



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 27 FEBRUARY 2018
(Held at the Shire of Waroona Council Chambers)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Shire President declared the meeting open at 4.00 pm and welcomed Councillors and Staff present.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Mike Walmsley	Shire President
Cr Larry Scott	Deputy Shire President
Cr Noel Dew	Councillor
Cr John Salerian	Councillor
Cr Laurie Snell	Councillor
Cr Craig Wright	Councillor
Cr John Mason	Councillor
Cr Naomi Purcell	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Laurie Tilbrook	Deputy CEO/ Director Corporate Services
Mr Patrick Steinbacher	Director Technical Services
Mr Louis Fouche	Director Development Services
Mr Leonard Long	Manager Development Services
Miss Ashleigh Nuttall	Manager Corporate Services
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

There were two members of the public present at the commencement of the meeting.

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil

4.2 PUBLIC STATEMENTS

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL RESOLUTION**

OCM18/02/001

MOVED: CR DEW

SECONDED: CR SALERIAN

That Leave of Absence be granted to Cr Craig Wright for the months of April and May 2018.

CARRIED 8/0



6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

(Disclosure of interest MUST ALSO be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)

Cr Walmsley declared a financial interest in Item 9.2.5, as he was a shareholder of South West Irrigation Management Cooperative.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 19 DECEMBER 2017

COUNCIL RESOLUTION

OCM18/02/002

MOVED: CR SNELL

SECONDED: CR SCOTT

That the Minutes of the Ordinary Council Meeting held 19 December 2017 be confirmed as being a true and correct record of proceedings.

CARRIED 8/0

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

9.1.1 MAIN ROADS WESTERN AUSTRALIA RESUMPTION OF LAND FROM RESERVE 22215 SOUTH WEST HIGHWAY	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, DTS; No Interest
Responsible Officer / Officer's Interest	Patrick Steinbacher, DTS; No Interest
Proponent:	Main Roads Western Australia
Landowner:	Shire of Waroona
Date of Report: 14.2.18	File No.: 95/7 & A2210
Previous Reference:	OCM17/12/130
Policy Implications:	Nil
Statutory Implications:	Nil
Strategic Implications:	See heading below
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): 5.04 Effect Responsible Stewardship of Council owned/controlled Assets	

PROPOSAL SUMMARY

This matter was presented to Council at its ordinary meeting in December 2017, however it has come to light following further advice from Main Roads WA (MRWA) that in order to satisfy the requirements of the Land Administration Act, Council is required to actually formally resolve to dedicate the land to become road reserve. Therefore this is essentially the same item with a revised officer recommendation.

BACKGROUND/INITIAL COMMENTS

MRWA has identified the need to resume various parcels of land along the alignment of the South Western Highway, including from Reserve 22215, to accommodate planned road widening works in the near future. The proposal involves excising a 10 metre strip of land from the Western side of the reserve and MRWA requires the Shire's consent to proceed with the process.

The location of the reserve and correspondence from MRWA are included at **Appendix 9.1.1**.

Reserve 22215 is located near the Southern boundary and is vested to the Shire of Waroona for the purpose of drainage and camping however the land is not used for any particular purpose therefore the proposed excision will have no nett effect. The total area of land required is approximately 2,217 square metres.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

5.04 Effect Responsible Stewardship of Council owned/controlled Assets



FINANCIAL ISSUES/IMPLICATIONS

There are no financial implications for the Shire. MRWA will be responsible for all costs involved and there is no vehicle for compensation for the Shire for the excised land.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Nil

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The proposed excision of the strip of land from Reserve 22215 has no implications for the Shire and will assist MRWA in improving the safety of the South Western Highway, therefore officers are comfortable in recommending that Council grant its consent for the proposal.

The resolution OCM17/12/130 from the December 2017 meeting that dealt with Council consent still stands, therefore Council is simply now required to resolve for the land to become dedicated as road reserve.

Appendices Attached:	Yes	Appendices Numbers:	9.1.1
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM18/02/003

MOVED: CR SCOTT

SECONDED: CR MASON

That Council resolve for the dedication of the land the subject to Main Roads Land Dealing Plan (201702-0110) as a road pursuant to section 56 of the Land Administration Act 1997.

CARRIED 8/0



9.2 DIRECTOR DEVELOPMENT SERVICES

9.2.1 INITIATION OF AMENDMENT 39 TO THE SHIRE OF WAROONA LOCAL PLANNING SCHEME NO. 7 - LOTS 1-3 CAMARRI ROAD AND LOTS 2, 182 AND 1408 NANGA BROOK ROAD, WAROONA,	
Reporting Officer / Officer's Interest:	Chris Dunlop – Senior Town Planner; No Interest
Responsible Officer / Officer's Interest	Leonard Long – Manager Development Services; No Interest
Proponent:	Shire of Waroona
Landowner:	C Atkinson, S & M Davies & M Morrell, F G Hull, S & T Pinzone, V & D L Piscoferi & H & E Scott
Date of Report: 12/2/2018	File No.: TPS7A39
Previous Reference:	N/A
Policy Implications:	State Planning Policy 2 – Environment and Natural Resource Policy State Planning Policy 2.5 – Land Use Planning in Rural Areas State Planning Policy 2.9 – Water Resources State Planning Policy 3.7 – Planning in Bushfire Prone Areas
Statutory Implications:	Environmental Protection Act 1986 Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Shire of Waroona Local Planning Scheme No. 7 1996
Strategic Implications:	Draft South Metropolitan Peel Sub-Regional Planning Framework Draft Perth and Peel Green Growth Plan For 3.5 Million Shire of Waroona Local Planning Strategy
Financial Implications:	See heading below
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 3 “Responsible Land Use Planning and Protecting Rural Land”	

PROPOSAL SUMMARY

Council is requested to consider the initiation of Amendment 39 to the Shire’s Local Planning Scheme No. 7. Amendment 38 proposes the rezoning of Lots 1-3 Camarri Road and Lots 2, 182 and 1408 Nanga Brook Road, Waroona from Water Production, Mining and Recreation to Rural 1 – General Agriculture and Rural 8 – Hills Landscape Protection in accordance with the Shire’s Local Planning Strategy.

A copy of the amending documentation is at **APPENDIX 9.2.1A**. The proposed amendment is considered to be a standard amendment for the purposes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

BACKGROUND/INITIAL COMMENTS

Lots 1-3 Camarri Road range in size from 24-33 hectares. All 3 lots currently contain dwellings and are used for the purposes of Rural Pursuits.



Lot 1408 Nanga Brook Road is 3.2ha and contains a dwelling.

Lot 2 Nanga Brook Road is 8.3ha and contains a dwelling and multiple outbuildings.

Lot 182 Nanga Brook Road is 59.8ha and straddles Nanga Brook Road, the eastern portion of the lot (51.5ha) is zoned Rural 5 – Darling Range and contains a dwelling and outbuildings. The western portion of the lot (8.3ha) is reserved for Water Production, Mining and Recreation.

On 17 December 1996 Local Planning Scheme No. 7 was gazetted. The scheme maps reserved the subject lots, which were all privately owned at the time, for Water Production, Mining and Recreation. Extensive investigation into the preparation of the scheme has not revealed any reasoning behind the reservation of the lots nor any current statutory, strategic or environmental framework supporting the reservation of the lots.

At the time of gazettal all of the subject lots were, and continue to be, used for the purposes of a Rural Pursuit and Single House.

In 2009 the Shire's Local Planning Strategy was adopted identifying the future zoning of the lots as Rural 1 – General Agriculture and Rural 8 – Hills Landscape Protection.

The eastern portion of Lot 182 has been excluded from the proposed amendment at this area of the lot has a zoning (Rural 5 – Darling Range) that recognises the historical use of the land. The size of the eastern portion of the lot (51.5ha) would create potential for further subdivision if it were to be rezoned to Rural 8 – Hills Landscape Protection. The intent of the amendment is not to facilitate the intensification of development, rather to recognise the nature of existing and historical development.

PLANNING – STRATEGIC IMPLICATIONS

Draft South Metropolitan Peel Sub-Regional Planning Framework (DSMPSRPF)

The DSMPSRPF was prepared by the Department of Planning and released by the Western Australian Planning Commission for comment in May 2015. The DSMPSRPF is intended to guide the future preparation of local planning strategies, schemes and structure plans within the South Perth and Peel Region and identifies the subject lots as 'Rural'.

Draft Perth and Peel Green Growth Plan for 3.5 Million (Green Growth Plan)

The Green Growth Plan is a comprehensive review of the environmental impacts of future development as well as the associated infrastructure and resource needs. The Green Growth Plan informs the formulation of, and streamlines environmental approval processes for the development of land in accordance with, the Draft South Metropolitan Peel Sub-Regional Planning Framework 2015. The subject lots are not identified in the Green Growth Plan for any form of development.

Shire of Waroona Local Planning Strategy (Strategy)

The Strategy identifies Lots 1, 2 and 3 Camarri Road and Lot 1408 Nanga Brook Road as General Agriculture and Lots 182 and 2 Nanga Brook Road as Hills Landscape Protection. Minimum lot sizes of 80ha and 10ha are recommended for the General Agriculture and Hills Landscape Protection zones respectively.

REFERRALS

Preliminary discussions with the Department of Planning have confirmed that the amendment is considered a standard amendment and that there is no apparent concern re. the proposal at officer level.

Consultation with government agencies will be undertaken during the consultation period. Should any objections be received they will be required to be considered by Council prior to considering the final adoption of the amendment.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 3 “Responsible Land Use Planning and Protecting Rural Land”.

FINANCIAL ISSUES/IMPLICATIONS

Officer time associated with the preparation and processing of the amendment is included in the Shire’s existing operating expenditure. Advertising costs are to be included within the existing operating budget via publication in the Sea to Scarp newsletter.

POLICY ISSUES/IMPLICATIONS

State Planning Policy 2 – Environment and Natural Resource Policy

The objectives of this policy are:

- to integrate environment and natural resource management with broader land use planning and decision-making;
- to protect, conserve and enhance the natural environment; and
- to promote and assist in the wise and sustainable use and management of natural resources.

State Planning Policy 2.5 – Land Use Planning in Rural Areas (SPP2.5)

The objectives of this policy are to:

- (a) support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;
- (b) provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses;
- (c) outside of the Perth and Peel planning regions, secure significant basic raw material resources and provide for their extraction;
- (d) provide a planning framework that comprehensively considers rural land and land uses, and facilitates consistent and timely decision-making;



- (e) avoid and minimise land use conflicts;
- (f) promote sustainable settlement in, and adjacent to, existing urban areas; and
- (g) protect and sustainably manage environmental, landscape and water resource assets.

SPP 2.5 requires that rural living proposals be carefully planned for through local planning strategies and do not compromise the productivity of priority agricultural land.

State Planning Policy 2.9 – Water Resources

The objectives of this policy are to:

1. protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;
2. assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and
3. promote and assist in the management and sustainable use of water resources.

State Planning Policy 3.7 – Planning for Bushfire Risk Management (SPP3.7)

SPP 3.7 requires the consideration of bushfire risk and potential mitigation measures as part of the assessment of development in bushfire prone areas.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Environmental Protection Act 1986

Section 48A of the Environmental Protection Act 1986 sets out the process for the EPA to determine whether a scheme is required to be assessed by the EPA where that scheme is referred under the relevant scheme act.

Planning and Development Act 2005

Section 75 of the Act states that a local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment —

- (a) Prepared by the local government, approved by the Minister and published in the *Gazette*; or
- (b) Proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the *Gazette*.

Section 81 of the Act states that when a local government resolves to prepare or adopt a local planning scheme, or an amendment to a local planning scheme, the local government is to refer the proposed local planning scheme or amendment to the EPA.

Section 84 of the Act states that after compliance with sections 81 and 82, a local planning scheme prepared or adopted, or an amendment to a local planning scheme prepared or adopted, by a local government, is to be advertised for public inspection in accordance with the regulations.

Planning and Development (Local Planning Schemes) Regulations 2015



The Regulations are made under the Planning and Development Act 2005. Part 5 of the Regulations sets out the process for amending a scheme. In accordance with the definitions provided by Part 5 of the Regulations the proposal constitutes a 'standard amendment'.

Regulation 35 sets out the process for the adoption of a scheme amendment.

Regulation 47 provides the process for the advertisement of a standard amendment.

Shire of Waroona Local Planning Scheme No.7 1996

Clause 3.13 of the Scheme sets out provisions for all rural zones.

Clause 3.17 of the Scheme sets out provisions specific to the Hills Landscape Protection zone.

Schedule 9 of the Scheme sets out provisions applicable to specific areas zoned Hills Landscape Protection.

LEGAL ISSUES/IMPLICATIONS

See statutory issues.

COMMUNITY CONSULTATION

Preliminary consultation has been undertaken with the owners of the affected lots. Of the 6 owners 4 have confirmed that they consent to the proposed amendment, with no response from the remaining 2. Further direct consultation with the owners of the subject lots will be undertaken during the consultation period.

Consultation is required to be undertaken in accordance with Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015, with all submissions received required to be considered by Council.

OFFICER'S FINAL COMMENTS / CONCLUSIONS

Bushfire Management

The proposed rezoning of the lots will not create the potential for the intensification of land use or creation of any additional lots. All lots subject to the proposed amendment contain existing dwellings, therefore no additional impact on bushfire safety will result from the amendment.

State Policy Framework

The proposed amendment is in line with the applicable state planning framework. Compliance with the Local Planning Strategy fulfils the requirements of SPP 2.5 as the proposal has been planned for in a strategic document endorsed by the Western Australian Planning Commission.



Local Planning Strategy

The proposed rezoning is in accordance with the identified future use and zoning of the land in the Strategy and does not provide any additional subdivision potential.

Conclusion

The reservation of privately owned land is not a common planning practice and does not generally constitute proper and orderly planning.

The rezoning of the subject lots is in line with the local planning strategy and is intended to recognise the historical and current use of the land as well as its future use as identified by the Shire's Local Planning Strategy.

The amendment will not enable the further subdivision of lots and is not expected to generate an adverse impact on the amenity of the area. It is therefore recommended that Amendment 39 be initiated for advertising purposes.

Appendices Attached:	Yes	Appendices Numbers:	9.2.1
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VOTING REQUIREMENTS

Absolute Majority.

COUNCIL RESOLUTION

OCM18/02/004

MOVED: CR WRIGHT

SECONDED: CR MASON

1. That in relation to proposed Scheme Amendment 39 to the Shire of Waroona Local Planning Scheme No. 7 to rezone Lots 1-3 Camarri Road and Lots 2, 182 and 1408 Nanga Brook Road, Waroona from Water Production, Mining and Recreation to Rural 1 – General Agriculture and Rural 8 – Hills Landscape Protection and pursuant to Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council resolves to;
 - A. Initiate Scheme Amendment 39 to the Shire of Waroona Local Planning Scheme No. 7 1996 in accordance with APPENDIX 9.2.1A as a standard amendment for advertising purposes.
 - B. Refer the above Scheme Amendment to Local Planning Scheme No.7 to the Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005* and should the EPA advise that the amendment does not require assessment, advertise the amendment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
 - C. Authorise the Chief Executive Officer to execute the Scheme Amendment documents.

CARRIED BY ABSOLUTE MAJORITY 8/0



9.2.2 PROPOSED AMENDMENT TO LOCAL PLANNING POLICY 18 – SEA CONTAINERS	
Reporting Officer / Officer's Interest:	Chris Dunlop, Senior Town Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 8/1/2018	File No.: LPP18
Previous Reference:	OCM06/206 OCM17/11/118
Policy Implications:	Local Planning Policy 18 – Sea Containers
Statutory Implications:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Shire of Waroona Local Planning Scheme No.7, 1996
Strategic Implications:	Shire of Waroona Strategic Community Plan 2014/15-2023/24
Financial Implications:	Advertising costs (incorporated in operational budget)
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): Theme 3: Responsible Land Use Planning and Protecting Rural Land	

PROPOSAL SUMMARY

Council is requested to adopt the amended version of Local Planning Policy 18 – Sea Containers (LPP18).

BACKGROUND/INITIAL COMMENTS

The current version of LPP18 was adopted by Council at its Ordinary Meeting of 24 October 2006. Since that time LPP18 has been applied in the assessment of development applications. At its meeting of 28 November 2017 Council adopted the revised LPP18 for advertising purposes (OCM17/11/118).

The policy is proposed to be amended to address issues and inconsistencies that have arisen in the day to day application of the policy.

Changes proposed to the policy include;

- Re-wording of the 'purpose' of the policy
- Updating references to the Scheme and planning legislation;
- Updating the format of LPP18 to conform with the Shire's current local planning policy manual;
- Removing the list of zones in which sea containers may be permitted;
- Removing the maximum number of sea containers permissible on a single lot; and
- Removing standard approval conditions from LPP18.
- Removal of the 3m setback requirement.

A copy of the revised policy is at **Appendix 9.2.2A**. Changes are indicated by deleted text being struck through and new text included being highlighted.



PLANNING – STRATEGIC IMPLICATIONS

Nil.

REFERRALS

The Director Technical Services advised that sea containers will be required to be placed wholly within property boundaries.

The Shire's Building Surveyor raised no objection to the policy.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

Shire of Waroona Strategic Community Plan 2014/15 – 2023/24

This item contributes towards achieving Theme 3: Responsible Land Use Planning and Protecting Rural Land.

FINANCIAL ISSUES/IMPLICATIONS

Cost of Advertising the Policy within the budget (incorporated into Council's existing advertising expenses associated with the Sea to Scarp publication).

POLICY ISSUES/IMPLICATIONS

Nil.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Planning and Development Act 2005 provides for the preparation of Region and Local Planning Schemes and Section 162 specifies that where required in a planning scheme, development is not to commence without approval of a development application.

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 of the Regulations sets out deemed provisions for Local Planning Schemes that are to be read as part of the Local Planning Scheme.

Clause 4 of Schedule 2 sets out the procedure for making a local planning policy.

(1) If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —

- (a) publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —*
- (i) the subject and nature of the proposed policy; and*
 - (ii) the objectives of the proposed policy; and*
 - (iii) where the proposed policy may be inspected; and*
 - (iv) to whom, in what form and during what period submissions in relation to the proposed policy may be made;*

- (b) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;
- (c) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.
- (2) The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).
- 3) After the expiry of the period within which submissions may be made, the local government must —
- (a) review the proposed policy in the light of any submissions made; and
- (b) resolve to —
- (i) proceed with the policy without modification; or
- (ii) proceed with the policy with modification; or
- (iii) not to proceed with the policy.
- (4) If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.
- (5) A policy has effect on publication of a notice under subclause (4).
- (6) The local government —
- (a) must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and
- (b) may publish a copy of each of those local planning policies on the website of the local government.

Clause 5 of Schedule 2 prescribes the procedure for amending a local planning policy.

Shire of Waroona Local Planning Scheme No.7 1996 (TPS)

Although a Town Planning Scheme policy does not bind Council, it shall have regard for the policy when making a decision.

LEGAL ISSUES/IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

Clause 4(1) of the Regulations require a draft Planning Policy to be advertised in a local newspaper, allowing a minimum of 21 days for submissions. Council must consider submissions received on the draft policy and subsequently decide to adopt or not proceed with the Policy.

The mandatory advertising has been undertaken through publication in the Waroona-Harvey Reporter. No submissions have been received.



OFFICER'S FINAL COMMENTS/CONCLUSIONS

The addressing of the day to day operational issues of LPP18 forms part of the Shire's ongoing review of its Local Planning Policy Manual. The regular review of local planning policies plays an important role in ensuring that all policies are clear, up to date with current best practice and are achieving their objectives.

The changes proposed to LPP18 will allow for greater flexibility in its implementation which will facilitate the achievement of better development outcomes.

It is also necessary to remove prescription in policies where there is no statutory basis for such requirement/s.

Residential Zones:

Where a sea container is being proposed to be used as an 'outbuilding' on a lot as part of a single house in a 'Residential Zone' it would be required to comply with the deemed-to-comply provisions of the Residential Design Codes (R-Codes). If the 'outbuilding' does not comply with the R-Codes then a development application would be required.

Non-Residential Zones:

The draft policy has been amended to reflect the actual provisions of the TPS. The zone provisions in the TPS already dictate the statutory requirements for individual land uses within each zone. Sea containers can be located in zones not currently reflected in the current policy. The Urban 3 'Service Commercial' Zone for instance provides for uses including light and service industry where sea containers could potentially be used for storage and transport purposes. Provided sea containers are suitably screened and/or upgraded in appearance they can be in keeping with the general amenity of such uses.

The 3m setback requirement has been removed as this is a duplication of the TPS or R-Codes requirements which set out setback requirements.

Removing the maximum number of sea containers permissible on a lot recognises the scale of industrial development within the Shire. Large industrial sites could require more sea containers for storage and transport purposes. Development approvals for these sites will ensure that areas used for the storage and placement of sea containers can be appropriately managed and located to eliminate impacts on amenity.

Standard conditions previously included in the policy are proposed to be removed to allow for greater flexibility in the response to specific circumstances involved in applications for sea containers. The need to specify particular outcomes to be achieved via screening and/or upgrading of appearance will vary dependent on the individual circumstances / merit of each application.

Conclusion

Overall the changes to LPP18 are not expected to result in substantial alterations to its implementation, rather an increased level of efficiency and consistency should result. It is therefore recommended that Council adopt the revised Local Planning Policy 18 – Sea Containers.

Appendices Attached:	Yes	Appendices Numbers:	9.2.2A
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM18/02/005

MOVED: CR PURCELL

SECONDED: CR SCOTT

1. **That in relation to Local Planning Policy 18.0 – Sea Containers, Council resolves to adopt the amended policy in accordance with APPENDIX 9.2.2A pursuant to Schedule 2 of Part 2, Clause 5 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.**

CARRIED BY ABSOLUTE MAJORITY 7/1

For the Motion: Cr's Purcell, Scott, Salerian, Mason, Wright, Snell & Walmsley

Against the Motion: Cr Dew

9.2.3 PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE – LOT 356 BEACHCAST CLOSE, PRESTON BEACH	
Reporting Officer / Officer's Interest:	Sarah Park, Environmental Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; Nil
Proponent:	Aurecon Australia Pty Ltd
Landowner:	Water Authority of W.A.
Date of Report: 18/01/2018	File No.: TP2009
Previous Reference: TP1459	9.2.8 of 14/02/2012
Policy Implications:	State Planning Policy 5.2 – Telecommunications Infrastructure; Local Planning Policy 1 – Community Consultation.
Statutory Implications:	Commonwealth Telecommunications Act 1997. Planning and Development Act 2005; Planning & Development (Local Planning Schemes) Regulations 2015; Peel Region Scheme 2003; Shire of Waroona Local Planning Scheme No. 7 1996.
Strategic Implications:	Shire of Waroona Local Planning Strategy 2009. Shire of Waroona Strategic Community Plan 2016/17-2025/26
Financial Implications:	<i>See heading below.</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): <i>No.3 Land Use: Responsible Land Use Planning, and Protecting Rural Land</i>	

The meeting noted a letter that had been tabled from the Applicant in which they had requested the Council to reconsider the landscaping condition.

PROPOSAL SUMMARY

Council is requested to consider an application for Planning Consent for NBN telecommunications infrastructure at Lot 356 Beachcast Close, Preston Beach.

BACKGROUND / INITIAL COMMENTS

The subject site has an existing Water Corporation storage site. The site features a Water Corporation security compound surrounding a water tank, which stands 4m high, and existing telecommunications monopole, which stands 15m high. The site is significantly elevated above the surrounding area. The subject lot has been levelled and cleared as part of its use as a water tank site. Access to the lot is granted via a sealed driveway off Beachcast Close.

Vegetation screening exists to the south. To the north vegetation screening is minimal.

The proposed NBN infrastructure will provide NBN coverage to Preston Beach. The application proposes a 30m high concrete monopole, with four (4) panel antennas, eight (8) remote radio units, and one (1) parabolic antenna dish mounted on the proposed mast. An Optus equipment shelter at ground level and ancillary equipment are also proposed. The total structure height above ground level will be 30m. Telstra



and Optus, which have an existing telecommunications monopole on the lot, also propose facility upgrades.

Telstra proposes to co-locate the existing mobile phone base station facility with additional upgrades including, three (3) panel antennas, on the proposed 30m concrete monopole. Telstra proposes to remove the existing 15m high monopole once the proposed monopole is operational.

Optus proposes to co-locate a new mobile phone base station facility on the proposed concrete monopole consisting of three (3) panel antennas, RRU and combiner, as well as one (1) parabolic antenna.

A location plan is at **APPENDIX 9.2.3A**, site plan at **APPENDIX 9.2.3B** and elevation plans at **APPENDIX 9.2.3C**.

Previous determinations

Under resolution OCM12/2/010 Council refused a previous application for a 15m high monopole on the subject lot. The resolution to refuse was subsequently reviewed and overturned by the State Administrative Tribunal ([2012] WASAT 179) on 27 August 2012 and development approval was granted.

PLANNING – STRATEGIC IMPLICATIONS

Local Planning Strategy 2009 (LPS)

The subject lot is designated as Residential and located within the Coastal Precinct. Council's objective is to provide for the enhancement of the Preston Beach Townsite.

Primary Uses of the designated area include: Single House, Grouped Dwelling, Home Occupation and Home Office.

REFERRALS

- Upon referral to internal departments and the relevant comments included in the recommended conditions.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

Shire of Waroona Strategic Community Plan 2016/17-2025/26

This item relates to Theme 3: Land Use – Responsible Land Use Planning and Protecting Rural Land.

FINANCIAL ISSUES/IMPLICATIONS

The planning consent application fee of \$581.80 has been received.

Should the item not be approved by Council, it is likely the applicant would appeal the decision through the State Administrative Tribunal. Should this occur the Shire would be required to appoint a private planning consultant to appear on Council's behalf. A similar situation with the existing mast resulted in the appointment of a consultant at a cost of \$30,000 to the Shire in 2012.



POLICY ISSUES/IMPLICATIONS

Local Planning Policy 1 – Community Consultation

The objective of this policy is to ensure that an appropriate level of community notification is undertaken to keep any potentially affected landowners aware of a development proposal and to allow them opportunity to make a submission to allow their concerns to be considered by Council prior to making a decision.

The policy requires that an application for a Telecommunications Tower is to be advertised to owners and occupiers of affected neighbouring properties for a period of 14 days, as well as the placement of one advertisement in the local paper and a sign erected on site.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Commonwealth Telecommunications Act 1997

The Act regulates the activities of a number of stakeholders in the telecommunications industry, including ‘carriers’ and ‘carriage service providers’.

Planning and Development Act 2005

The Act provides the statutory head of power for enforcement of Local Planning Schemes and regulations made under the Act.

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2 - Deemed Provisions for local planning schemes Clause 60 Requirement for Development Approval states the following:

- “A person must not commence or carry out any works on, or use, land in the Scheme area unless —*
- (a) the person has obtained the development approval of the local government under Part 8; or*
 - (b) the development is of a type referred to in clause 61.”*

State Planning Policy 5.2 – Telecommunications Infrastructure (SPP 5.2)

SPP 5.2 aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas. Using a set of land use planning policy measures, the policy intends to provide clear guidance pertaining to the siting, location and design of telecommunications infrastructure.

The objectives of this policy are to:

- facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;
- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,

- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

Clause 3.3.1 Mobile telephone networks states the following:

“The location of new mobile telephone base stations needs to be carefully considered in relation to existing base stations, to ensure that the network functions effectively. Mobile telephone antennas generally need to be mounted clear of surrounding obstructions like trees and buildings to avoid loss of reception and to allow each mobile telephone base station to cover its intended cell with minimum transmitter power.”

Provisions relating to the application are stated under Clause 5.1.1 – the benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.

- be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;
- be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;
- not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised; and
- display design features, including scale, materials, external colours finishes that are sympathetic to the surrounding landscape.

SPP 5.2 applies throughout Western Australia in respect to above and below ground telecommunications infrastructure other than those facilities exempted under the *Commonwealth Telecommunications Act 1997*.

Peel Region Scheme 2003 (PRS)

Under the Peel Region Scheme the subject lot is zoned Urban.

Cl.12 Purposes of zones, states:

Land is classified into zones under the scheme for the following purposes –

- Urban — to provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities.

Shire of Waroona Local Planning Scheme No. 7 1996 (TPS7)

The proposed telecommunications infrastructure is a ‘Use not listed’ under Clause 3.2 Zoning Table.

The subject lot is located within the ‘Urban 9 – Preston Beach’ zone of TPS7 and is subject to Clause 3.12.

Clause 3.12.1, Objective and Policies states, Council’s objective is to ensure that the Preston Beach Townsite develops for residential, holiday accommodation and recreational uses in a manner consistent with protection of the environment and landscape of the area. Council’s policies will therefore be to:



- support the District Planning Strategy recommendations for development of the zone with flexibility to adapt to changing circumstances;
- permit, at the discretion of Council, a range of uses compatible with the character and intent of the zone;
- require that development be of a scale, construction and appearance which is, in the opinion of Council, appropriate to the area;
- ensure that development has minimal adverse impact on the Yalgorup National Park and Coastal reserves which abut the zone;
- implement the adopted Management Plan for the Preston Beach Coast.

Clause 3.3.4 states the process for consideration of applications for uses not defined under the Scheme. The following are the three options available to Council for assessing a Use note listed:

- a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

LEGAL ISSUES/IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

In accordance with the provisions of LPP 1 and Clause 64 of the Deemed Provisions the following public consultation has been undertaken:

- Notification letter sent to all owners in the Preston Beach town site;
- Advertisement published in the local paper circulating the Scheme area (Waroon Harvey Reporter); and
- Advertisement on Shire website.

A 14 day period was provided for comments relating to the application between 11 December 2017 and 2 January 2018. Six (6) submissions were received; 1 of which objected to the proposed development. Some supporting submissions posed questions. Please see **APPENDIX 9.2.3D** for a Schedule of Submissions.

In addition to the LPP 1 required community consultation. NBN Co. conducted a community information session regarding the installation of the infrastructure on 27 April 2017.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The development and use of land for Telecommunications Infrastructure is not deemed to be consistent with any of the defined uses under Schedule 1 - Interpretations of Town Planning Scheme No. 7. As such the application has been considered as a 'Use not listed' in accordance with Clause 3.3(4) of the Scheme.



The application is required to be in accordance with the provisions of State Planning Policy 5.2 – Telecommunications Infrastructure (SPP 5.2). An assessment of the application against the matters to be considered listed in SPP 5.2 is as follows:

- *Be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*

The site is located within a residential area. Given the existing water infrastructure and monopole on the site, the proposal is not considered to greatly detract from the existing amenity of the site. The use of vegetation screening, particularly to the northern boundary will reduce the visual impact of the infrastructure located on the ground level of the lot.

- *Be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;*

The site houses existing telecommunications infrastructure and a water tank. Ground level facilities will be screened from nearby roads and houses by the vegetation located in the reserve that surrounds most of the subject lot. No properties in the vicinity are listed on the Municipal Heritage Inventory or State Heritage Register, therefore the application is not expected to impact on cultural or heritage values in the Shire. Furthermore, the frontage of the lot to Beachcast Close is via a battle-axe and therefore is not expected to detract from a streetscape, vista or a panorama.

- *Not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised;*

The proposed telecommunications infrastructure is not considered to compromise the natural environment, specifically with vegetation clearing, as the proposed mast and base station will be located on an already cleared portion of the subject lot.

No Aboriginal Heritage places are listed within the site or surrounding area. Therefore, the application is not expected to compromise the cultural heritage values of the area.

- *Display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;*

The monopole has a small profile and is the least visually intrusive design for a new base station. The monopole will also remain unpainted in order to blend in as much as possible with the surrounding landscape and existing water tank.

The proposed infrastructure will provide an upgrade to the telecommunications services in Preston Beach. This will enhance the communication capabilities in Preston Beach and provide greater opportunities to users and businesses that operate within the area.

Recommendation

Given the above assessment, the proposal is considered to be consistent with the objectives of the zone and SPP 5.2. For this reason the application is recommended for approval.

Appendices Attached:	Yes	Appendices Numbers:	9.2.3A-D
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM18/02/006

MOVED: CR SNELL

SECONDED: CR PURCELL

That in relation to the proposed installation of Telecommunications Infrastructure at Lot 356 Beachcast Close, Preston Beach, and in accordance with Clause 3.3(4)(a) of the Shire of Waroona Local Planning Scheme No. 7 Council resolves to determine that the application is in accordance with the objectives of the Preston Beach zone and approve the application subject to the following conditions:

- 1. The development shall be carried out and fully implemented in accordance with the details indicated on the application and stamped approved plans.**
- 2. A Landscape Plan shall be submitted to and approved by the Shire of Waroona to achieve screening of the base of the tower and equipment shelter from neighbouring lots. All landscaping shall be installed as per the approved plan within 60 days of the use commencing and thereafter maintained to the satisfaction of the Shire of Waroona.**

Advice Notes:

- A. The applicant is advised that no site works shall commence until a Building Permit has been issued by the Shire of Waroona. This planning approval does not grant consent to commence building works. Furthermore, the proposed development is to comply with the National Construction Code 2015.**
- B. In relation to Condition 2, the Shire of Waroona requires that the Landscaping Plan utilises the recommended species lists listed in appendix A of Local Planning Policy 23.0 – Landscaping. The Shire of Waroona supports the use of endangered or threatened endemic native species in landscaping wherever this is practicable. The Landscaping Plan is to be implemented to the satisfaction of the Shire of Waroona.**

CARRIED 8/0



9.2.4 PROPOSED HOLIDAY HOUSE – LOT 289 (NO. 10) BEACHCAST CLOSE, PRESTON BEACH	
Reporting Officer / Officer's Interest:	Sarah Park, Environmental Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; Nil
Proponent:	Allison Nelson Coogan & Pieter Adriaan Dubbelman
Landowner:	Allison Nelson Coogan & Pieter Adriaan Dubbelman
Date of Report: 06/02/2018	File No.: TP2023
Previous Reference:	N/A
Policy Implications:	Local Planning Policy 1 – Community Consultation Local Planning Policy 26 – Holiday Homes
Statutory Implications:	Planning and Development Act 2005; Planning & Development (Local Planning Schemes) Regulations 2015; Peel Region Scheme 2003; Shire of Waroona Local Planning Scheme No. 7 1996.
Strategic Implications:	Shire of Waroona Strategic Community Plan 2016/17-2025/26; Shire of Waroona Local Planning Strategy 2009.
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No.3 Land Use: Responsible Land Use Planning, and Protecting Rural Land	

PROPOSAL SUMMARY

Council is requested to consider an application for Planning Consent for a 'Holiday House' for eight (8) people at Lot 289 (No 10) Beachcast Close, Preston Beach. A location plan is at **APPENDIX 9.2.4A**.

BACKGROUND / INITIAL COMMENTS

The subject lot is located within the Preston Beach townsite and measures 686m² in area. The topography of the lot slopes from the rear of the lot to the front. The lot boundaries are shared with five (5) other Urban 9 – Preston Beach zoned lots.

The holiday house is proposed to be located in the existing single dwelling that was approved for construction in 2002. The applicant proposes a maximum of eight (8) guests (Holiday Home – Large) at any one time and is proposed to be managed by Aldemor Holiday Services in Preston Beach. A site plan is at **APPENDIX 9.2.4B**, and the Property Management Plan is at **APPENDIX 9.2.4C**.

Previous approvals

A building permit (BA2002072) is issued for a single dwelling and was approved on 30 July 2002.

A building permit (BA 2004056) is issued for a patio and was approved on the 24 May 2004.

PLANNING – STRATEGIC IMPLICATIONS



Local Planning Strategy 2009 (LPS)

The subject lot is designated as Residential and located within the Coastal Precinct. Council's objective is to provide for the enhancement of the Preston Beach Townsite.

Primary Uses of the designated area include: Single House, Grouped Dwelling, Home Occupation, and Home Office.

REFERRALS

Upon referral to internal departments the following comments were received:

- Director of Technical Services:
 - o on-street parking shall not be allowed,
 - o there shall be sufficient space within the lot to accommodate three parking spaces.

- Health Services:
 - o Must comply with Health Act and Health Regulations;
 - o Septic System must not be used as a trafficable area;
 - o Must comply with Noise Regulations;

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

Shire of Waroona Strategic Community Plan 2016/17-2025/26

This item relates to Theme 3: Land Use – Responsible Land Use Planning and Protecting Rural Land.

FINANCIAL ISSUES/IMPLICATIONS

The planning consent application fee of \$222 has been received. Should Council resolve to approve the application an annual renewal fee (currently \$73) will be applicable.

POLICY ISSUES/IMPLICATIONS

Local Planning Policy 1 – Community Consultation

The objective of this policy is to ensure that an appropriate level of community notification is undertaken to keep any potentially affected landowners aware of a development proposal and to allow them opportunity to make a submission to allow their concerns to be considered by Council prior to making a decision.

The policy requires that an application for a Discretionary Use under the Zoning Table is to be advertised to owners and occupiers of affected neighbouring properties for a period of 14 days.

Local Planning Policy 26 – Holiday Homes

LPP 26 aims to regulate short stay accommodation in order to minimise uncertain legal environment, issues of inequity with other service providers and land use conflict. Implementation of the policy ensures a high standard of development and management of holiday homes and minimise potential adverse impacts on the amenity of neighbouring residential lots. The policy regulates the subject land use in order to contribute to the high standard of amenity for this section of the tourism industry in Preston Beach.

The objectives of this policy are to:

- To recognise the increasing market demand for holiday homes within the Shire of Waroona and to provide operators and other stakeholders with clarity on the issues that Council wishes to address.
- To encourage holiday homes in residential dwellings in appropriate zones and locations where the proponent addresses relevant issues and suitably manages the use on an ongoing basis.
- To ensure that these types of uses do not compromise the amenity of residential areas or nearby residents.
- Encourage operators to abide by recognised best practice, relevant legislation and this policy.
- To support the role of holiday homes as part of the tourism industry.

The policy was adopted in June 2012 and is based on the following state government documents:

- Western Australian Planning Commission Guidelines: Holiday Homes - Short Stay Use of Residential Dwellings;
- Tourism Council Western Australia Holiday Home Rental Best Practice Standards; and
- Planning Bulletin 99 – Holiday Home Guidelines.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Act provides the statutory head of power for enforcement of Local Planning Schemes and regulations made under the Act.

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2 - Deemed Provisions for local planning schemes Clause 60 Requirement for Development Approval states the following:

“A person must not commence or carry out any works on, or use, land in the Scheme area unless —

- (a) the person has obtained the development approval of the local government under Part 8; or*
- (b) the development is of a type referred to in clause 61.”*

Peel Region Scheme 2003 (PRS)

Under the Peel Region Scheme the subject lot is zoned Urban.



Cl.12 Purposes of zones, states:

Land is classified into zones under the scheme for the following purposes –

- a) Urban — to provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities.

Shire of Waroona Local Planning Scheme No. 7 1996

The subject lot is located within the ‘Urban 9 – Preston Beach’ zone of the Shire of Waroona Town Planning Scheme No. 7 (TPS 7) and is subject to Clause 3.12 of TPS 7.

Clause 3.12.1, Objective and Policies states, Council’s objective is to ensure that the Preston Beach Townsite develops for residential, holiday accommodation and recreational uses in a manner consistent with protection of the environment and landscape of the area. Council’s policies will therefore be to:

- support the District Planning Strategy recommendations for development of the zone with flexibility to adapt to changing circumstances;
- permit, at the discretion of Council, a range of uses compatible with the character and intent of the zone;
- require that development be of a scale, construction and appearance which is, in the opinion of Council, appropriate to the area;
- ensure that development has minimal adverse impact on the Yalgorup National Park and Coastal reserves which abut the zone;
- implement the adopted Management Plan for the Preston Beach Coast.

A Holiday Home is a “D” Use under Clause 3.2 Zoning Table.

LEGAL ISSUES/IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

In accordance with the provisions of LPP 1 and Clause 64 of the Deemed Provisions, notification letters were sent to adjoining/affected neighbours and advertised on the Shire website.

A 14 day period was provided for comments relating to the application between 16 January 2018 and the 30 January 2018.

Of the seven (7) adjoining / affected neighbour’s one (1) objection to the proposal was received. A schedule of submissions summarising and addressing the objection is at **APPENDIX 9.2.4D**.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The development and use of land for a ‘Holiday House’ is consistent with the objective of the Preston Beach zone including, ensuring that the townsite develops for residential and holiday accommodation.



The application is required to be considered in accordance with the provisions of Local Planning Policy 26 – Holiday Homes (LPP 26). An assessment of the application against the matters to be considered in LPP 26 is as follows:

- A minimum of three parking bays are required for the proposed ‘Holiday House’. The dimensions of a parking bay under AS2890.1 2004 are 5.4m long, 2.4m wide. The property has sufficient space to accommodate 3 parking bays on-site as per the Australian Standard.
- No on-street parking is permitted or proposed with the application.
- Waste services contracted by the Shire and provided by Cleanaway extend to the Preston Beach locality. It is recommended that an advice note be included so the applicant is aware they will need to organise a waste collection at the subject site.
- Details of the septic system are included in the application. Upon referral to the Environmental Health Officer, no comment was received regarding the existing effluent disposal systems capacity. However, Regulation 49, Part 7 of the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974* provides standards for combined systems, other than blocks of flats or units with more than 4 bedrooms. The application site plan shows two septic tanks and four soak wells. This is consistent with using three or more bedrooms in the dwelling.
- A Property Management Plan was prepared by Aldemor Holiday Services and submitted with the application. The Management Plan is consistent with the provisions of the Policy including:
 - a) Details of the agreement with the management company including maintenance and cleanliness. As well as contact information. The management company is located within Preston Beach and therefore within 1 hour from the subject lot.
 - b) Code of conduct within the Management Plan is limited to noise restrictions.
 - c) Noise pollution is addressed within time restrictions and a “no extreme party policy” that is in place.
- A Fire and Emergency Plan was submitted as part of the Property Management Plan.
- In regards to potential noise pollution, it is noted that the Property Management Plan details noise restrictions as follows:
 - Music being played must be reduced to an inaudible level outside the property by 10pm;
 - A No Extreme Party Policy is in place and/or nuisance call outs will result in immediate removal of the occupants;
 - The name and contact details of the management company will be distributed to the immediate neighbours and all complaints should be directed to Aldemor.

It is also noted that the Property Management Plan states that one of the two Preston Beach managers will be available 24 hours a day, 7 days a week.

Therefore, the impact of noise on the amenity of neighbouring residents that may be caused by patrons staying at the holiday home is considered to be addressed by the proposed Property Management Plan.

The Property Management Plan is consistent with all requirements stipulated under the policy. Should Council resolve to approve the application it is recommended that a condition be included regarding the information pertaining to the management company contact details, emergency conducts details and code of conduct be displayed in the holiday house in order to make the holiday house compliant with the policy provisions.

Given the above assessment, the proposal is considered to be consistent with the objectives of the zone and provisions of LPP 26 and is recommended for approval.

Appendices Attached:	Yes	Appendices Numbers:	9.2.4A-D
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM18/02/007

MOVED: CR WRIGHT

SECONDED: CR SCOTT

That in relation to the proposed Holiday House (Large) at Lot 289 (No. 10) Beachcast Close Preston Beach, Council resolves to approve the application subject to the following conditions:

- a. The Holiday House (Large) hereby approved shall occur in accordance with the plans and specifications approved with the application and these shall not be altered or modified without the prior written approval of Council.**
- b. No more than eight (8) guests are to be accommodated in the Holiday House at any one time.**
- c. A minimum of three (3) car parking bays are to be provided for on-site. Car parking bays are to comply with Australian Standard 2890.1 2004 (as amended). All parking associated with the Holiday House shall be contained wholly on site. No verge parking is permitted.**
- d. The Holiday House Management Plan prepared by Aldemor Holiday Services at Preston Beach submitted by the applicant and dated 1 January 2018 is to be implemented to the satisfaction of the Shire of Waroona.**
- e. The following information is to be displayed in the Holiday House:**
 - Caretaker/manager or Management Company and its contact details.**
 - Emergency contact details.**
 - Code of Conduct.**
 - Fire and Emergency Response Plan.**

- 6. The Planning Consent for the Holiday House shall expire at the end of one (1) year from the notice of approval.**

ADVICES NOTES:

- A. Please note that this Planning Consent must be renewed before the one (1) year approval period expires for the Planning Consent to remain valid.**
- B. Any proposed changes to the nature of the Holiday House or any of the conditions of approval requires the consent of Council.**
- C. Please note that the landowner / property manager of the property shall remain responsible for the management of the conduct and behaviour of the occupants of the Holiday House at all times in order to preserve the amenity of the area.**
- D. The owner is encouraged to prepare a Fire and Emergency Plan. The Fire and Emergency Plan may include the provision of the following fire safety measures:**
- Provision of fire extinguishers, fire blankets and internal hardwired smoke alarms.**
 - Outside barbeques to be gas or electric.**
 - Emergency Evacuation Plan.**
 - Access to water supply.**
- E. The Building Regulations (2012) require the owner of a dwelling to have compliant smoke alarms installed prior to the transfer of ownership, or when a dwelling is made available for rent or hire. Owners must ensure that the smoke alarm(s):**
- Are in accordance with the Building Code of Australia (BCA) applicable at the time of installation of the alarms (the BCA specifies the minimum standards and location that smoke alarms must comply with); and**
 - Are not more than 10 years old at the time of the transfer of ownership, or making the dwelling available for rent or hire; and**
 - Are in working order; and**
 - Are permanently connected to consumer mains power.**
- F. In dwellings where the construction of the building does not permit a space to conceal the wiring or where no mains power is available, smoke alarms with a 10 year battery life may be permitted.**

- G. The Holiday home owner is encouraged to become a member of a suitable holiday house accreditation agency. See the Tourism Council of WA's website for further detail (<http://www.tourismcouncilwa.com.au/accreditation>).**
- H. The applicant is advised that waste is to be removed from the lot to the satisfaction of the Shire of Waroona. Please contact the Shire to register for waste collection.**

CARRIED 8/0

Cr Walmsley declared a financial interest in Item 9.2.5, as he was a shareholder of South West Irrigation Management Cooperative, and left the meeting, the time being 4.16 pm. The Deputy Shire President, Cr Larry Scott took the Chair.

9.2.5 PLANNING CONSENT FOR PIPELINE EXTENSION – VARIOUS LOTS AND ROAD RESERVES: DORSETT ROAD, GIBBINGS ROAD, WILLIAMSON ROAD AND PEEL ROAD WEST	
Reporting Officer / Officer's Interest:	Sarah Park, Environmental Planner; Nil
Responsible Officer / Officer's Interest	Leonard Long, Manager Development Services; Nil
Proponent:	South West Irrigation Management Cooperative
Landowner:	Shire of Waroona; KR & VS Lewis; RT & HS Pollock; AR & DL Johnson; BP & PG Italiano; PG & JL Stacey; Teklite PTY LTD; RJ & WA Hull; Bulla Nominees; Gaebler Management; AJ Neill; and Sprock.
Date of Report: 05/02/2018	File No.: TP2022
Previous Reference:	N/A
Policy Implications:	Local Planning Policy 1 – Community Consultation.
Statutory Implications:	Planning and Development Act 2005; Planning & Development (Local Planning Schemes) Regulations 2015; Peel Region Scheme 2003; Shire of Waroona Local Planning Scheme No. 7 1996.
Strategic Implications:	Shire of Waroona Local Planning Strategy 2009. Shire of Waroona Strategic Community Plan 2016/17-2025/26
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): <i>No.3 Land Use: Responsible Land Use Planning, and Protecting Rural Land</i>	

PROPOSAL SUMMARY

Council is requested to consider an application for Planning Consent for Pipeline infrastructure at Lots 1 (No. 236), 1 (No. 883), 2 (No. 428), 50 (No. 793), 51 (No. 793), 65, 66, 500 and 1395 (No. 428) Dorsett Road, Lots 1426, 16 (No. 762), 15 (No. 704) and 914 Gibbings Road and Lots 4, 5 and 6 Williamson Road, Dorsett Road Reserve, Williamson Road Reserve, Peel Road West Reserve and Gibbings Road Reserve, Waroona



BACKGROUND / INITIAL COMMENTS

Numerous landowners at Dorsett and Gibbings Road have requested that the water pipeline infrastructure, owned by South West Irrigation Asset Cooperative (Harvey Water), be extended along / adjacent the subject roads.

The proposed pipeline will provide water for stock and include fire hydrant services on Dorsett Road and Gibbings Road. The applicant proposes 11,500 metres of pipe (280mm to 110mm in diameter), 12 x 50 millimetre supply points and six (6) pre-installations for future supply points. The pipeline is proposed to be installed in the firebreaks of the landowner's lots with the exception of three locations. The pipeline is proposed to be installed within the road reserve at the following locations:

- Dorsett Road from the end of the existing pipe to Peel Road;
- Peel Road (northern side) from Dorsett Road intersection to Lot 56; and
- Gibbings Road (eastern side) from Dorsett Road intersection for approximately 800m.

Two (2) fire hydrants are proposed to be installed on Dorsett Road and Gibbings Road at locations where access is safe for fire trucks.

The road crossings are proposed to be completed by directional drilling, which should maintain the structural integrity of the sealed surfaces and reduce the potential for road hazards to drivers.

A location plan is at **APPENDIX 9.2.5A** and site plans at **APPENDIX 9.2.5B**.

PLANNING – STRATEGIC IMPLICATIONS

Local Planning Strategy 2009 (LPS)

The subject lots are designated as General Agriculture and located within the General Agriculture Precinct. Council's objective is to provide for the continued use of the area for a range of agriculture pursuits and low-key tourist establishments.

Primary Uses of the designated area include: Single House, Home Occupation, Home Office, Agriculture – Extensive and Rural Pursuit.

REFERRALS

Upon referral to internal departments for comment no concerns were raised.

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

Shire of Waroona Strategic Community Plan 2016/17-2025/26

This item relates to Theme 3: Land Use – Responsible Land Use Planning and Protecting Rural Land.

FINANCIAL ISSUES/IMPLICATIONS

The planning consent application fee of \$691.20 has been received.

POLICY ISSUES/IMPLICATIONS



Local Planning Policy 1 – Community Consultation

The objective of this policy is to ensure that an appropriate level of community notification is undertaken to keep any potentially affected landowners aware of a development proposal and to allow them opportunity to make a submission to allow their concerns to be considered by Council prior to making a decision.

The policy states that where, in the opinion of the Director / Manager Development Services a proposal is considered to have no adverse impact beyond the property boundary the application will be deemed to have ‘no impact’.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Planning and Development Act 2005

The Act provides the statutory head of power for enforcement of Local Planning Schemes and regulations made under the Act.

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2 - Deemed Provisions for local planning schemes Clause 60 Requirement for Development Approval states the following:

- “A person must not commence or carry out any works on, or use, land in the Scheme area unless —*
- (a) the person has obtained the development approval of the local government under Part 8; or*
 - (b) the development is of a type referred to in clause 61.”*

Peel Region Scheme 2003 (PRS)

Under the Peel Region Scheme the subject lots are zoned Rural.

Cl.12 Purposes of zones, states:

Land is classified into zones under the scheme for the following purposes –

- a) “Rural — to provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals, provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments.”*

Shire of Waroona Local Planning Scheme No. 7 1996 (TPS)

The subject lot is located within the ‘Rural 1 – General Farming’ zone of the Shire of Waroona Town Planning Scheme No. 7 (TPS 7) and is subject to Clause 3.13 of TPS 7.

Clause 3.13.1, Objective and Policies states, Council’s objective is to preserve the rural character of the District’s farming lands and to ensure that they continue to contribute materially to the District’s economy, whilst recognising that changes in land use practices will affect land management and the landscape generally.

Council’s policies will therefore be to:

- permit land uses consistent with achieving the objective;
- permit, at Council discretion, Rural Industry;



- require that Intensive Agriculture be subject to the Planning Consent of Council;
- support community endorsed objectives of minimising phosphorous run-off to the Peel-Harvey Estuary including protection of remnant vegetation;
- maintain open rural atmosphere by encouraging generous setbacks.

The proposed infrastructure is a use which is not directly defined or listed in the scheme, Clause 3.3.4 states the process for consideration of applications for uses not defined under the Scheme. The following are the three options available to Council for assessing a Use not listed:

- d) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- e) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- f) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

LEGAL ISSUES/IMPLICATIONS

See Statutory Issues.

COMMUNITY CONSULTATION

The proposal is considered to no impact in accordance with LPP1, as such community consultation is not required.

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The development of a pipeline is not deemed to be consistent with any of the defined land uses under Schedule 1 - Interpretations of Town Planning Scheme No. 7. As such the application has been considered as a 'Use not listed' in accordance with Clause 3.3(4) of the Scheme.

The proposal is not considered to have any impact outside of the subject lots as the infrastructure will be underground with sufficient distance to lot boundary to ensure the ground of adjacent lots is not disturbed. There are no ongoing amenity impacts and the development of additional hydrants provides additional firefighting capacity in the locality.

The proposal is considered to be in accordance with the objectives of the General Agriculture zone and Local Planning Strategy and is therefore recommended for approval.

Appendices Attached:	Yes	Appendices Numbers:	9.2.5A & B
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VOTING REQUIREMENTS

Simple Majority



COUNCIL RESOLUTION**OCM18/02/008****MOVED: CR DEW****SECONDED: CR WRIGHT**

That in relation to the proposed pipeline at Lots 1 (No. 236), 1 (No. 883), 2 (No. 428), 50 (No. 793), 51 (No. 793), 65, 66, 500 and 1395 (No. 428) Dorsett Road, Lots 1426, 16 (No. 762), 15 (No. 704) and 914 Gibbings Road and Lots 4, 5 and 6 Williamson Road, Dorsett Road Reserve, Williamson Road Reserve, Peel Road West Reserve and Gibbings Road Reserve, Waroona, Council grants landowners consent for the application and in accordance with Clause 3.3(4)(a) of the Shire of Waroona Local Planning Scheme No. 7 resolves to determine that the application is in accordance with the objectives of the General Agriculture zone and approve the application subject to the following condition:

1. The development shall be carried out and fully implemented in accordance with the details indicated on the application and stamped approved plans.

CARRIED 7/0

Cr Walmsley returned to the meeting, the time being 4.17 pm, and resumed the Chair.

9.2.6 SMALL BUSINESS FRIENDLY LOCAL GOVERNMENTS INITIATIVE	
Reporting Officer / Officer's Interest:	Brad Vitale – Community Development Officer / No interest
Responsible Officer / Officer's Interest	Louis Fouche – Director Development Services / No interest
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 13/02/18	File No.: 121/2
Previous Reference:	N/A
Policy Implications:	Policy No. 3.4 – Local Purchases
Statutory Implications:	Nil.
Strategic Implications:	Strategic Community Plan 2016/17 – 2025/26; Economic Development Strategy 2015 – 2025; PDC Regional Investment Blueprint
Financial Implications:	\$500 allocation in budget to undertake activities identified in the initiative
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan</i>) Theme 1: <i>Local Economy</i>	

PROPOSAL

It is proposed that the Shire joins the Small Business Friendly Local Government Initiative developed by the Government of Western Australia Small Business Development Corporation and that the Shire President and CEO be authorised to sign the Small Business Friendly Local Governments Charter.

BACKGROUND

Accounting for 97% of all businesses in Western Australia, small business has a significant impact on the economy. Small business owners create local employment, provide essential goods and services and help create attractive, liveable communities. The right mix of small businesses can create a sense of vibrancy and attract people to live, work and visit.

Local governments can have a significant influence over how attractive their area is for businesses to set up, and established businesses to grow. They also play a key role in the lifecycle of a small business as most of the interactions business owners have with government are at a local level.

To help build stronger, more productive relationships between small business and local government, the Small Business Development Corporation has developed the Small Business Friendly Local Governments initiative. The initiative aims to recognise local governments that are working to support their small business communities.

Taking part in the initiative means that the local government has committed through a Charter to work with, and support small businesses by adopting three 'standard' activities and at least three 'flexible' activities that suit the particular local government and community.

The three 'standard' activities include:



- Adopting a policy to pay invoices from small business suppliers within 30 days;
- Regularly meeting with and consulting members of the local small business community to improve our understanding of their needs; and
- Introducing and promoting a timely and cost effective process to manage any disputes arising between the local government and small business clients.

The three 'flexible' activities may include, but are not limited to:

- Surveying local small businesses to assess their needs;
- Accepting online payments;
- Introducing deemed approvals;
- Simplifying processes and forms;
- Providing more small business information on the local government's website;
- Improving communication and customer service;
- Encouraging 'buy local' shopping campaigns;
- Supporting business incubators or start-up spaces
- Offering contracts to local small business suppliers;
- Introducing an economic development team; and
- Facilitating small business forums and events.

After committing to the initiative, the local government will be able to use the Small Business Friendly Local Government logo on print and online publications, and will be listed on the Small Business Friendly Local Government website and in other marketing material associated with the initiative. The local government will be required to complete a simple report card twice a year to review the success of the initiative.

Benefits for local governments and community of being small business friendly include:

- Creating a desirable location to live and to establish a business;
- Supporting the local economy including providing employment opportunities;
- Building vibrancy in the community;
- Meeting the need of ratepayers for local goods and services; and
- Collaborating and sharing with other small business friendly local governments.

POLICY IMPLICATIONS

The following policy is a demonstration of Council's support of local small business which the Small Business Development Corporation promotes as being a small business friendly activity:

Policy No. 3.4 – Local Purchases

- a. That all purchases be made locally if possible and if the price is not more than 10% above the best price obtainable outside the Shire;
- b. That Council clearly record its preference to use local contractors and subcontractors on major projects, provided that the price is not more than 5% above the best price obtainable outside the district; and
- c. These policies are adopted as a guideline to Council and Staff and acknowledge that Council has the right to accept a tender or contract for any goods or services that it deems fit and which it considers to be in the best interests of Council and the ratepayers. It also acknowledges that on occasions limitations of available finance may preclude Council from strictly adhering to this policy.



FINANCIAL IMPLICATIONS

Previously the Shire has allocated funding to contribute towards the hosting of business information sessions and sundowners facilitated in collaboration with the Peel Chamber of Commerce and Industry. This funding was to the amount of \$500 and was allocated to the community functions account in the Community Development department.

There is \$500 funding available in this financial year's budget should Council wish to host a business forum, or activity of a similar nature, otherwise a budget submission can be made for the 2018/19 financial year's budget.

Other identified small business friendly activities related to the drafting and implementation of policies and strategies, regulatory services, meetings / advice, and website content are not specifically quantified in a directly attributed cost, but rather in-kind through existing budgeted staff time and resources.

STATUTORY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Shire of Waroona Strategic Community Plan 2016/17 – 2025/26

The relevant Strategic Community Plan 2016/17 – 2025/26 area is Theme 1 – Local Economy. Relevant strategies include:

- 1.05 Support the establishment of businesses and industries which complement existing activities within the Shire;
- 1.07 Work with Government Agencies to attract appropriate industries; and
- 1.08 Support the Chamber of Commerce in encouraging the establishment of new businesses in the Shire.

Shire of Waroona Economic Development Strategy 2015 – 2025

The initiative also aligns with the Shire's Economic Development Strategy, particularly with Strategy Four - Work to help to retain, grow and expand business and industry within Waroona.

This strategy details that:

“Small business represents 97% of all businesses in Western Australia and it is therefore extremely important that the Shire works closely with the small business sector to create and maintain a strong and resilient local community. While partnerships with local, regional and state business organisations can result in initiatives that will attract new business it is also important to support and nurture existing local businesses to create the right conditions for them to expand and create additional employment.”

Peel Development Commission Regional Investment Blueprint



The initiative also aligns with the Peel Development Commission's Regional Investment Blueprint, particularly with Focus Area One – Thriving Industry, which aims to achieve new and expanded market opportunities, and establish an integrated network of prosperous regional communities.

This focus area states the following for Waroona:

Through the establishment of a Peel Economic and Employment Alliance, Peel Development Commission will work with the Shire of Waroona to:

- a. Identify community and business initiatives to upgrade and revitalise the town's central business district to attract investment in sectors that are strategically positioned to grow;
- b. Plan for appropriate facilities in the central business districts of Waroona and Preston Beach to meet growth needs;
- c. Host business growth events to assist people considering establishing new businesses;
- d. Support the Chamber of Commerce in encouraging the establishment of new businesses and supporting existing businesses; and
- e. Promote availability of serviced land for residential, commercial and industrial use to underpin new and/or expanded growth.

COMMUNITY CONSULTATION

Nil.

OFFICER'S COMMENTS

The Small Business Development Corporation's Small Business Friendly Local Governments initiative is an opportunity for the Shire to participate in a recognised State initiative focused on the development of small businesses. The initiative is simple to adopt within the Shire's Community Development program.

There are a number of activities identified in the initiative that the Shire already facilitates or participates in including:

- Annual corporate membership of the Peel Chamber of Commerce and Industry;
- Regular liaison / meetings with the Peel Chamber of Commerce and Industry;
- Encouraging the 'buy local' shopping campaign;
- Implementing the Local Purchases Policy;
- Hosting and facilitating local business forums and events;
- Assisting the Peel Chamber of Commerce and Industry to form a local business support group;
- Establishing the Economic and Tourism Committee; and
- Publishing a link on the Shire website to take small business owners to resources available on the Small Business Development Corporation website, including the Business Licence Finder.

To be involved in this initiative the Shire will be required to sign the Charter (**Appendix 9.2.6A**) and adhere to the conditions, most notably:

- Work towards ensuring all invoices from small business suppliers are paid within 30 days;



- Regularly meet and consult with the small business community, including small business operators and members of representative bodies, to assist their understanding of small business needs in their local area;
- Implement a timely, cost-effective and non-judicial process to manage any disputes it may have with small businesses and to publish details of this process on its website (this could include referring the dispute to an independent dispute resolution service as offered by the Small Business Development Corporation); and
- Complete and submit a report card twice a year.

Appendices Attached: Yes	Appendices Numbers: 9.2.6A Small Business Friendly Local Government Charter 9.2.6B List of Small Business Friendly Local Governments and Activities
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VOTING REQUIREMENTS

Simple Majority.

COUNCIL RESOLUTION

OCM18/02/009

MOVED: CR SALERIAN

SECONDED: CR SNELL

That in relation to the Small Business Friendly Local Government Initiative implemented by the Small Business Development Corporation, the Committee recommends to Council that the Shire of Waroona:

- 1. Participate in the Small Business Friendly Local Governments Initiative; and**
- 2. Authorise the CEO and Shire President to sign the Small Business Friendly Local Governments Charter.**

CARRIED 8/0



9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.3.1 ACCOUNTS FOR PAYMENT	
Reporting Officer / Officer's Interest:	Kathy Simpson, Finance Officer / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 7/2/18	File No.: 1/3
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	
Voting Requirements	Simple Majority

Appendices Attached:	Yes	Appendices Numbers: 9.3.1
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COUNCIL RESOLUTION**OCM18/02/010****MOVED: CR MASON****SECONDED: CR DEW****That Vouchers numbered:**

<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal	Cheques 8787 - 8845	\$85,535.89
Trust (Cheque/EFTs)	EFT26540-26542,26604,26673,26837,26838 Chq: 11154-11161	\$24,721.92
Electronic Transfers Municipal Fund	EFT 26503 to 26929	\$1,224,981.19
Direct Wages	01/12/17 – 31/12/17 inclusive 01/01/18 – 31/01/18 Inclusive	\$462,289.60
Direct Debits	01/12/17 – 31/12/17 01/01/18 – 31/01/18	\$2,312.16
GRAND TOTAL:		<u>\$1,799,840.76</u>

and attached at Appendix 9.3.1 be endorsed.**CARRIED 8/0**

9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2017 TO 31 DECEMBER 2017 AND 1 JULY 2017 TO 31 JANUARY 2018	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Corporate Services / Nil
Responsible Officer / Officer's Interest	Ashleigh Nuttall – Manager Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 13/2/18	File No.: 1/1
Previous Reference:	N/A
Policy Implications:	N/A
Statutory Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): No. 6 "Active Civic Leadership, Good Governance, & Excellence in Management"	
Voting Requirements	Simple Majority

Appendices Attached: Yes	Appendices Numbers: 9.3.2
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<p><u>COUNCIL RESOLUTION</u> OCM18/02/011 MOVED: CR SNELL SECONDED: CR MASON</p> <p>That the Monthly Statements of Financial Activity for the period 1 July 2017 to 31 December 2017 and 1 July 2017 to 31 January 2018 be received and noted.</p> <p style="text-align: right;">CARRIED 8/0</p>

9.3.3 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN – 1ST JANUARY 2017 TO 31ST DECEMBER 2017	
Reporting Officer / Officer's Interest:	Ashleigh Nuttall – Manager Corporate Services; Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy Chief Executive Officer/Director Corporate Services; Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 15/02/2018	File No.: 193/1
Previous Reference:	N/A
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): <i>No 6 Good Government: Active & Responsible Civic Leadership, & Excellence in Management</i>	

PROPOSAL SUMMARY

Council is requested to adopt the Compliance Audit return for the twelve month period 1st January 2017 to 31st December 2017.

BACKGROUND / INITIAL COMMENTS

The Compliance Audit is a self-assessment tool that allows Council to monitor how the organisation is functioning in relation to meeting a range of its statutory obligations under the Local Government Act 1995 and its regulations.

As per recent advice this return is completed online through the Department of Local Government, Sport and Cultural Industries Smart Hub portal.

The Department assesses these returns to examine each Local Governments compliance and identify any areas of improvement with relation to regulatory compliance.

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

Nil

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 6 “Active Civic Leadership, Good Governance & Excellence in Management.

FINANCIAL ISSUES/IMPLICATIONS

Nil

POLICY ISSUES/IMPLICATIONS



Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Local Government Act 1995 Section 7.13 (i)
Local Government (Audit) Regulations 1996 Section 13
Local Government (Audit) Regulations 1996 Section 14
Local Government (Audit) Regulations 1996 Section 15

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S FINAL COMMENTS/CONCLUSIONS

No issues of non-compliance were observed during preparation of the return.

Appendices Attached:	Yes	Appendices Numbers:	9.3.3
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VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION

OCM18/02/012

MOVED: CR DEW

SECONDED: CR WRIGHT

**That the Compliance Audit Return for the Shire of Waroona for the period
1st January 2017 to 31st December 2017 be adopted**

CARRIED 8/0



9.3.4 LOCAL GOVERNMENT ELECTIONS 2018-2023 INCLUSIVE	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy CEO / Director Corporate Services; Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy Chief Executive Officer/Director Corporate Services; Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 20/02/2018	File No.:6/1
Previous Reference:	N/A
Policy Implications:	<i>Nil</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP):	
<i>No 6 Good Government: Active & Responsible Civic Leadership, & Excellence in Management</i>	

PROPOSAL SUMMARY

The Council has received confirmation from the Electoral Commissioner agreeing (in accordance with Section 4.20 (4) of the Local Government Act 1995) to conduct all elections and any other polls for the Shire of Waroona until the end of 2023.

The Council is therefore required to endorse the acceptance and formalise the appointment.

BACKGROUND / INITIAL COMMENTS

The Council at its ordinary meeting held 28 November 2017 resolved by absolute majority as follows:

“That the Council seeks written agreement in accordance with Section 4.20(4) of the Local Government Act 1995 for the Electoral Commissioner to conduct all elections, polls and referendums until the end of 2023.”

PLANNING – STRATEGIC IMPLICATIONS

Nil

REFERRALS

N/A

STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 6 “Active Civic Leadership, Good Governance & Excellence in Management.

FINANCIAL ISSUES/IMPLICATIONS

The Council is required to provide funding for each election (biennial) which is based on a quotation supplied by the Commission.



Assumptions are made when providing this quote (eg number of candidates) and adjustments made if necessary.

POLICY ISSUES/IMPLICATIONS

Nil

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The Electoral Commissioners appointment is finalised in accordance with Section 4.20(4) of the Local Government Act 1995.

The method of conducting the election (ie postal) is declared in accordance with section 4.61(2).

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

N/A

OFFICER'S FINAL COMMENTS/CONCLUSIONS

The following resolutions are required in order to finalise the appointment.

1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995 the Electoral Commissioner to be responsible for the conduct of all elections and polls until the end of 2023.
2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the elections or polls will be postal.

Appendices Attached:	No	Appendices Numbers:
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VOTING REQUIREMENTS

Absolute Majority



COUNCIL RESOLUTION

OCM18/02/013

MOVED: CR MASON

SECONDED: CR PURCELL

That the Council:

- 1. In accordance with Section 4.20(4) of the Local Government Act 1995 declares the Electoral Commissioner to be responsible for the conduct of all elections, polls or referendums up until the end of 2023; and**
- 2. In accordance with Section 4.61(2) of the Local Government Act 1995 decides that the method of conducting the elections, polls or referendums will be postal.**

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.5 BUDGET REVIEW FOR THE PERIOD 1ST JULY 2017 TO 31ST JANUARY 2018	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy CEO/Director Corporate Services/Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services/Nil
Proponent:	Not Applicable
Landowner:	Not Applicable
Date of Report: 19/2/18	File No.: 1/7
Previous Reference:	2017/18 Adopted Budget
Policy Implications:	<i>See heading below</i>
Statutory Implications:	<i>See heading below</i>
Strategic Implications:	<i>See heading below</i>
Financial Implications:	<i>See heading below</i>
LINKED TO STRATEGIC OBJECTIVE NUMBER (<i>Strategic Community Plan-SCP</i>): E, No. 6 “Active Civic Leadership, Good Governance, & Excellence in Management”	

PROPOSAL SUMMARY

Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year. The review is to be submitted to Council within 30 days of determination.

The review of an annual budget for a financial year must –

1. Consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
2. Consider the local government's financial position as at the date of the review and
3. Review the outcomes for the end of that financial year that are forecast in the budget.

Within 30 days after a council has made a determination, a copy of the review and council's determination is to be submitted to the Department.

Included with the agenda at **APPENDIX 9.3.5A** is a detailed financial report (including predicted financial position as at 30th June 2018) pertaining to the 2017/18 budget. The report covers the 7 months period to 31st January 2018 by which this review is based.

FINANCIAL ISSUES/IMPLICATIONS

Entire contents of report are financial based.

POLICY ISSUES/IMPLICATIONS

This report considers the Council Policy in relation to material variances which states that “The materiality factor of highlighting variances (budget to actual) shall be 10% with a minimum of \$25,000.

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

The budget review is conducted in accordance with the following:

- Local Government Act 1995
- Local Government Financial Management Regulations
- Council Policies and Procedures

LEGAL ISSUES/IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Not applicable for a budget review

OFFICER'S COMMENTS**1. Operating Income****General Purpose Funding**

Interim rating income of \$21,176 has been received to period end. The majority of this amount has been derived from GRV rates as a result of building licences. With the exception of the last several financial years this would be expected normal growth within the Shire.

Investment Interest – Municipal Fund investment interest is likely to be slightly below budget estimates at year end, however no budget amendment is proposed.

Federal Government Grants – As previously advised to the Council final allocation details of the Councils 2017/18 Financial Assistance Grants (FAG's) were received after budget adoption and resulted in a substantially less amount of \$68,000. Immediate action was taken to suspend identified projects within the budget and these are considered within this report.

Governance

The Council has received \$12,308 in unbudgeted income as a credit from its participation in the Local Government Insurance Scheme (LGIS).

Normal practice would be to allocate these funds to the "Insurance and Risk" Reserve however with the Council facing a backlog of IT infrastructure upgrade, this amount is proposed to be allocated to the "Information Technology" Reserve and utilised in 2018/19.

Health

Health/Resource Centre – The Council has been unsuccessful in attracting a large tenant although a small tenancy (\$500/month) has been negotiated with the Bendigo Bank. Budget income expected to be achieved.

Recreation and Culture

Recreation & Aquatic Centre – Overall income is consistent with budget at review period end. There are however inconsistencies between individual income areas e.g. dry areas, wet area etc. This information is used to ensure more accurate estimates in subsequent budgets and financial plans.

Councillors are reminded that expected funding of \$35,000 has been withdrawn by the State Government. Expenditure from this grant was proposed to carry out essential maintenance on the aquatic centre roof which has now been placed on hold.

Sundry Debtor Control

No doubtful debts likely to impact the end of year position have been identified. 82.48% of rates were collected as at 31st January 2018 compared with 83.44% for the same period last financial year.

2. Operating Expenditure

Governance

A budget amendment will be necessary to provide for a Long Service Leave payment relating to former employee Paul Webb.

Law, Order & Public Safety

Emergency Management – Emergency Management accounts including brigade management and ESL allocations were restructured in adopting the 2017/18 budget.

This restructure may result in subsequent budget amendments at the conclusion of the financial year.

Community Amenities

Town Planning – Expenditure of \$10,000 associated with the development of a Local Planning Strategy and updated Heritage Inventory remains unspent at period end and appears unlikely to be required by 30th June 2018. This amount is proposed for reallocation.

Recreation & Culture

Waroona Memorial Hall – “Emergency” expenditure of \$73,000 associated with urgent repairs to the Lesser Hall were allocated from the Councils “Building Asset Maintenance Reserve”.

Subsequent to the emergency repairs the Council resolved (OCM 17/11/119) to carry out quoted remedial works to the town main hall ceiling with funds to be transferred from the Councils “Council Building Construction Reserve”

The above works have been assessed as a capital upgrade to the hall building and as such must be treated as capital expenditure.



The following summary of these projects and subsequent budget amendments if Reserve funds are utilised are summarised as follows.

MEMORIAL HALL CAPITAL UPGRADE PROJECT	
Capital Upgrade - Main Hall	\$123,542
- Supper Room	\$73,060
	\$196,602
Capital Account 124740.660	\$196,602
Budget Amendment OCM17/11/119	-\$145,000
Proposed Budget Amendment February OCM	\$51,602
TOTAL RESERVES AT 31 JANUARY 2018	
Building Asset Maintenance Reserve	\$52,236
Council Building Construction Reserve	\$232,168
	\$284,404
Budgeted Reserve Transfer	
Council Building Construction (Preston Beach CC)	-\$75,000
Council Building Construction OCM17/11/119	-\$145,000
TOTAL RESERVES AFTER BUDGETED TRANSFERS	
Building Asset Maintenance Reserve	\$52,236
Council Building Construction Reserve	\$12,168
	\$64,404
Less Proposed Budget Amendment	-\$51,602.00
TOTAL RESERVES AT YEAR END	
Building Asset Maintenance Reserve	\$634.00
Council Building Construction Reserve	\$12,168.00
	\$12,802.00

Councillors should note that the above actions will effectively deplete these reserves requiring restoration in subsequent budgets (commencing 2018/19).

As a result alternative sources of funding (eg Loan Funds) will have to be sourced if similar unbudgeted expenditure was to occur in the short to medium term.

It is therefore recommended that the Council give serious consideration to the raising of Treasury Loan (No 121) for \$200,000 to cover this unforeseen expenditure. The following reasons are provided to support this proposal.

- The Town Hall works are to be assessed as a “Capital upgrade” and will provide an extended life for the Town Hall Building. The work is not maintenance.
- Importantly, the Councils Building Construction and Building Asset Maintenance Reserve will continue to hold sufficient funds in the event of future urgent work occurrences. (There will still be a requirement to continue to accumulate the Reserves where possible).

- In the event of a small shortfall in the 2018/19 Preston Beach Community Centre construction project, this funding could be accessed from the Building Construction Reserve (Note \$75,000 from this Reserve is already committed to the project).
- The Councils cash flow for the remainder of 2017/18 will not be impacted as the loan funds would reflect in the accounts as income. This will also reflect a positive when calculating the “Operating Surplus Ratio” at 30 June 2018.
- The Town Hall is a significant Council and Community Asset with a current replacement cost of \$2.1 million (to be revalued in March 2020).
- The Councils overall loan liability is forecast at \$224,465 at 30 June 2018 and is well within compliance benchmarks. The proposed loan will have an insignificant impact on the Councils overall financial position even taking into account other loans which may be required within the next 5 years.
- No additional loan requirements were identified during preparation of the current 5 year Corporate Business Plan. If this situation were to change in future it is likely that the Recreation & Aquatic Centre would be the source required.
- In accordance with the main principal of loan borrowings by a Local Government the cost of asset preservation (or creation) is spread over future ratepayers and users of the facility.
- There will be no repayments on the proposed loan during the current financial year.

Should the Council adopt the recommendation to borrow it will be necessary to contra the previous budget amendments to transfer \$145,000 from the Councils Building Construction Reserve (OCM17/11/119). This proposed transaction has been included in Appendix 9.3.5.

Recreation and Culture

Recreation & Aquatic Centre – Overall operating expenditure is within budget at period end however there will be a need to review expenses associated with gas and electricity and the likely benefits of upgraded solar equipment.

Economic Services

Funding of \$5,000 to Peel Region Leaders Forum has been withheld (contribution reduced from \$25,000 to \$20,000) following advice received in August 2017 of a decline in Federal Government Funding (FAG's).

Other Property & Services

Public Works Overheads – A review of public works overheads at period end has resulted in an adjustment of \$50,000 unallocated expenditure.

3. Capital



Land and Buildings

Construction of Preston Beach Community Centre has progressed to final design with the next step being tender documentation.

A slight delay has occurred due to renegotiating with Lotteries West to secure additional funding associated with kitchen fit out and furniture.

As construction is unlikely to commence before 1st July 2018 funds on hand will be secured in a Reserve account investment.

This matter will be the subject of a further report to Council.

Recreation and Aquatic Centre

The proposed installation of safety rails (\$4,500) was deferred in August 2017 following advice received of a decline in Government Funding (FAG's)

In addition funding of \$35,000 to replace aquatic centre roof bolts was deferred in August 2017 following advice that grant funding to Councils associated with State Government "Pool Revitalisation Grants" had been withdrawn.

Centennial Park

Expenditure of \$30,000 associated with ablution refurbishment was deferred in August 2017 as a result of a decline in Government Funding (FAG's)

Plant and Equipment

Plant Replacement and Upgrade – expenditure associated with plant is a timing issue and all proposals are expected to be completed within budget and by year end.

Infrastructure Assets – Roads

Expenditure on the 2017/18 Road Construction Program is expected to be completed within budget however is impacted by the State Government decision to withdraw \$38,756 in Direct Grant Funding.

As a result project RC14 Wealand Road re-sheeting was deferred.

An overview of the program is as follows:

Job No	Description	Original Budget	Proposed Budget	Actual	Status
RR01	Lake Clifton Road - Reseal	28,000	28,000	26,843	Complete - To be invoiced
RR02	Weller Road – Second Coat Seal	32,000	32,000	37,174	Complete - To be invoiced
RR03	Weir Road – Reseal	50,000	50,000	43,279	Complete
RR04	Somers Road – Reconstruct	222,919	222,919	6,102	To be completed by end of February
RR05	Somers Road – Second Coat Seal	11,000	11,000	13,403	Complete
RR06	Parnell Street – Reseal	20,000	20,000	25,487	Complete
RC10	Dorsett Road – Reconstruct	441,000	441,000	324,739	To be completed by end of March
RC11	Coronation Road – Widening/Reseal	60,000	60,000	62,171	Complete
RC12	Johnston Road – Reconstruct	210,000	210,000	1,250	To be completed by end of March
RC13	Buller Road – Reconstruct	360,000	360,000	360,865	Complete
RC14	Wealand Road – Gravel Resheet	54,387	16,317	0	Project Deferred (\$38,070)
RC15	Scarp Road – Gravel Resheet	30,000	30,000	42,004	Complete
RC16	Lake View Road – Second Coat Seal	7,000	7,000	9,033	Complete – To be invoiced
RC17	Kyamba Road – Complete Roadworks/Reseal	18,737	18,737	16,094	Complete
US11	South West Hwy/Thatcher Street – Drainage	55,000	55,000	0	Plans approved, commence end of March
	TOTAL	\$1,600,043	\$1,561,973	\$968,444	

Infrastructure Assets – Other

Proposed expenditure of \$14,000 to install lighting within the Football Club carpark has been deferred in August 2017 following advice received of a decline in Government Funding (FAG's).

In addition funds of \$3,000 have been withdrawn from an allocation to provide a storage facility at Drakesbrook Cemetery.

The following table indicates the status of all capital works as at 31st January 2018.

COA	PROJECT	ASSET TYPE	BUDGET	ACTUAL TO 31/01/18	COMMENTS
0544	1st Phase of Repairs to Ceiling - Admin Building	Buildings	30,000	\$24,439	Complete
1054	Community Centre - Repair Eaves	Buildings	10,000	\$3,412	Complete
1044	Arts & Craft Centre - Install Security Cage & Gutter Guards	Buildings	4,500	\$0	Not Commenced
1414	Senior Citizen Centre - Replace Bargeboards, Gutters & Guards	Buildings	28,257	\$0	Scheduled for April/May
2394	Cemetery - Remove Asbestos Shed & Add Alternative Storage	Buildings	10,000	\$5,895	Demolition Only Completed
2394	Centennial Park Toilets - Repair External Walls & Refurbishment	Buildings	30,000	\$0	Deferred as per Memo from CEO dated 22/08/17
2444	Construct Preston Beach Community Centre	Buildings	550,000	\$19,100	In Progress
2474	Memorial Hall - Repair External Cracks	Buildings	12,000	\$10,164	Complete
7104	Rec Centre - Pool Lighting	Buildings	5,000	\$0	Not Commenced
7104	Rec Centre - Purchase Affixed Office Furniture	Buildings	2,500	\$0	Not Commenced
7104	Rec Centre - Install Affixed Weight Rack	Buildings	3,000	\$0	Not Commenced
7104	Rec Centre - Install Safety Rails	Buildings	4,500	\$0	Deferred as per Memo from CEO dated 22/08/17
7104	Rec Centre - Replace Structure Bolts to Pool Roof	Buildings	35,000	\$0	Not Commenced - Funding not Granted
7104	Rec Centre - Install Solar Panels	Buildings	67,000	\$0	Not Commenced
3904	Visitor Centre - Build & Design Stair Case	Buildings	60,500	\$0	Not Commenced - Waiting on Further Funding
0934	Replace Security Cameras - Memorial Hall	Furniture & Equipment	8,000	\$0	Not Commenced - Pending on Completion of Hall Works
2464	Replace Fridge - Memorial Hall	Furniture & Equipment	3,500	\$0	Not Commenced
3044	Library - Install WIFI	Furniture & Equipment	3,760	\$0	Scheduled for May
3044	Library - Bookends for New Shelving	Furniture & Equipment	2,000	\$0	Scheduled for May
7114	Rec Centre - Poolside Furniture	Furniture & Equipment	2,500	\$986	In Progress
3134	Historical Society - Replace Air Conditioner	Furniture & Equipment	6,000	\$0	Not Commenced
3574	Visitor Centre - Replace Air Conditioner	Furniture & Equipment	8,000	\$5,878	Complete
3574	Visitor Centre - Upgrade Wireless Link from Admin	Furniture & Equipment	2,000	\$0	Not Commenced - Pending on Completion of Hall Works
2014	Townsite Drainage - South West Hwy/Thatcher St	Infrastructure - Other	55,000	\$0	Scheduled for March
3614	General Playground Equipment Refurbishment	Infrastructure - Other	3,000	\$3,142	Complete
3714	Install Carpark Lighting at Football Club	Infrastructure - Other	14,000	\$0	Deferred as per Memo from CEO dated 22/08/17
3724	Refurbish Sporting Ovals Reticulation Systems	Infrastructure - Other	45,000	\$3,916	In Progress
3274	Replace Footpath Sections South West Hwy - McLarty St - Mill St	Infrastructure - Other	30,000	\$28,506	In Progress
3274	Hawksley Park/Sundercombe Loop - Gravel Path through Park	Infrastructure - Other	11,000	\$5,633	In Progress
3284	Lake Clifton Community Centre - Construct Driveway	Infrastructure - Other	49,500	\$810	In Progress
3184	Roads to Recovery	Infrastructure - Roads	363,919	\$12,691	In Progress
3204	Road Works Total Construction	Infrastructure - Roads	1,181,124	\$465,733	In Progress
0574	Changeover CEO Vehicle (gross)	Plant & Equipment	47,000	\$41,395	Complete
0574	Changeover DCEO Vehicle (gross)	Plant & Equipment	42,000	\$0	Complete
0574	Changeover MFS Vehicle (gross)	Plant & Equipment	25,000	\$0	Scheduled for May
1524	Capital Upgrade Compactor	Plant & Equipment	10,000	\$0	Not Commenced
1524	Capital Upgrade Loader	Plant & Equipment	10,000	\$0	Not Commenced
1524	Purchase Water Monitor Bores	Plant & Equipment	16,000	\$4,175	In Progress
1524	Refuse Site - Security System/Lighting	Plant & Equipment	16,700	\$21,458	Complete
2254	Changeover DDS Vehicle (gross)	Plant & Equipment	36,000	\$37,450	Complete
3554	Changeover MWS Vehicle (gross)	Plant & Equipment	32,000	\$32,304	Complete
3554	Changeover DTS Vehicle (gross)	Plant & Equipment	36,000	\$37,355	Complete
3554	Changeover Kubota Tractor (P83)	Plant & Equipment	70,000	\$0	Scheduled for April
3554	Changeover Toyota Tray Top Ute (109WR - P179)	Plant & Equipment	26,000	\$0	Scheduled for April
3554	Purchase Minor Plant	Plant & Equipment	12,000	\$0	Allocated to non capital
3554	Refurbish Skid on Water Tank	Plant & Equipment	30,000	\$25,650	Complete
4164	Changeover MDS Vehicle (gross)	Plant & Equipment	29,000	\$28,170	Complete
7154	Rec Centre - Replace Pool Blanket	Plant & Equipment	6,000	\$0	Not Commenced
7154	Rec Centre - Replace Solar Pump	Plant & Equipment	3,500	\$4,094	Complete
7154	Rec Centre - Replace Air Conditioner (Spin Room)	Plant & Equipment	8,000	\$1,782	Complete
TOTAL			3,095,760	\$824,137	

CAPITAL ACCOUNTS - ADOPTED BUDGET AMENDMENTS					
COA	PROJECT	ASSET TYPE	BUDGET AMENDMENT	ACTUAL 31/1/18	COMMENTS
0554	Increase Capital Expenditure to include Upgrade to IT Link	Furniture & Equipment	9,000	7,986	
2474	Increase Expenditure to Repair Memorial Hall Roof	Buildings	145,000	6,455	In Progress
3554	Grader Rebuild (P25)	Plant & Equipment		48,321	Complete
Sub Total			154,000	62,762	
TOTAL			\$3,249,760	\$886,899	



4. Cash Position

Cash position as at 31st January 2018

Municipal Funds \$2,152,468 (of which \$1,700,000 is invested)

Reserve Accounts \$2,570,954

Note – Interest on Reserve Accounts is yet to be brought to account.

Municipal Account balance for corresponding period previous year - \$2,275,153.

5. Summary

Attached at appendix 5.1.1 is a summary of proposed amendments to the 2017/18 adopted budget resulting in a rebalanced budget. The following observations are of particular note:

- An adjustment to the Councils opening financial position at 30 June 2017 resulted in a final surplus of \$814,087, a decrease of \$6,706.
- Reserve funds of \$455,000 associated with fire recovery expenditure including the engaging of Emergency Services Co-ordinator will be transferred to the Municipal Fund at year end following maturity of fixed deposit investment.
- The Council will be requested to consider the restoration of funding to essential Reserve Accounts which were utilised for essential ceiling replacement works at the Town Hall.
- Projects totalling \$121,500 have been deferred from the 2017/18 adopted budget. These projects are proposed to be reconsidered in 2018/19.

6. Budget Amendments 2017/18

The following amendments to the 2017/18 budget have been approved by the Council to date:

- Increase capital expenditure amount to include upgrade to IT Link \$9,000 (0554)
Increase in reserve transfer amount to provide upgrade to IT Link \$9,000 (0625)
OCM17/08/081
- Transfer in from Fire Recovery Assistance Grant Reserve \$255,000 (5405)
Expenditure relating to GP Down South Contribution \$91,000 (5462)
Expenditure relating to Outreach Services \$60,000 (5462)
Expenditure relating to Bushfire Recovery Services \$104,000 (5462)
OCM17/09/093
- Increase in expenditure for dune stabilisation project \$14,840 (2103)
Increase in grant income received for dune stabilisation project \$14,840 (2103)
OCM17/11/112
- Increase expenditure to allocate funds to repair Memorial Hall roof \$145,000 (2474)

Increase income with relation to reserve transfer to fund Memorial Hall
Roof Repairs \$145,000 (2435)
OCM17/11/119

Appendices Attached:	Yes	Appendices Numbers: 9.3.5A & B
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM18/02/014

MOVED: CR MASON

SECONDED: CR PURCELL

- 1. The statement of budget review appended at Appendix 9.3.5A be adopted and amendments to the 2017/18 adopted budget be made accordingly.**
- 2. That Council rescinds motion 147/11/119(1) which authorised emergency works on the Waroona Memorial Hall to be paid for out of reserves funds and that the Council seeks a Treasury Loan (Loan 121) of \$200,000 to fund emergency and essential works at the Waroona Memorial Hall noting that as the loan is not included in the 2017/18 adopted budget, a public advertisement of “intent to borrow” is required.**
- 3. That the 2017/18 adopted budget review for the period 1 July 2017 to 31 January 2018 be received.**

CARRIED BY ABSOLUTE MAJORITY 8/0



9.4 CHIEF EXECUTIVE OFFICER
Nil

10. CONFIDENTIAL REPORTS
Nil.

11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN, OR FOR CONSIDERATION AT NEXT MEETING
Nil.

12. NEW BUSINESS OF AN URGENT NATURE/REPORTS & INFORMATION

12.1 ELECTED MEMBERS
Nil.

12.2 OFFICERS
Nil.

COUNCIL RESOLUTION

OCM18/02/015

MOVED: CR SCOTT

SECONDED: CR DEW

That the meeting be closed to members of the public in accordance with Section 5.23(2)(d) of the Local Government Act 1995 to discuss confidential advice received from Council’s legal representative relating to matters associated with a property at Lot 8 McDowell Street. The time being 4.46 pm.

CARRIED 8/0

(No Council resolutions were passed during the period of the meeting closed to the public).

COUNCIL RESOLUTION

OCM18/02/016

MOVED: CR SCOTT

SECONDED: CR SALERIAN

That the meeting resume in public, the time being 5.10 pm.

CARRIED 8/0

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 5.10 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE SPECIAL COUNCIL MEETING HELD 27 MARCH 2018 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

