase 2.5 - Online Customer Request Management;
- Phase 2.8 - Project Lifecycle Management, Enterprise Content Management – Connected Content, Contracts Management and Investment Prioritisation and Optimisation (to be deferred).

Phase 3 is planned to commence in January 2023 and includes the following modules:

- Property, Rating, Enterprise Content Management (full rollout), Enterprise Cash Receipting, Regulatory and Compliance Management.

Effectively this means that the Shire has almost completed four (4) of the five (5) planned Phases. The OneComm project strategy and quality plan outlines that a review of the project should be conducted at this milestone.

This report will outline the proposed deferral of both OneComm Project Phase 3 and the Phase 2.8 Investment Prioritisation and Optimisation module.

Community / Stakeholder Consultation

Changes to the priority, scope, duration and timings for the implementation of current and future Phases of OneComm was developed in consultation with the Shire's Executive Management Team, TechnologyOne and through partnerships with other Local Government Authorities' (LGA).

Statutory Environment

The *State Records Act 2000* which governs the recordkeeping for all State and Local Government organisations in Western Australia.

The State Records Commission of Western Australia - Standard 8 – Managing Digital Information.

Comment

The consideration of deferring of Phase 3 factored in the following:

- Staff turnover in a number of business units. As a consequence, all new staff need to be trained in OneComm system and require time to become proficient in the use of the OneComm system;
- An opportunity to further consolidate and drive out greater efficiencies with the OneComm modules that have been implemented to-date;
- Managing staff workload in periods of high growth including their ability to absorb ongoing transformational change; and
- The original project plan required the Shire to copy another LGA's configuration. The Shire implementation project has now caught up with all other LGA's implementing Connected Intelligence Anywhere (CIA) OneCouncil version of Technology One's software for Property & Rating. The rationale in copying another LGA's configuration is to reduce cost and risk to



the Shire. Discussions with the Cities of Mandurah and Canning have indicated that they will implement the Property and Rating in April 2023 and therefore will be suitable candidates for copying configuration.

Options

Option 1 – Defer OneComm Phase 3 and the Investment Prioritisation and Optimisation module

In terms of background, at the Ordinary Council Meeting – 15 November 2021 – OCM322/11/21 Council approved the following:

- The revised scope and extending the duration of Phase 3 through to June 2024; and
- Implementing the OneComm Investment Prioritisation and Optimisation module as part of Phase 2.8.

The scope of Phase 2.8 and commencement of Phase 3 has been subject to another review by Officers.

The rationale for the Officer's review is:

- Allow a period of consolidation of the OneComm modules that have been implemented to-date to drive out greater efficiencies, particularly with new versions of OneComm being released bi-annually;
- Allow time for all new staff to be trained in using OneComm effectively so they can become proficient in the use of the OneComm system;
- Deferring the OneComm Investment Prioritisation and Optimisation module to allow time for the Project Lifecycle Management and the Contracts Management module to fully embed into the Shire's operations;
- The capacity of the organisation to participate in the project, particularly with current high workloads and staff turnover rates; and
- The City of South Perth has delayed the implementation of their Phase 3. As a result, the Shire has caught up to the City of South Perth and is unable to leverage their system configuration for implementation. Therefore, the Shire requires time for the City of South Perth or another LGA to create some distance between their implementation of Phase 3 and the Shire's implementation of the same Phase or the Shire leading the implementation of these modules across Western Australian LGA's which is not a cost-effective approach.

Officers recommend:

- Deferring the implementation of Phase 3 to March 2025;
- Deferring the Investment Prioritisation and Optimisation module to the 2023/2024 financial year.

Deferring the implementation of the abovementioned phases will also allow the Shire to adopt a tested and proven solution from another Local Government. This will result in improved overall outcomes and assists with managing changes in staff and staff workload issues.

Summary

Option 1 will result in:

- Defer the implementation of Phase 3 to March 2025;



- Defer the implementation of the Investment Prioritisation and Optimisation module to February 2024;
- Retention of the OneComm project team to June 2025.

Option 2 – Progress the OneComm implementation as planned.

This option is maintaining the status quo for the OneComm Project and progressing with the implementation of Phase 3 and the Investment Prioritisation and Optimisation module as planned.

Option 3 – Stop the OneComm Project.

This option is stopping the OneComm implementation from the end of the 2022 calendar year until further notice. A decision will be required on the timing to re-start the OneComm project and this would be subject to a future Council report.

Options and Implications

Option 1 – Defer OneComm Project Phase 3 and the Investment Prioritisation and Optimisation module

The OneComm project team will transition into the ICT operations business systems team during the consolidation period as there are greater efficiencies gained by using the team that was responsible for implementing OneComm. This includes the project manager role which will shift in focus to include operational improvement tasks for up to 9 months. This does not anticipate to result in a material change to the specification that will be advertised for the Project Manager role in accordance with the resolution made at the previous Ordinary Council Meeting.

This approach also allows the Shire to retain the OneComm project team post the consolidation period.

Leading up to the commencement of the consolidation period, the OneComm project team will hold a number of workshops with key staff to identify areas where further training is required and/or where greater efficiencies can be implemented.

A report on the outcomes of the workshops will be presented to Council at the December 2022 Ordinary Council Meeting.

The consolidation work is planned to commence in January 2023 with a duration of up to 9 months. The completion timeframe is estimated to be in the 3rd quarter 2023.

The OneComm project staff costs are budgeted to the end of June 2024. Therefore, staff arrangements will need to be extended through to the end of June 2025 to align with this option.

These positions are:

- Project Manager;
- Change Manager;
- Business Analyst;
- Solutions Architect; and
- ICT Trainer.

Option 2 – Progressing the OneComm Project as planned.

The implication of this option is the following:



- No change to the scope, duration or timings of Phase 3 or the Investment Prioritisation and Optimisation module; and
- This option would likely see the project implementation deadlines and budget exceeded as the Shire is unable to leverage a tested and proven solution from another Local Government.

Option 3 – Stop the OneComm Project.

This option is stopping the OneComm implementation from the end of the 2022 calendar year until further notice. This option defers all implementation costs to future financial years. A decision will be required on the timing to re-start the OneComm project and this would be subject to a future Council report. This option would also see the Shire continue paying for antiquated end of life software and the partially implemented Technology One Solution.

Option 1

That Council:

1. APPROVES the deferral of OneComm Phase 3 and the Investment Prioritisation and Optimisation module.
2. NOTES the revised Long-Term Financial Plan OneComm implementation financial projections for the 2024-2025 Financial Years as listed under the financial implications section of this report.

Option 2

That Council:

1. DOES NOT APPROVE deferring Phase 3 and the Investment Prioritisation and Optimisation module;
2. DOES NOT NOTE the revised Long-Term Financial Plan OneComm implementation financial projections for the 2022-2023 and 2023-2024 Financial Years as listed in this report.

Option 3

That Council:

1. APPROVE stopping the OneComm Project;
2. DOES NOT NOTE the revised Long-Term Financial Plan OneComm implementation financial projections for the 2023-2024 and 2024-2025 Financial Years as listed in this report.

Option 1 is recommended.

Conclusion

The proposed deferral of Phase 3 and the Investment Prioritisation and Investment module will:

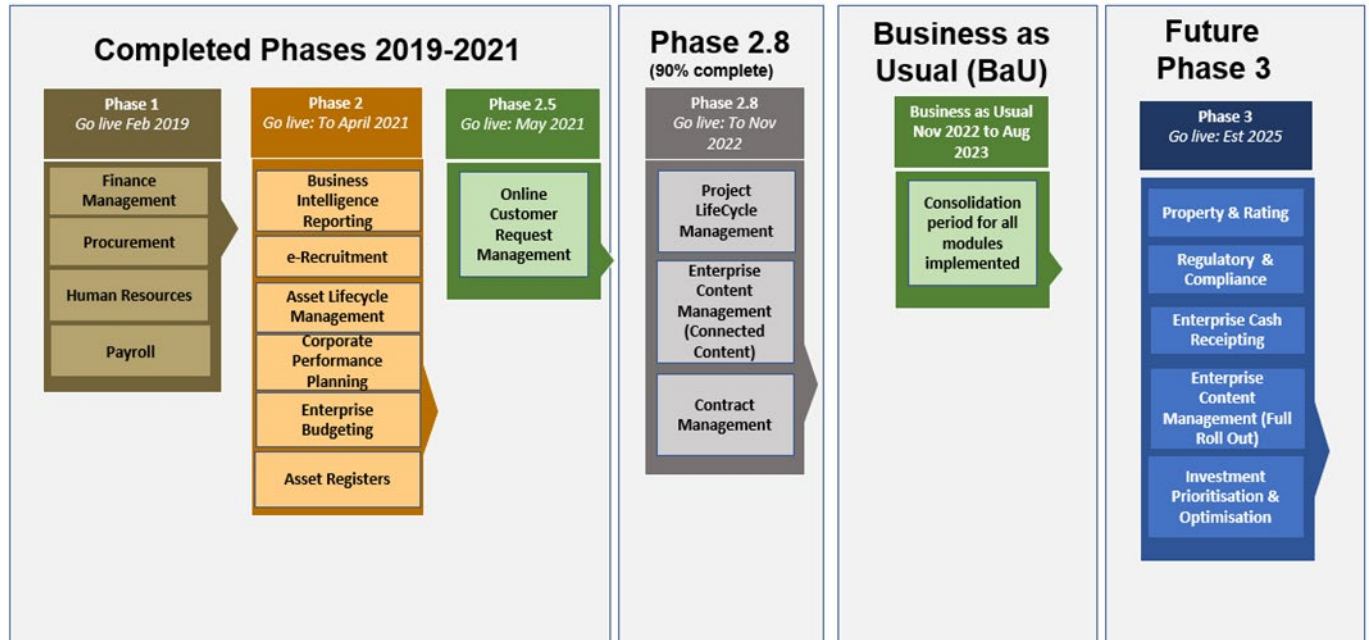
- Provide time and opportunity for new staff to be fully trained and proficient in using the OneComm system;
- Create an opportunity for the Shire to review the usage of the existing OneComm modules and further enhance these modules to drive out more efficiencies as new features have been added over time;
- Create distance between the City of South Perth's Property & Rating implementation and the Shire's implementation of the same. This will reduce risk and allow the Shire to move forward



knowing that that the Property & Rating system is fully compliant with the Western Australian *Local Government Act 1995*; and

- Allow the Shire to address staff capacity in readiness for the implementation of Phase 3.

The revised OneComm Phased implementation approach is:



The Shire will keep in close contact with other LGA's that are implementing the OneComm Rating module and Regulation's module to monitor their progress and success in implementing these modules.

Attachments (available under separate cover)

- **10.3.5 – attachment 1** - OneComm Project Schedule for Phase 3 (E22/11057)

Alignment with our Strategic Community Plan

The proposed Integrated Enterprise Resource Planning Systems Strategy is critical to the Shire's efficient and effective operations as it aligned to the Strategic Community Plan 2017-2027 with particular reference to:

Outcome 3.4	An innovation centre of excellence
Strategy 3.4.1	Identify and promote innovation and education opportunities
Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources
Strategy 4.1.2	Maximise the Shire's brand and reputation in the community
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest
Strategy 4.2.2	Ensure appropriate Long-Term strategic and operational planning is undertaken and considered when making decisions
Strategy 4.2.3	Provide clear strategic direction to the administration



Innovation was also recognised in the Strategic Community Plan 2017-2027 for Serpentine Jarrahdale 2050 core community aspirations whereby “*The Shire’s community are open to new technologies and embracing innovation. Respondents indicate that the Shire has an opportunity to be progressive and embrace change and creative thinking*”.

Financial Implications

The OneComm Long-Term Financial Plan implications are:

Financial Year	OneComm LTFP	Revised OneComm LTFP	LTFP Variance
2023 – 2024	\$846,452	\$846,452	\$0
2024 – 2025	\$700,000	\$875,000	\$175,000
TOTAL	\$1,546,452	\$1,721,452	\$175,000

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 option will result in a more expensive implementation project.	Annual review of the Long Term Financial Plan.	Financial	Likely	Moderate	SIGNIFICANT	Development of employee value proposition
2 & 3	OneComm project benefits will not be fully realised.	Implementation of a review period.	Organisational Performance	Possible	Minor	LOW	



Continued

Ordinary Council Meeting Agenda Monday, 19 September 2022

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

- 1. APPROVES the deferral of OneComm Phase 3 and the Investment Prioritisation and Optimisation module.**
- 2. NOTES the revised Long-Term Financial Plan OneComm implementation financial projections for the 2024-2025 Financial Years as listed under the financial implications section of this report.**



10.4 Community and Organisational Development reports

10.4.1 - RFT11/2021 – Contract for Serpentine Jarrahdale Community Recreation Centre Management Services (SJ3749)	
Responsible Officer:	Manager Community Activation
Senior Officer:	Acting Director Community Services
Disclosure of Officer's Interest:	Manager Community Activation, declared an Impartiality Interest in item 10.4.1 as the Officer is a member of the facility through the provisions of the Shire's Wellbeing Program and other recreational pursuits.

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 draft Contract between the Shire of Serpentine Jarrahdale and the YMCA WA, for the Serpentine Jarrahdale Community Recreation Centre Management Services following Council's award of Tender RFT 11/2021.

Relevant Previous Decisions of Council

<p><i>Special Council Meeting – 15 June 2022 – SCM011/06/22 - COUNCIL RESOLUTION</i></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>AWARDS Tender RFT 11/2021 - Serpentine Jarrahdale Community Recreation Centre Management to YMCA WA to the value of \$620,000, excluding GST, as contained within CONFIDENTIAL attachment 1; for a period of five (5) years with an optional extension of 3 years subject to satisfactory performance and entirely at the Council's discretion;</i> 2. <i>REQUESTS the Chief Executive Officer to present the contract to Council for Tender RFT 11/2021 - Serpentine Jarrahdale Community Recreation Centre Management for APPROVAL prior to execution; and</i> 3. <i>REQUESTS the Chief Executive Officer provide an annual report to Council on the SJ Community Recreation Centre, including:</i> <ul style="list-style-type: none"> • <i>End of year financial position;</i> • <i>Performance of key business areas and any matters of concern;</i> • <i>Performance of Contractor against KPI's;</i> • <i>Capital works completed and works recommended to be undertaken.</i>



Background

At the September 2021 Ordinary Council Meeting, Council considered a range of matters relevant to the Serpentine Jarrahdale Community Recreation Centre (SJCRC) and requested the Chief Executive Officer commence a tender process in December 2021 for the external management and operation of the Centre.

The Request for Tender RFT 11/2021 - Serpentine Jarrahdale Community Recreation Centre Management Services process subsequently commenced in December 2021, being advertised on Saturday 18 December and Saturday 1 January 2022 and closing at 2.00pm on Thursday 3 February 2022.

The Tender invited suitably qualified and experienced facility management specialists to tender for a five (5) year contract with an optional three (3) year extension, encouraging proposals that would assist the Shire to achieve its vision for the SJCRC:

“....to provide a diverse range of affordable, high quality, inclusive, community focussed programs and opportunities across all demographics within our community. Primarily, these opportunities should respond to recreational health and wellbeing requirements to enrich the social; emotional; and psychological wellbeing of our community. They should be consistent with identified needs and aspirations of the community and are to respond and adapt to evolving trends.”

At the May 2022 Ordinary Council Meeting, Officers presented outcomes of the Tender Evaluation process for RFT 11/2021, with the matter being deferred at that time to address further questions from Council. At the Special Council Meeting held 15 June 2022, Council determined to award RFT11/2021 to the YMCA WA (to the value of \$620,000, excluding GST), and requested the Chief Executive Officer present the draft Contract for Tender RFT 11/2021 to Council prior to execution. This draft Contract is now provided as **CONFIDENTIAL attachment 1**.

Community / Stakeholder Consultation

Policy Concept Forum

Meeting Date	22 August 2022
Councillors in Attendance	Cr Rich, Cr Atwell, Cr Duggin, Cr Strautins.

YMCA WA

The draft Contract was included as an Addendum to the Tender documentation, with respondents required to indicate their agreement (or otherwise) to the general terms contained within the document at the time of submitting their response.

- The draft Contract has been developed by the Shire of Serpentine Jarrahdale, in accordance with key terms endorsed by Council in September 2021 as follows:
 - 5 Year term with a 3 year option;
 - All maintenance to be undertaken by the Shire;
 - Respondent to outline approach for management of all internal/loose equipment (including servicing) within the submission and for the term of the contract;
 - Signage on the Serpentine Jarrahdale Community Recreation Centre to be at Respondents cost, co-branded and approved by Shire;



- Tender documents to address recommendations within the Review that will improve future contract arrangements and community outcomes.
- Maintaining key operational arrangements, including Local Emergency Management requirements.
- All Respondents that made a submission to Tender RFT11/2021 requested some amendment to the draft Contract. The specific amendments requested by the YCMA WA have been incorporated into **CONFIDENTIAL attachment 1**, with no material effect on deliverables or expectations from the Shire;
- Aspects of the YMCA WA Tender response, including program delivery, management of capital contribution proposals and reporting requirements, has been incorporated into **CONFIDENTIAL attachment 1**.

The draft Contract was created through the Shire's contracted legal firm, Civic Legal. Shire Officers and YMCA WA representatives have contributed to the development and review of the draft Contract and are agreeable to moving to execution of the document.

Statutory Environment

The *Local Government Act 1995* establishes rules for local governments entering into contractual arrangements as part of a tender. Regulation 20 of the *Local Government (Functions and General) Regulations 1996* provides that:

"If, after it [the local government] 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."

The draft Contract as currently constituted does not conflict with Regulation 20. Should Council wish to make amendments to the draft Contract these amendments would need be considered in the context of Regulation 20.

Council Policy 1.1.4 – Execution of Documents and Use of the Common Seal provides that following Council's resolution, the Chief Executive Officer may execute the Contract.

Comment

The Serpentine Jarrahdale Community Recreation Centre is currently being managed by YMCA WA under a Transitional Contract. The Transitional Contract had an initial term of 6 months, with an optional extension of 3 months. The 3 month extension has been agreed in order to provide continuity of services whilst the RFT11/2021 Contract is finalised. The Transitional Contract terminates on 30 September 2022.

The Contract for RFT 11/2021 is to commence on 1 October 2022 for an initial term of 5 years, and one optional 3 year term. Upon execution of the Contract, the following actions are anticipated by the Contractor in accordance with detail outlined in the Tender documentation and subsequent submission:

- Procurement/ordering of new gym equipment;
- Procurement/ordering of ICT equipment and Management systems;
- Onboarding of any staff required to deliver proposed programs and operations;



- Development and installation of signage;
- Transition of building maintenance programming to Shire Officers;
- Development of new processes and training of staff, per conditions in new Contract (e.g.: reporting of building maintenance, annual inspection processes etc).

Options and Implications

The following options have been identified:

Option 1

That Council:

1. NOTES Contractual details contained within **CONFIDENTIAL attachment 1** resulting from Tender RFT 11/2021 - Serpentine Jarrahdale Community Recreation Centre Management Services; and
2. APPROVES the Chief Executive Officer to execute the Contract in **CONFIDENTIAL attachment 1**.

Option 2

That Council:

1. NOTES Contractual details contained within **CONFIDENTIAL attachment 1** resulting from Tender RFT 11/2021 - Serpentine Jarrahdale Community Recreation Centre Management Services;
2. APPROVES the Chief Executive Officer to execute the Contract in **CONFIDENTIAL attachment 1**, subject to the following amendments and conditional to YMCA WA agreement:
[To be specified by the Councillor moving the motion]
3. NOTES closure of the SJ Community Recreation Centre will be required from 30 September 2022, if requested amendments cannot be negotiated and Contract executed by that date.

Option 1 is recommended.

Option 2 may result in the closure of the facility, depending on the nature of the amendments requested by Council. The financial and reputational impacts of this option are unknown, remaining subject to the extent of amendments and subsequent discussions with YMCA WA on the requested changes.

There is no further extension available under the current Transitional Contract arrangements, therefore for insurance and occupational health and safety requirements, operations at the Serpentine Jarrahdale Community Recreation Centre would cease until new contractual arrangements could be put in place.

Conclusion

At the Special Council Meeting held 15 June 2022, Council determined to award RFT11/2021 to the YMCA WA (to the value of \$620,000, excluding GST), and requested the Chief Executive Officer present the draft Contract for Tender RFT 11/2021 to Council for approval prior to execution. This is now provided as **CONFIDENTIAL attachment 1**.

**Attachments (available under separate cover)**

- **10.4.1 – CONFIDENTIAL attachment 1** – Draft Contract between Shire of Serpentine Jarrahdale and YMCA WA for RFT 11/2021 - Serpentine Jarrahdale Community Recreation Centre Management (E22/11039)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Strategy 1.1.2	Provide a healthy community environment
Outcome 1.3	A safe place to live
Strategy 1.3.1	Comply with relevant local and state laws, in the interests of the community
Strategy 1.3.2	Support local emergency services
Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.1	Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources
Strategy 4.1.2	Maximise the Shire's brand and reputation in the community
Outcome 4.2	A strategically focused Council
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions
Strategy 4.2.3	Provide clear strategic direction to the administration

Financial Implications

There are no financial implications anticipated for Option 1.

The financial implications of Option 2 remains subject to the nature of amendments requested. Where the amendments significantly delay the execution of the Contract – specifically delays that extend past the 30 September 2022 date on current Transitional Contract arrangements – closure of the facility would be required.

The income during this period would be nil, whilst expenditure relevant to the facility would still be incurred (e.g.: utility costs and insurances). Additional legal expenses for amendments to the draft Contract would also be incurred. The impact on members and patrons would be significant, particularly those utilising out of school services.



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	Terms within the Contract unable to be met by either party due to postponement of Contract start date.	<ul style="list-style-type: none"> Council Policy 3.3.10 – Contract Management KPI targets adjusted according to available budget allocations. 	Social / Community Outcomes	Unlikely	Insignificant	LOW	Nil
2	Serpentine Jarrahdale Community Recreation Centre closes on 30 September 2022 until RFT2021/11 Contract is executed, resulting in additional financial expense to the Shire: <ul style="list-style-type: none"> Loss of income due to facility closure (total value subject to period of closure) Additional legal expense for Contract amendments. 	Nil – there is no capacity for the Shire to assume operations at the Centre as an interim arrangement	Financial	Almost Certain	Minor	MODERATE	Nil.
2	Serpentine Jarrahdale Community Recreation Centre closes on 30 September 2022 until RFT2021/11 Contract is executed, resulting in cessation of critical community	Nil – there is no capacity for the Shire to assume operations at the Centre as an interim arrangement.	Social / Community Outcomes	Almost Certain	Moderate	HIGH	Nil



	<p>services/programs. Specifically:</p> <ul style="list-style-type: none"> • Out of Hours School Care (OHSC) • Gym and fitness services. • Sport and recreation provisions. 	<p>Affected parties contacted as soon as possible following Council resolution, to advise of service cessation (period unknown):</p> <ul style="list-style-type: none"> • OHSC families • Members of the gym • Tenants and hirers. 					
2	<p>New Tender process required as a result of changes in Scope between awarding of Tender and Contract execution (Regulation 20 of the <i>Local Government (Functions and General) Regulations 1996.</i>)</p>	Nil	Organisational Performance	Possible	Moderate	MODERATE	Nil

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **NOTES** Contractual details contained within **CONFIDENTIAL** attachment 1 resulting from Tender RFT 11/2021 - Serpentine Jarrahdale Community Recreation Centre Management Services; and
2. **APPROVES** the Chief Executive Officer to execute the Contract in **CONFIDENTIAL** attachment 1.



10.4.2 – 2021/2022 Byford Town Team Outcomes (SJ3373)

Responsible Officer:	Manager Community Activation
Senior Officer:	Acting Director Community Services
Disclosure of Officers Interest:	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 the Byford Town Teams initiative final outcomes report, listed as a Strategic Operating Project in the Corporate Business Plan 2021 – 2025.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 19 April 2021 - OCM094/04/21 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

1. *APPROVES an amount of \$17,850 excluding GST from the 2019/2020 Budget Surplus to engage Town Team Movement to establish a Town Team in the Byford CBD as per the proposal contained in attachment 3;*
2. *APPROVES an amount of \$23,000 from the 2019/2020 Budget Surplus to support the activities of the Byford Town Team Movement and APPROVES that the Chief Executive Officer distribute these funds at his discretion;*
3. *APPROVES an amount of \$7,000 from the 2019/2020 Budget Surplus to fund the creation of items that Neighbourhood Watch groups can distribute to members of the community to encourage the identification and reporting of antisocial behaviour within the Shire of Serpentine Jarrahdale;*
4. *APPROVES a sole source supply arrangement with Town Team Movement under Council Policy 3.2.4 - Purchasing-Procurement of Goods or Services up to \$250,000; and*
5. *APPROVES the following budget amendment:*

<i>Account</i>	<i>Type</i>	<i>Description</i>	<i>Debit</i>	<i>Credit</i>
<i>4300-15508-6392</i>	<i>Increase Expenditure</i>	<i>Town Teams – External Contractor</i>	<i>17,850</i>	
<i>4300-15508-6276</i>	<i>Increase Expenditure</i>	<i>Town Teams – Community Activation Funding</i>	<i>23,000</i>	
<i>2400-12201-6125</i>	<i>Increase Expenditure</i>	<i>Community safety Neighbourhood Watch initiative</i>	<i>7,000</i>	



		Adjustment to Net Current Assets	47,850
Reason: Funding for Town Teams and Community Safety initiative from 2019-2020 surplus.			

Background

The Town Team Movement is a social enterprise that was formed in 2018, providing support to 55 Town Teams across Australia and New Zealand.

At its April 2021 meeting, Council endorsed the establishment of a Byford Towns Team as an opportunity to proactively engage residents and businesses early in the development of the town centre to ensure that design and provision is responsive to community and business needs. Council further resolved to allocate \$23,000 that the Byford Town Team Movement could access to support their activities over the first 12-month period, assisting their establishment and to provide financial capacity to deliver initiatives. These are referred to as “Town Centre Activation funds” throughout this report. The town centre as a specified location is depicted in Image 1 below (reference: Byford Town Centre Structure Plan).

As a Strategic Operating Project within the Corporate Business Plan 2021 – 2025, the final outcomes report for the 2021/22 financial year is now presented to Council as **attachment 1**. Council is requested to note that the established Byford Town Team is now known as the Activate Byford Town Team.

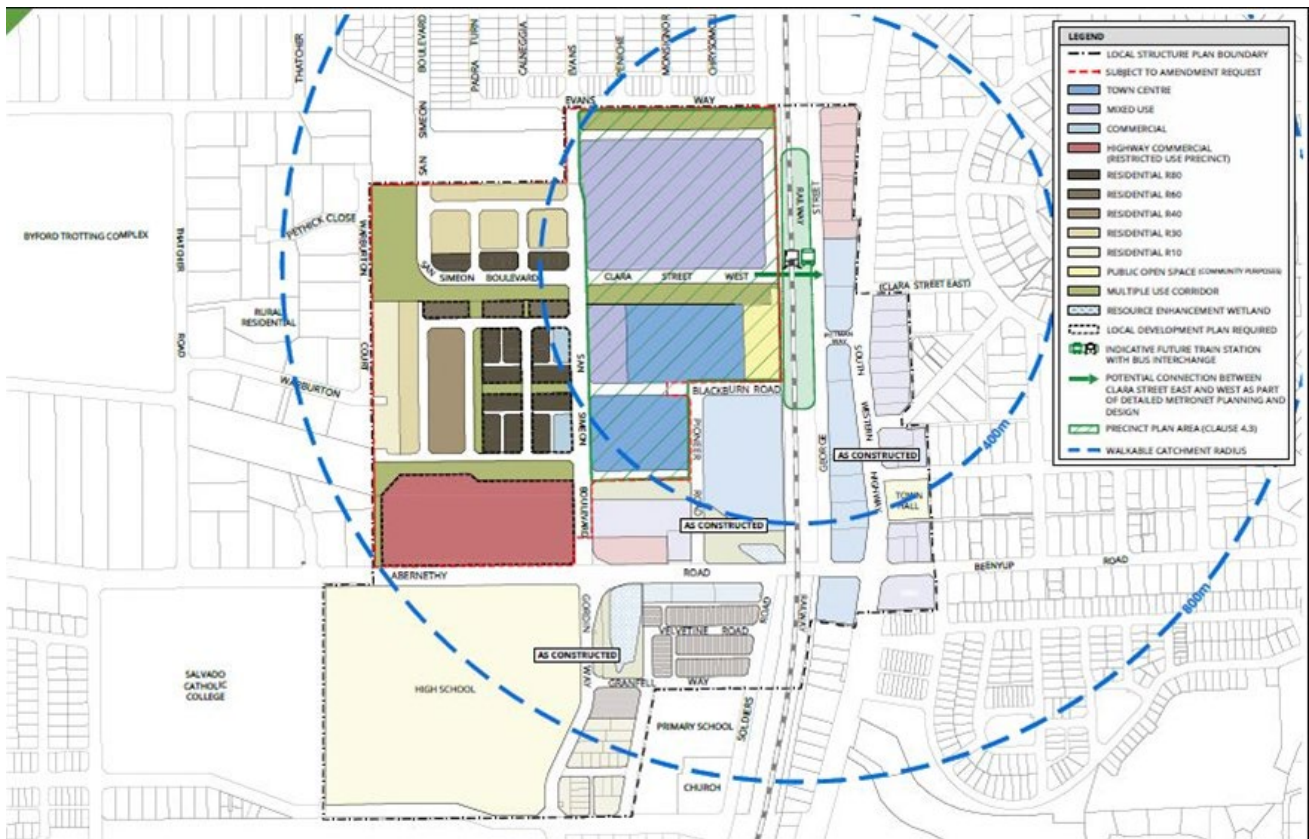


Image 1: Byford Town Centre (as depicted p16 of the Byford Town Centre Structure Plan - <https://www.sjshire.wa.gov.au/documents/340/byford-town-centre>)



Community / Stakeholder Consultation

Officers have met with the Activate Byford Town Team throughout the year as relevant to the initiatives being discussed.

Statutory Environment

Nil.

Comment

Establishment

Over the 2021/22 financial year, the Town Team Movement was engaged to establish a Byford Town Team. In April 2021, the first activation activity occurred to incite interest to the Byford group and resulted in 400 flyers being handed out and an initial workshop for all interested individuals in May 2021.

Throughout July and August 2021, a dedicated group of Byford residents met to generate ideas on how to activate the town centre. Throughout the year the following ideas and initiatives were identified:

- Byford Pictures
- Byford Connect
- Byford Open Mic
- Artisan Market
- Beautifying Byford
- Art Mural

Each of these initiatives have had their own sub-group of representatives, leading project plans for funding requests and on-the-ground delivery requirements.

At the 6 October meeting, it was confirmed that the group had become an official Town Team of the Town Team Movement, under the name Activate Byford. The Activate Byford logo was endorsed and has subsequently been used on a range of activation and promotional materials.

Completed Projects

In a challenging year, Activate Byford has successfully completed the following projects:

Project	Date	Cost	Summary
Open Mic event	August 2021	\$2,500 ex GST	15 Music Students from Byford Secondary College who attended a workshop with Musician Jack Davies before performing to family and friends at Dôme Byford
Byford Pictures	November 2021	\$5,200 ex GST	Utilising a blank wall facing/adjoining the Byford Dome, a banner has been installed and images will be displayed celebrating the special moments experienced while living in, or visiting, Byford. With the available funding, there is capacity to change the banners on a six weekly rotation for 21 months.



Further detail on each of the initiatives, provided by Activate Byford, is included as **attachment 2**. The attachment also includes future projects which the Activate Byford group has identified for delivery, which Shire Officers are continuing to work with the group on their suitability under the Town Team agreement.

Current Status

Overall, the group has successfully convened as a group throughout the 2021/22 financial year to deliver initiatives as outlined above. The group successfully developed a brand and a following of a small but dedicated base of volunteers/members.

It is recognised that Activate Byford has been challenged throughout the 2021/22 financial year to:

- a) Establish as a Town Team group; and
- b) Simultaneously identify initiatives achievable within the available timeframes, budgets and expertise of their members.

The town centre as a location for activation is not without its challenges, as the heavy traffic and pedestrian interface, as well as connectivity between the separate areas makes it difficult for an establishing group to identify realistic and achievable projects. Buy-in to a “new and emerging group” has also meant rapport and connection between volunteers/members has been important to foster, in order to build momentum of the group.

Given some of the identified events/activities have had to be cancelled due to availability of venues and Covid challenges, as well as limited availability of space within the town centre for delivery of a larger scale event/activity within the capabilities of an emerging group, significant outcomes relevant to town centre activation is minimal. Future opportunities for Activate Byford include:

- Promotion of itself to a broader Byford cohort.
- Establishing as its own entity (currently auspicing their activities via the Town Team Movement and the Byford Progress Association). Activate Byford have indicated they have aspirations of progressing towards this, with documentation already submitted to become incorporated.
- Completion of currently funded initiatives to facilitate interest and knowledge in the Activate Byford group across the local community.

2022/2023 Support

In respect to 2022/23, Shire Officers recommend the Chief Executive Officer work with Activate Byford to identify opportunities for activation projects for Council to consider at a further date.

Options and Implications

Option1

That Council:

1. RECEIVES the Activate Byford Town Team Outcomes Report at **attachment 1**.
2. REQUESTS the Chief Executive Officer to work with the Activate Byford group to identify opportunities for the delivery of activation projects within the Byford Town Centre.

Option 1 is recommended.



Conclusion

With the growth of the Byford Town Centre, it is important to support and resource the development of place making activities to activate the town centre and encourage connections with (and use of) public space.

Two projects have been successfully delivered in the Byford Town Centre by Activate Byford.

The Shire remains committed to working with Activate Byford regarding activation projects in the Byford Town Centre in recognition of the role community will play in achieving a functional and activated town centre into the future.

Attachments (available under separate cover)

- **10.4.2 - attachment 1** – Activate Byford – Outcomes Report (E22/8063)
- **10.4.2 - attachment 2** – Activate Byford – Summary of Projects and Future Focus (E22/10847)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.1	Provide well planned and maintained public open space and community infrastructure
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

Financial Implications

There are no financial implications relevant to this report.

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 with Option 1.						



Continued

Ordinary Council Meeting Agenda Monday, 19 September 2022

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **RECEIVES** the Activate Byford Town Team Outcomes Report at attachment 1.
2. **REQUESTS** the Chief Executive Officer to work with the Activate Byford group to identify opportunities for the delivery of activation projects within the Byford Town Centre.



10.4.3 – Strategic Community Plan – Major Review (SJ3617)

Responsible Officer:	Acting Director Community Services
Senior Officer:	Chief Executive Officer
Disclosure of Officer's Interest:	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 endorse a Project Plan for the Strategic Community Plan – Major Review and to note the ongoing relevance of the SJ2050 document.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 15 August 2022 - OCM199/08/22 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

1. *ADOPTS the Long Term Financial Plan 2022-32 at attachment 1;*
2. *ADOPTS the Corporate Business Plan 2022-26 at attachment 2; and*
3. *NOTES the Chief Executive Officer will apply the Shire's Corporate Branding in finalising the Corporate Business Plan for publication.*

Ordinary Council Meeting – 21 March 2022 - OCM056/03/22 - COUNCIL RESOLUTION

1. *AGREES to REMOVE the 'Major Strategic Review' Strategic Operating Project from the 2021-25 Corporate Business Plan;*
2. *AGREES to DEFER the major review of the Strategic Community Plan for consideration, when the Department of Local Government releases new guidelines;*
3. *AGREES to consider the timeline for the delivery of the major review through the 2022-23 Corporate business Plan and budget setting process.*
4. *REQUESTS the Chief Executive Officer write to the Department of Local Government, Sport and Cultural Industries advising of Council's decision; and*
5. *NOTES the 2021-25 Corporate Business Plan will be updated to reflect these amendments though the 2021-22 Quarter 3 Corporate Business Plan Performance Report.*
6. *REQUESTS the Chief Executive Officer prepare a report informing Council as to the ongoing relevance of the SJ2050 document prior to finalising any further review of our Strategic Community Plan.*



Background

The Strategic Community Plan outlines community long term (10+ years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities.

A full review of the Strategic Community Plan is required every four years with a desktop review recommended to be completed every two years. The Strategic Community Plan:

- Establishes the community's vision for the local government's future, including aspirations and service expectations.
- Drives the development of local government area/place/regional plans, resourcing and other informing strategies, for example workforce, asset management and services, and
- Is ultimately the driver behind all other planning.

The current Strategic Community Plan is included with this report as **attachment 1**.

The Shire's Strategic Community Plan was due for a major review in June 2021 after undergoing a desktop review in June 2019.

At its March 2022 meeting, Council agreed to defer the major review of its Strategic Community Plan and consider a new timeline for delivery of the major review in the 2022-23 Corporate Business Plan.

At its August 2022 meeting, Council endorsed the following timeline for the Strategic Community Plan – Major Review as part of its adoption of the 2022-2026 Corporate Business Plan:

Project/Activity	Strategy Link	Key Informing Strategy	Project Start Date	Project Finish Date	Total Project Value \$000s	Milestones for 2022-23	2022-23 \$000s	
							Shire	Other
<u>Major Review - Strategic Community Plan</u> Undertake the Major Strategic Review of the Strategic Community Plan, including the Community Perceptions Survey.	4.1.1		1 July 2022	30 Sept 2023	100	Q1 Provide project timeline for Council endorsement Q2 Carry out the Community Perceptions Survey Q3 Undertake Review Q4 Provide revised plan to Council for endorsement to advertise	100	-

Following the endorsement of the timeline above for the delivery of the Strategic Community Plan – Major Review, Shire Officers have developed a Project Plan which outlines the proposed activities to be delivered to complete the review in the prescribed timeframe.

Community / Stakeholder Consultation

Policy Concept Forum

The Project Plan was presented to Councillors at the following Policy Concept Forum for information and feedback.

Meeting Date	22 August 2022
Councillors in Attendance	Cr Rich, Cr Atwell, Cr Duggin, Cr Strautins



Internal Engagement

The Project Plan was presented to internal stakeholders for review and comment.

External Engagement

Shire Officer's engaged with the following stakeholders to receive feedback and guidance on approaching a major review of the Strategic Community Plan:

- City of South Perth
- Department of Local Government, Sports and Cultural Industries

External feedback from the above organisations has been incorporated into the Project Plan.

Community Engagement

Engaging with the community is essential for the development or review of a Strategic Community Plan.

Using the Shire's Toolkit for Community Engagement and the International Association for Public Participation (IAP2) Spectrum of Public Participation, the level of engagement for this project will be "Involve".

Increasing public influence on the decision

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example methods	<ul style="list-style-type: none"> • Letter • Email • Signage • Public display • Social media • Advertising 	<ul style="list-style-type: none"> • Questionnaire • Online – Have Your Say • Door knocking • Interview • Pop up • Interactive public display • Public open house • Feedback form 	<ul style="list-style-type: none"> • Focus group • Working group • Workshop • Pop up at venue or event • Public open house 	<ul style="list-style-type: none"> • Focus group • Working group • Workshop • Public open house 	<ul style="list-style-type: none"> • Working group • Workshop

Reference: International Association for Public Participation (IAP2). 2018. IAP2 Spectrum of Public Participation.

A dedicated Community Engagement Plan for the Strategic Community Plan – Major Review project will be developed following the endorsement of the Project Plan.



Statutory Environment

Local Government Act 1995, section 5.56

A Strategic Community Plan must:

- (i) Cover a period of at least 10 financial years.
- (ii) Set out the community vision, aspirations, and objectives.
- (iii) Be developed or modified through engagement with the community, and describe how this was undertaken.
- (iv) Have regard to current and future resource capacity, demographic trends and strategic performance measurement.
- (v) Be adopted, or modified by an absolute majority of council.
- (vi) Be reviewed at least once every 4 years.

Local Government (Administration) Regulations 1996; Regulation 19D

The CEO must give local public notice post adoption and/or modification of a Strategic Community Plan.

Proposed Local Government Reforms

Officers are aware that the State Government's proposed Local Government Act reforms propose to include refining the Integrated Planning and Reporting Framework documents to introduce "Council Plans" to combine Strategic Community Plans and Corporate Business Plans.

Should Council Plans be introduced throughout the Major Review project and supporting information be provided by the Department of Local Government, Sport and Cultural Industries, the revised Strategic Community Plan document will be developed to align with the new reporting requirements.

Comment

Rationale for the Strategic Community Plan – Major Review project

The Shire's current Strategic Community Plan was developed in 2017 and has not had a major review, while SJ2050, the Shire's spatial visioning document was developed in 2016.

While both documents have played key roles in supporting the growth and development of the Shire, Officers believe that significant achievements have been made in delivering against the current values and aspirations of both documents.

There have been significant changes at a local, state and global level, as outlined below:

- Local – population increase of 5,300 recorded in 2021 Census Data.
- State – major transport infrastructure projects committed (Tonkin Highway extension and Byford Metronet).
- Global – COVID-19 pandemic, Climate Change.

To ensure that the Shire's Integrated Planning and Reporting Framework documents accurately reflect the aspirations of the community, Officers recommend carrying out the Strategic Community Plan – Major Review project.



Proposed approach

A Project Plan for the Strategic Community Plan – Major Review has been developed and is available at **attachment 2**.

The Project Plan has been developed including the principles of the Shire’s Project Management Framework, outlining roles and responsibilities, project timelines and project gateways.

The table below provides a high-level summary of project milestones to achieve the Strategic Community Plan – Major Review.

2022/23 FY				2023/24 FY
Q1	Q2	Q3	Q4	Q1
Report to Council with Project Plan for Strategic Community Plan – Major Review	Engage consultant Develop Community Engagement Plan for major review Commence workshops with Council Introduce Strategic Community Plan – Major Review project to community	Workshops and surveys with community, staff and Councillors Undertake review of Strategic Community Plan	Present revised Strategic Community Plan to Council for consideration to advertise Advertise revised Strategic Community Plan Begin development of Corporate Business Plan to align with draft Strategic Community Plan	Review community feedback and make any final amendments to Strategic Community Plan Present final draft Strategic Community Plan and Corporate Business Plan to Council Corporate design of Strategic Community Plan and Corporate Business Plan Launch (internal and external) of Strategic Community Plan and Corporate Business Plan



Roles and responsibilities

The table below outlines roles and responsibilities for the major review, which has been developed in line with the Shire's Project Management Framework.

ROLE	RESPONSIBILITY	WHO
Decision Maker	Approves key gateways through project timeline.	Council*
Project Change Board	Allocates resources to support project implementation, oversees the operational delivery and achievement of objectives and benefits.	Executive Management Group
Project Steering Group	Ensures project outcomes and benefits are achieved and identifies and manages emergent risks and issues.	To be established upon endorsement of Project Plan. Call for Expressions from across the organisation, ensuring representation from all directorates and all levels (Officers/Coordinators/Managers)
Project Sponsor	Management of Directorate project resources and is responsible for the successful delivery of the project.	Chief Executive Officer
Project Manager	Oversees project resources and manages team resources (including Project Managers) to achieve successful completion of the project.	Manager Communications and Customer Engagement
Technical Resource	Provides technical information to the team.	Subject Matter Experts from across the organisation will be called upon throughout the project when required
Community/Stakeholders	Represent community views and provide input and feedback.	Shire residents, ratepayers, business owners and operators, community and sporting groups. <i>A full stakeholder list will be developed as part of the Community Engagement Plan.</i>

**Council will also be engaged through Strategic Workshops throughout the life of the project to provide input and feedback in the review and development of the Strategic Community Plan.*



SJ2050

SJ2050 is the Shire's spatial visioning document looking forward to 2050 that was endorsed by Council in October 2016, which is available at **attachment 3**.

At the time, SJ2050 aimed to unify the Shire, residents, developers and businesses behind a spatial plan and to support the Shire transition to a high-growth local government.

SJ2050 resulted in development of community values and aspirations which were aligned to three key pillars being People, Place and Prosperity. These three pillars have provided the groundwork for both the Strategic Community Plan and the Corporate Business Plan.

Following the endorsement of SJ2050, the Shire's Strategic Community Plan 2017-2027 was also adopted by Council, which fulfils its statutory obligations of the Integrated Planning and Reporting Framework.

Over the past six years, SJ2050 has helped guide Shire plans and policies and has also supported the growth and development of the Shire aligned to the community values and aspirations.

During this time, the Shire's strategic land use planning framework has matured with the Local Planning Strategy being approved by the Western Australian Planning Commission, which provides the certainty required for other planning instruments such as the district structure plans for Byford and Mundijong.

While SJ2050 has played an important role in the spatial visioning of the Shire, it has no statutory basis in either the *Planning and Development Act* or the *Local Government Act*.

Given the approval of the Local Planning Strategy and the requirement of a full revision of the Integrated Planning and Reporting Framework documents, Shire Officer's believe that the Strategic Community Plan – Major Review project will present the Council and community with a contemporary visioning document that is reflective of the aspirations of the Serpentine Jarrahdale community and will supersede SJ2050.

Options and Implications

Option 1

That Council:

1. ENDORSES the proposed timeline and schedule for the delivery of the Shire's Strategic Community Plan – Major Review, as per the Project Plan provided at **attachment 2**.
2. NOTES that the Chief Executive Officer will:
 - a. develop a Community Engagement Plan for the Shire's Strategic Community Plan – Major Review project.
 - b. provide an update on the Strategic Community Plan – Major Review project to Council by April 2023, as per the Project Plan schedule.
3. NOTES that the revised Strategic Community Plan will supersede SJ2050 as the Shire's principal community visioning document.

Option 2

That Council:

1. ENDORSES the proposed timeline and schedule for the delivery of the Shire's Strategic Community Plan – Major Review, as per the Project Plan provided at **attachment 2**, with the following amendments:



[Councillor moving motion to include amendments]

2. NOTES that the Chief Executive Officer will:
 - a. develop a Community Engagement Plan for the Shire’s Strategic Community Plan – Major Review project.
 - b. provide an update on the Strategic Community Plan – Major Review project to Council by April 2023, as per the Project Plan schedule.
3. NOTES that the revised Strategic Community Plan will supersede SJ2050 as the Shire’s principal community visioning document.

Option 1 is recommended.

Conclusion

The Major Review of the Strategic Community Plan is an important process in ensuring that Council is informed in its strategic decision making by the priorities and vision of the community. Council is requested to consider the proposed Project Plan which outlines the proposed approach and timeline to complete the major review.

Attachments

- **10.4.3 - attachment 1** – Shire of Serpentine Jarrahdale Strategic Community Plan 2017 - 2027 (E19/9571)
- **10.4.3 - attachment 2** – Strategic Community Plan – Major Review – Project Plan (E22/8698)
- **10.4.3 - attachment 3** – SJ2050 (E17/1110)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.3	Provide clear strategic direction to the administration

Financial Implications

Council has allocated an amount of \$100,000 in the 2022/23 financial year budget for the purpose of undertaking the major review.

Shire Officers propose to engage an external consultant to assist with the development of a comprehensive Community Engagement Plan, which will include design and delivery of community and stakeholder engagement methods and tactics, and data analysis for the major review project as well as writing of the revised document.



Risk 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	Project milestones are not met, which causes a delay to the finalisation of the Strategic Community Plan – Major Review project.	Development of Project Plan, which outlines roles and responsibilities, as well as resource allocations	Organisational Performance	Possible	Insignificant	LOW	
2	Amendments to the Project Plan may not be able to be delivered or achieved within existing resources, causing a delay to the finalisation of the Strategic Community Plan – Major Review project.	Project Plan for Strategic Community Plan – Major Review	Organisational Performance	Possible	Minor	MODERATE	

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

1. **ENDORSES** the proposed timeline and schedule for the delivery of the Shire's Strategic Community Plan – Major Review, as per the Project Plan provided at attachment 2.
2. **NOTES** that the Chief Executive Officer will:
 - a. develop a Community Engagement Plan for the Shire's Strategic Community Plan – Major Review project.
 - b. provide an update on the Strategic Community Plan – Major Review project to Council by April 2023, as per the Project Plan schedule.
3. **NOTES** that the revised Strategic Community Plan will supersede SJ2050 as the Shire's principal community visioning document.



Continued

**Ordinary Council Meeting Agenda
Monday, 19 September 2022**

10.5 Executive Services reports

10.5.1 - Financial Assistance Agreement – Byford Nature Splash Park (SJ3042)	
Responsible Officer:	Strategic Project Specialist
Senior Officer:	Chief Executive Officer
Disclosure of Officers Interest:	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> .

This report will be distributed prior to the Ordinary Council Meeting.



10.5.2 – Minister for Local Government’s Local Government Reforms: Full Reform Proposals (SJ1369-15)

Responsible Officer:	Manager Governance and Strategy
Senior Officer:	Chief Executive Officer
Disclosure of Officer’s Interest:	Manager Governance and Strategy has declared an Impartiality Interest in this matter as the Officer worked on Local Government Act reforms in their previous role and is a former colleague of Officers working on the review within the Department.

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 Local Government Minister’s proposed *Local Government Act 1995* (the Act) reforms.

Relevant Previous Decisions of Council

*Special Council Meeting – 6 December 2021 – SCM089/12/21 – COUNCIL RESOLUTION
That Council:*

1. *RESOLVES the following positions regarding the proposed Local Government reforms announced by the Minister on 10 November 2021:*

<i>Reform number</i>	<i>Proposed reform</i>	<i>Shire of Serpentine Jarrahdale position</i>
1.1	<i>Early Intervention Powers</i>	<i>SUPPORTED</i>
1.2	<i>Local Government Monitors</i>	<i>SUPPORTED</i>
1.3	<i>Conduct Panel</i>	<i>SUPPORTED</i>
1.4	<i>Review of Penalties</i>	<i>SUPPORTED</i>
1.5	<i>Rapid Red Card Resolutions</i>	<i>NOT SUPPORTED</i>
1.6	<i>Vexatious Complaint Referrals</i>	<i>SUPPORTED</i>
1.7	<i>Minor Other Reforms</i>	<i>SUPPORTED</i>
2.1	<i>Resource Sharing</i>	<i>SUPPORTED</i>
2.2	<i>Standardisation of crossovers</i>	<i>SUPPORTED</i>
2.3	<i>Introduce Innovation Provisions</i>	<i>SUPPORTED</i>
2.4	<i>Streamline Local Laws</i>	<i>SUPPORTED</i>
2.5	<i>Simplifying Approvals for Small Business and Community Events</i>	<i>SUPPORTED</i>



2.6	<i>Standardised Meeting Procedures, Including Public Question Time</i>	<i>SUPPORTED</i>
2.7	<i>Regional Subsidiaries</i>	<i>SUPPORTED</i>
3.1	<i>Recordings and Live-Streaming of All Council Meetings</i>	<i>SUPPORTED</i>
3.2	<i>Recording All Votes in Council Minutes</i>	<i>SUPPORTED</i>
3.3	<i>Clearer Guidance for Meeting Items that may be Confidential</i>	<i>SUPPORTED</i>
3.4	<i>Additional Online Registers</i>	<i>SUPPORTED</i>
3.5	<i>Chief Executive Officer Key Performance Indicators (KPIs) be Published</i>	<i>SUPPORTED as currently published by the Shire of Serpentine Jarrahdale</i>
4.1	<i>Community and Stakeholder Engagement Charters</i>	<i>SUPPORTED</i>
4.2	<i>Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)</i>	<i>SUPPORTED</i>
4.3	<i>Introduction of Preferential Voting</i>	<i>NOT SUPPORTED</i>
4.4	<i>Public Vote to Elect the Mayor and President</i>	<i>NOT SUPPORTED</i>
4.5	<i>Tiered Limits on the Number of Councillors</i>	<i>SUPPORTED</i>
4.6	<i>No Wards for Small Councils (Band 3 and 4 Councils only)</i>	<i>NO POSITION</i>
4.7	<i>Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility</i>	<i>SUPPORTED</i>
4.8	<i>Reform of Candidate Profiles</i>	<i>SUPPORTED</i>
4.9	<i>Minor Other Electoral Reforms</i>	<i>SUPPORTED</i>
5.1	<i>Introduce Principles in the Act</i>	<i>SUPPORTED</i>
5.2	<i>Greater Role Clarity</i>	<i>SUPPORTED</i>
5.3	<i>Council Communication Agreements</i>	<i>SUPPORTED</i>
5.4	<i>Local Governments May Pay Superannuation Contributions for Elected Members</i>	<i>NOT SUPPORTED</i>
5.5	<i>Local Governments May Establish Education Allowances</i>	<i>SUPPORTED</i>
5.6	<i>Standardised Election Caretaker period</i>	<i>SUPPORTED</i>
5.7	<i>Remove WALGA from the Act</i>	<i>SUPPORTED</i>
5.8	<i>CEO Recruitment</i>	<i>SUPPORTED</i>
6.1	<i>Model Financial Statements and Tiered Financial Reporting</i>	<i>SUPPORTED</i>
6.2	<i>Simplify Strategic and Financial Planning</i>	<i>NOT SUPPORTED</i>
6.3	<i>Rates and Revenue Policy</i>	<i>SUPPORTED</i>



6.4	<i>Monthly Reporting of Credit Card Statements</i>	<i>SUPPORTED</i>
6.5	<i>Amended Financial Ratios</i>	<i>SUPPORTED</i>
6.6	<i>Audit Committees</i>	<i>NOT SUPPORTED</i>
6.7	<i>Building Upgrade Finance</i>	<i>NOT SUPPORTED</i>
6.8	<i>Cost of Waste Service to be Specified on Rates Notices</i>	<i>SUPPORTED</i>

2. *REQUESTS that the Chief Executive Officer write to the Department of Local Government, Sport and Cultural Industries and Western Australian Local Government Association to advise Council's resolution on this matter.*

Background

On 10 November 2021, the Minister for Local Government announced the latest tranche of Local Government reforms. The reforms build on previous Act reforms that introduced universal training for elected members, new processes for CEO recruitment, and the introduction of a model code of conduct for Councillors, committee members and candidates.

In December 2021, Council resolved a series of positions in response to the Minister's proposals. In accordance with Council's resolution the Shire's position was presented to the Western Australian Local Government Association and Department of Local Government, Sport and Cultural Industries. Overall, the Shire was largely supportive of the direction of Minister's proposed reforms presented in November 2021.

Community / Stakeholder Consultation

Nil.

Statutory Environment

Nil.

Comment

On 3 July 2022, the Minister for Local Government announced the final package of reforms to the Act with a media release titled '*Tougher penalties on the way for bad behaving councillors with major local government reforms finalised*'. While the proposed reforms include increased sanctions including disqualification from holding office for repeated breaches of rules of conduct standards, the title of the associated media release does not adequately capture the breadth of the proposed reforms which, if implemented, will significantly alter the conduct of Council and local government more generally.

The Minister's Full Reform Proposals released in July are for the most part consistent with those of the Minister in November 2021 that were presented to Council in December 2021. A summary of the amended proposals is described in the table below as taken from the Local Government Reforms.

Note this table only summaries those reforms that have changed. The full Reform Proposals published on the Department's website are presented in **attachment 1**.



Minister's Original proposal	Minister's Revised proposal
<p><i>Review of penalties</i></p> <p>Penalties for breaching the Act are proposed to be strengthened.</p> <p>It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Act or Regulations on more than one occasion.</p> <p>Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings or use their official office (such as their title or council email address). It is proposed that a councillor who is suspended multiple times may become disqualified from office.</p> <p>Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances.</p>	<p><i>Disqualifications</i></p> <p>It is further proposed to establish a provision that results in a person automatically becoming disqualified for 10 years from being an elected member at any local government in WA if they have been suspended three times (by either the Conduct Panel, State Administrative Tribunal or Minister).</p>
<p><i>Red card referrals</i></p> <p>It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1).</p> <p>It is proposed that Presiding Members have the power to 'red card' any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would:</p> <ul style="list-style-type: none"> - Require the Presiding Member to issue a clear first warning. - If the disruptions continue, the Presiding Member will have the power to 'red card' that person, who must be silent for the rest of the meeting. - A councillor issued with a red card will still vote but must not speak or move motions. - If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting. <p>Any Presiding Member who uses the "red card" or ejection power will be required to notify the Inspector.</p> <p>Where an elected member refuses to comply with an instruction to be silent or leave, or where it can</p>	<p><i>Red Cards Not Progressed</i></p> <p>'Red Card Resolutions' will not be progressed. However, it is proposed that the new Meeting Procedure Regulations will have clear powers for Presiding Members to maintain order at meetings.</p>



Minister's Original proposal	Minister's Revised proposal
<p>be demonstrated that the Presiding Member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector.</p>	
<p><i>Other minor reforms</i></p> <p>Potential other reforms to strengthen guidance for local governments are being considered.</p> <p>For example, one option being considered is the potential use of sector-wide guidance notices. Guidance notices could be published by the Minister or Inspector to give specific direction for how local governments should meet the requirements of the Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed.</p> <p>It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations.</p>	<p><i>Primary and Annual Returns</i></p> <p>Based on submissions, reforms to Annual and Primary Returns will add new penalties for non-compliance, and powers for the Inspector to compel any person to correct a potential error or omission on their return.</p>
<p><i>Standardised Meeting Procedures, Including Public Question Time</i></p> <p>To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across Western Australia.</p> <p>Regulations would introduce standard requirements for public question time and the procedures for meetings generally.</p> <p>Members of the public across all local governments would have the same opportunities to address council and ask questions.</p>	<p><i>Electors' Meetings</i></p> <p>Further minor changes to Electors Meetings are proposed to:</p> <ul style="list-style-type: none"> - Increase the number of electors required to call an Electors' Special Meeting to 300 (from 100) or five per cent of the number of electors (whichever is less). - Allow a Presiding Member to refuse to hold a second Electors' Special Meeting if the matter raised has already been considered at a Special Electors' Meeting within the last 12 months (the local government would still have to refer the matter for inclusion on the agenda of the next Council Meeting) - The new meeting procedures regulations will also apply to Electors' meetings, including the annual electors' meeting. This will enable the Presiding Member to maintain order while ensuring members of the public have a clear right to ask questions.



Minister's Original proposal	Minister's Revised proposal
<p><i>Regional subsidiaries</i></p> <p>Work is continuing to consider how Regional Subsidiaries can be best established to:</p> <ul style="list-style-type: none"> - enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments - provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds - where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk - ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments. 	<p><i>Financial Reporting</i></p> <p>Streamlined financial reporting requirements will be extended for regional subsidiaries, so they only need to comply with band 3 and 4 model financial statement provisions.</p> <p><i>Borrowing for Projects</i></p> <p>It is proposed to amend the Act to enable regional subsidiaries to borrow money for capital projects to achieve the purpose specified in the regional subsidiaries charter (subject to conditions, including within prescribed borrowing limits).</p>
<p><i>Recordings and Live-Streaming of All Council Meetings</i></p> <p>It is proposed that all local governments will be required to record meetings.</p> <p>Band 1 and 2 local governments would be required to live-stream meetings and make video recordings available as public archives.</p> <p>Band 1 and 2 are larger local governments, are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment.</p> <p>Band 1 and 2 local governments would be required to live-stream meetings and make video recordings available as public archives.</p> <p>Several local governments already use platforms such as YouTube, Microsoft Teams and Vimeo to stream and publish meeting recordings.</p> <p>Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used.</p> <p>Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum.</p>	<p><i>Limited Exemptions</i></p> <p>It is proposed to allow for minor exemptions to the requirement for live streaming in defined scenarios (for instance, for a council holding a meeting outside of council chambers, and with the prior written consent of the Inspector).</p>



Minister's Original proposal	Minister's Revised proposal
<p>These local governments would still be encouraged to Livestream or video record meetings.</p> <p>All council meeting recordings would need to be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to DLGSC for archiving.</p>	
<p><i>Clearer Guidance for Meeting Items that may be Confidential</i></p> <p>Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances.</p> <p>It is proposed to make the Act more specific in prescribing items that may be confidential and items that should remain open to the public.</p> <p>Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector.</p> <p>All confidential items would be required to be audio recorded, with those recordings submitted to DLGSC.</p>	<p><i>Specific Provisions</i></p> <p>Proposed provisions for managing confidential items at council meetings (and preventing councils from unreasonably using confidentiality provisions to avoid public scrutiny) have been refined to:</p> <ul style="list-style-type: none"> - clarify that only a limited part of a meeting specific to confidential information (e.g., receiving legal advice) may be closed - specify that certain matters (town planning and development applications, budgeting, major land transactions, leases of local government property) must be held in full public view - specify that certain matters (CEO appointment, management of behavioural complaints about elected members, local government cybersecurity) must be held confidentially - require that any other matters proposed to be considered confidentially will require the prior approval of the Inspector.
<p><i>Additional Online Registers</i></p> <p>It is proposed to require local governments to report specific information in online registers on the local government's website. Regulations would prescribe the information to be included.</p> <p>The following new registers, each updated quarterly, are proposed:</p>	<p>To clarify, the online register of contracts is only for the supply of goods and services and will not include direct employment contracts.</p> <p>To clarify, information about the identity of individual residential tenants of housing owned by the local government will not be required to be published on the online lease register.</p>



Minister's Original proposal	Minister's Revised proposal
<ul style="list-style-type: none"> - Lease Register to capture information about the leases the local government is a party to (either as lessor or lessee) - Community Grants Register to outline all grants and funding provided by the local government - Interests Disclosure Register that collates all disclosures made by elected members about their interests related to matters considered by council - Applicant Contribution Register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking - Contracts Register that discloses all contracts above \$100,000. 	
<p><i>Chief Executive Officer Key Performance Indicators by published</i></p> <p>To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs:</p> <ul style="list-style-type: none"> - Be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period) - The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period) - The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs). 	<p><i>Limited Exemptions</i></p> <p>It is proposed that a provision is included to allow councils to seek the Inspector's approval not to publish a specific CEO KPI, if there is a clear public interest reason for doing so.</p>
<p><i>Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)</i></p> <p>It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently managed ratepayer satisfaction survey.</p> <p>Results would be required to be reported publicly at a council meeting and published on the local government's website.</p>	<p><i>Standardised Questions</i></p> <p>Based on requests from ratepayers, it is proposed that some standard questions be pre-defined in Regulation to allow for the comparison of results between local governments.</p>



Minister's Original proposal	Minister's Revised proposal
All local governments would be required to publish a response to the results.	
<p><i>Introduction of Preferential Voting</i></p> <p>Preferential voting is proposed to be adopted as the method to replace the current first past the post system in local government elections.</p> <p>In preferential voting, voters number candidates in order of their preferences.</p> <p>Preferential voting is used in State and Commonwealth elections in Western Australia and other states. This provides voters with more choice and control over who they elect.</p> <p>All other states use a form of preferential voting for local government.</p>	<p><i>Optional Preferential Voting</i></p> <p>Optional preferential voting is proposed, to ensure that electors may lodge a valid vote without numbering all candidates, if they wish to vote in that way.</p>
<p><i>Tiered Limits on the Number of Councillors</i></p> <p>It is proposed to limit the number of councillors based on the population of the entire local government.</p> <p>Some smaller local governments have already been moving to have smaller councils to reduce costs for ratepayers.</p> <p>The Local Government Panel Report proposed for a population of:</p> <ul style="list-style-type: none"> • up to 5,000 – five councillors (including the President) • between 5,000 and 75,000 – five to nine councillors (including the Mayor/President) • above 75,000 – nine to fifteen councillors (including Mayor). 	<p><i>Change for Smaller Local Governments</i></p> <p>Based on requests from impacted councils, it is proposed to adjust this to allow local governments with a population of up to 5,000 people to decide to have 5, 6 or 7 councillors.</p>
<p><i>Clear Lease Requirements for Candidate and Voter Eligibility</i></p> <p>Reforms are proposed to prevent the use of “sham leases” in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council.</p> <p>The City of Perth Inquiry Report identified sham leases as an issue.</p> <p>Electoral rules are proposed to be strengthened:</p>	<p>Further work is being progressed to ensure the integrity of enrolment on the owner and occupier rolls for local government elections, including:</p> <ul style="list-style-type: none"> - further definition to minimum lease requirements to exclude sham leases (while ensuring legitimate businesses are represented); - guidance to standardise evidence requirements for claiming eligibility



Minister's Original proposal	Minister's Revised proposal
<ul style="list-style-type: none"> - A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council - Home-based businesses will not be eligible to register a person to vote or run for council because any residents are already the eligible voter(s) for that address - Clarifying the minimum criteria for leases eligible to register a person to vote or run for council. <p>The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home-based businesses (where the resident is already eligible) and very small sub-leases.</p> <p>The basis of eligibility for each candidate (e.g., type of property and suburb of property) is proposed to be published, including in the candidate pack for electors.</p>	<p>based on a property lease or ownership; and</p> <ul style="list-style-type: none"> - minor amendments to clarify and standardise disclosure and decision-making related to electoral gifts.
<p><i>Reform of Candidate Profiles</i></p> <p>Further work will be undertaken to evaluate how longer candidate profiles could be accommodated.</p> <p>Longer candidate profiles would provide more information to electors, potentially through publishing profiles online.</p> <p>It is important to have sufficient information available to assist electors to make informed decisions when casting their vote.</p>	<p>No major change to the proposal, though candidate profiles are likely to be published online, rather than on ballot papers.</p>
<p><i>Other Minor Electoral Reforms</i></p> <p>Reforms are proposed to include:</p> <ul style="list-style-type: none"> - The introduction of standard processes for vote re-counts if there is a very small margin between candidates (e.g., where there is a margin of fewer than 10 votes a recount will always be required) <p>The introduction of more specific rules concerning local government council candidates' use of electoral rolls.</p>	<p><i>Recounts</i></p> <p>It is proposed to provide candidates, or their nominated scrutineers, with a specific avenue to request a recount immediately at the counting of votes, if a set percentage margin in the count is within a limit to be prescribed in regulations.</p> <p><i>Filling Extraordinary Vacancies Following Elections</i></p> <p>Based on input from the sector, it is proposed to create a new power to allow vacancies on councils arising up to twelve</p>



Minister's Original proposal	Minister's Revised proposal
	<p>months after an election to be filled by the next highest-polling candidate.</p> <p><i>Election Timeframes</i></p> <p>It is necessary to extend timeframes for elections in the Act to account for slower postal services.</p> <p><i>Electronic/Online Voting</i></p> <p>It is proposed to amend the Act to allow for the future implementation of electronic voting in elections (when the technology is deemed suitable). Regulations would then need to be developed.</p> <p><i>Extended Leave from Meetings</i></p> <p>Based on advocacy from the sector, it is proposed to provide a right for elected representatives to take up to six months' leave if they become a parent or guardian. Similarly, they may take up to six months of medical leave with a medical certificate.</p>
<p><i>Council Communication Agreements</i></p> <p>It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO.</p> <p>These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided.</p> <p>A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific alternative agreement within a certain timeframe following any election.</p>	<p><i>Default Agreement</i></p> <p>The default agreement (to be developed in consultation with the sector) will start at the commencement of election caretaker periods. The CEO and an absolute majority of council must agree for an arrangement other than the default to apply.</p> <p>The agreement will specify how information should be requested and received. Provisions about the information elected members can access would be unchanged.</p>
<p><i>Local Governments May Pay Superannuation Contributions for Elected Members</i></p> <p>It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances.</p> <p>Superannuation is widely recognised as an important entitlement to provide long term financial security.</p>	<p><i>Councils to Determine Whether to Pay Additional Superannuation Allowance</i></p> <p>No change, confirming councils will be able to decide whether to pay superannuation.</p> <p>This is based on the model recently introduced in New South Wales.</p>



Minister's Original proposal	Minister's Revised proposal
<p>Other states have already moved to allow councils to make superannuation contributions for councillors.</p> <p>Allowing council to provide superannuation is an important part of encouraging equality for people represented on council – particularly for women and younger people. Providing superannuation to councillors recognises that the commitment to elected office can reduce a person's opportunity to undertake employment and earn superannuation contributions.</p>	
<p><i>Standardised Election Caretaker period</i></p> <p>A State-wide caretaker period for local governments is proposed.</p> <p>All local governments across the State would have the same clearly defined election period, during which:</p> <ul style="list-style-type: none"> - Councils do not make major decisions with criteria to be developed defining 'major' - Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaign activities. - There are consistent election conduct rules for all candidates. 	<p><i>Limited Exemptions</i></p> <p>It is proposed to include minor exemptions to allow councils to make specific decisions essential to ongoing operation of the local government during the caretaker period.</p>
<p><i>Simplify Strategic and Financial Planning</i></p> <p>Clear information about the finances of local government enables informed public and ratepayer engagement and input to decision-making.</p> <p>The framework for financial planning should be based around information being clear, transparent and easy for all ratepayers and members of the public to understand.</p> <p>In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers.</p> <p>Local governments would be required to adopt a standard set of plans, and there will be templates</p>	<p><i>Borrowing Against Freehold Land</i></p> <p>A further amendment is proposed to allow a local government to borrow against the freehold (private/zoned) land it owns.</p> <p>Otherwise, no major changes. Work to develop and refine detail is ongoing.</p>



Minister's Original proposal	Minister's Revised proposal
<p>published by DLGSC for use or adaptation by local governments.</p> <ul style="list-style-type: none">- It is proposed that the plans that are required are:<ul style="list-style-type: none">o Simplified Council Plans that replace existing Strategic Community Plans and set high-level objectives with a new plan required at least every eight years. These will be short-form plans with a template available from DLGSC- Simplified Asset Management Plans to consistently forecast costs of maintaining the local government's assets.- A new plan will be required at least every 10 years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g., land, buildings or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape- Simplified Long Term Financial Plans will outline any long-term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years- A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long-Term Financial Plan) providing a forecast to ratepayers (updated at least every four years)- The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments.	



Minister's Original proposal	Minister's Revised proposal
<p><i>Audit Committees</i></p> <p>To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government.</p> <p>Audit Committees would also need to consider proactive risk management.</p> <p>To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees.</p> <p>The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson.</p>	<p><i>No Requirement for Majority of Independent Members (only Independent Chair)</i></p> <p>Recognising the practical difficulty in recruiting independent people expressed by several local governments, the requirement for Audit Committees to have a majority of independent members will not be progressed. However, the requirement for an independent chairperson remains.</p> <p><i>Local Governments May Renumerate Independent Committee Members</i></p> <p>The Act will be amended to allow local governments to pay fees to committee members within Salaries and Allowances Tribunal limits.</p>
<p><i>Building Upgrade Finance</i></p> <p>Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures.</p> <p>This would allow local governments to lend funds to improve buildings within their district.</p> <p>Limits and checks and balances would be established to ensure that financial risks are proactively managed.</p>	<p><i>Clarification – Lending Terms</i></p> <p>No major changes, but it should be clarified that financial institutions may provide the principal funds for the loan.</p> <p>Local governments would then collect repayments via rates notices (and pass on funds to any external lender) and would be able to foreclose on the land to recover debts using existing <i>Local Government Act 1995</i> provisions in the event of default by the borrower.</p> <p>Work to develop and refine detail is ongoing.</p>

The reforms represent a significant package with many requiring amendments to the Act through Parliament, changes to regulations by the Minister and the preparation of new policies, protocols, guidelines and procedures. In most cases, the Shire is unable to progress planning for the reforms without the detail of the associated reforms as early implementation may be incompatible with the reforms detailed implementation.

In the media release, the Minister stated that the State Government plans to introduce the legislation to Parliament by the end of 2022.

Since the publication of the Minister's reforms, Officers are not aware of any Department updates provided to the sector or community at large. The Department has previously indicated that working groups would be established to work through the legislative detail. Whether this approach is still planned is unknown.

The legislative reforms could have significant implications for the Shire including in relation to the number of sitting Councillors, composition of wards, means of conducting future elections, new policies, conduct of meetings to name just a few. There are also significant resource implications



for the Shire depending on the exact form that the reforms take and the timetable for local governments to implement.

For example, the introduction of a popularly elected President (who also serves as a Councillor) who necessitate a reconfiguration of wards and ward representation because the Shire would either need to reduce its Councillor numbers by one or add an additional Councillor to ensure that there was an odd number of Councillors. Under the current framework this would involve applications to the Local Government Advisory Board but given the scale of the reforms it is more likely that the State Government will introduce legislation to override these provisions and make a determination on behalf of the Shire.

Early planning is critical to manage the impact of the reforms and to that end, Officers have reached out to the Department (who were unable to provide information to assist the preparation of this report) and discussed the matter with CEOs of high growth Councils.

To this end, Officers recommend that the Shire President writes to the Minister to assist in the Shire planning for these significant reforms.

Options and Implications

Option 1

That Council:

1. NOTES the Minister's final Reform Proposals as set out in **attachment 1**; and
2. REQUESTS that the Shire President write the Minister for Local Government seeking clarification from the Minister on their timetable for the introduction of the reforms to enable the Shire to plan for their implementation and ensure business continuity

Option 2

That Council NOTES the Minister's final Reform Proposals as set out in **attachment 1**.

Option 1 is recommended.

Conclusion

The final reforms proposed by the Minister for Local Government are provided for information in **attachment 1**. It is recommended that Council resolve to seek additional information regarding the Minister's proposed timetable of reforms.

Attachments (available under separate cover)

- **10.5.2 - attachment 1** – Local Government Reforms: Full Reform Proposals – July 2022 (E22/10163)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.
Strategy 4.2.2	Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions
Strategy 4.2.3	Provide clear strategic direction to the administration



Financial Implications

There are no immediate financial implications of this report. The reforms depending on their detail and timetable for implementation could have significant resource implications for the Shire and the sector more widely.

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 material risks associated with this option						
2	There are no material risks associated with this option.						

Voting Requirements: Simple Majority

Officer Recommendation

That Council:

- 1. NOTES the Minister's final Reform Proposals as set out in attachment 1; and**
- 2. REQUESTS that the Shire President write the Minister for Local Government seeking clarification from the Minister on their timetable for the introduction of the reforms to enable the Shire to plan for their implementation and ensure business continuity.**

**10.5.3 – Peel Regional Leaders Forum Minutes (SJ1350)**

Responsible Officer:	Manager Governance and Strategy
Senior Officer:	Chief Executive Officer
Disclosure of Officer's Interest:	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 Peel Regional Leaders Forum meeting held on 25 August 2022.

Relevant Previous Decisions of Council

Nil.

Background

The Peel Regional Leaders Forum (PRLF) was established in 2010 to provide a vehicle for the coordination and prioritisation of project funding across the Peel Region. Its membership comprises the local governments of the Region (the City of Mandurah and the Shires of Boddington, Murray, Serpentine Jarrahdale and Waroona) together with Regional Development Australia (RDA) Peel, the Peel Community Development Group and the Peel Harvey Catchment Council. The Peel Development Commission (PDC) attends meetings of the PRLF as a non-voting member.

Community / Stakeholder Consultation

Nil.

Statutory Environment

Nil.

Comment

On 25 August 2023 the Peel Regional Leaders Forum held a general meeting. The matters discussed included:

- Presentation: Bunbury Faster Rail Project
- Regional Advocacy Principles and Framework
- Recommendations from Shire of Serpentine Jarrahdale for Peel Alliance Consideration (following Council's earlier resolution on the matter)



- Proposed Eastern Freight Link Connecting the Great Southern and Peel/South Metropolitan Areas
- Updated Operational Funding Plan 2022-23 and 3 year forecast
- Peel Trails Committee Update
- Peel Water Supply Initiative – Project Update

The minutes from the meeting are attached for Council to note in **attachment 1**.

Options and Implications

Option1

That Council NOTES the Peel Regional Leaders Forum meeting minutes held on Thursday, 25 August 2022.

Option 1 is recommended.

Conclusion

As a member of the PRLF the minutes of the August 2022 meeting are presented for Council to note.

Attachments (available under separate cover)

- **10.5.3 - attachment 1** – Peel Regional Leaders Forum Minutes August 2022 (E22/11206)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire's interest.

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 material risks associated with this option.						



Continued

Ordinary Council Meeting Agenda Monday, 19 September 2022

Voting Requirements: Simple Majority

Officer Recommendation

That Council NOTES the Peel Regional Leaders Forum meeting minutes held on Thursday, 25 August 2022.



Continued

**Ordinary Council Meeting Agenda
Monday, 19 September 2022**

10.5.4 – Organisational Structure Review (SJ388)

Responsible Officer: Chief Executive Officer

Senior Officer: Chief Executive Officer

Disclosure of Officer's Interest: No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the *Local Government Act 1995*.

This report will be distributed prior to the Ordinary Council Meeting.

**10.6 Confidential reports**

The meeting is to be closed to members of the public whilst item 10.6.1 is discussed.

10.6.1 - CONFIDENTIAL - <i>Criminal Procedure Act 2004</i> - Lot 717, 252 Boomerang Road, Oldbury (PA22/723)	
Responsible Officer:	Manager Statutory Planning and Compliance
Senior Officer:	Director Development Services
Disclosure of Officers Interest:	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> .

This report is confidential in accordance with Section 5.23(2)(d) and (f) of the *Local Government Act 1995*.

(2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*

- (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; and*
- (f) a matter that if disclosed, could be reasonably expected to —*
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
 - (ii) endanger the security of the local government's property; or*
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.*

A full report is provided to Councillors under separate cover. The report is not available for publication.

The meeting is to be reopened to the public.



Continued

**Ordinary Council Meeting Agenda
Monday, 19 September 2022**

- 11. Urgent business:**
- 12. Councillor questions of which notice has been given:**
- 13. Closure:**