



Shire of
Serpentine
Jarrahdale

Ordinary Council Meeting

Confirmed Minutes

7.00pm

Tuesday 25 September 2018

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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 Listing

In accordance with Special Council Meeting, 27 November 2017, Resolution SCM162/11/17, clause 10 – “That Council requests the Chief Executive Officer to maintain an attendance register of Councillor Attendance at all Council and Committee Meetings, as well as other meetings and official functions of Council”, below is the attendance listing of Council Meetings and PCF’s.

Attendances

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Denholm	Cr Gossage	Cr McConkey	Cr Piipponen	Cr See
09/03/18	PCF	✓	✓	✓	✓	✓	✓ (by phone)	NA	NA	✓
12/03/18	PCF	✓	✓	✓	✓	✓	A	✓	NA	A
13/03/18	SCM	✓	✓	✓	✓	✓	✓	✓	NA	✓
26/03/18	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
12/04/18	PCF	✓	✓	✓	✓	✓	A	NA	A	A
23/04/18	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
30/04/18	PCF	✓	✓	✓	✓	NA	A	✓	NA	A
07/05/18	SCM	✓	✓	✓	✓	✓	A	✓	A	✓
07/05/18	PCF	✓	✓	✓	✓	✓	A	✓	A	✓
14/05/18	PCF	✓	✓	✓	✓	✓	A	✓	NA	✓
28/05/18	OCM	✓	✓	✓	LOA	✓	A	✓	✓	✓
11/06/18	SCM	✓	✓	✓	✓	✓	✓	✓	A	✓
13/06/18	SCM	✓	✓	✓	✓	✓	✓	A	NA	✓
25/06/18	OCM	✓	✓	✓	✓	✓	✓	✓	A	✓
02/07/18	PCF	✓	✓	✓	✓	✓	✓	✓	NA	✓
09/07/18	PCF	✓	✓	✓	✓	✓	✓	✓	NA	✓
23/07/18	OCM	✓	A	✓	✓	✓	✓	✓	✓	✓
30/07/18	PCF	✓	✓	✓	✓	✓	A	✓	NA	✓
06/08/18	PCF	✓	✓	✓	✓	✓	✓	✓	NA	A
13/08/18	PCF	✓	✓	✓	✓	✓	NA	✓	NA	✓
27/08/18	OCM	✓	✓	✓	✓	✓	A	✓	A	✓
03/09/18	PCF	✓	✓	✓	✓	✓	A	✓	NA	✓

A – Apology
 LOA – Leave of Absence
 NA – Non Attendance



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The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that 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 resolutions 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.



Minutes of the Ordinary Council Meeting of the Shire of Serpentine Jarrahdale held on Tuesday 25 September 2018 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong.

The Shire President, Cr Rich declared the meeting open at 7.00pm and welcomed Councillors and Staff, and members of the gallery, and acknowledged that the meeting was being held on the traditional land of the Noongar People and paid her respects to their Elders past and present.

The Shire President, Cr Rich acknowledged and welcomed Freeman John Kirkpatrick and past Councillor Sandra Hawkins.

Minutes

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

In Attendance:

Councillors: M Rich Presiding Member
 D Atwell
 M Byas
 R Coales
 B Denholm
 K McConkey
 J See

Officers: Ms H Sarcich Acting Chief Executive Officer
 Mr F Sullivan Director Corporate Services
 Mr A Schonfeldt Director Development Services
 Mr S Harding Director Infrastructure Services
 Mr A Bowman Manager Governance
 Ms A Liersch Agendas and Minutes Officer (Minute Taker)

Leave of Absence:

Apologies: Councillor D Gossage;
 Councillor S Piipponen;
 Chief Executive Officer, Mr Kenn Donohoe

Observers:

Members of the Public – 18

Members of the Press – 1

Shire Officers – Mr M Younger, Manager Information Communication Technology;
 Mr J O'Neill, Manager Economic Development, Tourism and Marketing,
 (left the meeting at 8.09pm);
 Mr A Nair, Manager Planning and Compliance, (arrived at the meeting at
 7.09pm, left the meeting at 8.09pm);



2. Public question time:

2.1 Response to previous public questions taken on notice:

Ordinary Council meeting 27 August 2018

Questions asked by **Mr John Kirkpatrick, 77 Mead Street, Byford WA 6122** at the Ordinary Council Meeting 27 August 2018. A letter (OC18/18274) was sent to Mr Kirkpatrick on 12 September 2018.

Question 2

How many elected members between the 2013 and 2017 elections did training towards the WALGA diploma and who were they and how much did it cost?

Response:

Between the 2013 and 2017, Elected Members Sandra Hawkins and Michelle Rich were enrolled in the WALGA Diploma of Local Government. The respective cost for this training was \$4,370.00 and \$1,540.00.

Question 3

How many current elected members have obtained the Diploma in Local Government and how many are close to completing it?

Response:

No current elected members have obtained their diploma in Local Government. As per the response to Question 2, Councillor Rich is the closest to completing the Diploma.

Shire President, Councillor Rich addressed Councillors and Members of the Public, that before we commence public question time tonight, I would like to advise everyone that I have noticed a continuing trend of more and more questions having what only can be considered as substantial preamble or statements before the question is actually asked. I have not until this point in time disallowed this; however, I wish to advise all here tonight that following tonight's Council meeting, any questions submitted to a future council meeting that are not concise and to the point will be disallowed by me. Members of the public are advised that when submitting their questions for future meetings, any questions that are not concise, the Manager of Governance and / or his staff will be advising you of any questions that need amending. Failure to do so will risk your question being disallowed and as such not being allowed to be asked.

Please only use a short concise paragraph prior to your question if necessary, or alternatively, submit a statement.

**2.2 Public questions:**

Public question time commenced at 7.02pm.

Mr Aaron Boots, (address withheld by request), Hopeland, WA 6125

Question 1

At the OCM, August 27, 2018, I was informed by the SJ Shire CEO that as the SJ Economic Development Strategy 2018 had been endorsed and adopted in March 2018, Cr. Piipponen's public comment had not breached Council's code of conduct, or Council's policy on social media by making public comment about the proposed Keysbrook motorsport complex.

The problem arises, firstly, in that Cr. Piipponen made his public comment in February, before the strategy or any recommendations had been presented to the council, let alone endorsed or approved.

The same is true for Cr. Rich's comments to the Comment News, which were also made in February.

The second issue is that, regardless of what was endorsed or approved by the council regarding the development strategy, the motorsports complex in question is still only a proposal, and that councillors are not legally allowed to make public comment about proposals not yet presented to council and tabled.

As such, would the CEO like to rephrase his response, or clarify for us, in light of these facts, whether he believes Cr.'s Rich and Piipponen have, in fact, breached both the code of conduct and, in Cr. Piipponen's case, the policy on social media as well?

Response:

This question will be taken on notice and a response provided to Mr Boots.

Question 2

On September 14th, Jahnn Stati, the developer behind the proposed Keysbrook Motorsport Complex, met with a group of concerned local residents and in the presence of John O'Neill, a representative of the Shire.

During the meeting, he made it clear that they had written their initial proposal with the express purpose of "getting the shire's attention", and that sections were written specifically to produce the impression of jobs and tourism dollars, to garner a favourable response from the Shire.

He stated that, not only do they not intend now that the major events listed (such as V8 supercars and Red Bull air races) should go ahead, but that they had never intended to hold events of that size and scale, at any point. He was also unable to substantiate the claim of "79 full-time staff", only being able to name 3 actual jobs when pushed, and claiming they would provide, "about 20".

Having every intention of taking this information to the media, I would first like to ask the council -

In light of the fact what the proponent has stated, publicly, with several witnesses, one of them a council employee, will the shire make claim to recover the thousands



of dollars in ratepayers money and staff and public time wasted assessing a proposal that was, from the start, disingenuous and misleading and never intended to go ahead in large part?

Also, considering the laws surrounding bait, or false advertising, will the Shire ask the ACCC for their attention on this matter?

On development applications of this scale does the Shire do a character or ethics evaluation on the proponent?

And will this revelation cause council to be wary, or even sceptical of further proposals or amendments in this case, and in future, from this proponent?

Response:

As I was not present at the meeting, I am unable to comment on what was said at the meeting, however, the Shire is obliged under the Planning and Development Act 2005 to consider an application for planning approval in accordance with the relevant planning legislation and planning scheme. The application is to be considered on its merits against the matters outlined in Clause 67 of Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015.

Under subclauses:

(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;

and

(zb) consider any other planning consideration the local government considers appropriate.

Council could reasonably consider the potential for employment to be generated by an application as a planning consideration. However, this would still need to be considered in the context of the other 25 matters that Council should consider in determining the application.

In the Supreme Court, it has been found that a decision maker is not required to be satisfied of the existence of particular facts, criteria or effects, as the matters are not matters which can necessarily be applied, or complied with, when the decision on the development application is being made. Therefore Council does not have to establish that the number of jobs included in the proposal will in fact eventuate, Council only has to have regard for the intent of the proposal in the broader context and its likely impact on the community.

With regards to referral to ACCC or background checks, the Shire is obliged to consider planning applications based on the information received and may seek such further information as it deems appropriate. The Shire is not a regulator of the ACCC regime and is not intending to refer it.

The Shire will seek clarification from the applicant in regards to the statements presented in these questions for further consideration in the assessment of the proposal.



Question 3

In light of Mr. Stati's clear admission of misleading the council, does the council intend to revisit their economic development strategy 2018, particularly the sections addressing the projected multiple motorsports complex, and the 79 jobs and \$3.4 million in gross regional product that they forecast?

Similarly, would Cr. Rich like to address again my question from the OCM, August 27, 2018, where I asked that she list the economic, tourism and social benefits that she saw arising from the proposal, and led her to speak out publicly in favour of the proposal, even before the proposal had been presented to council and discussed?

In that meeting, she also drew heavily on Mr. Stati's figures, claiming millions in revenue and nearly 80 full-time jobs, not to mention casual staff, as well as national and international events and tourism interest, all of which Mr. Stati has now made clear will not happen and were never meant to, regardless of what the proposal may say.

Response:

The Shire will review the Economic Development Strategy in 2020/2021 financial year in line with its end date of 2023. In addition, Cr Rich answered your question in full at the August Council meeting.

Mr John Kirkpatrick, 77 Mead Street, Byford WA 6122

Question 1

Is the CEO or Acting CEO required under the Local Government Act 1995 to report to the Department of Local Government the failure of an elected member to declare a financial interest in an item to be debated and voted on at a Council meeting and voting on the matter in question?

Response:

No. Failure to declare a financial interest in an item would be considered a serious breach under Section 5.105 of the Local Government Act.

Section 5.114 of the Local Government Act provides the CEO with the same rights as any other member of the community in regard to serious breaches of the act, that is they MAY make a complaint to the Departmental CEO.

Question 2

Considering that sitting fees are about \$600.00 a month and there are usually only one meeting a month other than Special Council meetings and this the sitting fees cover.

Does an elected member get paid the sitting fees even if that member does not attend the Council meetings as called?

Response:

Yes. In accordance with section 5.99 of the Local Government Act, the Shire of Serpentine Jarrahdale has decided by absolute majority that it will pay all council members an annual fee instead of a per meeting fee.



Question 3

Elected members can claim and get paid mileage allowance and expenses. Councillors are requested to detail what meetings they may have attended for Council business.

Have any elected members opted not to claim mileage allowance or expenses since the Local Government election in 2017, if so who are they and when?

Response:

Without placing too much emphasis on the word 'opted', the following Councillors have not claimed any mileage allowance or expense since the October 2017 Election: Cr Michelle Rich; Cr Dave Atwell; Cr Keira McConkey; Cr Rob Coales; Cr Dave Gossage; Cr Bill Denholm: Cr Morgan Byas; Cr Sam Piipponen.

Ms Val Thompson, (address withheld by request).

My questions are made as a representation of a large group of concerned landowners, residents and business owners of Keysbrook, Hopeland and Serpentine, a large section of the Southern Ward, which was demonstrated by the amount of 'Submissions for Comment' and the number of signatures on a petition against the proposal.

I am aware that the proposal for the Motorsport Facility is still under review.

The proposal is an extensive 222 page document that was put up for comment on the Shire website with submissions of comment time frame falling predominately over the 2017-18 Christmas holidays at which time many landowners/residents and others who would wish to comment were on a break and or away, therefore unaware of the proposal. The deadline for comments was February 8th 2018 just as school and work life for many was returning to normal. A two week extension was granted by the Shire but only upon request by residents.

Letters of notification of the proposal dated 18th January 2018 were only sent to landowners "within a 2km radius of the subject site" and although this may be within the rules, it is disrespectful and discourteous to the ratepayers, landowners, and residents of the Shire who although may fall outside the 2km radius would be immensely effected in many and varied ways by such a large facility.

Bearing in mind also that if no submission of comment was received by the due date "it shall be assumed that there is no objection". This facility is not your average small business!

Many of the landowners around the subject site have been living in the area for decades, some with families going back to the 1920's who pioneered Keysbrook and its surrounds. Their local knowledge of the history of the site is extensive in particular regarding the records of rainfall, water table, water flow, drainage etc.

Response:

Councillor Rich advised Ms Thompson that the Shire is governed by Legislation regarding the advertising timeframes and radius. The Shire is not trying to prevent residents from having input into applications.



Question 1

In light of the above information, how much importance and consideration is given by the Shire to the substantial time, effort, research and local knowledge put into the submissions when assessing the proposal?

Response:

Clause 67 of Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 states: "In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. Subclause (y) includes, "any submissions received on the application".

Therefore submissions are to be considered along with the other 26 matters listed in Clause 67 when determining a development application.

The clause uses the words "due regard". These words have been interpreted by the Western Australia Supreme Court to mean "proper, genuine and realistic consideration" or "active and positive consideration". The Court has also interpreted the purpose of the words "due regard" to be to ensure that when the an authority comes to determine a development application, it will have before it all of the information and sources of guidance which will enable it to make a sound planning decision, and that in reaching its decision, the authority will use such of that information as it considers relevant to the application before it.

Therefore when the application is presented to Council, the submissions will be included in a schedule to the Council report, and as is normal practice the Council report would also address the relevant planning issues raised in the submissions including recommendations from Officers in the broader context of all matters to be considered by Council.

Question 2

I believe there were over 100 submissions of comment against the proposal. At the face to face meeting with the proponent he admitted that there was little chance of any resident within 2km being in favour of the proposal and in fact we have found little support within the whole Keysbrook, Hopeland area.

Could the Shire please clarify how many submissions of comment against the proposal were received and does the Shire consider this amount as significant given the low density population of the area?

Response:

This information will be presented to Council as part of the report to determine the development application.

Mr Roger Harington, (address withheld by request).

The Proponent has claimed that the track design was done by a leading track design company and will comply with the FAI and CAMS regulations as will the noise management plan – as I would expect, without these approvals no racing license will be issued. However they seemed to have ignored many of the policies and



guidelines set down by the local and state government departments – typically in the areas of planning and environment.

The Shire has recently undertaken the SJ2050 vision study, from this study:

- The top of the list of issues and challenges is poorly planned developments.
- The top of the list for living in SJ is the country /rural lifestyle and the natural environment.

This study clearly highlights that the rural setting of SJ is important for the rate payers of the Shire and that more careful planning is required.

Question 1

Will the Shire Officers and Councillors take note of the results of the SJ2050 study, or has it been a waste of rate payers money?

Response:

SJ2050 on page 49 states that the SJ2050 Spatial Framework Map is a conceptual document, with no policy or regulatory function. Instead it provides direction and focus for crafting land use and transport strategies and choosing strategic public investments that support the vision outcomes. It is the starting point for a region-wide discussion about projects, investments and implementation steps that will allow us to achieve SJ2050.

Therefore it is important for Council to finalise the local planning Strategy in order for the planning framework to reflect the outcomes of SJ2050 as intended by the statement.

Question 2

The Proponent seems to be unfamiliar with planning developments in the outer metropolitan area and in particular with an industry with “off-site emissions”.

Has the Proponent provided, or the Council asked for, references of similar projects the Proponent has constructed in the past 5 years? If not, will the Council ask for such references.

Response:

No as the proponents references are not relevant planning considerations.

Question 3

The Council may be asked, or forced, to provide or upgrade infrastructure for the venue. This maybe of a significant dollar value. Has the Proponent provided a detailed business plan that outlines and justifies any expenditure by the Council? If not, will the Council ask for a detailed business plan to ensure the rate payers get value for money?

Response:

Consideration of infrastructure upgrades will be assess as part of the application and presented to Council for consideration when determining the application.



Mr Jon Squire, on behalf of Business SJ/Serpentine Jarrahdale Community Resource Centre Inc., PO Box 110, Mundijong WA 6123 regarding item 8.3, Economic Development Advisory Committee Meeting Minutes

Question 1

I am here to ask why, are you, our Councillors of the Shire of Serpentine-Jarrahdale being asked to consider establishing a partnership with the Peel Chamber of Commerce and Industry to create a small business hub in the Shire by your Economic Development Advisory Committee, despite the Serpentine Jarrahdale Community Resource Centre having a locally formed and locally run business group, Business SJ, that over the past 18 months have successfully acquired currently over 80 local business members without the initial outlay of ratepayers money of over \$15,000?

Response:

The intention of the partnership is to create Peel wide opportunities for business development for Serpentine Jarrahdale Businesses.

The partnership will offer opportunities for increased exposure to the Peel business environment, encourage access to Peel wide business opportunities for Serpentine Jarrahdale Businesses, support Peel wide local government collaboration to assist Peel based businesses, including Serpentine Jarrahdale businesses, provide access to competitive tendering opportunities for Serpentine Jarrahdale and Peel businesses, allow for representation to the State Government on behalf of Peel businesses, including Serpentine Jarrahdale Businesses, by the Peel Chamber of Commerce and Industry.

Question 2

Why has the opportunity for formal partnership and/or funding not been given or brought to the Business SJ group? We are and have been members of the PCCI since our inception and believe that we are far better suited to support local small business because we are run by local small business members.

Response:

This partnership with the Peel Chamber of Commerce and Industry focusses on a Peel wide business development model and access to the Peel business environment by Serpentine Jarrahdale businesses. This partnership will support Serpentine Jarrahdale businesses of varying sizes not just small businesses. We believe there are opportunities for collaboration between the Partnership with Peel Chamber of Commerce and Industry and the Shire and Business SJ to ensure our local businesses are well supported both within the Peel and locally.

Ms Marrion Elliott, (address withheld by request)

Against the Proposed Motorsport Facility, Lot 78 (732) Punrak Road Keysbrook, December 2017.

Our connection to the Keysbrook area began in early 1920 as a pioneer family. We have been residents on this property for more than 30 years.



During these years we have attended many community consultation events organised by the Shire of Serpentine Jarrahdale. These events were to establish a process for residents input, allowing the Shire to develop a community and lifestyle that is valued and respected. They were conducted and produced by paid consultants working with volunteer residents. This is a considerable cost to rate payers in time and money.

Outcome examples:

Shire of Serpentine-Jarrahdale Rural Strategy 2013 Review, Rural Strategy Objectives, pages 5 and 6 include "Key themes within the Strategy include protection of natural assets, protection of rural character, and facilitation of productive rural areas".

And Strategic Community Plan 2017-2027, SJ 2050 Core Community Values, pages 15 and 16 include "The community most valued the relaxed country lifestyle The Shire residents enjoy a lifestyle that is peaceful and quiet; they would like the tranquillity of the Shire to be maintained as growth occurs. An element of this lifestyle is the neighbourly engagement that occurs, and the strong sense of community. The country lifestyle encompasses housing, the natural environment, families and community and should be strategically retained and enhanced for the community to maintain its unique way of life."

Question 1.

Why do residents have to defend these key themes against a motorsport facility proposal that shows no respect for the community values and disclosed that local residents could be expected to be adversely impacted? Are these same key themes now being ignored by the Shire despite being acclaimed in their own publications?

Response:

The Shire is obliged under the Planning and Development Act 2005 to consider an application for planning approval in accordance with the relevant planning legislation and planning scheme. The application is to be considered on its merits against the matters outlined in Clause 67 of Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015.

Under subclauses (a)-(i) the regulations provide for consideration of relevant state and local planning policies, reports and instruments such as structure plans.

Subclause considers (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.

Therefore when the application is presented to Council, Council will consider the application against the relevant provisions of all relevant planning strategies and may also have regard to the Strategic Community Plan. Please note that other strategies may also be relevant including the Shire's recently adopted Economic Development Strategy.

The proposal published by the SJ Shire for a motorsport venue in Keysbrook has listed daily events from Go-karts to V8 super-cars, concerts and Red Bull air races.



This has been officially and publically touted as a world class motorsport venue in several websites pertaining to a range of motorsports, and, promoted as such, by our Council in local papers.

However, recently the proposal has laughingly been dismissed to be nothing more than a gimmick to entice the Shire into believing it offered massive tourism potential to the area. This is blatant mis-representation, wasting Shire Officers and local residents, time and money. It is considered to be unlawful by ACCC codes of conduct.

It was considered by the proponent that the main attraction of the site was its proximity to the Serpentine Airfield, as they have no restrictions on noise emissions. However there is little to compare, as the airfield is a SJ Shire Reserve and under the management of the Shires Reserves Officers.

The airfield is not operating seven days a week, as a business, by a private company.

The members of the airfield acknowledge the Bush Forever site and contribute both financially and in kind to the shire with bushland management, flora and fauna studies and re vegetation. It is a base for aerial bush fire fighting aircraft and helicopter water bombers, training for firefighting pilots and available for use in an emergency. They have provided access to a fire hydrant for bush fire fighting.

The motorsport facility, as proposed offers no such contribution to the community and referenced the fact it was a private company with a financially driven objective.

Question 2.

Can you please explain what this disingenuous proposal can be expected to offer the community in the light of these recent revelations and the comparisons to Serpentine Airfield?

Response:

This information will be presented to Council as part of the report to determine the development application.

The Shire SJ Economic Development Strategy 2018 – 2023 includes a Multi Motor Sport Complex based on a proposal not yet presented to Council and therefore not approved.

Given that the proposal was falsely represented and never intended to be fulfilled, (as it would not be financially viable). The proposal of 76 jobs and addition of \$3.4 million dollars to the Gross Regional product is now overstated.

Question 3.

Will the Shire, having presented this information to the community, now provide a corrected version of the resultant jobs and dollars with the penalties such a falsified proposal should incur?

Response:

The Shire will seek clarification from the applicant in regards to the statements presented in these questions for further consideration in the assessment of the proposal.



Public question time concluded at 7.34pm.

3. Public statement time:

Public statement time commenced at 7.35pm.

Mr John Kirkpatrick, 77 Mead Street, Byford WA 6122

At the last OCM in August 2018 I raised the matter of the lights not working in D'Agostino park at the Gazebo and the failure to replace the Safety signs in Mead Street at Percies Park. This had needed to be done for at least ten weeks prior to me raising the issue. Another four weeks has passed and still no action. Do we wait until we have an incident in the park?

The signs were placed in Mead Street adjacent to Percies Park following a traffic accident outside the park. The young boy injured was airlifted to hospital. Are we going to wait for another accident which next time could be fatal to happen before we fix the problem which the Council are aware of?

I am grateful to the Council for the revegetation that has been done as it improves the image of the area. If the Council are not going to replace the trees in Rubery Street just say so and I will buy some to replace the ones the Council Contractors damaged and removed. We still have two sections of footpath that are dangerous that are a trip hazard and need urgent repair. One in Mead street and one in Warrington Street.

I take notice of the lack of action on the Truck loading bay in George Street for the shopping area on the corner of Pitman Way. This has been going on for many months now. All I get in reply to questions about the issue is that the Council is trying to find a solution to the problem. It is not the responsibility to find a solution, it is up to the owner to tell the Council how they are going to comply with the planning requirements. How much longer are resident and ratepayers going to have to risk injury with illegally parked trucks in the area? I do not go there if I can avoid it and go to Armadale to the post office other than for urgent business which cannot wait. The Council needs to consider the safety of its residents and ratepayers.

Mr Kirkpatrick advised that he had spoken to the Director Infrastructure Services regarding the above matters and the Director Infrastructure Services had inspected the footpaths. The items as raised above, have been addressed or are being addressed, and congratulated the Director Infrastructure Services on this.

Ms Val Thompson, (address withheld by request).

Motorsport Facility versus Equine Industry

My statement is made as a representation of a large group of concerned landowners, residents, and business owners of Keysbrook, Hopeland and Serpentine, a large section of the Southern Ward, against the proposal.

The proposed Motorsport Facility will have detrimental effect on the equine industry in the area not only with the increase in noise of day to day traffic to and from the Motorsport Facility, 7day a week go karts and other every day events, but also with the events that are intended to attract up to 500 patrons daily. This is just related to stage 1 of the proposal.

It is also well understood and documented that motorsport events encourage speeding and hoon driving, here are just two examples of this.



Thirty two hoon drivers were fined near Barbagallo Raceway during the Bathurst 1000 weekend, Daily Telegraph, 7 November 2015.

Adelaide Police figures show an extra 779 speeding fines, an increase of 19.4%, during the Clipsal 500 motorsport event. www.news.com.au, 2 March 2015.

The Shire is already aware from the recent draft Equine Strategy, and the Shire President herself commenting publicly that "not only is the (equine) industry is a huge part of the local economy, it's also a major part of our local identity". Examiner 6 September 2018. Over 80 businesses in the Shire are directly linked to the equine industry, there are more registered horses than any other Local Government in the state, it has the largest Polo Club in the State with easy access to riding trails and training facilities. This is something to be proud of and in fitting with the Shires beautiful, unique character and its Rural Strategy Plan.

A higher percentage of rate payers will be connected to the equine industry than the motorsport industry, any monies expended to support the motorsport facility will have little benefit to the majority of rate payers. Better value for money would be if it is spent to support the equine industry.

The number of equine properties within a 5km radius of the proposed Motorsport site is enormous. Twelve just on River Road alone, with River Rd, Yangetti Rd, Karnup Rd, Karnup Creek Rd, Hopeland Rd, Jarrah Rd, Punrak Rd, Henderson Rd, and Elliott Rd all having either racing, trotting, or agistment facilities which are relied on for income and livelihood. Plus many other equine codes in this area.

Noisy motorsports, the much increased traffic and badly behaved drivers would be a disaster to the equine industries on these roads.

The proposed Motorsport Facility and our local Equine Industry are not compatible.

Mr Jon Squire, on behalf of Business SJ/Serpentine Jarrahdale Community Resource Centre Inc., PO Box 110, Mundijong WA 6123 regarding item 8.3, Economic Development Advisory Committee Meeting Minutes

Business SJ has successfully delivered a range of services, training and networking opportunities for the local business sector since its launch in July 2017 to over 500 participants and currently has over 80 members. It is now lead by a committee of dedicated local business owners who have already developed the plan for the coming 12 months, which includes a SJ Business Expo 2 day event that would incorporate a conference, gala dinner and awards evening.

It has a dedicated staff member who is constantly in touch with the businesses and has built a rapport with them, which guides the future program and consultancy needs within the sector.

Business SJ now has four business consultants on hand to assist members, with these consultants assisting in providing group training and ongoing individual support.

Business SJ members receive the opportunity to promote at the annual LiveLighter SJ Community Fair. They are all promoted via various on-line forums and have member exclusive opportunities within the SJ Crier magazine. The dedicated Business SJ website is due to launch later this week and we have engaged a local design consultant to handle the marketing requirements.



Upon advising the members of the proposed agenda item, we have received overwhelming support and response against the agenda item. Among the comments and feedback are:

- * Concern for the rate paying funds going out of the Shire and this going against providing local employment opportunities, where these funds could be used locally to enhance the already existing business support group.
- * Peel CCI membership fees being substantially higher than those of Business SJ and what SJ businesses get from that in the long run, especially where they are not prepared to travel to Mandurah for training or events
- * Majority of the proposal has already been achieved locally, without rate paying funds - eg. set-up and ground work, membership drive, event program, engaging committee members, launch event, ascertaining the needs of the sector etc.
- * The support to local businesses from the Shire would not be achieved by engaging an external provider who is not in touch with the unique needs of local businesses. SJ business owners would not be offered the quality of service, and the frequency of events that Business SJ does and will continue to offer.
- * By providing financial support to an external provider to duplicate what already exists would dilute the support base of both groups, making them both less effective as advocates for development in the shire. Surely this funding could be better used to increase the effectiveness of the already well supported Business SJ group.

A letter of support has also been received from Alyssa Hayden, MLA, Member for Darling Range and has been distributed to all Councillors.

Public statement time commenced at 7.44pm.

4. Petitions and deputations:

Nil.

5. President's report:

Hello and welcome to the September Ordinary Council Meeting.

The Kalimna cricket pitch has now been installed. The synthetic surface will allow greater use of the oval and help alleviate congestion at nearby Briggs Park. The project will allow weekly matches throughout summer while also being used by school students and the wider community.

The AJS Motorcycle Club of WA recently held their WA Trial Championships at a private property in Jarrahdale. We're pleased to welcome the event back to the Shire for the first time in 15 years, and look forward to an increase in these kinds of events being hosted locally in future.

Jarrahdale is always beautiful, and the Jarrahdale Heritage Society made the most of this stunning natural backdrop to host their Picnic in the Park. The guided walk highlighted the extent of the volunteer work being done throughout the area, and I was excited to hear about their forward vision for what the group would like to see up in Jarrahdale into the future. Unfortunately, only approx. 6 people attended the walk, it would be great if more support could be given to our volunteers for their work.



This past month I attended the SJ Ratepayers Association meeting, the Peel Football League Grand Final to support Centrals and the Landcare R U Ok Planting Day with Cr Denholm. It is always such a privilege to be part of these amazing local events and to see the passion and commitment of our community. I am looking forward to seeing you all at the Jarrahdale Log Chop this weekend!

On a political front, I continue to meet with and lobby State and Federal representatives for the betterment of our community. This month I attended meetings with Senator Dean Smith to talk about a drone hub, internet connections, and the importance of the Tonkin Highway extension. I also went up to Merriwa to the Town Hall meeting to ask the Honourable Bill Shorten MP about a Federal commitment to the extension of Tonkin Highway, and he confirmed that his party would work with SJ and the State Government to realise this important project.

I met with the Honourable Matthew Swinborn MLC, which followed with him visiting SJ to witness the hyper growth in our community and the size of the impact the Tonkin Highway extension and Mundijong Freight Rail Realignment would have on the local area. I also discussed these issues with Alyssa Hayden, Member for Darling Range, and highlighted the importance of a local Bushfire Centre of Excellence, the Keirnan Park Recreation Precinct and the drone hub. I also attended the State Council Meeting, where local governments from the Northern Country Zone presented on their areas and gave some insight as to the challenges and opportunities they are facing.

I attended the CEDA Seminar on Metronet Precincts with the Minister for Transport, Planning and Lands Rita Saffioti MLA and Peter Tinley AM Minister for Housing, Veteran Issues, and Youth. We continue to advocate the State Government support the placement of the new Byford train station at the Byford town centre.

On a more local scale, I met with the City of Wanneroo Mayor Tracey Roberts and CEO Daniel Simms to talk about positive collaboration. We are both hyper growth areas, facing similar challenges in building our communities and providing appropriate infrastructure and services, and we should be supporting each other wherever possible. I met with City of Armadale Mayor Henry Zelones and CEO Ray Tame, as we continue our advocacy partnership to achieve good project outcomes for our region. I also attended the Peel Zone meeting, where we discussed a Crisis Support Service in the Peel Region, pet meat regulations, and the creation of Fire and Emergency Management Advisor roles across the region among other issues.

Shire Councillors recently undertook refresher training in the role and responsibilities of Councillors.

The winners of the Rates Incentive Program have been drawn, and 2 ratepayers have taken home \$1,000 each! Congratulations to David and Rosalind from Serpentine, and Bert from Oakford.

At this month's Citizenship Ceremony, we welcomed 16 new Australians to our community from India, Iran, New Zealand, Philippines, Thailand, United Kingdom, the United States of America and Zimbabwe. Special guests included Angela D'Silva from Immigration and Citizenship Services at the Department of Home Affairs and Shire of Murray President, Cr. David Bolt. Councillors at the ceremony included Deputy Shire President Cr. Dave Atwell, Cr. Morgan Byas, Cr. Rob Coales and Cr. Bill Denholm. Congratulations and welcome to all of our new citizens.



Continued

Ordinary Council Meeting Minutes
Tuesday 25 September 2018

Date	Meeting Title	Location
27 August 2018	Communications Discussion	Shire Offices
	Ordinary Council Meeting	Shire Offices
28 August 2018	Meeting with Guy Boyce - Mandurah Performing Arts Centre	Shire Offices
	Meeting with Paddi Creevey & Andrew Ward - PDC	Byford
	Peel Zone Agenda Discussion	Shire Offices
29 August 2018	Weekly Meeting with CEO	Shire Offices
	Meeting with Matt Swinbourn	Perth
30 August 2018	Meeting with Mayor and CEO of City of Armadale	Shire Offices
	Peel Zone Meeting	City of Mandurah
31 August 2018	Southern DIRT Peel Hub Meeting	Community Resource Centre
3 September 2018	Policy Concept Forum	Shire Offices
4 September 2018	Meeting with Sen Dean Smith	West Perth
5 September 2018	Rates Incentive Winner Photo	Shire Offices
	CEO Employment Committee	Shire Offices
6 and 7 September 2018	State Council Meeting	Dongara
8 September 2018	Jarrahdale Heritage Society Picnic in the Park	Jarrahdale
9 September 2018	Trophy Presentation 2018 WA Trial Championships	Jarrahdale
	Photo Op - Kalimna Oval Cricket Pitch	Byford



Continued

Ordinary Council Meeting Minutes
Tuesday 25 September 2018

Date	Meeting Title	Location
10 September 2018	Meeting with City of Wanneroo Mayor and CEO	Shire Offices
	Meeting with Ratepayers Association	Shire Offices
	Policy Concept Forum	Shire Offices
11 September 2018	JDAP Meeting	Shire Offices
	Local Emergency Management Committee Meeting	Shire Offices
	Economic Development Advisory Committee Meeting	Shire Offices
12 September 2018	CEDA Seminar on Metronet Precincts - the Future of Perth	Perth
	PRLF Exec Interviews	Shire of Murray
	Australian Citizenship Ceremony	Shire Offices
13 September 2018	Landcare R U Ok Planting Day	Jarrahdale
14 September 2018	Peel Regional Leaders Forum	Shire of Waroona
15 September 2018	Jarrahdale Heritage Society - Picnic in the Park	Jarrahdale
17 September 2018	Meeting with Hon Alyssa Hayden	Shire Offices
	Councillor Refresher Training	Shire Offices
	Q&A	Shire Offices
18 September 2018	JDAP Meeting	Shire Offices
	Meeting with Clive Glands	Shire Offices
	Whitby Residents Association Meeting	Whitby
	Weekly Meeting with CEO	Shire Offices



Date	Meeting Title	Location
19 September 2018	Councillor Refresher Training	Shire Offices
20 September 2018	Councillor Refresher Training	Shire Offices
21 September 2018	Landcare Management Committee Meeting	Landcare SJ Office
	Meeting with Hon Matthew Swinbourn MLC	Shire Offices
22 September 2018	Peel Football League Grand final	Mandurah

6. Declaration of Councillors and Officers interest:

Mr Kenn Donohoe, Chief Executive Officer declared a Financial Interest in OCM8.2/09/18 as he is the CEO of the Shire of Serpentine Jarrahdale and the CEO Employment Committee dealt with the Annual Performance Appraisal of the CEO.

Mr Kenn Donohoe, Chief Executive Officer declared a Financial Interest in OCM102/09/18 as he has a Contract of Employment with the Shire of Serpentine Jarrahdale and this matter refers to the terms of appointment of persons to attend the CEO Employment Committee.

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

7.1 Ordinary Council Meeting – 27 August 2018

OCM7.1/09/18 COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr McConkey

That the minutes of the Ordinary Council Meeting held on 27 August 2018 be confirmed (E18/9545).

CARRIED UNANIMOUSLY 7/0



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

8.1 Audit, Risk and Governance Committee Meeting – 21 August 2018

OCM8.1/09/18 COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr McConkey

That the [minutes and resolutions](#) contained therein of the Audit, Risk and Governance Committee Meeting held on 21 August 2018 be endorsed. (E18/9202).

CARRIED UNANIMOUSLY 7/0

Mr Kenn Donohoe, Chief Executive Officer declared a Financial Interest in OCM8.2/09/18.

8.2 CEO Employment Committee Meeting – 5 September 2018

OCM8.2/09/18 COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr Atwell

That the minutes and resolutions contained therein of the CEO Employment Committee Meeting held on 5 September 2018 be endorsed. (E18/10051).

CARRIED UNANIMOUSLY 7/0

8.3 Economic Development Advisory Committee Meeting – 11 September 2018

OCM8.3/09/18 COUNCIL RESOLUTION

Moved Cr Byas,

That the [minutes and resolutions](#) contained therein of the Economic Development Advisory Committee Meeting held on 11 September 2018 be endorsed. (E18/10108).

There being no seconder, the MOTION LAPSED

9. Motions of which notice has been given:

Nil.

**10. Chief Executive Officer reports:****10.1 Development Services reports**

OCM095/09/18 – Proposed Road Naming – Lot 791 Walker Road, Serpentine (SJ500-03)	
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> .

Proponent:	MNG
Owner:	Qube Serpentine West Pty Ltd
Date of Receipt:	20 July 2018
Lot Area:	185,072m ² (18.5ha)
Town Planning Scheme No 2 Zoning:	'Rural Living A'
Metropolitan Region Scheme Zoning:	'Rural'

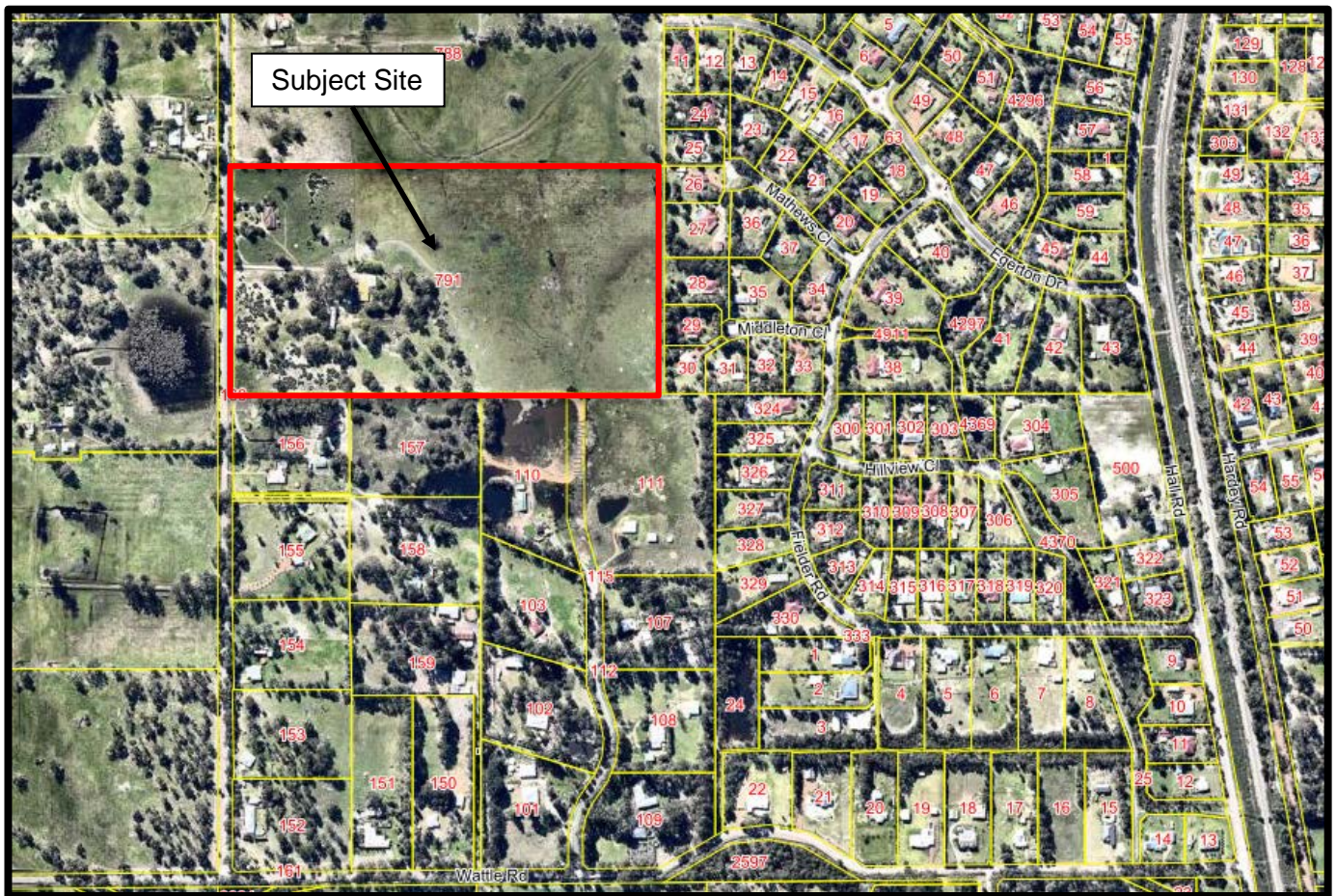
Report Purpose

The purpose of this report is for Council to consider a proposal for the naming of two new roads and extension of Windmill Road as part of the subdivision of Lot 791, 84 Walker Road, Serpentine. Section 26A of the *Land Administration Act 1997* requires the relevant local government to approve names for roads created as part of an approved subdivision. Those names approved by the Local Government must then be forwarded to the Minister for Planning, Lands and Heritage for final approval. The Geographic Names Committee has delegated authority from the Minister for Planning, Lands and Heritage to grant final approval for road names.

The proponent has proposed the following two preferred names and five alternative names for the two new roads and one road name extension:

Preferred names:	Bovine
	Drover
Alternative names:	Garner
	Fallow
	Bushel
	Gander
	Stable
Extension:	Windmill

The proposal is presented to Council as Officers do not have delegation to approve road Names.



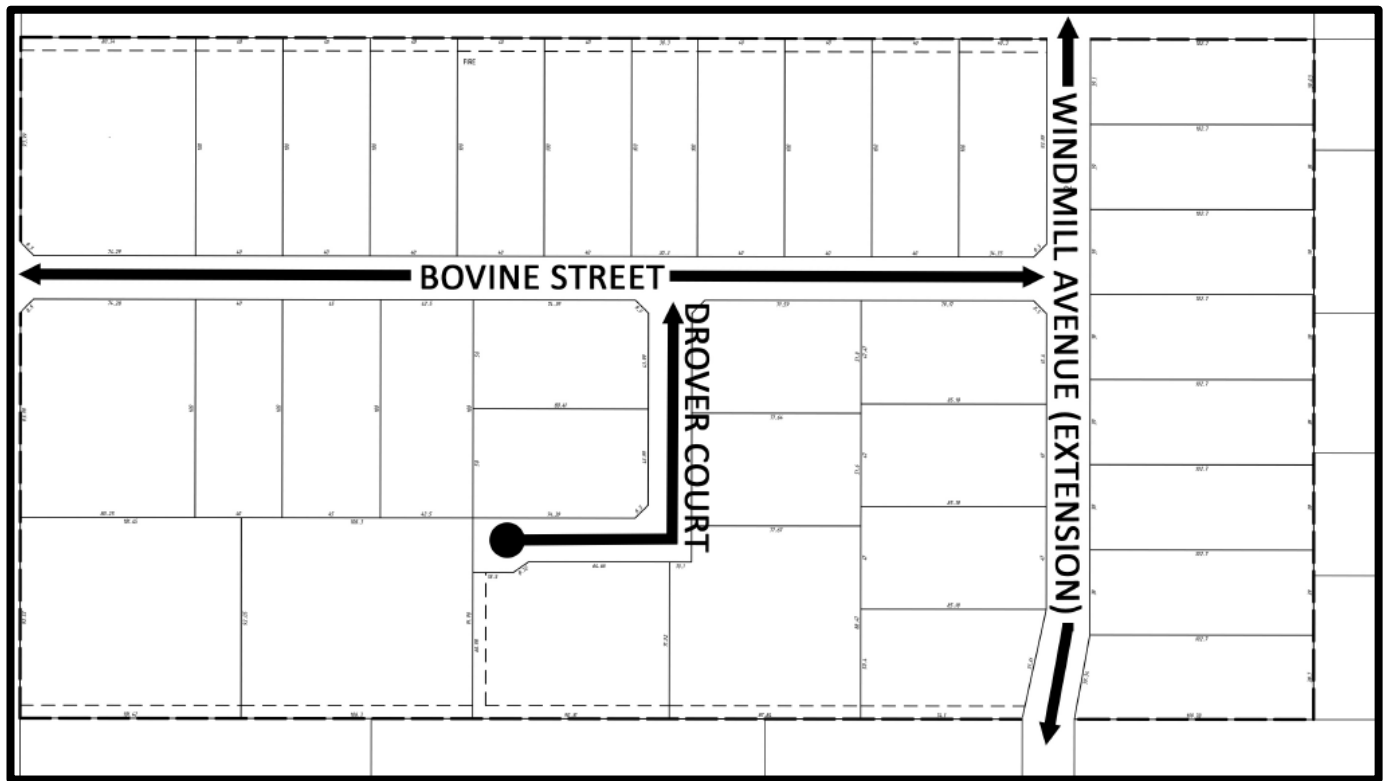
Location Plan

Relevant Previous Decisions of Council

Nil.

Background

The road naming proposal relates to the approved subdivision of Lot 791, 84 Walker Road, Serpentine. The current stage of subdivision will result in the creation of two new roads, which are required to be named in accordance with Clause 26A of the *Land Administration Act 1997*. A copy of the road layout plans is included in attachment OCM095.1/09/18 and shown below.



Road Layout Plan

Community / Stakeholder Consultation

No consultation is required in accordance with the Shire's and GNC policy.

Statutory Environment

Legislation

- Section 26A(3) Land Administration Act 1997

State Government Policies

- Policies and Standards for Geographical Naming in Western Australia

Local Planning Framework

- Local Planning Policy 1.7 – Road Naming (LPP1.7)

Planning Assessment

As the proposal seeks approval for less than four road names LPP1.7 does not require the submission of a road naming theme; however, applications must demonstrate consistency with the general theme of the area. The proposed road names have been based around a 'Rural' theme to compliment Windmill Avenue, which is to be extended into the subdivision area. The proposed road names are considered to be consistent with the policy requirement for consistency with the surrounding theme.



The proposal has been assessed against the GNC policy and the Shire's LPP1.7. Section 6 of LPP1.7 provides guidance on preparation of road names consistent with the requirements of the GNC. The guidelines are listed below as:

Policy Requirement	Officer Comment
Consideration of current and future street names	The proposed road names are not currently in use within the Shire area and have not been supported by Council to be used in the future for any other estates within the Shire.
Consideration shall be given to current and future street numbering to ensure numbering is sequential, easy to follow and considers future density increases	The extension of Windmill Avenue will not impact on street numbering. Numbering will be continued sequentially from the existing length of Windmill Avenue upon completion of the subdivision and creation of new lots.
The origin of each name shall be clearly stated and subsequently recorded	The origin and background of the proposed road names have been documented in attachment OCM095.2/09/18.
Names shall not be offensive or likely to give offence, incongruous or commercial in nature	The proposed preferred and alternative names are 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 proposed preferred and alternative names are considered easy to read, spell and pronounce.
Unduly long names and names that comprise of two or more words should generally be avoided	The proposed preferred and alternative names are not considered to be unduly long and do not comprise of more than one word.
Proposals for road names shall include an appropriate road type suffix	<p>Proposed suffixes are considered to be appropriate and are consistent with suffix definitions under the GNC policy, with the exception of Street.</p> <p>Street (ST) – Public roadway in a town, city or urban area, especially a paved thoroughfare with footpaths and buildings along one or both sides.</p> <p>Court (CT) – Short, enclosed roadway.</p> <p>Avenue (AVE) – Broad roadway, usually planted on each side with trees.</p> <p>The suffix 'Street' applies to urbanised areas and gives the wrong impression for the area, which is intended to be a rural living estate. Officers recommend the suffix be replaced with 'Road'.</p>



Policy Requirement	Officer Comment
	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	The length of the proposed preferred and alternative names are considered to be suitable in relation to the length of the road they're proposed to be allocated to, as shown in the road layout plan included in attachment OCM095.1/09/18.

Options and Implications

With regard to the determination of the application, Council has the following options:

Option 1: Council may resolve to approve the proposed road names with or without amendment and forward the approval to the Geographic Naming Committee.

Should Council approve the application, the approval will be forwarded to the Geographic Naming Committee for final approval.

Option 2: Council may resolve to refuse the proposed road names.

Should Council resolve to refuse the proposed names alternative names will need to be provided.

Option 1 is recommended.

Conclusion

Council approval is sought for two preferred names and five alternative names for two new roads and the extension of Windmill Avenue within an approved subdivision at Lot 791, 84 Walker Road, Serpentine. The proposed names are consistent with the requirements of LPP1.7 and the GNC's road naming policy. Officers support the proposed names and recommend that Council approve the proposal.

Attachments

- [OCM095.1/09/18](#) – Road Layout Plan (E18/9650)
- [OCM095.2/09/18](#) – Road Name Background (E18/9649)

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 business within the district.
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 associated with this proposal.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Should Council reject the proposal the applicant will need to submit a new name or Council will need to propose alternatives, which may not be accepted by the GNC. This will cause a delay in the creation of new lots which have subdivision approval.	Rare (1)	Minor (2)	Low (1-4)	Service Interruption - 2 Minor - Temporary interruption to an activity – backlog cleared with existing resources	Accept Risk

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM095/09/18 Officer Recommendation

1. That Council approves the following proposed road names, in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the preferred names to the Geographic Names Committee for final approval:
 - a. Extensions: Windmill Avenue
 - b. Preferred names: Bovine Road; and Drover Court.
 - c. Alternative names: Fallow
Bushel
Gander
Stable
Garner



OCM095/09/18 COUNCIL RESOLUTION

Moved Cr Rich, seconded Cr See

1. That Council approves the following proposed road names, in accordance with section 26A(3) of the *Land Administration Act 1997*; and forwards the preferred names to the Geographic Names Committee for final approval:

a. Extensions: Windmill Avenue

**b. Preferred names: Bushel Road; and
Drover Court.**

**c. Alternative names: Fallow
Gander
Stable
Garner**

CARRIED UNANIMOUSLY 7/0

Reason for difference to Officer Recommendation: Bushel Road is a preferred name instead of Bovine Road as it is more suited to the road name theme of the area.

**OCM096/09/18 – Amendment to Approval for Change of Use of Single House to Rural Workers Dwelling and Erection of Single House – L4, 156 Feast Road, Mardella (PA18/456)**

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> .

Proponent: J Corp Pty Ltd T/a Impressions
Owner: L Will
Date of Receipt: 25 June 2018
Lot Area: 28.58ha
Town Planning Scheme No 2 Zoning: 'Rural'
Metropolitan Region Scheme Zoning: 'Rural'

Report Purpose

The purpose of the report is for Council to consider a development application for the amendment to an approval for the change of use of a Single House to a 'Rural Workers Dwelling' and the erection of a 'Single House' at Lot 4, 156 Feast Road, Mardella. The amended application includes revised plans for the existing Single House, which has previously been approved for a change of use to a 'Rural Workers Dwelling'. It has been noted that the initial plans submitted by the applicant were not the correct plans and an amended application would be required to rectify the issue.

The amended proposal seeks a variation to Local Planning Policy 4.14 – Rural Workers Dwelling (LPP4.14) by way of the floor area, which exceeds the policy requirement by 21m². As Officers do not have delegation to determine development applications that vary Local Planning Policies under delegation 11.1.1 – Determination of Development Applications, the proposal is presented to Council for determination.

Officers consider that the 21m² variation to the floor area is a modest variation and the proposal is consistent with the objectives of the policy. For this reason, the proposal is recommended for approval.

Relevant Previous Decisions of Council

PA18/018 – Change of Use of Single House to Rural Workers Dwelling and Erection of Single House – Approved under delegation on 18 April 2018.



Background

Existing Development

The subject site lies within a typical rural area of Mardella. The site is currently developed with a 'Single House' and outbuildings, located towards the east of the site. These buildings are surrounded by established vegetation.



Location

Initial Proposal

Development approval was granted on 18 April 2018 to change the use of the existing 'Single House' to a 'Rural Workers Dwelling' and construct a new 'Single House', the details of which are contained in attachment OCM096.1/09/18. However, following the approval, the applicant advised that the plans submitted of the existing dwelling to which the change of use related were inaccurate. The amended application provides the correct details of the existing dwelling.

Revised Proposal

The revised proposal, contained in attachment OCM096.2/09/18, includes the correct plans for the existing building which, if approved, would be the 'Rural Workers Dwelling'. This building is currently used as the primary residence on the site. LPP4.14 allows for 'Rural Workers Dwellings' where the floor area does not exceed 200m² in area. The floor area of this dwelling is 221m² and therefore the proposal seeks a 21m² variation to the policy requirement.

There are no amendments proposed to the erection of the 'Single House' that was approved as part of the initial proposal. The 'Single House' is compliant with the provisions of State Planning Policy 3.1 – Residential Design Codes (R-Codes).



Community / Stakeholder Consultation

The application has been advertised to adjoining landowners for a period of 21 days from 26 July 2018 – 16 August 2018 whereby no submissions were received.

Statutory Environment

Legislation

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

State Government Policies

- State Planning Policy 2.5 – Rural Planning (SPP2.5)
- State Planning Policy 3.1 – Residential Design Codes (R-Codes)

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No.2 (TPS2)
- Rural Strategy Review 2013 (Strategy)
- Local Planning Policy 4.14 – Rural Worker's Dwelling (LPP4.14)

Planning Assessment

A comprehensive assessment has been undertaken in accordance with section 67 of the *Planning and Development Regulations 2015*, the assessment can be viewed as part of attachment OCM096.3/09/18. An assessment of the 'Single House' can also be viewed as part of attachment OCM096.3/09/18. For the purposes of this report, matters of concern or where variations are sought will be discussed.

Land Use:

The proposal falls within the land use of 'Rural Workers Dwelling', defined under TPS2 as a dwelling:-

- “(a) which is on land upon which there is already erected a dwelling and which is occupied by persons engaged in any of the following uses on that same land; Cottage Industry; Feedlot; Fish Farming; Horticultural Pursuit; Pig Farming; Poultry Farming; Rural Industry or Rural Use; and*
- (b) which can also accommodate family members involved in the operation of an agricultural enterprise on that land”.*

The proposed 'Rural Workers Dwelling' is associated with the operation of an established farm operating on the site. Officers consider the land would be a 'Rural Use', which is defined under TPS2 as:

“the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:

- (i) The growing of vegetables, fruit, cereals or food crops except for domestic purposes;*
- (ii) The rearing or agistment of goats, sheep, cattle or beasts of burden;*



- (iii) *The stabling, agistment or training of horses, or other ungulates;*
- (iv) *The growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;*
- (v) *the sale of produce grown solely on the lot."*

A 'Rural Use' is a 'P' use within the Rural zone. Officers are satisfied that the proposal relates to a genuine 'Rural Use' as the site receives a Farmland Concession from the Shire, as such, a 'Rural Workers Dwelling' can be considered for approval.

Orderly and Proper Planning

Clause 67 of the regulations, specifically A – J, considers State and Local Planning Policy frameworks including Draft Schemes, Strategies, State Planning Polices, Local Planning Policies and the like. These frameworks provide guidance in order to establish if a development is consistent with orderly and proper planning.

Shire of Serpentine Jarrahdale Town Planning Scheme No. 2:

Clause 5.10.1 of TPS2 states *"the purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area"*. In this case, the proposal is related to a 'Rural Use' carried out on the site and the dwelling would allow for the rural worker to reside at the subject site. This is considered to be consistent with the TPS2 objective for the 'Rural' zone.

Clause 5.10.3 of TPS2 sets out requirements for additional dwellings in the 'Rural' zone and states *"The Council may permit the construction of an additional dwelling on a lot within the rural Zone provided that:*

- (i) *The lot has a land area of not less than 4 hectares; and*
- (ii) *The total number of dwelling on the lot will not exceed two; and*
- (iii) *The additional dwelling is to be used for the purposes of a rural worker's dwelling as defined in Appendix 1 of the Scheme; and*
- (iv) *The additional is located within close proximity of the existing dwelling on the lot as determined by the Council and shares all services where practical"*.

The subject site has an area of 28.5ha. The proposal would result in a total of two dwellings on the lot, one of which is for the purpose of a rural worker's dwelling as defined under TPS2. The location of the 'Rural Worker's Dwelling' is to the satisfaction of Officers and is discussed later in the report. As such, the proposal is consistent with Clause 5.10.3 of TPS2.

Rural Strategy (Strategy)

The subject site is designated as 'Rural' under the Shire's Strategy. The purpose of the 'Rural' policy area under this Strategy is to *"maintain the integrity of the Shire's rural and agricultural character"* and to *"retain and maintain traditional agricultural uses"*.

The proposal would allow a rural worker to reside at the subject site. This would improve the quality of lifestyle for the occupant in not having to travel to and from the site daily and outside of standard working times. It is considered that the proposal would allow the employee to be onsite 24 hours a day. The development is considered consistent with the objectives under the Strategy by way of retaining rural uses and rural character.



State Planning Policy 2.5 - Rural Planning (SPP2.5)

The purpose of this policy is *“to protect and preserve Western Australia’s rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome.”*

The proposal will contribute towards preserving food production by allowing for the employee of the business to reside at the property. The rural use consists of a cattle farm. The proposal will provide ease of access to the business for the rural worker, consistent with the objectives of the State Planning Policy.

State Planning Policy 3.1 – Residential Design Codes (R-Codes)

The proposed Single House has been assessed in accordance with the R-Codes and fully complies with all of the requirements of the policy. An R-Code assessment has been included as attachment OCM096.5/09/18 to this report.

Local Planning Policy 4.14 – Rural Worker’s Dwelling (LPP4.14)

LPP4.14 sets out requirements for ‘Rural Worker’s Dwellings’ and states that a ‘Single House’ must have already been established on the land or be intended to be established on the land at the same time as the ‘Rural Worker’s Dwelling’. The application includes details of the ‘Single House’, as such the proposal is considered consistent with this requirement.

LPP4.14 also states that a ‘Rural Worker’s Dwelling’ shall not be approved except where the dwelling is associated with an approved and genuine rural use and a justification warranting the use shall be required as part of the development application. The applicant has demonstrated that the proposal relates to an established farm and Officers are satisfied that the site receives a Farmland Concession from the Shire, consistent with the policy requirement.

The policy states that only one ‘Rural Worker’s Dwelling’ is permitted and this shall not exceed 200m² in floor area, with a minimum setback from the side boundary of 10m and the rear of 10m. The ‘Rural Worker’s Dwelling’ is compliant with the setbacks however has an area of 221m² in lieu of 200m², seeking a 21m² variation.

Another requirement of LPP4.14 is for a Section 70A Notification to be placed on the Certificate of Title prior to occupancy of the ‘Rural Worker’s Dwelling’. This requirement can be a condition of approval.

LPP4.14 also has additional requirements for Rural Worker’s Dwellings. These have been addressed in the table below:-

Requirement	Acceptable Development	Performance Based	Unacceptable Development	Proposal
Rural Use	Uses requiring a Farmland Concession	Absence of a Farmland Concession	Hobby, lifestyle or domestic use	Acceptable Development
Size of lot	>20ha	4ha – 20ha	<4ha	Acceptable Development
Separation Distance	Within 50m of primary dwelling	Between 50m and 100m from primary dwelling where constraints have		Performance Based (56m)



Requirement	Acceptable Development	Performance Based	Unacceptable Development	Proposal
		<p>been demonstrated having regard to the following:-</p> <ul style="list-style-type: none"> • Topography • Watercourses • Vegetation • Flooding • Amenity • Services 		
Services	Sharing of access, power and communication infrastructure	Shares majority of services	New access and effluent disposal impacts on waterways and vegetation due to nutrient loads	Acceptable Development
Siting and Design	Sited to minimise impact on the surrounding landscape and environment. Sited to minimise the impact on the suitability of the land to be used for rural purposes		Isolated or visually prominent locations. Conflicts with other land uses on either subject land or adjacent land	Acceptable Development

Variations

The policy variation to the floor area of the ‘Rural Worker’s Dwelling’ is sought as the building is existing and currently used as the main dwelling on the site. With regard to this variation, Officers have assessed the proposal against the objectives of the policy.

The objectives of the policy relevant to this variation include to *“Ensure that rural worker’s dwellings are provided, constructed and located in such a way so as to minimise their impact on the surrounding amenity and landscape”* and to *“Limit the opportunity for a rural worker’s dwelling to establish and facilitate land subdivision”*.

As the building is existing, it is not practical for the applicant to comply with this particular policy provision. In this case, it is considered that the variation is modest and would not result in an adverse impact on the surrounding amenity and landscape. The setbacks of the building are compliant with the policy requirements and the ‘Rural Worker’s Dwelling’ is modest in scale, appearing subservient to the proposed main house.



A condition is recommended to require a Section 70A Notification to be placed on the Certificate of Title for the lot ensuring that the occupancy of the residence is restricted to a rural worker working within a rural use on the subject site. This condition would ensure that the building could not be occupied as a separate dwelling and therefore not encourage subdivision. In any case, due to the zoning and designation of the land under TPS2 and the Strategy, subdivision could not be carried out under the current strategic framework.

It is considered reasonable for a dwelling of this size to be located in a rural area. The intention of this policy provision is to maintain the amenity of the area and ensure that opportunity for future subdivision does not occur. As previously stated, the size of the dwelling and the variation is sought due to the building being existing. It is considered that notwithstanding the variation, the proposal is compliant with the objectives and intent of the policy and is therefore supported by Officers.

Options and Implications

With regards to the determination of the application for planning approval under TPS2, Council has the following options:

Option 1

Council may resolve to approve the application subject to appropriate conditions.

Option 2

Council may resolve to refuse the application providing appropriate reasons.

Option 1 is recommended.

Conclusion

The proposal seeks approval for an amendment to an approved development application for the change of use of the existing 'Single House' to a 'Rural Worker's Dwelling' and the erection of a 'Single House'.

The proposal seeks a variation to LPP4.14 by way of the floor area of the 'Rural Worker's Dwelling'. It is however considered that the proposal is consistent with the objectives of the policy and the planning framework and therefore recommended for approval.

Attachments

- [OCM096.1/09/18](#) – Initial Proposal (OC18/7570)
- [OCM096.2/09/18](#) – Current Proposal (E18/9010)
- [OCM096.3/09/18](#) – Assessment and Clause 67 Checklist (E18/6634)
- [OCM096.4/09/18](#) – Drawings for Approval (E18/9016)
- [OCM096.5/09/18](#) – R-Code Assessment (E18/9442)



Alignment with our Strategic Community Plan

Outcome 2.3	A productive rural environment
Strategy 2.3.1	Identify and promote rural and agricultural industry opportunities
Outcome 3.1	A commercially diverse and prosperous economy
Strategy 3.1.1	Actively support new and existing local businesses within the district

The proposal would allow for the more efficient running of a rural business within the Shire allowing for the rural worker to reside at the place of work. The proposal would support an existing local business within the district.

Financial Implications

Nil

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council approving the development application	Likely (4)	Minor (2)	Moderate (5-9)	Reputation - 1 Insignificant - Unsubstantiated, localised low impact on key stakeholder trust, low profile or no media item	Accept Officer Recommendation
Council refusing the development application	Unlikely (2)	Minor (2)	Low (1-4)	Financial Impact - 1 Insignificant - Less than \$50,000	Accept Officer Recommendation

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 8 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM096/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Coales, seconded Cr Byas

1. That Council approves the development application submitted by J Corp Pty Ltd T/a Impressions on behalf of L Will for the amendment to an approval for the change of use of 'Single House' to 'Rural Worker's Dwelling' and erection of a 'Single House' on Lot 4, 156 Feast Road, Mardella as contained within attachment OCM096.4/09/18 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* 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 – P5 received at the Shire's Offices on 25 June 2018 and 25 July 2018
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b. The occupancy of the dwelling is restricted to the rural worker/s working at the approved 'Rural Use' on the subject site and their immediate family.

c. Prior to the occupancy of the dwelling, a Section 70A Notification shall be placed on the Certificate of Title for the subject property, at the cost of the applicant. The Section 70A Notification shall state as follows:



Continued

Ordinary Council Meeting Minutes
Tuesday 25 September 2018

“The ‘Rural Worker’s Dwelling’ shall be occupied only by person/s working at the approved ‘Rural Use’ on the subject site and their immediate family.”

CARRIED UNANIMOUSLY 7/0



OCM097/09/18 – Proposed Amendments to Approval for the Redevelopment of Oakford Traders Liquor Store, Convenience Store and Fuel Station – Lot 196, 1526 Thomas Road, Oakford (PA18/542)	
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> .

Director Development Services advised the meeting of an amended attachment OCM097.1/09/18 that has been distributed to Councillors. This amended attachment reflects the Officer Recommendation.

Proponent:	Rowe Group
Owner:	Humich Nominees Pty Ltd and Far Super Pty Ltd
Date of Receipt:	27 July 2018
Lot Area:	62.15ha
Town Planning Scheme No 2 Zoning:	'Rural'
Metropolitan Region Scheme Zoning:	'Rural'

Introduction

The purpose of the report is for Council to consider a Responsible Authority Report (RAR) prepared for a development application requesting amendments to an existing approval for the redevelopment of Oakford Traders Liquor Store, Convenience Store and Fuel Station

The application was submitted to the Shire on 27 July 2018 as a Development Assessment Panel (DAP) application. The Joint Development Assessment Panel (JDAP) will replace Council as the decision making authority for the application in accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*. The proposal is presented to Council as Officers do not have delegated authority to provide a recommendation to the JDAP.

The attached RAR (OCM097.1/09/18) prepared by Officers recommends that the 'Service Station' land use be approved subject to conditions recommended by both Officers and Main Roads Western Australia (MRWA). The Liquor Store part of the proposal is recommended for refusal, for the reasons outlined in the report as it is considered a prohibited land use and therefore cannot be approved.

Relevant Previous Decisions of Council

OCM064/10/13 – Council recommended that the JDAP refuse the redevelopment of Oakford Traders Liquor Store, Convenience Store, and Service Station due to traffic congestion and safety at the intersection of Thomas Road and Nicolson Road.

4 November 2013 – JDAP approved the redevelopment of Oakford Traders Liquor Store, Convenience Store, and Service Station subject to conditions.



OCM160/09/15 – Council resolved to endorse the Responsible Authority Report which recommended the term of the planning approval for the redevelopment of Oakford Traders Liquor Store, Convenience Store, and Service Station be extended for a period of two years.

On 29 September 2015 JDAP approved the application to extend to the timeframe of the planning approval for the redevelopment of Oakford Traders Liquor Store, Convenience Store, and Service Station for a period of two years.

OCM168/12/17 - Council resolved to endorse the Responsible Authority Report which recommended the term of the planning approval for the redevelopment of Oakford Traders Liquor Store, Convenience Store, and Service Station be extended for a period of two years.

On 9 January 2018 JDAP approved the application to extend to the timeframe of the planning approval for the redevelopment of Oakford Traders Liquor Store, Convenience Store, and Service Station for a period of two years.

Background

On 4 November 2013, the Metro East JDAP approved a development application for the redevelopment of the Oakford Traders Liquor Store, Convenience Store and Service Station. The approval had 29 conditions including the preparation of a number of technical reports.

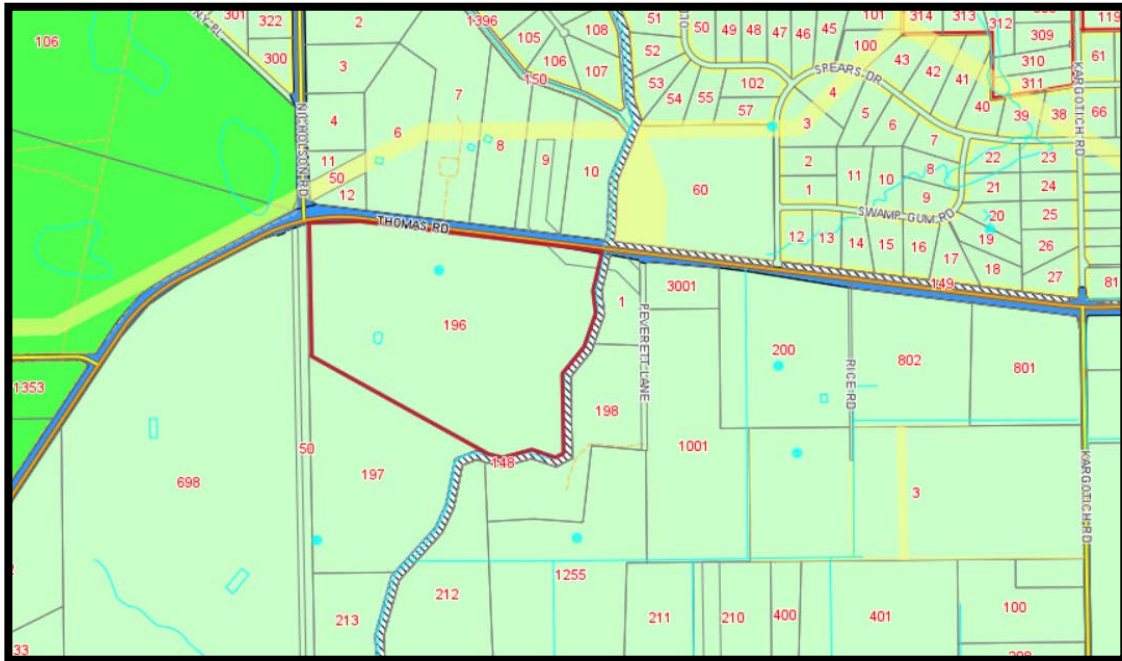
The applicant commenced work towards the preparation of these plans; however, due to the complexities an application was submitted to the JDAP on 8 July 2015 seeking an extension to the approval timeframe. The JDAP subsequently approved this application on 29 September 2015 which extended the timeframe of the original application until 4 November 2017.

A further proposal was submitted to the Shire and determined by the JDAP to further extend this timeframe by another two years. This was approved on 9 January 2018 and therefore the proposal has until 9 January 2020 in which to be substantially commenced.

Existing Development

The subject site is located to the east of Nicholson Road at its intersection with Thomas Road. As such, the development proposal abuts Thomas Road to the north which is classified as a Primary Regional Road under the Metropolitan Region Scheme (MRS). Nicholson Road is identified as an Other Regional Road under the MRS.

In addition to a residential property located to the south west of the site, the land contains an existing business enterprise, Oakford Traders which currently comprises of a convenience store and liquor store. The property is surrounded largely by rural paddocks.

Location Plan

Proposed Development

The current proposal seeks to amend the approval by modifying the site layout, details of which are contained within attachment OCM097.2/09/18. The modifications to the approved layout include the following:-

- The total building area is proposed to be reduced from the approved 1,934 m² to 1,557 m²;
- The majority of this reduction is proposed as a result of the proposed removal of the approved car wash use and building (273m²);
- Reducing the Liquor Store Building in size from 324m² to 287m² but increasing the drive thru from 130m² to 211m²;
- Removal of the Alfresco / Recreation and Service Areas;
- Separation of the Liquor Store Building and the Convenience Store Building with a trafficable area for trucks to drive through;
- Relocation of the truck fuelling canopy from the south to the east of the building; and
- Relocation of the truck parking bays further north and reducing the area available for this.

The proposal also seeks approval to vary the hours of operation from 5:00am – 9:00pm seven days a week, to allow operation 24 hours a day, seven days a week.

Community / Stakeholder Consultation

Public Consultation

Advertising has been undertaken to adjoining landowners in accordance with Clause 64 of the Deemed Provisions and LPP1.4 – Public Consultation for Planning Matters.

A total of 28 letters were sent to surrounding landowners, an advertisement was placed in the Examiner Newspaper and the proposal was advertised on the Shire's website. Advertising was



carried out for a period of 21 days from 31 July 2018 – 30 August 2018, no submissions have been received.

Consultation with other Agencies or Consultants

Department of Planning Lands and Heritage (DPLH)

The DPLH have recommended for the application to be referred to MRWA.

Main Roads Western Australia (MRWA)

The application was referred to MRWA for comments. MRWA advised that they have no objections to the proposed land use in principle, however do not support the eastern access allowing for full movement. The comments from MRWA are discussed in further detail under the Traffic, Access and Safety section of the report.

Statutory Environment

Legislation

- *Planning and Development Act 2005;*
- *Planning and Development (Development Assessment Panels) Regulations 2011*
- *Planning and Development (Development Assessment Panels) Regulations 2011 – Part 2, Regulation 8 (1) states “Despite any other provision of the Act or a planning instrument, any DAP application for approval of development within a district for which a DAP is established-*
 - (a) *Must be determined by the DAP as if the DAP were the responsible authority under the relevant planning instrument in relation to the development; and*
 - (b) *Cannot be determined by the local government for the district or the Commission”.*

Therefore JDAP replaces the Shire and the WAPC.

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

Instrument of Delegation 2017/02 - Powers of Local Governments and Department of Transport Metropolitan Region Scheme – Section 4 (b) states “Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to local government the application, together with the recommendations provide by all public authorities consulted and the reasons why the recommendations is not acceptable to the local government, shall be referred immediately to the WAPC for determination”. JDAP is not completely bound by the same delegated instrument as the Shire due to the DAP Regulations. However, if the JDAP resolves to approve development contrary to the advice of MRWA, referral is required to the WAPC.

- *Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2*

State Government Policies

- *State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP4.2)*
- *State Planning Policy 2.1 Peel-Harvey Coastal Plain Catchment (SPP2.1)*
- *State Planning Policy 2.5 Rural Planning (SPP2.5)*



Local Policies

- Shire of Serpentine Jarrahdale Rural Strategy Review 2013
- Activity Centres Strategy
- Local Planning Policy 51 – Oakford Rural Economic Living Area Planning Framework (LPP51)
- Local Planning Policy 4.11 - Advertising Signs (LPP4.11)
- Local Planning Policy - Designing Out Crime (LPP24)
- Local Planning Policy - Public Art (LPP1.6)
- Local Planning Policy - Water Sensitive Design (LPP2.4)
- Local Planning Policy - Landscape and Vegetation (LPP4.16)
- Local Planning Policy – Activity Centres (LPP2.5)

Planning Assessment

A full assessment was carried out against the current planning framework as part of the RAR which can be viewed in attachment OCM097.1/09/18 and the Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015 Checklist* (attachment OCM097.3/09/18). For the purposes of this report, matters of concern or where variations are sought will be discussed.

Land use

The proposal has previously been determined by the Joint Development Assessment Panel (JDAP) as falling within three different land uses as follows:-

- ‘Service Station’ which is defined under the Shire’s Town Planning Scheme No. 2 (TPS2) as *“land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use; but does not include transport depot, panel beating, spray painting, major repairs or wrecking”*;
- A ‘Convenience Store’ which is defined under TPS2 as *“land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 300 square metres gross leasable area”* and;
- A ‘Use Not Listed’ for the Liquor Store.

Under the Deemed Provisions, Officers are required to deal with an amendment to an application in accordance with Part 8 of the Deemed Provisions, as if it were a new application.

In reconsidering the land uses, Officers note that the retail building, previously classified as the ‘Convenience Store’, is 378m² and therefore is expressly excluded from the TPS2 definition. However, the definition of ‘Service Station’ includes ‘*a cafeteria, restaurant or shop incidental to the primary use*’. For this reason the previously determined land use of ‘Convenience Store’ is



considered to not form part of the application and the retail building is included within the land use of 'Service Station'.

With regard to the Liquor Store, previously determined as a 'Use Not Listed', it is considered that this could reasonably fall within the land use of 'Shop' defined under TPS2 as:-

"a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry".

Clause 3.2.4 of TPS2 states *"Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use"*.

Notwithstanding the existing approvals, Officers do not believe that the Liquor Store use can be considered as a 'Use Not Listed' under clause 3.2.5 and 3.2.4 of TPS2 and that it must be considered as a 'Shop'.

Under Table I – Zoning Table of TPS2 there is no symbol for a 'Shop' in the 'Rural' zone. Clause 3.2.3 states *"where no symbol appears in the cross reference of a use class against a zone in the Zoning Table a use of that class is not permitted in that zone"*. As a prohibited land use, there is no discretion available to Council or JDAP to permit the use and therefore the land use has to be refused.

Officers however acknowledge that the existing Liquor Store has been in operation prior to TPS2 and therefore there is a claim that it may have non-conforming use rights.

Clause 4.2 of TPS2 states:

"4.2 EXTENSION OF NON-CONFORMING USE

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme."

Clause 4.3 of TPS2 goes on to state, *"Notwithstanding anything contained in the Zoning Table the Council may grant its planning consent to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone or reserve"*.

Clauses 4.2 and 4.3 of TPS2, requiring an approval, suggests that an alteration or extension to a non-conforming use or a building used in conjunction with a non-conforming use is capable of approval. In this case, Officers have no evidence that the land use of 'Shop' was authorised prior to TPS2 or that any approvals were duly obtained. Therefore, until Officers are satisfied that the use was lawful prior to TPS2 it cannot be determined that the existing Liquor Store is a non-conforming use. The subject site is not listed on a non-conforming use register.

Furthermore, the proposal involves the removal of the existing liquor store which has a licenced area of 134.81m² and replacement with a 287m² Liquor Store with a 211m² drive thru in a different location on the site. It is considered that this replacement Liquor Store goes beyond extending or altering the existing land use or building but in fact replaces it at a much more significant scale in a different location thus resulting in a whole new form of development.



Officers consider that for the land use to be capable of approval, it is required to be demonstrated that the land use is a non-conforming use and that the works proposed either constitute an 'alteration' or 'extension' to a scale appropriate to what is existing. It is considered that the intent of the clauses relating to non-conforming uses under TPS2 is to allow their continued use with the opportunity to make minor alterations or carry out minor extensions required to facilitate continuation of the existing non-conforming use. It is not considered that the intent is to allow for the complete removal and replacement of such uses at a substantial increase in scale as is proposed.

If evidence were to be provided demonstrating the use is non-conforming, Officers consider it contrary to the principles of orderly and proper planning to allow for a non-conforming use to be demolished and completely replaced by a building so significantly larger that it cannot be considered an alteration or extension. This would be encouraging the addition of a new development inconsistent with the objectives of the zone and further departing from the current planning framework to which the community expects decisions to be in accordance with.

Without evidence of the use having non-conforming use rights, Officers have to conclude that the proposal best fits within the land use of 'Shop' under TPS2. Other Liquor Stores approved by the Shire have been approved in accordance with the land use of 'Shop'. The Liquor Store is therefore considered a 'Shop' land use which is prohibited.

Form of Development and Amenity

The development proposed is of a contemporary design and of simple form to reflect the rural character of the area. A condition on the previous approval required for a landscaping plan to be submitted and approved by the Shire prior to commencement of the development. It is considered that landscaping the parking area, verges and open spaces would maintain the rural character.

The proposal includes the extension of operating hours to 24 hours a day, seven days a week. The EPA's Guidance for Separation Distances between Industrial and Sensitive Land Uses sets out separation distances from particular land uses to sensitive receptors to protect amenity of adjoining landowners. In this instance, the guidelines require a 100m separation distance for service stations with 24 hour operations. The proposal is compliant with this requirement with these guidelines.

Traffic, Access and Safety

Given the subject site is located on a major intersection, traffic is a key consideration. Thomas Road is identified as a Primary Regional Road and designated freight route. Nicholson Road is identified as an Other Regional Road. Both of these classes of roads are designed to carry larger volumes of traffic.

Access and egress to the site is proposed via two crossovers onto Thomas Road. The eastern crossover is proposed to allow full vehicle movement. The access arrangements proposed are as previously approved, however since 2013 design standards have changed and there has been a significant increase in the traffic volumes on this road network. MRWA have also commented that a video survey has been carried out which confirmed that the intersection is beyond the original design capacity and thus there is a requirement to improve the current intersection layout.

The intersection of Thomas and Nicholson Road is recognised as a dangerous black spot and has received funding from the Road Trauma Fund account to undertake preliminary planning design concepts. Currently traffic modelling depicts that a roundabout is the preferred treatment



at this intersection. It is also worth noting that the project for the upgrading/widening of Thomas Road and Nicholson Road is not in Main Roads' current four year plan. The preliminary designs show that Thomas Road will be widened with dual lanes in each direction. This would likely result in a medium strip separating the lanes which would restrict the subject site from having full movement in any case.

The proposal was referred to MRWA for comments. MRWA did not object in principle to the land use however do not support the eastern access to operate with full movement. A works approval will be required from MRWA for any accesses on Thomas Road. MRWA have advised that they are in support of the proposal if amended plans are provided to demonstrate both accesses onto Thomas Road operate as left in/left out movement only.

The original approved plan, dating back to 2013, no longer complies with current design standards for 2018. It is also noted that an advice note on the original 2013 approval advised that the full movement access would be allowable for a temporary period of time only.

Officers consider that it would not be orderly and proper planning to support a proposal that, as advised by MRWA, is not consistent with current design standards. As the applicant did not wish to extend the time period for when the RAR was due to the DAP to allow for further plans to be discussed with MRWA, Officers recommend a condition requiring the redesign of the eastern access to ensure the safety concerns are satisfied and that left/in left/out access is supported only.

Under the JDAP Regulations, the JDAP is to determine the application as if it were the Responsible Authority and is therefore bound by the same requirements as the Shire as if the Shire was the determining authority. If the JDAP were to support the full movement access, against the advice of MRWA, referral of the application to the WAPC is required.

Options and Implications

Option 1:

That Council endorse the Responsible Authority Report contained within the attachments, which recommends that the Metropolitan East Joint Assessment Panel approve the application for the proposed amendments to the 'Service Station' and refuse the Liquor Store ('Shop') at Lot 196, 1526 Thomas Road, Oakford, subject to conditions.

Option 2:

That Council does not endorse the Responsible Authority Report contained within the attachments, which recommends that the Metropolitan East Joint Assessment Panel approve the application for the proposed amendments to the 'Service Station' and refuse the Liquor Store ('Shop') at Lot 196, 1526 Thomas Road, Oakford, subject to conditions.

Option 3:

That Council endorse the Responsible Authority Report contained within the attachments, with modifications as provided by Council.

Option 1 is recommended.



Conclusion

The application seeks amendments to the layout of an approved development application for the redevelopment of Oakford Liquor Store, Convenience Store and Fuel Station. Approval is also sought to allow the proposal to operate 24 hours a day, seven days a week.

It is considered that the proposed 'Service Station' remains generally consistent with the planning framework, subject to alterations to the access arrangements. Officers therefore recommend that amendments are made to the access arrangements prior to commencement of works which could be dealt with by way of condition.

As discussed within the report, in reconsidering the land use for the Liquor Store, Officers consider this best fits within the TPS2 definition of 'Shop'. This land use is prohibited within the 'Rural' zone and therefore recommended for refusal.

Attachments

- [OCM097.1/09/18](#) – Responsible Authority Report (E18/8857)
- [OCM097.2/09/18](#) – Application Details (E18/9947)
- [OCM097.3/09/18](#) – Clause 67 Checklist (E18/9937)

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 business within the district.

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council not endorsing the RAR	Possible (3)	Moderate (3)	Moderate (5-9)	Financial Impact - 1 Insignificant - Less than \$50,000	Accept Officer Recommendation



Risk Matrix

Consequence \ Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 9 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM097/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Coales, seconded Cr McConkey

1. That Council endorses the Responsible Authority Report contained within attachment OCM097.1/09/18 which recommends that the Metropolitan East Joint Development Assessment Panel approve amendments to DAP Application P04121/01 by refusing the proposed 'Shop' (Liquor Store) and approving the proposed 'Service Station' at Lot 196, 1526 Thomas Road, Oakford, 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 or as shown in red on the approved plans.

Plans and Specifications	P1-P5 received at the Shire's Offices on the 27 July 2018 as amended.
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- b. Prior to commencement of works, amended plans to depict that the two accesses onto Thomas Road shall operate as left in/left out turning movements only shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The location of the westernmost access shall be positioned at a minimum distance of 120m east of the hold line from the Nicholson Road intersection.



- c. The easternmost access shall be designed to incorporate a left turning pocket and shall comply with Main Roads WA specifications for the relevant design speed.
- d. All heavy vehicles shall enter and exit the site via the easternmost crossover only and this access arrangement shall have adequate signage to this effect.
- e. Modified crossovers and the verge shall be made good at the applicants cost and to the Shire of Serpentine-Jarrahdale's standards.
- f. All truck parking shall be located to the rear of the site to overcome any potential conflicts with entering and exiting traffic.
- g. The internal road network within the development site shall be designed to have an internal turn around facility or area that enables heavy vehicles to turn around and exit the easternmost crossover in forward gear. This shall be designed for a minimum design vehicle of a 27.5 metre B Double.
- h. The developer shall be responsible for all costs involved in the land acquisition (if required), design and construction of the left turning deceleration lane for the easternmost access. This includes signing, road markings, relocation of services, street lighting and Main Roads costs involved in the checking of the design and constructions drawings and any site inspections required.
- i. Any services, infrastructure or roadside furniture that requires relocation as a result of the applicant's works will be at the applicant's cost.
- j. No earthworks, unless otherwise approved, shall encroach onto the Thomas Road road reserve.
- k. Any land required for the access arrangements shall be ceded at no cost to Main Roads WA for road dedication purposes for inclusion into the Thomas Road road reserve.
- l. Prior to operation, a minimum number of 26 parking bays shall be provided for the 'Service Station' land use in accordance with Table V – Parking Requirements of the Shire of Serpentine Jarrahdale Town Planning Scheme No.2.
- m. Prior to commencement of any site works, a Dust Management Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale in accordance with the Department of Environment and Conservation "Guidelines for the prevention of dust and smoke pollution from land development sites in Western Australia". The approved Dust Management Plan shall be implemented thereafter.
- n. Prior to commencement of works, an Urban Water Management Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Urban Water Management Plan is to be implemented in its entirety.
- o. All storm water shall be disposed of within the property. Direct disposal of storm water onto the road, neighbouring properties, watercourses and drainage lines is not permitted.
- p. Prior to commencement of works, a Lighting Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Lighting Plan shall demonstrate the provision of lighting to all access ways, car parking areas, the exterior entrances to all buildings and the extent to which light from all external



light sources is cast. Once approved, the lighting plan shall thereafter be implemented in its entirety.

- q. Prior to commencement of works, a Waste Storage and Removal Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, the Waste Storage and Removal Plan shall be implemented in its entirety.
- r. Prior to the commencement of works, a Signage Strategy detailing location, size and height of signage for the whole development, including wall signs, window signs, under verandah signs and fascia signs, shall be submitted to and approved by the Shire of Serpentine Jarrahdale.
- s. Prior to commencement of works, a Landscape and Vegetation Management Plan, including all car parking areas, access roads, road verges and areas of open space, shall be submitted to approved by the Shire of Serpentine Jarrahdale. The approved plan shall thereafter be implemented and maintained in its entirety.
- t. Prior to operation, an agreed monetary contribution shall be paid to Council for the establishment of public art in accordance with Council's Local Planning Policy 1.6 - Public Art, to the satisfaction of the Shire of Serpentine Jarrahdale.

Advice notes

- (a) In respect to Condition 11, Application Kits can be found on the Main Roads website>"Our Roads">"Conducting Works on Roads"> " Applications to Undertake Works on State Roads"> Application Kit and Guidelines for Complex Works OR Application Form for Low Complexity Works.
- (b) With regard to conditions d and g, a swept path analysis shall be submitted to the Shire of Serpentine Jarrahdale to demonstrate the ability for the most restrictive movement vehicle to enter and exit the site.
- (c) The intersection of Thomas Road and Nicholson Road is recognised as a dangerous black spot and has received funding from the Road Trauma Fund account to undertake preliminary planning design concepts. Currently the traffic modelling depicts the preferred intersection at this location as a roundabout treatment, for both interim and ultimate stages.
- (d) The project for the upgrading/widening of Thomas Road and Nicholson Road is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term.
- (e) Please be aware the timing information for the construction of the preferred treatment (both interim and ultimate stages) is subject to change and Main Roads assumes no liability for the information provided.
- (f) The developer is required to obtain a 'Works by Others' approval to undertake such modifications to the road network. A "Works by Others" approval is subject to a 100% design review prior to any consideration to modify a Main Roads asset or road network.

Reasons for Refusal

- (a) The proposal best fits within the land use of 'Shop' under TPS2, a prohibited land use in the 'Rural' zone.

CARRIED UNANIMOUSLY 7/0

**10.2 Infrastructure Services reports**

OCM098/09/18- Petition Request Regarding Proposal to Construct a Dual Use Path on Linton Street and Shelley Street, Byford (E18/9612)	
Responsible Officer:	Manager Infrastructure and Assets
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> .

Report Purpose

The purpose of the report is for Council to consider the petition presented at the Ordinary Council Meeting of 23 July 2018 (OCM4.1/07/18 CR18/82) petitioning for a dual use path on Linton Street and Shelley Streets, Byford based on traffic and safety concerns.

Relevant Previous Decisions of Council

On 23 July 2018, The Shire received a petition requesting Council consider constructing a dual use path on Linton Street and Shelley Street, Byford.

Through its resolution OCM4.1/07/18 – Council accepts the petition in accordance with clauses 3.6(1) (a) – (f), 3.6(4) (a) and (d) of Council's *Standing Orders Local Law 2002 (as amended)*, and requests the Chief Executive Officer include the petition in a report to a subsequent meeting of Council allowing the petition request to be further considered.

Background

At the Ordinary Council meeting of 23 July 2018 Cr Coales presented a petition dated 9 July 2018 by Ron Holmes of 6 Linton Street, Byford with 98 valid signatures.

The petition stated:

It is respectfully requested that the Council consider constructing a dual use path on Linton Street and Shelley Street, Byford.

The ratepayers and residents of Serpentine Jarrahdale, whose names, details and signatures are set out on the attached list support this proposal.

A summary of the reasons for this proposal is to allow residents and children and parents to access the footpath on Helen Crescent via Shelley Street and residents and children and parents to walk safely along Linton Street to the Byford and District Country Club and the Scout Hall.

This proposal contains 98 signatures appearing on the petition and is served on behalf of the listed signatures by Ron Holmes



Community / Stakeholder ConsultationPolicy Concept Forum

Not Applicable.

Statutory Environment

Section 55(2) Land Administration Act 1997 – care, control and management of roads.

Subject to *Main Roads Act 1930* and the *Public Works Act 1902*, the local government within the district of which a road is situated has the care, control and management of the road. This includes the construction and management of footpaths. Decisions on footpaths in the road reserve rest with the local government.

The petition met the requirement of *Standing Orders Local Law 2002 (as Amended) - 3.6 Petitions*, in particular the requirements of Clause 3.6 (1)(a) – (f) as listed below. Clause 3.6 (1)(g) is not applicable for this petition.

3.6 Petitions

(1) *A petition, in order to be effective, is to—*

- (a) *be addressed to the President;*
- (b) *be made by electors or residents of the district;*
- (c) *state the request on each page of the petition;*
- (d) *contain the names, addresses and signatures of the electors or residents making the request, and the date each signed;*
- (e) *contain a summary of the reasons for the request;*
- (f) *state the name of the person upon whom, and an address at which, notice to the petitioners can be given;*
- (g) *be in the form prescribed by the Act and Local Government (Constitution) Regulations 1996 if it is—*
 - (i) *a proposal to change the method of filling the office of President;*
 - (ii) *a proposal to create a new district or the boundaries of the Local Government;*
 - (iii) *a request for a poll on a recommended amalgamation;*
 - (iv) *a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.*

Comment

In deciding which new footpaths are to be constructed, consideration is given to the footpaths that create connections between people and main infrastructure. Typically, capital works programs such as footpaths are considered as part of the annual budget process. Therefore footpaths are assessed along with other types of Capital Works projects such as roads. This year \$30,000 has been allocated to footpaths on Linton Street North from Walters Road to Brown Street. This proposed footpath is a dual use path of 2.5m wide.

In the assessment of footpaths, pedestrian and vehicle traffic volumes are examined along with any relevant specific circumstances and continually reviewed. Inevitably, not all desirable projects are able to be funded within ratepayer expectations of controlled spending and rate rises.

Not all new footpaths can be constructed in any single year due to budgeting constraints and as such are programmed over a number of years, being prioritised to achieve the best value for money and impact on the greater community.



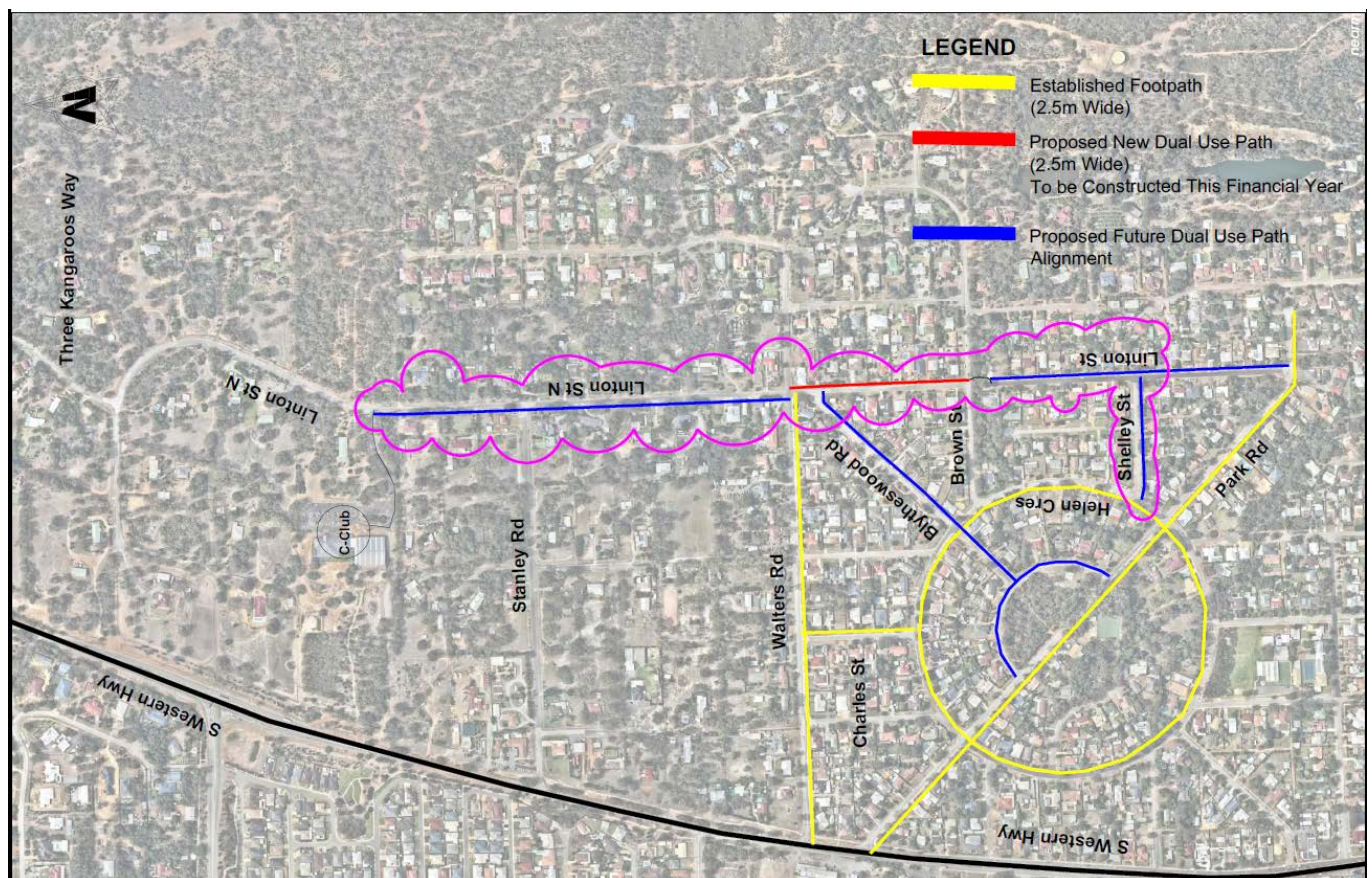
Traffic classifier was recently set up on Linton Street about 110m north of Stanley Road. The results of the traffic survey and a traffic survey undertaken in 2016 between Shelly Road and Park Road are shown in the following table.

Traffic Conditions – Safety

Location	85 th Percentile Speed (km/h)	Average Speed (km/h)	Average Week Day Volume (Vehicles)	Commercial Vehicles (Trucks/Buses) (%)
Linton Street – 110m from Stanley Road (August 2018)	60.30	50.5	696	4.0
Linton Street – Between Shelley St and Park Rd (September 2016)	42	33.1	66	3.7

The 85th percentile speed is the speed at which 85% of the vehicles are travelling at or slower, under free-flow conditions

Figure 1 – Map of existing, planned and capital funded dual use paths in the locality of the petition



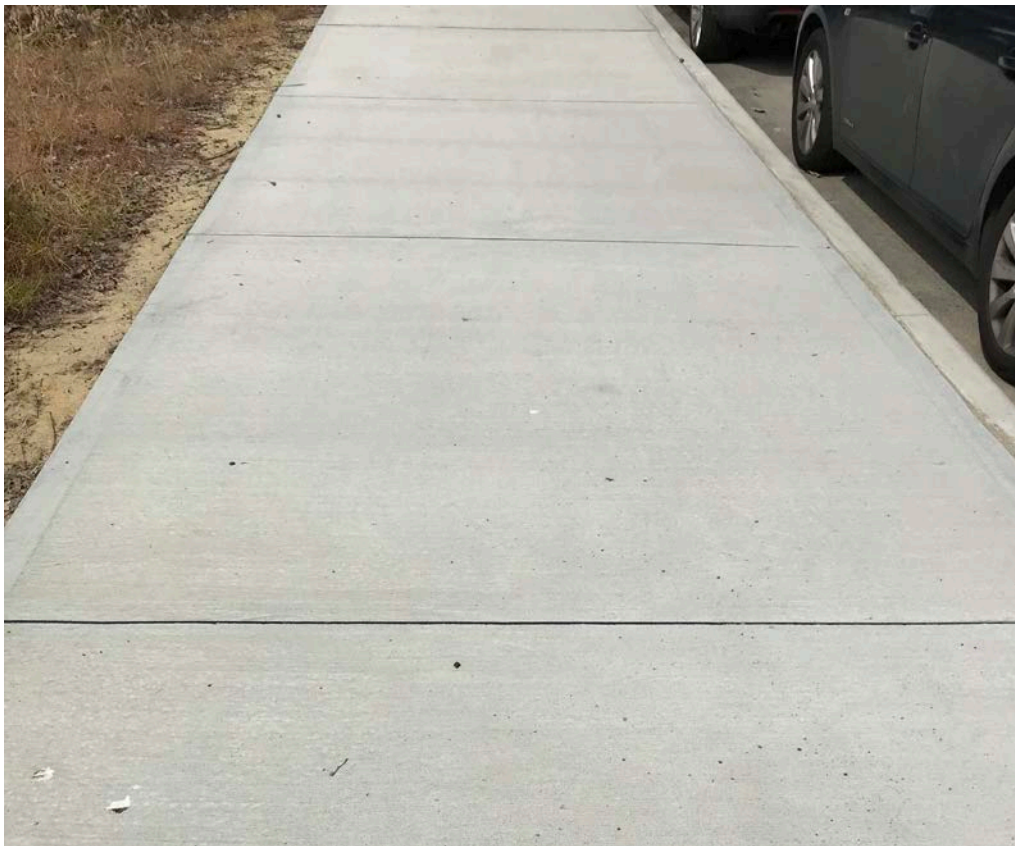
The average weekday traffic volume recorded north of Stanley Street was 696 vehicles, which includes an average of 28 vehicles or 4.0% of commercial traffic weekdays. The data between Shelley Road and Park Road shows an average weekday traffic volume of 66 vehicles inclusive of three commercial vehicles. The posted speed limit in Linton Street is 50km/h, and the recorded 85th percentile speed north of Stanley is 60.3km/h and that south of Shelly is 42km/h. The recorded operational speed (85th percentile speed) north of Stanley Street is higher than the



posted speed limit and high compared to other similar classified streets within the Shire. This indicates that there would be a need for increased enforcement activity from the Police and the need for a footpath on that section of the road. The high speed data information will be forwarded to the Police.

South of Shelly Street, Linton Street is only 215m in length between Shelley and Park Streets where it comes to a T intersection. The length of the road and the intersection arrangement at both ends, have the desirable effect of slowing motorists down. This is demonstrated by the 42km/h for the 85th percentile speed recorded. Linton Street is closed south of Brown Street with no through vehicular traffic from Linton Street North or Brown Street. Similarly, it is anticipated that vehicular speed on that section of Linton Street between Brown Street and Shelley Street will be low added to the fact that it carries only local traffic. There therefore is no evidential safety concern facts to justify the need for a dual use path.

Figure 2 – Example of a Dual Use Path



Although no traffic data is available for the section of Linton Road between Stanley Street and Shelley Street, it is estimated that the traffic volume will be in the vicinity of or less than that north of Stanley Street with the 85th percentile speed near 50km/h. The section of Linton Street North between Walters Road and Brown Street is only 260m long with a T intersection at Brown Street. The length of that section of the road with the configuration of the intersections of Walters Road, Blytheswood Road and Brown Street are not conducive to high speed.

Both Linton Street and Shelley Street are classified as Local Access Roads with desirable maximum daily traffic volume of 3000 vehicles. However the recorded traffic volume on the busiest section of the roads (Linton Street North, north of Stanley Street) of 696 is significantly below the desirable maximum traffic volume. It is also estimated that the operational speed of



Linton Street North between Stanley Street and Brown Street will be close to the legal speed limit of 50km/h. It is also reasonably estimated that the operational speed on Linton Street between Brown Street and Shelley Street is anticipated to be below the legal speed limit of 50km/h.

According to Main Roads Western Australia Crash Statistics data, the section of Linton Street between Brown Street and Three Kangaroo Way recorded two crashes in the five-year period between January 2013 and December 2017. Both of the crashes were related to property damage. None of the crashes were speed related. One involved a vehicle hitting an animal near Three Kangaroo Way. No crash was recorded on Linton Street south of Brown Street.

The petition initiated by Ron Holmes requests the construction of a dual use path on Linton Street and Shelley Street to allow residents, children and parents to access the footpath on Helen Crescent via Shelley Street, the Byford and Districts Country Club and the Scout Hall. The petition suggested that the construction of the dual use path will ensure residents, children and parents travel safely by foot along Linton Street and Shelley Street to attend recreational activities and school. The request of the petition is in support of active transport, but is not supported by safety concern due to traffic volume and speed.

Based on the recorded traffic data information, a warrant system has been applied to the section of Linton Street north of Stanley Street with the high traffic volume and operational speed, with results indicating a rated outcome of "low" safety and amenity concern for which no further action is recommended. It is noted that despite the rating, the Shire understands the necessity of footpaths for active transport and has allocated funding this financial year (2018/19) for the construction of a dual use path on Linton Road from Walters Road to Brown Street.

It is anticipated, subject to budgeting, that the following year will see the continuation of the construction of the dual use path moving south and connecting Shelley Street and Park Road and Helen Crescent (the section being petitioned for). The intent is (depending on other work the Shire has already identified and prioritised through its Footpath and Bicycle Plan and Long Term Financial Plans) for progressive availability of funding to construct the dual use path the length of Linton Street from Stanley Road to Park Road with connection to Helen Crescent via Blytheswood Road, Brown Street, Shelley Street. Therefore, future implementation of the path as requested through the petition will depend on all other competing requirements for footpaths within the Shire.

Initial Proposal

Option One

That the Shire continues with the implementation of the new Footpath Capital Work Program for the financial year 2018/19, which includes a dual use path construction on Linton Street North from Walter Street to Brown Street, and defers the construction of a dual use path on Linton Street and Shelley Street to future years being assessed through the annual budget process. Consideration will be given to construction of a new path on Linton Street and Shelley Street based on the Long Term Capital Budget Plan, the Footpath and Bicycle Plan and any other capital budget program priorities.

Should Council resolves to adopt the above option, there will be no budget implication outside the already approved capital budget and the need for future new footpaths will be investigated through the Road Traffic Safety Mitigation, Long-Term Financial Plan and the Footpath and Bicycle Plan.



Option Two

That Council accepts the petition's request for the construction of a dual use path and requests the construction of the path this financial year. This will have budget implications since no budget is allocated to a footpath on Linton Street along its entirety and on Shelley Street. The only section of Linton Street where capital budget is allocated for the construction of a dual use path this financial year is from Walters Street to Brown Street.

Should Council resolves to approve the petition's request, a budget implication will apply with an additional \$102,000 to be added to the already approved 2018-2019 capital budget. Note that investigation into traffic safety indicates a rated outcome of "low" safety and amenity concern for which no further action is recommended.

Options and Implications

Council Officer recommends Option 1 based on the investigation into traffic safety that indicates a rated outcome of "low" safety and amenity concern for which no further action is recommended. Therefore, construction of the dual use path to manage safety of pedestrians including children and their parents as requested by the petition is not justified. There is however a need for active transportation across the Shire and a footpath along Linton Street and Shelley Street will be considered through future capital works budget planning.

Conclusion

The Shire of Serpentine Jarrahdale is currently experiencing urban growth through new residential and commercial developments. It is anticipated that this growth will continue into the future with corresponding increase in vehicular, pedestrian and cyclist traffic on existing and new roads throughout the Shire as a whole. Active transportation together with other transportation modes are actively considered by the Shire to improve mobility and recreational needs.

In considering active transportation (pedestrian and cyclist movement) consideration will be given to routes that create connections between people and main infrastructure, along roads with high traffic volume and unsafe environments due to high speed.

Linton Street and Shelley Street present less concern in terms of safety and amenity and therefore not on the critical path for a dual use path at this point in time. However, the roads will continue to be monitored and adequate measures implemented where appropriate.

Attachments

Nil

Alignment with our Strategic Community Plan

Outcome 1.3	A safe place to live.
Strategy 1.3.3	Enhance community safety.
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 Footpath and Bicycle Plans.
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

Adoption of Option 1 will have no other financial implication than the already allocated 2018/19 capital budget for new footpath.

Adoption of Option 2 will require additional budget of \$102,000 to construct an additional 850m of path along Linton Street from Stanley Road to Shelley Street and from Shelley Street to Helen Crescent. It is worth noting that no budget allocation is in the current Long Term Financial Plan.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Not Adopting officer recommendation	Unlikely (2)	Minor (2)	Low (1-4)	Financial Impact - 2 Minor - \$50,000 - \$250,000	Accept Officer Recommendation

Risk Matrix

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic	
		1	2	3	4	5	
Likelihood	Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
	Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
	Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
	Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 4 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Continued

Ordinary Council Meeting Minutes
Tuesday 25 September 2018

Voting Requirements: Simple Majority

OCM098/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr See, seconded Cr Coales

That Council considers a dual use path on Linton Street and Shelley Street, Byford in the 2019/20 annual budgeting process.

CARRIED UNANIMOUSLY 7/0

**OCM099/09/18 – Urban and Rural Forest Strategy (E18/9558)**

Responsible Officer:	Manager Subdivisions
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> .

Report Purpose

The purpose of this report is to request Council to endorse the Urban and Rural Forest Strategy.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this application/issue.

Background

The Shire has 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. The Strategy has been developed in response to the outcomes of a community engagement program and an opportunities and constraints analysis. Development of the Strategy was initiated by the Council.

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, stormwater volumes and the demand for energy; support local biodiversity and local character; and improve the mental and physical wellbeing of the community. These benefits are critical to a healthy population and the Shire is committed to protecting and enhancing tree canopy and vegetation coverage in its communities.

The activities of the Shire are guided by the core values of the community, defined in *SJ2050* and the *Strategic Community Plan 2017-2027*. The natural environment was identified by the community as the second most valued aspect of the Shire, following its relaxed country lifestyle. Other values important to the community are the strong sense of community; the area's unique sense of place and identity; and its local heritage and history. A well-treed environment is central to the maintenance of these values.

The Goals of the Strategy were developed as part of the community engagement program, and will be implemented via a series of strategies and actions. The Goals of the Strategy are:

- Goal 1: Retain current level of canopy cover, and increase where possible
- Goal 2: Maintain the rural character of the Shire
- Goal 3: Increase community support for trees
- Goal 4: Enhance community wellbeing and health
- Goal 5: Environmental sustainability



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

Community / Stakeholder Consultation

Policy Concept Forum

Meeting Date	12 February 2018
Councillors in Attendance	Cr Atwell, Cr Byas, Cr Coales, Cr Denholm, Cr Gossage, Cr McConkey, Cr Rich, Cr See
Meeting Date	7 May 2018
Councillors in Attendance	Cr Atwell, Cr Byas, Cr Coales, Cr Denholm, Cr McConkey, Cr Rich, Cr See
Meeting Date	6 August 2018
Councillors in Attendance	Cr Atwell, Cr Byas, Cr Coales, Cr Denholm, Cr Gossage, Cr McConkey, Cr Rich

Extensive community consultation occurred during the development of the Strategy, including:

- an online survey, which was open from 6 February to 8 March 2018 and received 143 responses;
- a series of two community workshops:
 - Workshop 1 – Values and Opportunities, on 27 February 2018, with 21 participants;
 - Workshop 2 – Concepts and Options, on 11 April 2018, with 18 participants; and
- a period of advertising for public comment:
 - open from 29 June to 23 July 2018, with five comments received:
 1. Community member – need to use the right tree in the right place;
 2. Community member – supportive, the free verge plant program is ideal for delivery of the strategy;
 3. Landcare SJ Inc. – supportive, particularly of community and staff education, the free verge plant program, tree asset register, and habitat planting;
 4. Developer – supportive; and
 5. Developer – concerns regarding cost of implementation, bushfire risk, and impact on housing affordability.

Additionally, the draft Strategy went through two rounds of internal consultation prior to the public comment period, and Councillors were provided with a subsequent period for providing comments from 6 August to 20 August 2018.



Statutory Environment

<p><u>Legislative Requirements</u></p>	<ul style="list-style-type: none"> • <i>Town Planning Scheme No. 2</i> – clause 7.12 – Tree Preservation and Planting • <i>Local Planning Scheme No. 3</i> – clause 49 – Vegetation • <i>Local Planning Scheme No. 3</i> – clause 50 – Vegetation Removal 	<ul style="list-style-type: none"> • Requires planning consent for removal, destruction or damage to trees or other naturally growing vegetation, subject to a number of exemptions. • A condition may be placed on planning consent for the planting and maintenance of trees on a lot. • A condition may be placed on planning approval for the retention and protection of trees and vegetation. • All vegetation removal requires prior development approval, subject to a number of exemptions.
<p><u>Other Plans, Frameworks, Documents Applicable to Policy</u></p>	<ul style="list-style-type: none"> • <i>Council Policy 2.1.12 – Street Trees</i> • <i>Local Biodiversity Strategy</i> • <i>LPP04 – Revegetation</i> • <i>LPP26 – Biodiversity Planning</i> • <i>LPP67 – Landscape and Vegetation</i> 	<ul style="list-style-type: none"> • Establishes the principles and conditions for the planning, establishment and maintenance of all Shire trees. • Aims for greater protection and better management of natural areas in the Shire. • Encourages revegetation, particularly with local flora. • Provides guidance on the information required to assess the impact of development proposals on biodiversity. • Provides guidance on maintenance of the natural landscape and native vegetation.

Comment

The Urban and Rural Forest Strategy is designed to guide actions to maintain and improve tree canopy and vegetation. The Goals of the Strategy were developed as part of a community engagement program, and address community values, the benefits of green space, and the central concept of the right tree in the right place. The Strategy will be 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 will be reflected into the planning and development approval process. Integration into the approvals process for new developments sets parameters for landscaping against coverage minimums.

Trees are receiving more recognition for the important services they provide in urban areas. Some factors which are considered important by the community and the Shire and which will drive delivery of the Strategy are the benefits of cooling and mitigation of the urban heat island effect, particularly in light of climate change; retaining soil health; and protection from wind, stormwater and noise. These benefits are considered critical, particularly in light of issues associated with urban intensification and planning for bushfire protection.

The Shire’s core values and the other drivers noted above provide a strong foundation for this Strategy, which addresses urban, peri-urban and rural areas of the Shire. While a number of Local Governments in Perth have prepared strategies which focus on the Urban Forest (i.e. urban areas



only), the communities of the Shire reside across the municipality, in urban, peri-urban and rural areas, and it is important that all of these areas have access to the benefits of canopy and vegetation.

The Strategy therefore addresses a large portion of land within the Shire, with the exception of State Forest, areas zoned as Environmental Conservation, or any other areas managed for conservation by State Government agencies.

Integration of the Strategy across the Shire's activities and into the approvals process for new developments will ensure the development of leafy, liveable suburbs and protect and enhance the natural environment. Implementation of the Strategy will demonstrate Council's support for the retention and protection of existing trees and vegetation, and its enhancement where possible.

Initial Proposal

Option One

That Council endorses the Urban and Rural Forest Strategy.

Option Two

That Council endorses the Urban and Rural Forest Strategy with modifications.

Option Three

That Council does not endorse the Urban and Rural Forest Strategy.

Options and Implications

Officer recommendation is for Council and endorse the Urban and Rural Forest Strategy. The endorsement of this Strategy would provide a tool for Council's consideration of future budget allocations for urban and rural tree planting and management. The Strategy will assist with the development of leafy, green suburbs which are desirable places to live, and protect and enhance the natural environment which is so highly valued by the Shire's residents and visitors. Implementation of the Strategy will demonstrate Council's support for the retention and protection of existing trees and vegetation, and its enhancement where possible.

Conclusion

The endorsement of this Strategy will set Council's support for the retention and protection of existing trees and vegetation, its enhancement where possible, and the development of leafy, green suburbs. The endorsement of this Strategy will also enable forward planning and prioritization of in-house implementation actions.

Attachments

- [OCM099.1/09/18](#) – Draft 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

The endorsement of this Strategy provides a tool for Council's consideration of future budget allocations for urban and rural tree planting and management. The majority of the actions involved in implementing the Strategy can be carried out by allocation of officer time as a component of standard operations. However, some actions would require budget allocations, including:

- Potential increase in canopy cover (planting and maintenance of trees)
- Improved maintenance and management of existing trees (tree services)
- Continuation of street tree pickup program (recording details of street trees in an asset register)
- Consideration of incentives to retain trees on private land

The extent of future budget allocations to these actions would be entirely at Council's discretion.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
1. Environmental Strategy is not adopted, giving no direction to the community and developers.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Environment - 2 Minor - Contained, reversible impact managed by internal response	Accept Officer Recommendation
2. Impact on the Shire's reputation for pristine natural environment	Unlikely (2)	Minor (2)	Low (1-4)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder trust or low media item	Accept Officer Recommendation
3. Impact on the Shire's	Unlikely (2)	Minor (2)	Low (1-4)	Reputation - 2 Minor -	Accept Officer Recommendation



Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
reputation as a desirable place to visit and to live.				Substantiated, localised impact on key stakeholder trust or low media item	

Risk Matrix

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 4 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM099/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Byas, seconded Cr McConkey

That Council endorses the Urban and Rural Forest Strategy, as per attachment OCM099.1/09/18.

CARRIED UNANIMOUSLY 7/0

**10.3 Corporate Services reports**

OCM100/09/18 - Confirmation of Payment of Creditors (SJ801)	
Responsible Officer:	Acting Manager Finance
Senior Officer:	Director Corporate 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> .

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

Nil.

Community / Stakeholder Consultation

Nil.

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 1.1.18 - 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 of the *Local Government (Financial Management) Regulations 1996*.

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 2018 to 31 August 2018 is provided in attachment OCM100.1/09/18. Transactions made by purchasing cards are detailed in the Purchasing Card Report 6 July 2018 to 5 August 2018 as per attachment OCM100.1/09/18.



Attachments

- [OCM100.1/09/18](#) - Creditors List of Accounts 1 August 2018 to 31 August 2018. (E18/9734)
- [OCM100.2/09/18](#) – Purchasing Card Report 6 July 2018 to 5 August 2018. (E18/9733)

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 August 2018 totalled \$2,544,342.60.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not accept the payments.	Unlikely (2)	Insignificant (1)	Low (1-4)	Compliance - 3 Moderate - Non-compliance with significant regulatory requirements imposed	Accept Officer Recommendation



Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item.

Voting Requirements: Simple Majority

OCM100/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Byas, seconded Cr Denholm

That Council receives the Schedule of Accounts as paid under delegated authority for August 2018, totalling \$2,544,342.60 as attached, covering:

1. EFT Vouchers EFT52368 to EFT52716 including Purchasing Card Payment totalling \$2,413,213.00.
2. Municipal Cheque Vouchers CHQ45933 to CHQ45938 totalling \$12,009.43.
3. Municipal Direct Debits DD46516.1 to DD446573.32 totalling \$119,120.17.

CARRIED UNANIMOUSLY 7/0

**OCM101/09/18 – Monthly Financial Report – August 2018 (SJ801)**

Responsible Officer:	Acting Manager Finance
Senior Officer:	Director Corporate 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>

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 August 2018.

Relevant Previous Decisions of Council

The original budget for 2018/19 was adopted on 25 June 2018 at an Ordinary Council Meeting (OCM059/06/18). As a part of this decision, and 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 2018/19 for reporting material variances, as resolved by Council, 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 this 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 August 2018. Please note that this is a preliminary result as the Financial Statements for 2017/18 are still to be finalised including completion of end of financial year journals, allocations, asset revaluation, rollover of the asset module and audit sign off. The opening surplus and opening balances are subject to change and no depreciation can be processed until the asset revaluation is finalised and the module rolled over.

The municipal surplus for the month ending 31 August 2018 is \$29,053,135, which is favourable, compared to a budgeted surplus for the same period of \$22,848,735. This variance is attributable primarily to the factors identified below relating to the carry forward surplus and inability to process depreciation, along with timing differences.

Description	YTD Budget	31 August 2018 Actual	Variance (unfavourable)
Opening Surplus at 1 July 2018	441,441	4,684,688	4,243,247
Proceeds from sale of assets	58,890	-	(58,890)
Changes to net transfers to and from Reserves	(55,183)	(55,183)	-
Changes to net transfers to and from Restricted Cash	-	-	-
Loan principal Drawdown (New loans)	-	-	-
Loan principal repayments	-	-	-
Capital expenditure	(1,045,462)	(354,874)	690,588
Capital revenue (cash items)	215,000	234,817	19,817
Operating revenue (cash items)	28,591,604	28,311,783	(279,821)
Operating expenditure (cash items)	(5,357,555)	(3,768,096)	1,589,459
	22,848,735	29,053,135	6,204,400

A more detailed explanation of these variances can be found in attachment OCM101.1/09/18.



Attachments

- [OCM101.1/09/18](#) – Monthly Financial Report August 2018 (E18/9815)

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 1 August 2018 the Shire's respective cash position was as follows:

Municipal Fund: \$2,869,094.58

Trust Fund: \$1,416,709.32

Material variances that may have an impact on the outcome of the budgeted closing surplus position are detailed in this report and listed below:

Operating Revenue

Rates

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

Operating Grants, Subsidies and Contributions

Unfavourable variance due to timing differences related to payment of grant funding, significant budgeted amounts unpaid at reporting date include untied Financial Assistance Grants - \$328,000 and Volunteer Fire Brigades Funding - \$60,000.

Fees and Charges

No variance analysis required favourable variance less than 10%.

Interest Earnings

Favourable variance of \$78,000 due to timing differences relating to payment of interest earned on Term Deposits. Payments made based on maturity dates of these investments.

Other Revenue

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

Operating Expenses

Employee Costs

Favourable variance of \$483,000 due to timing differences related to new positions not recruited yet and positions currently vacant.

Materials and Contracts

Favourable variance due to timing differences in relation to provision of services across all programs and business units including Waste Services - \$420,000, SJ Rec Management & Youth Services - \$77,000, Parks & Reserves Maintenance - \$65,000 and consultancy, organisational strategies and initiatives - \$125,000.



Utility Charges

Favourable variance due to timing differences in relation to utility charges across the organisation, the most significant component being electricity costs associated with Street Lighting - \$60,000.

Depreciation on Non-Current Assets

Favourable variance of \$1,057,000 due to the fact that no depreciation is able to be processed until year end completed, asset revaluation processed and asset module rolled over.

Interest Expenses

Favourable variance of \$20,000 due to timing differences relating to loan repayment dates.

Insurance Expenses

Unfavourable variance of \$44,000 due to timing differences related to dates on which insurance premiums fall due.

Other Expenditure

Favourable variance of \$114,000 primarily in relation to Landcare in Kind costs (payroll no longer processed by the Shire) and timing of Community funding programs.

Other

Profit on Asset Disposals

No variance analysis required as no variance to budget.

Loss on Asset Disposals

Favourable variance of \$29,000 due to timing differences as no light fleet vehicles have been disposed to date.

Non-Operating Grants, Subsidies and Contributions

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

Proceeds from Disposal of Assets

Unfavourable variances of \$59,000 due to timing differences as no light fleet vehicles have been disposed to date.

Repayment of Debentures

No variance analysis required as no variance to budget.

Proceeds from New Debentures

No variance analysis required as no variance to budget.

Transfers (to)/from Cash Backed Reserves (Restricted Assets)

No variance analysis required as no variance to budget.

Transfers (to)/from restricted cash (Municipal)

No variance analysis required as no variance to budget.



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not accept the Officer's recommendation.	Unlikely (2)	Insignificant (1)	Low (1-4)	Compliance - 3 Moderate - Non-compliance with significant regulatory requirements imposed	Accept Officer Recommendation

Risk Matrix

Consequence / Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.



Continued

Ordinary Council Meeting Minutes
Tuesday 25 September 2018

Voting Requirements: Simple Majority

OCM101/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Byas, seconded Cr McConkey

That Council receives the Monthly Financial Report for August 2018, 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 OCM101.1/09/18.

CARRIED UNANIMOUSLY 7/0



Mr Kenn Donohoe, Chief Executive Officer declared a Financial Interest in OCM102/09/18.

OCM102/09/18 – CEO Employment Committee – Terms of Reference (SJ2071)	
Responsible Officer:	Manager Governance
Senior Officer:	Director Corporate 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> .

Report Purpose

For Council to amend the CEO Committee Terms of Reference in relation to quorum.

Relevant Previous Decisions of Council

OCM156/11/17

*“That Council adopts the Terms of Reference for the relevant Committees as contained within the Council Committees, Community Committees and Working Groups 2017-2019 Handbook”
Carried by absolute majority 8/0*

Background

After the 2017 Local Government Elections, Council at the November 2017 Council meeting, appointed Councillors to its various Council committees, working groups, and as delegates to external consultation groups and the local associations. Also as part of this meeting, Council adopted the terms of references for the Council committees.

The CEO employment committee was one of these committees. Within the adopted terms of reference for this committee it states

5 Committee Structure

- 5.1 *The Committee shall consist of (5) five elected members;*
- 5.2 *An independent facilitator of the Committee, who is not a member of the Committee, shall be appointed to the Committee by Council to assist with the performance review process; and*
- 5.3 *A quorum will be four (4) member*

Community / Stakeholder Consultation

Nil.

Statutory Environment

Section 5.19 *Local Government Act 1995* - Quorum for meetings.

“The quorum for a meeting of a council or a committee is at least 50% of the number of offices (whether vacant or not) of member of the council or committee”.



Comment

The Terms of Reference as adopted by Council appears to be in conflict with the *Local Government Act 1995*.

There are two ways in which section 5.19 could be construed.

One is that the quorum for a meeting of a committee must be at least 50% - and cannot be expressed to be higher than at least 50%. On that construction, the terms of reference of the CEO Employment Committee providing for the quorum to be four of the five members would be inconsistent with section 5.19 and, therefore invalid, because three members (not 4 members) would satisfy the quorum requirements of section 5.19.

An alternative construction of section 5.19 is that it does no more than set the minimum quorum requirements – leaving it open to the Council to establish a committee with a quorum requirement that is greater than the minimum set out in section 5.19. On the basis of this construction, the terms of reference of the CEO Employment Committee, providing for the quorum to be 4 of the 5 members, would be consistent with section 5.19 and, therefore, valid.

A Court is more likely to adopt the first of those two constructions. However, the second could be reasonably arguable.

In these circumstances, the critical question relates to the consequences of the committee proceeding with a meeting if there was only three elected members in attendance. There are two factors, in particular, that are relevant to that question.

The first factor is the possible application of section 57 of the *Interpretation Act 1984*, under which the powers of a committee established under a written law (which is the situation in respect of the CEO Employment Committee), are not affected by ‘a minor irregularity in the convening or conduct of a meeting’ of the committee. Although a failure to comply with the quorum requirement would not generally be considered to be a ‘minor irregularity’, there is a reasonable basis for arguing that section 57 would apply in circumstances where a meeting of the CEO Employment Committee satisfied the quorum requirements of section 5.19 of the Act and, although it did not satisfy the quorum requirements of the terms of reference, there is a serious doubt about the validity of the latter requirements.

A second factor is that, given that the CEO Employment Committee has no delegated functions, a Court would be unlikely to intervene if the validity of a meeting where three Councillors were in attendance if it were to be challenged. This is because even if it were to be established that the meeting did not proceed lawfully, the legal consequences (if any) would be insufficient to warrant judicial review.

Council should review the terms of reference for the CEO Employment Committee and, in order to remove the current doubt about the matter, amend the quorum provisions so they are consistent with the terms used in section 5.19 of the *Local Government Act*.

If the intention of Council at the time, was to ensure there was always at least four members in attendance at the CEO employment committee meeting, and this still remains so now, then another option available to Council is to include in the terms of reference the provision for a least one deputy member. The inclusion of a deputy member would reduce the likelihood of only three committee members being in attendance at any future meeting, as the deputy member will be able to fill any void created by any absence. It is therefore recommended that an additional clause be added to the terms of reference which states “5.1 (a) A deputy member shall be appointed”



It would also be an opportune time, given that 12 months has almost now elapsed from Council decision OCM156/11/17, that a review be undertaken of all Council committees. This review could be undertaken in conjunction with considering the most appropriate Council meeting structure / cycle, for the Shire, which should occur before setting the forthcoming years meeting dates.

Conclusion

That Council amend clause 5.3 of the CEO Employment Committee Terms of Reference to be consistent with section 5.19 of the *Local Government Act 1995* and to remove any doubt.

Attachments

- [OCM102.1/09/18](#) - CEO Employment Committee Terms of Reference (E17/5085)

Alignment with our Strategic Community Plan

Nil.

Financial Implications

Nil.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not accept the Officer's Recommendation	Rare (1)	Insignificant (1)	Low (1-4)	Compliance - 1 Insignificant - Occasional noticeable temporary non-compliance	Accept Officer Recommendation

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM102/09/18 Officer Recommendation

1. That Council amends clause 5.3 of the CEO Employment Committee Terms of Reference to read 5.3 A quorum will be as per section 5.19 of the *Local Government Act 1995*.
2. That Council inserts the following clause into the CEO Employment Committee Terms of Reference 5.1(a) A deputy member shall be appointed.
3. That Council appoints as a Deputy Member to the CEO Employment Committee.

OCM102/09/18 COUNCIL RESOLUTION

Moved Cr McConkey, seconded Cr Atwell

1. That Council amends clause 5.3 of the CEO Employment Committee Terms of Reference to read 5.3 A quorum will be as per section 5.19 of the *Local Government Act 1995*.
2. That Council inserts the following clause into the CEO Employment Committee Terms of Reference 5.1(a) A deputy member shall be appointed.
3. That Council appoints Councillor McConkey as a Deputy Member to the CEO Employment Committee.

CARRIED UNANIMOUSLY 7/0

**OCM103/09/18 - Cloud Computing Strategy (SJ2482)**

Responsible Officer:	Manager Information Communication Technology
Senior Officer:	Director Corporate 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> .

Introduction

This report seeks Council to adopt the Cloud Computing “First” Strategy.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this issue.

Background

Cloud Computing is a metaphor for the internet. In simplest terms it is a scalable means for storing and accessing programs and data delivered as a service using internet technologies. Cloud Computing is not a new technology but simply a new way of delivery computing resources. Cloud Computing presents a ready-made information technology infrastructure, supporting associated software and processes that provide a service which is maintained by the Cloud service provider for an organisation.

Cloud computing is changing the way the Information and Communication Technology Service Team buys technology. There are a range of secure options for procuring Cloud services, including infrastructure, platforms and applications that are available from Cloud providers as online services. As such, Cloud Computing has a broad range of range of service offerings and the terminology used to describe them is in Attachment OCM103.1/09/18.

The Shire has already embraced the Cloud as the Shire’s Library Management System (Spydus), Local Government Services (LGS) Portal and NearMap have been implemented in the Cloud. There are no other Cloud based information systems in use by the Shire.

To date, the Shire has not adopted a formal position or strategy on Cloud Computing.

Community / Stakeholder Consultation

Not Applicable.

Statutory Environment

Not Applicable.



Comment

The Cloud Computing strategy recognises that Cloud computing will have a potential positive impact on aspects of the Shire as it will affect how users access applications and information and generally transform the way we operate.

This strategic report provides guidance about what Cloud Computing is and lists the key benefits and risks that need to be considered and understood. In addition, the key business drivers for the Shire to consider in adopting Cloud Computing services are:

Driver	Outcome
Value for Money	<ul style="list-style-type: none"> • To reduce duplication and cost; • Leveraging economies of scale; • Allow for “measured” payment (pay as you use); • Reduced energy use; • Enable the City to reinvest in, and concentrate on, core objectives; and • Adopt, where fit for purpose, modern technologies and practices that improve the City’s effectiveness and efficiency.
Flexibility / Agility	<ul style="list-style-type: none"> • Rapid provisioning and deployment of services and “on demand” scalability and elasticity for services and capabilities; and • Create a flexible services-oriented environment for the Shire.
Operational reliability/robustness	<ul style="list-style-type: none"> • High resiliency and availability; and • Standard offering and secure.

Initial Proposal

The four (4) strategic options for the future state of Cloud Computing at the Shire are:

- Option 1 : Cloud First;
- Option 2 : Cloud as an option;
- Option 3 : Cloud as an Exception; and
- Option 4 : Never use the Cloud.

The above strategic options have been considered as per the following:

Options and Implications

Option 1 – Cloud Computing “First”

Adoption of a Cloud “First” strategy means the Shire should position itself to take advantage of the benefits of Cloud Computing whereby the Shire “must choose Cloud-based services first where they demonstrate value for money and adequate security”. This entails:



- Investigating Cloud based options as the first preference for new information and communication technology initiatives and information and communication technology upgrades;
- Pursuing “on premise” options only when faced with unique business requirements; and
- Providing the same level of control and visibility for Cloud-based services as on-premise information and communication technology services.

Pro(s):

- Implementation of Cloud services would occur over a significantly shorter timeframe;
- Minimises future information technology infrastructure asset replacement costs for information technology servers, storage and backup / recovery;
- Minimises the cost of establishing a disaster recovery (DR) site;
- Eliminates the need for in-house information technology expertise (i.e. no additional technical staff) to administer and support, upgrade, ‘patch’, and secure the application and software internally as this is provided as part of the Cloud service; and
- Computing power and storage is scalable, so it can easily be adjusted as the Shire grows and expands; and
- Accelerates the pace at which the Shire realises the value of Cloud Computing by evaluating safe, secure, Cloud options before implementing any new or redeveloped information technology services and investments.

Con(s):

- Not everything can go in the Cloud. Some software requires special hardware to be installed onsite (i.e. Closed Circuit Television); and
- Some services marketed as “Cloud” aren’t, and would cost, rather than save, money. In some cases, security, data sovereignty, accessibility or even legislation may prevent an otherwise suitable Cloud service from being used.

Recommendation

Option 1, Cloud “First” is recommended as the Shire is simply not large enough to warrant the cost and overheads associated with implementing and supporting an ‘on premise’ implementation of all information and communication technology systems.

Option 2 – Cloud Computing as an Option

The Shire should evaluate Cloud and other pay-as-you-go options as an ‘option’ for all new or redeveloped information and communication technology services and projects. Any decision to use Cloud services should be based on the merits of the solution as it relates to the Shire’s risk appetite, security requirements, operational needs, and value for money. In addition, total cost of ownership principles must be taken into consideration if an ‘on premise’ option is considered.

This option also recognises that Cloud services are not necessarily right for everything. Value for money should be a key consideration as Cloud does not always equal reduced costs, but it may offer other benefits such as agility, flexibility and Full-Time Equivalent (FTE) containment. These



are all part of the value for money assessment that would also factor in risks and appropriate data and information security considerations.

Pro(s):

- Implementation of Cloud services would occur over a longer time period to minimise business disruption.

Con(s):

- Implementation of Cloud services would occur over a longer period of time and delay the realisation of benefits;
- The Shire would have a blend of Cloud and 'on premise' solutions – essentially a hybrid approach; and
- Decisions to retain a solution 'on premise' may not factor in all the hidden costs (i.e. backup / recovery, disaster recovery, information and communications technology asset replacement, information and communications technology system administration support etc).

Recommendation

Option 2 is not recommended as it delays the realisation of many of the benefits that Cloud Computing can offer and creates a more complex information and communications technology environment with a hybrid of Cloud and 'on premise' information and communications technology solutions.

Option 3 – Cloud Computing as an Exception

This strategy is only adopting Cloud as an exception. These Cloud-based solutions are typified by vendor specific Cloud offerings – that is the vendor only provides a Cloud based software solution and there is no other choice (i.e. 'on premise' is not an option).

Pro(s):

- Maximises the investment in the Shire's information and communications technology Data Centre.

Con(s):

- The move to Cloud based services is reactive, rather than planned;
- Industry trends indicate that vendor specific Cloud services will increase over time and on-premise solutions will not be made available in the future;
- Over time the Shire would have a blend of Cloud and 'on premise' solutions – essentially a hybrid approach; and
- Increases costs due to greater demands for 'on premise' information technology infrastructure, information technology asset replacement, disaster recovery solutions and staff to provide systems administration and system upgrades.

Recommendation

Option 3 is not recommended as industry trends drive the need for the Shire to go beyond “Cloud as an exception”.

Option 4 – Will Never use Cloud Computing

The Shire has already adopted Cloud services for information systems. Many vendors, over time, will only offer Cloud-based solutions. Therefore, this is not a realistic option.

Recommendation

Option 4 is not recommended.

Potential Benefits of Cloud Computing

Cloud services may offer the following business benefits for the Shire – the level of benefit will depend on the Cloud model and services adopted.

Benefits	Detail
Scalability	<p>Unconstrained capacity allows for more agile enterprises that are scalable, flexible and responsive to change. For example:</p> <ul style="list-style-type: none"> • Faster responsiveness can benefit government service delivery, and meet the needs of citizens, businesses, employees, suppliers and corporate relations. For example, ability to provision and utilise a service in a single day; • Option of scalability is provided without the serious financial commitments required for infrastructure purchase and maintenance; and • Provisioning and implementation are undertaken on demand, allowing for data traffic spikes and reducing the time to implement new services. The Shire, however, needs to be aware that when transitioning from legacy systems, data migration and change management can slow down the “on demand” adoption of Cloud Computing for a period.
Efficiency	<p>Reallocation of information technology operational activities offers opportunity for the Shire to focus on:</p> <ul style="list-style-type: none"> • Research and development including new and innovative applications allowing for business and product growth (improved service delivery); • Creating new solutions that were not technically and/or economically feasible without the use of Cloud services; • Enabling prototyping and market validation of new approaches much faster and less expensively; • Providing the ability to de-couple applications from existing infrastructure; and • Rationalising and/or replacing legacy systems.
Cost Containment	<p>Changes to the Shire’s cost model can be modified by the following:</p>



Benefits	Detail
	<ul style="list-style-type: none">• Services and storage become available on demand without the serious financial commitments required for infrastructure purchase and maintenance. Additionally, they are priced as a pay-as-you-go service;• No need to invest in high-cost information technology equipment; for example, able to test software solutions without capital investment;• Less cost and complexity in doing both routine computing tasks and computationally-intensive problems;• Potential to reduce support and maintenance costs through replacing legacy systems with new systems;• Potential to reduce the demand for data center resources; and• Potential to reduce the Shire's carbon footprint.
Flexibility	<ul style="list-style-type: none">• The Shire can save time at set-up, as Cloud Computing becomes functional faster than other 'on premise' systems;• To transition to the Cloud, the Shire is not required to install additional hardware or software;• Implementation can be undertaken remotely; and• Potential to access latest technology through software applications being automatically updated by Cloud providers.
Availability	<ul style="list-style-type: none">• Cloud software architectures are designed from the bottom up for maximum network performance – potentially delivering improved application level availability than conventional 'on premise' information technology solutions; and• Greater flexibility and availability of 'shared' information enables collaboration from anywhere in the world – all that is required is an internet connection.
Resiliency	<ul style="list-style-type: none">• The potential for failure in a highly resilient computing environment is reduced. The failure of one node of a system in a Cloud environment will have no impact on overall information availability and reducing the risk of downtime.



Potential Issues

As Cloud Computing is just another style of implementing technology, many of the risks and issues associated with Cloud are also not new. However, as the Shire's systems were designed to operate in a secure environment, the Shire needs to recognise and respond to the issues associated with Cloud Computing. Depending upon the Cloud model adopted an understanding and mitigation of the following issues may be required:

Issues	Explanation
Architecture	<ul style="list-style-type: none"> • Moving to a Cloud environment will require more emphasis on business design where Cloud services will interface/impact business systems; and • Prior to making a decision to move to a Cloud Computing environment, the Shire must address the impact on business processes and eliminate any barriers.
Business continuity	<ul style="list-style-type: none"> • Because the Cloud is dependent on internet technologies, any internet service loss may interrupt Cloud services; and • Business continuity and disaster recovery plans must be well documented and tested.
Funding model	Due to the Cloud's pay-per-use model, some part of the information technology capital budgeting will need to be translated into operating expenses (OPEX), as opposed to capital expenditure (CAPEX).
Legal & regulatory	<ul style="list-style-type: none"> • Need to be aware of Australian legislative and regulatory requirements including Archives Act, Freedom of Information Act and State Records Act; and • Need to be aware of data sovereignty requirements.
Performance and conformance	Need to ensure that guaranteed service levels are achieved. This includes environments where multiple service providers are employed (e.g combined Shire and Cloud environments). Examples include: <ul style="list-style-type: none"> • Instances of slower performance when delivered via internet technologies; • Monitoring and reporting are adequately delivered; and • Failure of service provider to perform to agreed-upon service levels.
Privacy	Risk of compromise to confidential information through third party access to sensitive information. This can pose a threat to ensuring the protection of intellectual property (IP), and personal information.
Reputation	Damage to the Shire's reputation resulting from a privacy or security breach, or a failure to deliver an essential service because risk was inadequately addressed must be considered for Cloud Computing applications.
Skills requirements	A direct result of transitioning to a Cloud environment means: <ul style="list-style-type: none"> • Less demand for hardware and system management software product specific skills; but • More demand for business analysts, architects, portfolio and program and change managers, and vendor/contract managers.
Security	With Cloud Computing, the Shire may have limited ability to prescribe the information security of the Cloud environment. Yet the Shire will remain



Issues	Explanation
	ultimately responsible for the information that is stored and/or processed in the Cloud. Management must maintain assurance that the security of the Cloud service provider is in accordance with international standards for information security (ISO27001).
Service provision	<ul style="list-style-type: none"> • Reputation, history and sustainability should all be factors to consider when choosing a service provider; and • The Shire should ensure they address portability of data in the case of service provider failure.
Standards	<p>Standards strategies for open standards, interoperability, data portability, and use of commercial off the shelf products are required for reducing the risk of vendor lock-in and inadequate data portability. Examples include:</p> <ul style="list-style-type: none"> • Potential for inadvertent use of Cloud services creating “islands” of Cloud technologies that will reduce interoperability across Cloud types and associated implementations; and • A Cloud provider decides to no longer stay in business, the Shire’s data/application/processes must be able to be moved to another provider.

Timing and Triggers Points

The timing and trigger points that present opportunities for the use of Cloud-based services are:

- When information systems and information communication technology are scheduled for replacement - review if there are any Cloud offerings - particularly for core information systems with high levels of integration;
- When information systems and information technology are scheduled for planned upgrades - review if there are any Cloud offerings;
- Information system development/testing where Cloud infrastructure could be used;
- For proof-of-concepts;
- Pilot projects;
- Time-bound or short lifespan information technology projects; and
- Capabilities used only periodically.

Cloud at other Local Government Authorities

Many LGA’s are now considering or are implementing a Cloud Strategy, particularly to facilitate more digital services to their community, with some examples being:

1. City of South Perth with the implementation of TechnologyOne’s OneCouncil solution; and
2. City of Stirling with implementation of a Library Management System, Microsoft Enterprise Project Management System, Human Resource and Payroll System, e-recruitment, e-learning, risk management and audit control.

Attachments

- [OCM103.1/09/18](#) - Definitions of Cloud Computing terms (E18/9993)



Alignment with our Strategic Community Plan

The Shire's Cloud First 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
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 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".

This strategy is an opportunity for the Shire to demonstrate leadership by embracing innovation and new technologies such as Cloud Computing.

Financial Implications

There are no financial implications resulting from this report. There is nil cost to Council at this stage, in adopting the Information and Communications Technology Strategic Plan 2018-2021. Business cases will be presented to the Executive Management Team on the numerous strategy initiatives over the coming years which will have various financial implications to Council.

Conclusion

The technology landscape has changed dramatically with the rapid maturing and widespread adoption of new digital technologies such as Cloud computing. As such, Cloud computing is the new norm. Cloud Computing has quickly evolved from a market disruptor to the expected approach for information and communication technology. Cloud is no longer an "if" but a "how" for most organisations. Many organisations have already recognised they need Cloud services to operate with greater agility, flexibility, innovation and to reduce costs. Industry trends indicate that Cloud only solutions will increase over time, therefore, it is an opportune time to review and formalise the Shire's strategic direction for Cloud Computing. Therefore, the Shire should be positioned to take advantage of Cloud Computing to improve the services that we provide to our customers and residents.



Risk Implications

Risk has been assessed on the basis of accepting the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Shire does not embrace the benefits of Cloud Computing.	Unlikely (2)	Major (4)	Moderate (5-9)	Service Interruption - 4 Major - Prolonged interruption of critical core service deliverables - additional resources; performance affected	Accept Officer Recommendation
Cyber Security Breach	Possible (3)	Moderate (3)	Moderate (5-9)	Financial Impact - 2 Minor - \$50,000 - \$250,000	Control through ensuring Cloud Services are certified to the International Standard for Information Security ISO27001/27002...
Legal & regulatory Risks	Possible (3)	Moderate (3)	Moderate (5-9)	Reputation - 3 Moderate - Substantiated, public embarrassment, moderate impact on key stakeholder trust or moderate media profile	Establish robust contracts. WA legislative and regulatory requirements including Archives Act, FOI Act and State Records Act; and considered in Cloud Contracts with data sovereignty in Australia..

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 7 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM103/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Coales, seconded Cr Denholm

That Council adopts Option 1 - Cloud Computing “First” Strategy as recommended in this report.

CARRIED UNANIMOUSLY 7/0



OCM104/09/18 - Strategic Information and Communications Technology Plan 2018-2021 (SJ2352)	
Author:	Manager Information, Communication and Technology
Senior Officer:	Director Corporate 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> .

Report Purpose

The purpose of this report is to seek Council adoption of the Strategic Information and Communications Technology Plan 2018-2021.

Relevant Previous Decisions of Council

There is no previous Council decision relating to this issue.

Background

The Strategic Information and Communications Technology Plan 2018-2021 is a strategic document for the Shire of Serpentine-Jarrahdale for the next three years (refer confidential attachment OCM104.1/09/18).

It is important for the Council to formally acknowledge this strategic plan to enable the Shire to fully realise the benefits that information and communications technology can deliver for the efficient and effective operations of the Shire. Furthermore, the Strategic Information and Communications Technology Plan 2018-2021 is:

1. Important to provide a sense of direction with actionable and measurable goals; and
2. A plan that will guide organisational wide-priorities, decision making and reporting of progress against the plan.

The strategies in the Strategic Information and Communications Technology Plan 2018-2021 are based around the Shire's current business context and its future service delivery models. Its core aims are to:

1. Provide direction to Council for the transformation of the Shire into a digital business;
2. Set out a series of actions designed to assist Serpentine-Jarrahdale to achieve its vision and goals; and
3. Refocus the Information and Communications Technology Service Team so that they can be recognised as a high-performing team; providing information and communication technology services that advance corporate strategies.

The audience for the Strategic Information and Communications Technology Plan 2018-2021 is internal staff and Councillors.



Community / Stakeholder Consultation

Extensive consultation was undertaken as per the list below:

- Chief Executive Officer;
- Manager Human Resource;
- Manager Economic Development, Tourism and Marketing;
- Director Corporate Services;
- Manager Finance;
- Manager Corporate Services;
- Deputy CEO / Director Community Services;
- Manager Library Services;
- Director Development Services;
- Manager Statutory Planning and Compliance;
- Manager Strategic Planning;
- Manager Health & Building;
- Manager Rangers and Emergency;
- Director Infrastructure Services;
- Manager Subdivisions;
- Manager Infrastructure & Assets; and
- Manager Operations.

Statutory Environment

Nil.

Comment

Information and Communications Technology are important resources for any organisation in today's world. For a Local Government Authority information technology, communications technology and data management are vital and underpin the success of business operations and the range of services a Shire can offer to its ratepayers and customers.

The Strategic Information and Communications Technology Plan 2018-2021 sets out five (5) strategic themes that will guide the development and use of information and communications technology within the Shire over the next three years. In so doing they are designed to position the Shire for future growth. The five (5) strategic themes are:

1. Information Systems;
2. Electronic Data and Information;
3. Technology and Infrastructure;
4. IT Resources, Structure and Services; and
5. Corporate IT Governance.

Each strategic theme contains a number of individual actions that the Shire intends to pursue over the next three years and beyond. The specific actions are designed to enable the Shire to maximise the benefits that can be realised by the implementation of modern technologies. These



actions take account of the Shires current business environment but also enable us to see how, from a digital business perspective, we can redirect and transform our operations. Our goal remains to meet strategic objectives for the Shire's operations and its broader customer and stakeholder base.

Options and Implications

Nil.

Conclusion

The technology landscape has changed dramatically over the past decade. The widespread adoption of new digital technologies such as Cloud computing, Integrated Information Systems, Internet of Things, Intelligent Agents, Augmented Reality, Virtual Reality, 3D printing and robotics affects ways in which all levels of government operate and ultimately how they deliver their value proposition to their customers. As a result, all levels of government are reviewing and undergoing a transformation to leverage the benefits of information and communications technology advancements.

The embracement of a digital transformation strategy will allow the Shire to realise the benefits of these technological advancements and will empower our Shire to achieve our vision of 'A City living offering a rural lifestyle with abundant opportunities for a diverse community'. From a strategic perspective, the journey to transforming to a digital business is even more critical as we are projected to grow by over 100,000 residents by 2050 and we need to plan for this growth today.

It is therefore recommended that the Shire of Serpentine Jarrahdale adopt the Strategic Information and Communications Technology Plan 2018-2021 to position itself for future growth and to harvest the benefits of existing and emerging information and communication technologies.

Attachments

- **CONFIDENTIAL OCM104.1/09/18** – Strategic Information and Communications Technology Plan 2018-2021 (E18/10003)

Alignment with our Strategic Community Plan

The proposed Strategic Information and Communications Technology Plan 2018-2021 is critical to the Shire's efficient and effective operations and it is 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.

In addition to the outcomes summarised above, an additional theme identified in the Strategic Community Plan 2017-2027 was that *'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'*.

The Strategic Information and Communications Technology Plan 2018-2021 will provide the framework that the Shire can use to drive innovation in a consistent and considered manner. New investments in technology and business practices must be undertaken within the Strategic Information and Communications Technology Plan 2018-2021 for all of the above outcomes to be realised.

Financial Implications

There is nil cost to Council at this stage, in adopting the Information and Communications Technology Strategic Plan 2018-2021. Business cases will be presented to the Executive Management Team on the numerous strategy initiatives over the coming years which will have various financial implications to Council.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Accept Officer Recommendation	Rare (1)	Insignificant (1)	Low (1-4)	Financial Impact - 1 Insignificant - Less than \$50,000	Accept Risk

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements: Simple Majority

OCM104/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr See, seconded Cr Byas

That Council adopts the Strategic Information and Communications Technology Plan 2018-2021 as per confidential attachment OCM104.1/09/18.

CARRIED UNANIMOUSLY 7/0

**10.4 Community Services reports**

OCM105/09/18 – Sponsorship – Peel Bright Minds (SJ2468)	
Responsible Officer:	Deputy Chief Executive Officer / Director Community Services
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> .

Report Purpose

The purpose of this report is to request that Council consider a three year sponsorship of the Peel Bright Minds program.

Relevant Previous Decisions of Council

Nil.

Background

Peel Bright Minds was established in January 2018 as a result of recognition of the need for a regional initiative to promote Entrepreneurship, Science, Technology, Engineering, Arts and Maths (ESTEAM) in the Peel region.

The purpose of Peel Bright Minds is to;

- Promote ESTEAM and connect the community, especially young people, to activities and opportunities in the region, including citizen science opportunities.
- Encourage an aspirant culture among people of all backgrounds, ages and abilities in the Peel, celebrating our unique regional strengths through STEM and the arts.
- Facilitate collaboration among regional stakeholders, especially ESTEAM champions and researchers.

Peel Bright Minds employs a Program Coordinator and is overseen by a Steering Group consisting of representatives from the City of Mandurah, Regional Development Australia Peel, John Tonkin College, Peel Development Commission, AusIndustry and the Peel-Harvey Catchment Council.

Peel Bright Minds received seed funding from Inspiring Australia, Regional Development Australia, Peel Development Commission and the Peel-Harvey Catchment Council.

The seed funding provided expired on 30 June 2018 and the Shire of Serpentine Jarrahdale has received a request from Regional Development Australia Peel to consider financial support for the project for a three-year period.



Community / Stakeholder Consultation

Nil

Statutory Environment

Nil.

Comment

Peel Bright Minds have been active in the Serpentine Jarrahdale community since inception in January 2018. The key details of their involvement are:

- Participation in the recent SJ Community Fair (11th August 2018) with interactive ESTEAM Activities mainly targeted at children.
- Holding a Science Café event in Byford on 23rd August 2018. This included two speakers and a robotics demonstration for attendees of all ages.
- As part of their 'ESTEAM Environmental Scan' to establish the context of what is already going on in the Shire, Peel Bright Minds have met and started building good working relationships with Shire staff (community development and libraries), the SJ Community Resource Centre, SJ Makerspace, Landcare SJ, and Little Genius Science (science engagement business based in Shire of SJ).
- Shared relevant ESTEAM-related activities such as school holiday and Science Week activities run by the Shire with our networks via our Facebook page and e-newsletter.
- Shire Officers and Councillors have been invited and have attended key Peel Bright Minds regional events, namely their launch in February 2018 and the ESTEAM Awards Ceremony in June 2018.
- Teachers of all schools in Peel have been invited to participate in the newly formed ESTEAM Champion Teachers' network. Two network meetings have been held so far, and at the most recent meeting (3 September 2018) there were three teachers in attendance from Serpentine Primary School.

Shire Officers have worked closely with the Program Coordinator to identify opportunities for partnerships and an increased presence of the initiative in the shire.

The Shire of Serpentine Jarrahdale Economic Development Strategy speaks to the potential opportunities in agricultural development through science and technology and support of entrepreneurship and small business development. Provision of initiatives such as Peel Bright Minds ensure exposure and skill development in the ESTEAM disciplines in the community.

The Shire has been asked to consider sponsoring Peel Bright Minds for a three year period 1 July 2018 to 30 June 2021 with a contribution of \$10,000 per year for a total contribution of \$30,000. This contribution has been calculated based on a per capita share of the Peel region's population.

Regional Development Australia Peel has advised that all Peel local governments have been approached to support the project with a commitment having been received from the City of Mandurah, Shire of Murray, Shire of Boddington and a request has been made to the Shire of Waroona.

A detailed sponsorship proposal is contained in document OCM105.1/09/18.



In return for sponsorship of Peel Bright Minds, the Shire will receive the following recognition;

- The Shire logo used in promotional material where possible.
- The Shire logo placement at projects or events.
- The Shire staff and Councillors invited to attend projects or events.
- Media coverage where relevant in releases.
- Event naming rights where applicable at events in the shire.

Sponsorship of Peel Bright Minds will ensure the delivery of the following outcomes and deliverables;

- Community engagement via stalls at a minimum of two community festival/events per annum.
- Delivery of at least two Science Café events (or similar events, depending on community interests) per annum.
- The opportunity for community groups, schools and initiatives to participate in whole of region activities such as ESTEAM awards, ESTEAM Champion Teachers' network, STEM speed networking, industry tours and others, as appropriate to the need and interests of your community.
- Ongoing targeted promotion of potential external programs and grant opportunities to schools and community groups.
- Ongoing targeted advocacy for external programs and initiatives relevant to local needs to establish themselves in the shire.

Options and Implications

Option One (Recommended)

Council supports the request to sponsor Peel Bright Minds for a three-year period 1 July 2018 to 30 June 2021, to the value of \$10,000 per year with a total sponsorship of \$30,000.

Council requires as a condition of the sponsorship, that Peel Bright Minds provide all acknowledgement benefits, outcomes and deliverables as outlined in the sponsorship proposal OCM105.1/09/18 and provides an annual report on the achievements in the delivery of the sponsorship benefits, outcomes and deliverables.

This will allow the delivery of ESTEAM programs and initiatives in the shire and opportunities for community participation in Peel wide events.

Option Two

Council does not support the sponsorship of Peel Bright Minds and Peel Bright Minds cease delivery of programs in the shire.



Conclusion

Peel Bright Minds has successfully delivered Entrepreneurship, Science, Technology, Engineering, Arts and Maths (ESTEAM) programs and activities in the Shire of Serpentine Jarrahdale and the Peel Region since the inception of the initiative. Continued delivery of services by Peel Bright Minds will enable community interaction and development in the ESTEAM disciplines.

Attachments

- [OCM105.1/09/18](#) – Sponsorship Proposal – Peel Bright Minds (E18/9768)

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 with the district.
Outcome 3.4	An innovation centre of excellence.
Strategy 3.4.1	Identify and promote innovation and education opportunities.

Financial Implications

Account Number	Type	Description	Debit \$	Credit \$
PBM530	Increase Expenditure	Sponsorship – Peel Bright Minds	10,000	
ECD525	Decrease Expenditure	Economic Development Marketing		10,000

Reason:

The contribution amount of \$10,000 for the 2018/2019 financial year will be met from the Economic Development Marketing budget ECD525. This budget serves to provide marketing resources for economic development programming, activities and advertising. The allocation of \$10,000 from this budget for sponsorship of Peel Bright Minds to expose and develop ESTEAM disciplines in the Shire does not adversely impact items already identified in the budget.

An allowance will need to be made for future contributions for the 2019/2020 and 2020/2021 financial years.

Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)



That Council do not support sponsorship of Peel Bright Minds, therefore resulting in a loss of program delivery by Peel Bright Minds in the shire.	Unlikely (2)	Insignificant (1)	Low (1-4)	Reputation - 1 Insignificant - Unsubstantiated , localised low impact on key stakeholder trust, low profile or no media item	Accept Officer Recommendation
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Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements: Absolute Majority****OCM105/09/18 COUNCIL RESOLUTION / Officer Recommendation****Moved Cr See, seconded Cr Byas**

1. That Council supports the request to sponsor Peel Bright Minds for a three-year period 1 July 2018 to 30 June 2021, to the value of \$10,000 per year with a total sponsorship of \$30,000 from ECD525 with the following conditions;
 - a) that Peel Bright Minds provide all acknowledgement benefits, outcomes and deliverables as outlined in the sponsorship proposal in attachment OCM105.1/09/18 and provides an annual report on the achievements in the delivery of the sponsorship benefits, outcomes and deliverables.
2. That Council pursuant to section 6.8 of the *Local Government Act 1995*, approves 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:

Account Number	Description	Debit \$	Credit \$
PBM530	Sponsorship – Peel Bright Minds	10,000	
ECD525	Economic Development Marketing		10,000

CARRIED BY ABSOLUTE MAJORITY 7/0



10.6 Confidential reports

COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr Denholm

That the meeting be closed to members of the public whilst item OCM106/09/18 is discussed pursuant to section 5.23(2)(b) of the Local Government Act 1995 and item OCM107/09/18 is discussed pursuant to section 5.23(2)(e)(ii) of the Local Government Act 1995.

CARRIED UNANIMOUSLY 7/0

At 8.09pm the meeting went behind closed doors. All Members of the Public, Member of the Press, Mr J O'Neill, Manager Economic Development, Tourism and Marketing and Mr A Nair, Manager Planning and Compliance left the Chambers.

**OCM106/09/18 – CONFIDENTIAL - Request for Change in Valuation for Rating Purposes
- 1299 Orton Road, Byford – A282700 (SJ289)**

Responsible Officer:	Acting Manager Finance
Senior Officer:	Director Corporate 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> .

Voting Requirements: Simple Majority

OCM106/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Atwell, seconded Cr Byas

That Council declines the request to change the method of valuation of 1299 Orton Road, Byford, from Unimproved Valuation to Gross Rental Valuation due to the property still being used predominantly for Rural purposes and advise the Minister for Transport; Planning; Lands of Council's decision.

CARRIED 6/1

Councillor Coales, in accordance with Section 5.21(4)(a), *Local Government Act 1995* requested his vote **AGAINST** the motion be recorded.



OCM107/09/18 - CONFIDENTIAL - Strategic Information Systems Strategy (SJ2352)	
Responsible Officer:	Manager Information Communication Technology
Senior Officer:	Director Corporate 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> .

Voting Requirements: Absolute Majority

OCM107/09/18 COUNCIL RESOLUTION / Officer Recommendation

Moved Cr See, seconded Cr Byas

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:

Account Number	Type	Description	Debit \$	Credit \$
1. ADM510	Decrease Expenditure	Telephone Costs.	\$0	\$52,000
2. ITS525	Decrease Expenditure	Computer Licences	\$0	\$34,000
3. GPG142	Increase Revenue	General Purpose Grant	\$0	\$28,060
4. GPG143	Increase Revenue	General Purpose Grant	\$0	\$6,376
5. 011003	Decrease Expenditure	Waste Reserve Transfer	\$0	\$500,000



Account Number	Type	Description	Debit \$	Credit \$
6. ITS500	Increase Expenditure	Salaries	\$20,000	\$0
7. ITS908	Increase Expenditure	Enterprise Resource Planning Implementation	\$600,436	\$0
TOTAL			\$620,436	\$620,436

CARRIED BY ABSOLUTE MAJORITY 7/0

COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr Denholm

That the meeting be reopened to members of the public.

CARRIED UNANIMOUSLY 7/0

At 8.18pm, the doors were reopened to Members of the Public. The Shire President, Councillor Rich advised Members of the Public that the Officers Recommendation for OCM106/09/18 was carried 6/1 and the Officer Recommendation for OCM107/09/18 was carried by absolute majority 7/0.

Councillor Rich read the Council Resolutions to Members of the Public.

11. Urgent business:

Nil.

12. Councillor questions of which notice has been given:

Nil.

13. Closure

There being no further business, the Presiding Member declared the meeting closed at 8.22pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on the 22 October 2018.

.....
Presiding Member

.....
Date