



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 24 APRIL 2012
(Held at the Waroona Shire – Council Chambers)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Deputy Shire President declared the meeting open at 4.02 pm and welcomed Councillors and Staff present.

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

Cr L Scott	Deputy Shire President/Presiding Member
Cr J Salerian	Councillor
Cr C Germain	Councillor
Cr C Wright	Councillor
Cr T Witney	Councillor
Cr J Mason	Councillor
Mr I Curley	Chief Executive Officer
Mr L Fouché	Manager Planning Services
Mr Grayson Hindmarsh	Manager Environmental Health & Building Services
Ms Tamara Olsson	Manager Financial Services
Mr Patrick Steinbacher	Consultant Director Technical Services
Mr S Cleaver	Director Community & Planning Services
Mrs Sue Cicolari	Executive Support Officer

APOLOGIES

Mr L Tilbrook Deputy Chief Executive Officer

There was 1 member of the public present at the commencement of the meeting.

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr N Dew Shire President
Cr L Look Councillor

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

4.1 PUBLIC QUESTION TIME

Mr Alan Calhoun – 46 Jackson Street, Waroona

1. How much money has been spent on Millar Street, Fouracre Street and the section of Coronation Road between the South West Highway and the train track plus drainage and parking bays and the crooked road to the railway station in 2011 and 2012?

The Chief Executive Officer advised that the total amount spent for 2010/2011 on Fouracre St was \$249,962 and, so far, for 2011/2012 was \$106,411 out of a budget of \$274,305.

2. When will the T-junction be reinstated at the junction of Millar Street and Fouracre Streets and the railway road be redone properly?



The Chief Executive Officer advised that this matter was listed on the agenda for this meeting, and invited Mr Calhoun to remain in the meeting to hear Council's decision on the matter. (Item 9.1.4)

3. Why have the minutes of Council meetings been changed to “Unconfirmed Minutes” in 2012?

The Chief Executive Officer advised that the Council meeting minutes are required to be made available to members of the public within 10 days from the date of the meeting and remain “unconfirmed” until the next Council meeting at which they are confirmed.

4.2 PUBLIC STATEMENTS

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

Nil.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 27 MARCH 2012

COUNCIL RESOLUTION

OCM12/4/044

MOVED: Cr Mason

SECONDED: Cr Wright

That the Minutes of the Ordinary Council Meeting held 27 March 2012 be confirmed as being a true and correct record of proceedings.

CARRIED 6/0

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

9.1.1 PURCHASE OF ALL TERRAIN VEHICLE FOR PRESTON BEACH	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community and Planning Services / Nil
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community and Planning Services / Nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 27 March 2012	File No.: 125/1
Previous Reference:	Nil
Statutory/Policy Implications:	Local Government Act 1995
Strategic Implications:	Improved ranger services
Financial Implications:	Local Government Act 1995 Purchasing policy 3.3, 3.4 Funds in Reserve
Voting Requirements	Absolute Majority

PROPOSAL

To amend the 2011/2012 budget for the purchase of an All Terrain Vehicle (ATV).

BACKGROUND

The Shire in 2010 invested in a quad bike for patrolling of the beach area by the Shire Rangers and the Volunteer Rangers. In 2012 consultant's advice has been received that most Local Governments are moving away from quad bikes to All terrain vehicles (ATV's). The ATV's have seatbelts and roll cages and are therefore considered an improvement on quad bikes.

COMMUNITY CONSULTATION

Shire Ranger and Volunteer Rangers

OFFICER'S COMMENTS

Competitive quotes were called via the WALGA preferred suppliers list, and also from a local supplier. Policy 3.4 allows for a 10% price preference for local purchases. Prices are detailed in the table below.

Supplier	Name	Price (ex GST)	Comments
De Rosas	Rustler 120 (diesel)	\$17400	Local price policy applies Utility vehicle
Beacon Equipment	John Deere Gator XUV855D	\$17210	WALGA preferred supplier. All-Terrain vehicle
McIntosh and Son	Rustler 115 (petrol)	\$15000	Utility vehicle
Polaris	Polaris RZ800S	\$20450	All-terrain Vehicle

The Preston Volunteer Rangers reserve has a balance of \$27447. This fund has been utilised for the purchase of the current 4wd utility vehicle and a quad bike. A trade in value of \$3600 has been offered on the Polaris quad bike and due to its low residual value it is therefore recommended that this not be accepted and the asset kept. The existing quad bike asset would be based at the Works depot and may be utilised for weed spraying and to move wandering stock.

In terms of a preferred machine the New Holland rustler has been road tested and is felt would be unsuitable for the boggy sands at Preston Beach. The John Deere Gator provides a better price than the Polaris and is a WALGA preferred supplier and is therefore recommended.

OFFICER RECOMMENDATION

That Council amends the 2011/2012 budget as follows:

- 1. That expenditure of \$17,210 be authorised for the purchase of a John Deere all-terrain vehicle from Beacon Equipment from a/c 0924, and*
- 2. That \$17,210 is transferred from the Preston Volunteer Rangers reserve to a/c 0965 for this expenditure.*

COUNCIL RESOLUTION

OCM12/4/045

MOVED: Cr Germain

SECONDED: Cr Witney

That the matter lay on the table pending further investigations by the Works & Services Committee including:

- 1. Circulation of ATV Specifications; and**
- 2. Test drives of ATV's in consultation with members of the Preston Beach Volunteer Rangers.**

CARRIED 5/1

**For the Motion: Cr Germain, Witney, Scott, Mason, Wright
Against the Motion: Cr Salerian**



9.1.2 FIVE YEAR CAPITAL WORKS PLAN 2012/13 to 2016/17	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Consultant Director Technical Services / Nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	n/a
Landowner:	n/a
Date of Report: 3 rd April 2012	File No.: 38/1
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Strategic Implications:	The Capital Works Plan will form part of Council's overall strategic plan
Financial Implications:	Future Capital Works budgets will stem from this plan
Voting Requirements	Simple Majority

PROPOSAL

To endorse a Five Year Capital Works Program (CWP) for the years 2012/13 to 2016/17 for endorsement, with the first year to become the basis for the 2012/13 Capital Works budget. Additionally, the CWP will go on to form part of Council's overall strategic planning.

BACKGROUND

Council has, in previous years, endorsed a CWP in some form. This process updates the CWP.

FINANCIAL IMPLICATIONS

The first year of the CWP will essentially form the next Capital Works budget, however the plan also seeks to ensure that Council's capital works needs are being considered and met, that expenditure from year to year is both consistent and achievable, and that all grant funds are being spent.

STATUTORY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The CWP will form part of Council's overall strategic plan.

COMMUNITY CONSULTATION

No direct community consultation was carried out in the compiling of this item.

OFFICER'S COMMENTS

The CWP is presented in various breakdowns i.e.:

- By Works Area/Funding Source
 - *Construction, Reconstruction, Various (Council funded)*
 - *Roads to Recovery*
 - *Regional Road Group*
 - *Footpaths*
 - *Townsite Preservation*
 - *Drainage*
 - *Blackspot*
- By Summary per Year
- By Overall Summary (showing funding amounts)

By presenting the plan in this manner, it can be viewed from several different angles and comparisons made across various fields. Additionally, expenditure can be broken down into work types, years, and locations, and funding sources and split funded projects are easily identified and the layout offers simple checks and balances to ensure the figures add up.

Construction, Reconstruction, Various & Roads to Recovery

Works under these two headings are essentially the same in nature, the difference being the funding source. Works under this heading typically include gravel re-sheeting, bitumen resealing, asphalt overlays as well as construction and reconstruction. Roads to Recovery projects are 100% funded or can be combined with Council's own funds if necessary.

To date there have been two Roads to Recovery programs, the first being a four year program and the second a five year program. The current five year program ends in the second year of the CWP shown, ie 2013/14. In all probability a new program will commence after this however at the present time there is no certainty of this or of funding levels. Therefore no projects have been shown in the years after 2013/14 in the Roads to Recovery section however expenditure in the Council funded section has been increased so that projects can be ready to slot into the Roads to Recovery section should funding become available. Decisions such as this or what direction to take should a new program not commence can be made in later reviews of the CWP.

Regional Road Group

Regional Road Group projects are funded 2/3 Main Roads WA and 1/3 Council. In most years, including this one, by the time the CWP comes to Council the funding levels for the following year will be set and confirmed. Officers have the opportunity to 'tweak' their submissions and adjust funding requests as necessary in about September of each year. Therefore, the projects and project costs for years later than 2012/13 are indicative but are able to be adjusted.

This year's expenditure under this heading is greater than later years because the South West Regional Road Group received more funding than expected therefore additional projects that were set down for later years were brought forward to 2012/13. Old Bunbury Road was one such project.

Footpaths

Council has applied for funding to carry out a Bicycle Network Plan (BNP) in 2013/14. From this, future bicycle/footpath projects can be found and funding sourced. A BNP is essential for gaining funding. Until the results of the BNP are available, the footpath section of the CWP has been shown generically. Future updates of the CWP will show actual projects.

Bicycle/footpath funding is usually dollar for dollar.

Also included in this heading is around \$7,000 per year to fund preservation works on the existing path network. Preservation works are those that are larger than general maintenance such as replacing cracked panels etc.

Townsite Preservation

Townsite preservation is aimed at town streets which are looking 'tired' but are not at such a condition that they require full reconstruction. Works under this heading will include kerb replacement, street resurfacing (generally with an asphalt overlay), verge reinstatement and the like. It is intended to select three or four streets each year based on a combination of local knowledge, works request 'hotspots' and inspections. The names of the streets will be included in the draft budget document.

Drainage

At least one capital drainage project will be sourced each year. A Waroona townsite drainage report was compiled by TME Consultants in recent years which identified two or three areas in the Waroona townsite which were flagged as having the potential to cause property damage in a significant rainfall event, therefore these have been deemed priorities in the first two years. Following on from these years, other projects in Waroona or the other townsites will be identified.

Drainage works could include installation of underground drainage where none exists presently, upgrading of existing drainage, modification of existing drainage to target problem areas, etc.

Blackspot

Successful Blackspot applications rely on either crash data (i.e. to qualify, locations must have a certain number of crashes in a certain time) or be subject to a Road Safety Audit. With a relatively small road network, the bulk of which carries relatively low traffic volumes, the shire does not have significant blackspot problems that can be tracked by crash data, therefore Road Safety Audits will most likely be the method by which future Blackspot funding is gained. Officers did look into possible Blackspot projects for 2012/13 however it was decided that the locations supported by the crash data were tenuous at best and would prove to be projects done for the sake of spending money. Since Blackspot funding targets and seeks to remedy areas which are contributing to crashes and in some cases, deaths, that the money available in 2012/13 would be better spent by other local governments.

It is the intention that in following years, known problem areas will be subject to Road Safety Audits and Blackspot funding will be sourced from the findings of the audits.

Blackspot funding is 2/3 Main Roads WA and 1/3 Council for the State Blackspot Program or fully funded under the National Blackspot Program however to be eligible for the national program, the location needs to have contributed to certain number of fatal crashes, which, thankfully, rules any location in the Shire of Waroona out.

A similar program was presented to Council in March as part of the Forward Capital Works Plan. Should the Committee and Council endorse the CWP the Forward Capital Works Plan will be revised accordingly in a later review.

The CWP will be reviewed and brought to Committee and Council each year for endorsement and to set the capital works budget for the following year.

COUNCIL RESOLUTION

OCM12/4/046

MOVED: Cr Wright

SECONDED: Cr Mason

That Council adopts the Five Year Capital Works Plan 2012/13 to 2016/17 and that the first year (2012/13) form the capital works component of the 2012/13 budget.

CARRIED 6/0

9.1.3 FRONT END LOADER REPLACEMENT	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Consultant Director Technical Services/Nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	n/a
Landowner:	n/a
Date of Report: 11th April 2012	File No.: 96/1
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	The 2011/12 Budget allows for the replacement of Council's existing loader
Voting Requirements	Absolute Majority

PROPOSAL

To approve the replacement and disposal of Council's current front end loader.

BACKGROUND

As part of its plant replacement program, Council's 2011/12 budget contains funds for the replacement of its existing front end loader.

FINANCIAL IMPLICATIONS

An amount of \$235,000 has been included in the 2011/12 budget for the purchase of a new front end loader and an amount of \$40,000 has been allowed for as the trade value of the current front end loader. As discussed later in the report, the purchase price for the recommended new front end loader is less than budget and the trade value obtained for the existing machine is more.

STATUTORY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S COMMENTS

Two options were open to officers with regards to the replacement of Council's existing Komatsu front end loader, viz:

- Conduct an 'in house' tender process, or:
- Utilise the WA Local Government Association's preferred supplier contract.

The WALGA contract was chosen as officers believe that it offers advantages over an in house tender process in that the paper work is simplified, as the process can be conducted as a 'Request For Quote' rather than a 'Request For Tender' process which



is far more involved. Additionally, the contract allows for greater negotiation to take place in terms of specification as neither party is bound to a rigid specification as would be in the case of a tender process. Indeed, under the terms of the WALGA contract Council would be free to approach one supplier only and source the required item of plant direct from them with no need to call for quotes.

For the purposes of comparing options, in this case all suppliers on the WALGA contract listing were approached and requested to submit a proposal. The suppliers who forwarded proposals are as follows:

- JCB Construction Equipment Australia (JCB)
- Westrac Equipment (Caterpillar)
- McIntosh & Son (New Holland & Case)
- Hitachi Construction Equipment (Hitachi & John Deere)
- CJD Equipment (Volvo & SDLG)

In order to shortlist the submissions a spread sheet was prepared which scored the proposals against a series of criteria based on both price and key specifications which were included in the original Request for Tender document sent to suppliers.

The criteria included:

- Purchase Price
- Trade Price Offered
- Warranty
- Engine Power
- Weight
- Width
- Bucket Capacity
- Relevant Experience
- Supplier's Resources

Out of this process, two machines were shortlisted, a New Holland W110B TC and a Volvo L60F, to be demonstrated.

Works officers and some Councillors attended the demonstrations held on Tuesday the 10th of April 2012. Both machines were impressive units and both could perform the tasks required of them however it was decided to recommend that Council purchase the Volvo L60F. Although this is the slightly more expensive option of the two, it is a larger machine with greater capacity and the brand is more established in the market at the present time. Several officers have had extensive experience with Volvo front end loaders in the past and are confident, based on the results of the desktop evaluation and the demonstration, to recommend the purchase of the Volvo L60F.

Price details for the Volvo L60F are as follows all (ex GST):

	Volvo L60F	Budget
Purchase Price	\$230,245**	\$235,000
Trade Value	\$50,000	\$40,000
Changeover	\$180,245	\$195,000

** This price includes some extra equipment which was requested in the specification and in some cases will be supplied by third parties, therefore the supplier cannot guarantee that such prices will remain as quoted. However any price variations are anticipated to be very minor and will not unduly effect the scoring of the machine or impact on budget constraints.

Trade In:

The WALGA contract makes no allowance for the disposal of the existing machine and therefore the disposal initially has to be handled in a separate process. To this end, the existing Komatsu Loader was advertised for outright sale by tender. Four submissions were received, being:

- Allied Plant Pty Ltd \$20,770.00
- PVT Sales Pty Ltd \$27,550.00
- J & P Group Pty Ltd \$28,181.81
- Allused Pty Ltd \$18,000.00

Since all prices are less than offered by CJD Equipment, it is recommended that all tenders be rejected and the disposal be carried via the trade of the existing loader.

COUNCIL RESOLUTION

OCM12/4/047

MOVED: Cr Wright

SECONDED: Cr Salerian

That, in accordance with the 2011/2012 budget allocations, Council:

- 1. Purchase one Volvo L60F Front End Loader from CJD Equipment for the price of \$230,245.00 (ex GST), notwithstanding any minor price variations.**
- 2. Reject all tenders for the outright purchase of Council's existing Komatsu Front End Loader and accept the trade value of \$50,000 offered by CJD Equipment.**

CARRIED BY ABSOLUTE MAJORITY 6/0



9.1.4 REVIEW OF FOURACRE/MILLAR INTERSECTION	
Reporting Officer / Officer's Interest:	Patrick Steinbacher, Consultant Director Technical Services/Nil
Responsible Officer / Officer's Interest	Ian Curley, Chief Executive Officer / Nil
Proponent:	n/a
Landowner:	n/a
Date of Report: 11th April 2012	File No.: 131/1
Previous Reference:	Nil
Statutory/Policy Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	Nil
Voting Requirements	Simple Majority

PROPOSAL

To reconsider the proposed modification of the Millar St/Fouracre St intersection following the completion of the proposed roadworks to Millar St and Coronation Rd.

BACKGROUND

The intersection of Fouracre and Millar Streets was modified as part of the upgrade of Fouracre Street precinct in 2010. The modifications to the intersection involved changing the layout of the intersection from a four way crossroad to a layout where the right turn between Millar and Fouracre became the priority lane and Fouracre Street north bound traffic has to give-way. It was reported that the modifications were not popular and as such Council requested that the design be revisited with the view to either converting it to a more traditional T junction where Millar terminated on Fouracre or other options to lessen the impact of the new design.

A consultant designer was engaged to carry out investigation and present new options. As part of his presentation of the options a site visit was arranged, at which time it was proposed that rather than convert the entire intersection to a T junction, that relatively minor works be carried out at the intersection to improve access by large vehicles.

This was resolved at Council's December meeting (OCM11/12/162) with the following wording:

"Council requests that the Works & Services Committee reconsider the proposed reconstruction of the Millar St / Fouracre St intersection after the widening of Millar St and reconstruction of Coronation Rd have been completed."

The works are now complete.

FINANCIAL IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil



STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

OFFICER'S COMMENTS

Although the works are only recently completed, officers feel that the modifications to the North-Eastern corner of the intersection will be successful. The movement from Fouracre to Millar is now wider and it has had the effect of opening up the entire intersection.

Officers would encourage Committee members to visit the intersection themselves as in conjunction with the recent works on Millar Street the entire 'feel' of the area has changed and the 2010 modifications now blend in to both Fouracre and Millar Streets to a higher degree.

In light of this it is recommended that no further modifications take place to the intersection.

COUNCIL RESOLUTION**OCM12/4/048****MOVED: Cr Germain****SECONDED: Cr Mason**

That, in order to finalise the recommendation from the December 2011 Council meeting (OCM11/12/162), Council formally resolve that:

- 1. No further modifications to the intersection of Fouracre and Millar Streets be carried out; and**
- 2. The A/Director Technical Services investigation and erect further signage for the intersection.**

CARRIED 5/1

**For the Motion: Cr Germain, Witney, Scott, Mason, Wright
Against the Motion: Cr Salerian**

9.2 DIRECTOR COMMUNITY & PLANNING SERVICES

9.2.1 LOT 4 BULLER ROAD, WAROONA - 2 LOT SUBDIVISION	
Reporting Officer / Officer's Interest:	Chris Dunlop – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	GHD Surveys
Landowner:	Fernando Oreste Ferfolja
Date of Report: 14 March 2012	File No: SD145721
Previous Reference:	Nil
Statutory/Policy Implications:	Planning and Development Act 2005 Peel Region Scheme 2003 Shire of Waroona Town Planning Scheme No. 7 1996 Development Control Policy 3.4 – Subdivision of Rural Land WAPC Development Control Policy 1.1 – Subdivision of Land – General Principles Local Planning Strategy 2009
Strategic Implications:	Shire of Waroona Strategic Plan 2005 – 2025 Objective 3 – Protect and Conserve Agricultural Lands and Rural Land Uses
Financial Implications:	Nil
Voting Requirements	Simple Majority

BACKGROUND

Lot size	42.97ha
Existing improvements	Water Infrastructure

A Western Australian Planning Commission subdivision application referral was received for a two (2) lot subdivision of Lot 4 Buller Road, Waroona.

The subject lot is located on the south-western corner of the Buller Road and Somers Road intersection. The lot is currently undeveloped with the exception of the Water Corporation surge vessel infrastructure. The lot is flat and used for agricultural purposes. There is no remnant vegetation on the lot.

A location plan is at **Appendix 9.2.1**.

PROPOSAL

The application proposes to subdivide Lot 4 into 2 lots, creating a lot in the northeast corner at the intersection of Buller Road and Somers Road of 484m². The proposed 484m² lot is to contain the existing water infrastructure. The balance lot is proposed to be 42.92ha. The proposal plan is at **Appendix 9.2.1**.

STATUTORY IMPLICATIONS

Peel Region Scheme

Lot 4 is zoned Rural under the Peel Region Scheme. The objective of the Rural zone under the Peel Region Scheme states:

“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 mineral, provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments.”

No guidance is given by the Peel Region Scheme as to appropriate lot sizes in the Rural zone.

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

The subject lot is located within the ‘Rural 1 – General Farming’ zone under the Shire of Waroona Town Planning Scheme No. 7. Clause 4.14 relates to rural zones but fails to specify criteria for subdivision of land within the rural zones.

STRATEGIC/POLICY IMPLICATIONS

WAPC Development Control Policy 1.1 Subdivision of Land – General Principles

Objectives of Development Control Policy 1.1 include:

- To ensure that all lots created have regard to the provisions of the relevant local government town planning scheme.
- To ensure a comprehensive and coordinate approach to the subdivision of urban expansion areas in metropolitan Perth, regional centres and country towns.
- To ensure the subdivision pattern is responsive to the characteristics of the site and the local planning context.
- To ensure that the subdivision is consistent with orderly and proper planning and the character of the area.

WAPC Development Control Policy 3.4 Subdivision of Rural Land (DC Policy 3.4)

Section 4.4 of DC Policy 3.4 states:

“New lots for existing or proposed specific non-rural land uses such as recreation facilities, public utilities and quarries or uses ancillary to the rural use of the land such as abattoirs and canning works may be created through subdivision.”

Local Planning Strategy 2009 (LPS)

The subject lots are classified as General Agriculture in the LPS. The LPS provides for a minimum lot size of 80ha in the General Agricultural zone.



COMMUNITY CONSULTATION

Community Consultation was not required nor sought for this application.

INTERNAL REFERRAL

The Shire's Consulting Engineer stated that there were no engineering concerns with the proposal.

The Shire's Environmental Health Officer stated that there are no environmental health concerns with the proposal.

The Shire's Building Surveyor stated that there are no building related concerns with the proposal.

OFFICER'S ASSESSMENT

The application proposes the subdivision of lot 4 into two lots. The proposed lots are to be 484m² and 42.92ha. The proposed subdivision is not in accordance with the 80ha minimum required by the Local Planning Strategy.

Provision is made via section 4.4 of DC Policy 3.4 for the creation of lots to contain existing or proposed public utilities. The creation of the additional lot will not impact on the development potential of the parent lot and does not create the capacity for additional dwellings.

The proposal is not considered to compromise the use of lot 4 for agricultural purposes, rather it is a formalisation of the existing arrangement on the lot.

Given that the proposal does not impact on the use of lot 4 for agricultural purposes and is deemed to be in accordance with DC Policy 3.4, it is recommended that Council respond to the Western Australian Planning Commission stating its support of the application. No local government conditions are required for the proposed subdivision.

COUNCIL RESOLUTION**OCM12/4/049****MOVED: Cr Germain****SECONDED: Cr Mason**

- 1. That Council, in respect to the application for the subdivision SD145721 of Lot 4 Buller Road, Waroona, respond to the West Australian Planning Commission recommending approval of the application.**

CARRIED 6/0

9.2.2 AMENDMENT TO THE 2011/12 ADOPTED BUDGET – COASTWEST GRANT	
Reporting Officer / Officer's Interest:	Maree Ellis – Community Development Officer / Nil
Responsible Officer / Officer's Interest	Steve Cleaver – Director Community and Planning Services / Nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 12 April 2012	File No.: 116/1
Previous Reference:	Nil
Statutory/Policy Implications:	An absolute majority decision of the Council is required to approve unbudgeted expenditure
Strategic Implications:	Nil
Financial Implications:	2011/2012 budget \$13,200 ex GST project contribution from the State Government, WA Planning Commission Coastwest Grants. Council expenditure \$7,000
Voting Requirements	Absolute Majority

PROPOSAL

Council is requested to consider an amendment to the 2011/12 adopted budget in order to accept funding from the Western Australian Planning Commission Coastwest Grants Program 2011-12.

BACKGROUND

The project area is the Shire of Waroona Coastline - Preston Beach. Reserve 32010 Mitchell Road, Preston Beach (vested in the Shire of Waroona).

The project is designed to maintain and protect the Preston Beach Coastline and Dunes from natural and manmade environmental influences by:

- Repairing the fencing along the North and South Beach access tracks
- Gating the Green Waste collection point
- Laying Green Waste along Primary Coastal Dunes either side of the designated parking and vehicle access areas to the North and South.

Maintaining the fencing of beach access tracks is imperative to ensure that drivers use delineated tracks it also keeps vehicles away from the designated swimming and pedestrian area promoting safety. The current fencing is in need of repair. The Northern Access track is approximately 280 metres in length and the Southern Access Track is approximately 210 metres in length. The access tracks commence at the parking area 170 metres in from the beach and run behind the primary dunes and on to the beach. An area adjacent to the parking area is currently used for a Green waste compound. Gates will be installed to control the amount and type of green waste being deposited. The green waste is laid on the primary dunes to the north and south and is confined to approximately 2 kilometres either side of the North and South beach entry points targeting areas that have blowouts which would allow 4WD access to the secondary dunes.



COMMUNITY CONSULTATION

Preston Beach Progress Association
Aboriginal consultation: meeting on site with George Walley and Franklin Nannup
South West Land and Sea Council
South West Catchment Council (SWCC)
Preston Beach Voluntary Rangers

OFFICER'S COMMENTS

Council had already budgeted \$7,000 towards this project and these additional funds will contribute to the satisfactory completion of the project. The current fence is badly in need of repair due to erosion and environmental factors. Careful management of the coastal environment is important to ensure protection of coastal dunes. In areas where vegetation is poorly established there is a risk of sand blowouts and erosion causing movement of the dunes. There are currently existing areas of open sands and unstable dunes north and south of the Preston Beach access points. Brushing of these at risk areas is needed to prevent further erosion and to stabilise these areas so revegetation can occur.

COUNCIL RESOLUTION**OCM12/4/050****MOVED: Cr Witney****SECONDED: Cr Wright**

That the 2011/2012 adopted budget be amended as follows.

- **That Council budgets in 2011/2012, increased expenditure from account 120720 Dune Stabilisation, from \$7,000 to \$20,200 (ex GST) to reflect the additional \$13,200 (ex GST) from the State Government WA Planning Commission Coastwest Grants Program.**
- **Authorise unbudgeted grant income of \$13,200 (ex GST) to A/C 121130.**

CARRIED BY ABSOLUTE MAJORITY 6/0

9.2.3 LOT 77 SOUTH WESTERN HIGHWAY, WAROONA - APPLICATION FOR PLANNING CONSENT FOR RESTAURANT	
Reporting Officer / Officer's Interest:	Chris Dunlop – Town Planner / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	John Ferraro
Landowner:	Paul Anthony Panteleo
Date of Report: 12 April 2012	File No: TP1477
Previous Reference:	None
Statutory/Policy Implications:	Planning and Development Act 2005 Peel Region Scheme 2003 Shire of Waroona Town Planning Scheme 7 1996 Local Planning Strategy 2009 Local Planning Policy 1 – Community Consultation Local Planning Policy 14 – Industrial/Commercial Land-Use and Development Local Planning Policy 21 – Waroona Townsite Drainage Development
Strategic Implications:	Shire of Waroona Strategic Plan 2005 – 2025 Objective 1 – Prepare for Growth
Financial Implications:	Nil
Voting Requirements	Simple Majority

PROPOSAL

An application has been received for a Restaurant on Lot 77 South Western Highway, Waroona.

The application proposes to refurbish the existing building to be used as a Restaurant. A steel framed patio of 66m² is proposed to be constructed directly to the north of the existing building. The patio's roof is proposed to be sloping and will be cladded with white metal sheeting. Seating areas for 32 patrons are proposed both indoors and outdoors, with a playground area at the rear of the building.

The southern crossover onto South Western Highway is proposed to be removed. Vehicle access is to be provided via a two way, 6m wide gated driveway along the northern boundary of the lot. Fifteen (15) on site car parking spaces will be accommodated at the rear of the building.

Colorbond fencing at the front of the lot is proposed to be replaced with 2m high limestone pillars with vertical railing infill. This wall / fence will continue around the front garden area, the access to the site to the north and wrap around the playground and parking area.

The façade of the building is proposed to be upgraded, however material, colour schemes and finishes have not been specified.

The submitted plans are at **APPENDIX 9.2.3**.

BACKGROUND

The existing building on site has a rendered masonry frontage, masonry boundary / party wall on the southern property boundary, hardiplank type cladding on the northern façade and weatherboard cladding to the rear / western facade. The main building has a galvanised roof, while the verandah over the front entry has a tiled roof.

Lot 77 has historically been used for a variety of commercial uses. The site previously operated as a garden centre, but has been vacant for some time. The existing building is in need of refurbishment.

There are currently two crossovers servicing the lot directly from South Western Highway. The site slopes westward away from South Western Highway.

STATUTORY IMPLICATIONS

Planning and Development Act 2005

Section 16 of the Planning and Development Act 2005 states:

'The Commission may, by resolution, delegate to a person or body referred to in subsection (3) any function of the Commission under this Act or any other written law, except this power of delegation.'

Clause 2 (a) of Schedule 2 Notice of Delegation 2008/12 under the Planning and Development Act 2005 states that the powers of the Western Australian Planning Commission shall be delegated to Local Governments where development on land abuts a Primary Regional Road reservation, and requires approval under the PRS, is approved in accordance with advice and/or recommendations received from Main Roads Western Australia.

Peel Region Scheme (PRS)

Clause 21 of the PRS states:

'The Commission may by resolution require development on land zoned under this Scheme to have the planning approval of the Commission before it is commenced or carried on.'

Resolution 2011/02 under Clause 21 of the PRS empowers the Western Australian Planning Commission to require a planning consent to be issued under the PRS.

Clause 21 of the PRS states:

(1) If —

(a) a determination is made by a local government under a local government scheme in respect of planning approval for development on land to which a resolution under clause 21 applies;

(b) at the same time as the application for that planning approval was made under the local government scheme, an application was made to that local government under this Scheme for planning approval in respect of the same development; and

(c) the local government has power, pursuant to a delegation by the Commission, to determine the application made under this Scheme,

then, subject to subclause (2) and despite any other provision of this Scheme, the local government is deemed to have made, at the same time as the determination under the local government scheme was made, the same determination under this Scheme in respect of the development.

(2) Nothing in this clause prevents the Commission from exercising its power to determine an application for planning approval in accordance with the terms of the delegation referred to in subclause (1)(c).

Clause 3 (b) of Schedule 1 of resolution 2011/02 states that development with direct access or existing vehicular access to a regional road reservation requires approval under the PRS. South Western Highway is classified as a Primary Regional Road under the PRS.

The Shire of Waroona is delegated the authority to determine applications for development on zoned land (under the Peel Region Scheme) by the Western Australian Planning Commission in terms of notice of delegation 2008/12. This proposal falls within Schedule 2 of the delegation affecting zoned land abutting Primary Regional Roads, where the local government accepts the advice of Main Roads Western Australia.

Shire of Waroona Town Planning Scheme No. 7 (TPS)

The subject lot is located within the 'Urban 1 – Town Centre' zone under the TPS. In accordance with Clause 6.1.1 of the TPS, development taking place within land zoned under the TPS, which is not exempted under Clause 6.1.2, requires the Planning Consent of Council. (The proposed use is not listed as exempt under Clause 6.1.2).

Clause 4.5.2 of the TPS specifies the minimum setback requirements for development within the Urban 1 – Town Centre zone. Street frontage boundaries have a nil minimum setback, as do side boundaries unless vehicle access to the rear of the building is required. Rear boundary setbacks are to be at the discretion of Council.

Clause 6.8.1 of the TPS states that car parking is required, with the number of bays being at the discretion of council.

Clause 6.12.1 of the TPS states that no building shall exceed 9m above natural ground level.

Clause 6.13 provides Council with the discretion to modify development standards where Council is satisfied that:

- a) Development will be consistent with orderly and proper planning.
- b) Non-compliance will not have an adverse effect on the locality.
- c) The spirit and purpose of the requirement is not departed from.



Clause 7.3 of the TPS requires that any development within the Special Design Precinct be finished in materials approved by the Shire, namely brick, brick veneer or masonry.

STRATEGIC IMPLICATIONS

Shire of Waroona Strategic Plan 2005 – 2025

The Shire of Waroona is faced with challenges including improving the aesthetics of the main street.

STRATEGIC PLANNING IMPLICATIONS

Local Planning Strategy (LPS)

The subject lot is located within the Town Precinct of the LPS. Lot 77 is designated Town Centre within the LPS. It is the objective of the Town Centre classification to provide for a wide range of commercial, community and civic uses within a pedestrian friendly and attractive environment.

A 'Restaurant' is a 'P' use in the Town Centre classification of the Town precinct.

Local Planning Policy 14 – Industrial / Commercial Land-Use and Development (LPP14)

Policy Statement 2 of LPP14 requires that a landscaping plan be included as a condition of approval.

Policy Statement 3 of LPP 14 requires that vehicles enter and exit the site in a forward gear, and that parking and circulation areas be drained and sealed.

Policy Statement 5 of LPP 14 states that all open storage areas be screened.

Policy Statement 7 of LPP14 states that where further development is being made to an existing building, progressive upgrading of the site is required.

Local Planning Policy 21 – Waroona Townsite Drainage Development (LPP 21)

Clause 21.5.1 (i) of LPP 21 states:

'A drainage contribution shall be collected from all new subdivisions and strata subdivisions creating one or more new lots; and developments (excluding single residential on an existing lot) within the area as indicated on the Plan attached to this Policy.'

Subdivision and development in Catchment 1 will attract a contribution of \$3.85 per m² (\$3,438.05 for lot of 893m²).

COMMUNITY CONSULTATION

Under Clause 8.2 of the TPS and Local Planning Policy 1 – Community Consultation, a 'P' use with no non-compliances with the TPS or Council Policy is not required to undergo public consultation. As such no community consultation has been undertaken for this application.

INTERNAL REFERRAL

Upon referral to the Shire's Consulting Engineer conditions of approval were recommended. These conditions have been included in the officer's recommendation.

The Shire's Building Surveyor stated that a Building Permit will be required for the works proposed to the existing building and the new patio structure.

Comments from the Shire's Environmental Health Officer stated that registration under the Food Act 2008 is required prior to the business operating on the lot.

EXTERNAL REFERRAL

Main Roads Western Australia (MRWA)

The application has been referred to MRWA for comment as required under the PRS. Comments received from MRWA state that there is no objection to the proposed development.

OFFICER'S COMMENTS

Land Use

A 'Restaurant' is a P use in the Urban 1 – Town Centre zone. As such the use is permitted and is not required to be advertised where no variations to Council Policy are proposed.

Vehicle Parking and Movement

Clause 6.8.1 of the TPS states that car parking is required, with the number of bays being at the discretion of council. Survey of other local governments resulted in a general requirement of 1 bay per 4 seats for a 'Restaurant' use. This figure is considered to be appropriate to calculate the maximum number of bays which may be required to service the facility.

The application proposes total of 15 on site car parking spaces including 2 disabled spaces. Additional overflow parking is available on the western section of the lot. The floor plan of the proposal shows a total of 32 seats. At a rate of 1 parking space per 4 seats a total of 8 parking spaces would be required. Two on-street parking bays are also located in the South Western Highway, directly in front of the proposed restaurant. The number of parking spaces proposed to be provided is therefore considered to be sufficient to accommodate the demand created by the proposed Restaurant.

Policy Statement 3 of LPP 14 requires that vehicles enter and exit the site in a forward gear, and that parking and circulation areas be drained and sealed. The proposed site plan shows sufficient access for vehicles to enter and exit the site in a forward gear. A

condition of approval will be recommended requiring the seal, kerbing and construction of the vehicle movement and parking areas to be to the satisfaction of the Director of Technical Services.

Building design and materials

Clause 7.3 of the TPS requires that any development within the Special Design Precinct be finished in materials approved by the Shire, namely brick, brick veneer or masonry. The existing building complies with this requirement and the proposed patio is not supported with any walls, therefore the structure is considered to be consistent with the intent of Clause 7.3.

Clause 6.13 nevertheless provides Council with the ability to depart from this requirement. The development:

- a) is considered to be consistent with orderly and proper planning
- b) will not have an adverse effect on the locality
- c) is not departing from the spirit and purpose of the requirement

With the exception of the southern common party wall and the front (eastern façade) the existing building does not comply with Clause 7.3. The applicant proposes to repaint the front (eastern façade) and is currently refurbishing the interior and remainder of the exterior of building. Given the materials used on the remainder of the existing building, it is considered onerous to require that the building to be reclad in brick or brick veneer. The steel framed patio can be adequately integrated with the existing building on site without the use of masonry material and the development of the patio is therefore considered to be acceptable.

The design of the proposed development is considered to be consistent with other commercial development in the locality and despite the deviation from Clause 7.13, is considered to be an acceptable design outcome for commercial development fronting the South Western Highway. A condition is proposed requiring a schedule of building materials in order to ensure that appropriate materials, finishes and colour schemes are used and that the streetscape is not adversely affected.

Colour Scheme

Colour schemes for the proposed refurbishment of the existing building have not been submitted with the application (other than the roof colour of the patio). A condition will be recommended requiring colour schemes to be approved by the Manager Planning Services.

Drainage

Drainage of the site is to be conditioned to be to the satisfaction of the Director of Technical Services. All drainage is to be contained on site.

LPP21 requires a drainage contribution to be paid for all new eligible development within the policy area. The redevelopment and change of use of the subject lot is not considered to be new development, but rather the redevelopment of an existing facility. In addition, the proposal does not create any significant additional demand for council drainage infrastructure, hence it is not considered appropriate to require a contribution under LPP21 in this case.

Landscaping

Policy Statement 2 of LPP14 requires that a landscaping plan be included as a condition of approval. A condition will be included in the officer's recommendation to this effect.

Signage

Approximate signage details have been submitted with the application. Further detail in relation to signage is required. An advice note will be included to ensure the applicant is aware that signage shall be subject to a separate approval.

Conclusion

The proposed development is considered to be generally in accordance with the requirements of the TPS, the PRS and the relevant local planning policies. The redevelopment of the site provides the opportunity for the upgrading of an existing building in the main street environment of the Waroona townsite. The proposal is not deemed to detrimentally impact on any surrounding lots and is recommended for approval subject to appropriate conditions and advice notes.

When approving the application under the Shire of Waroona Town Planning Scheme, Council also makes the decision to approve the application under the Peel Region Scheme in accordance with Clause 22 of the Peel Region Scheme and WAPC notice of delegation 2008/12.

COUNCIL RESOLUTION**OCM12/4/051****MOVED: Cr Wright****SECONDED: Cr Mason**

1. That Council, in respect to the application TP1477 for a Restaurant at Lot 77 South Western Highway, Waroona, approve the application for planning consent under Clause 8.3 of the Shire of Waroona Town Planning Scheme No. 7 subject to the following conditions.
 - a) The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plans, unless otherwise required or agreed to in writing by the Director / Manager Planning Services.
 - b) Full details of the external materials to be used for the development (to include walls, roof, doors, windows, paving, external gutters and pipe work) shall be submitted to and approved by the Director / Manager Planning Services. The details shall be provided in a schedule of materials, finishes and colour schemes. The development shall thereafter be implemented in accordance with the approved details or particulars to the satisfaction of the Director / Manager Planning Services.
 - c) All open storage areas shall be screened to the satisfaction of the Director / Manager Planning Services.
 - d) Airconditioning units, venting and ducting shall be screened from public view to the satisfaction of the Director / Manager Planning Services.
 - e) A minimum of eight (8) parking spaces shall be provided on site to the satisfaction of the Director / Manager Planning Services.
 - f) The access ways, parking areas and turning areas shall be constructed, kerbed, formed, graded, drained, line marked and finished with a sealed or paved surface or equivalent by the developer to an approved design to the satisfaction of the Director Technical Services. Once constructed the access ways, parking areas and turning areas shall be maintained at all times to the satisfaction of the Director Technical Services. (See advice note B).
 - g) The applicant shall construct and maintain vehicle crossovers to the development. The existing crossover on the southern side of the lot shall be removed, the verge made good and kerbing reinstated, immediately upon completion of the building. (See advice note C).

- h) The applicant shall dispose of stormwater on site. Plans and specifications relating to the disposal of stormwater and groundwater shall be submitted and approved by the Director Technical Services prior to the issue of a building permit. (See advice note D).
- i) Any alterations or relocation of existing infrastructure within the road reserve shall be carried out and reinstated to the specification and satisfaction of the Director Technical Services at the developer's expense.
- j) Prior to the issue of a building licence, a detailed landscape plan shall be submitted to and approved by the Director / Manager Planning Services. Two copies of the landscape plan/s shall be submitted at a scale of 1:200 or 1:100 and shall detail the following:
- Proposed trees and shrubs to be planted including species and number. Trees and plants are to be shown in exact location using clear symbols;
 - Site layout and context including property boundaries, street names, building/s, parking areas, paved areas, adjacent verges, existing trees and vegetation;
 - A coded planting legend listing proposed plants by botanical names and details of pot/bag sizes, spacing and quantity.

When approved the landscape plan/s will be endorsed and will form part of the planning approval.

ADVICE TO APPLICANT

- A. All building work will need to be completed under a building permit in accordance with the *Building Act* 2011 and is to comply with the Building Code of Australia (BCA).
- B. Design and construction of access ways, parking areas and turning areas are to be in accordance with Austroads Part 11 Guide to Traffic Engineering Practice: Parking; Australian Standard AS2890.1-2004 Off Street Car Parking & Australian Standard AS2890.2-2002 Off Street Commercial Vehicle Facilities. (See Condition f).

- C. Crossovers are to be in accordance with Council's standard crossover specification. Crossovers shall not vary from the standard design without written approval from the Director Technical Services. Pedestrian access across the crossover shall be free of tripping hazards e.g. no raised kerbing. Paths shall take priority over crossovers. Council's crossover rebate will only be issued where construction has been completed in accordance with the standard drawings. (See Condition g).**
- D. The applicant is to provide 1 cubic metre of stormwater storage for each 65 square metre of impervious area, including parking, driveways, other paved and sealed areas and roof areas. (See Condition h).**
- E. The disabled accessible toilet is to comply with Australian Standard: AS 1428.1.**
- F. The kitchen fit out is to comply with Chapter 3 – Food Safety Standards of the Food Safety Australia New Zealand (FSANZ) Food Standards Code.**
- G. The food business is to be registered with the Shire of Waroona as per the *Food Act 2008*.**
- 2. That Council, in respect to the application for a Restaurant at Lot 77 South Western Highway, Waroona, approve the application in accordance with Clause 22 of the Peel Region Scheme and WAPC notice of delegation 2008/12 subject to the conditions and advice notes in 1 above.**

CARRIED 6/0

9.3 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

9.3.1 ACCOUNTS FOR PAYMENT	
Reporting Officer / Officer's Interest:	Joe Dineley – Senior Finance Officer / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 13/04/2012	File No.: 1/3
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
Voting Requirements	Simple Majority

APPENDIX 9.3.1

<u>COUNCIL RESOLUTION</u>		
OCM12/4/052		
MOVED: Cr Mason		
SECONDED: Cr Wright		
That Vouchers numbered:		
<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>TOTAL \$</u>
Municipal Trust	Cheques 6816 - 6844 Cheques 10998 10999 EFT 14060	\$16,302.67 \$1,198.40
Electronic Transfers Municipal Fund	EFT 14061 – 14206	\$340,065.66
Direct Wages	7/3/2012 – 21/3/2012 inclusive	\$143,450.20
GRAND TOTAL:		<u>\$501,016.93</u>
and attached at Appendix 9.3.1 be endorsed.		
CARRIED 6/0		

9.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2011 31 MARCH 2012	
Reporting Officer / Officer's Interest:	Tamara Olsson – Manager Financial Services / Nil
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil
Proponent:	N/A
Landowner:	N/A
Date of Report: 17/4/12	File No.: 1/1
Previous Reference:	N/A
Statutory/Policy Implications:	N/A
Strategic Implications:	N/A
Financial Implications:	N/A
Voting Requirements	Simple Majority

APPENDIX 9.3.2**COUNCIL RESOLUTION****OCM12/4/053****MOVED: Cr Germain****SECONDED: Cr Witney**

That the Monthly Statements of Financial Activity for the period 1 July 2011 to 31 March 2012 Appendix 9.3.2 be received and noted.

CARRIED 6/0

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 COMMUNITY STRATEGIC PLAN	
Responsible Officer / Officer's Interest:	Ian Curley, Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Date of Report: 16.04.2012	File No: 38/1
Previous Reference:	OCM11/07/086
Statutory/Policy Implications:	Plan required as part of the new Integrated Planning Framework.
Strategic Implications:	Plan to guide the Shire's strategic direction.
Financial Implications:	Costs included in current budget
Voting Requirements	Simple Majority

PROPOSAL

To endorse and adopt the draft Shire of Waroona Community Strategic Plan 2012-2017.

BACKGROUND

SDF Global were engaged to undertake the compilation of the Shire's Community Strategic Plan at the end of 2011. A draft plan has now been compiled and circulated to Councillors.

COMMUNITY CONSULTATION

The compilation of Shire of Waroona Community Strategic Plan underwent community consultation including the consultants meeting with representatives of community and sporting groups, progress associations and individuals. Consultation occurred through the shire.

OFFICER'S COMMENTS

The final version of the Shire of Waroona Community Strategic Plan is recommended to Council to be adopted.

COUNCIL RESOLUTION

OCM12/4/054

MOVED: Cr Wright

SECONDED: Cr Mason

That Council endorse and adopt the Shire of Waroona Strategic Community Plan 2012-2017, compiled by consultants SADF Global, as circulated.

CARRIED 6/0



9.4.2 PRESTON BEACH ENTRY STATEMENT	
Responsible Officer / Officer's Interest:	Ian Curley, Chief Executive Officer / Nil
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona / Dept of Environment and Conservation
Date of Report: 16.04.2012	File No: 143/1
Previous Reference:	
Statutory/Policy Implications:	Nil
Strategic Implications:	Nil
Financial Implications:	Minimal costs for removal
Voting Requirements	Simple Majority

PROPOSAL

To approve the removal of the current Preston Beach entry statement.

BACKGROUND

Council has approved the erection of a new Preston Beach entry statement with funding to be allocated from the 2011/12 Royalties for Regions Country Local Government Fund direct allocation. The new entry statements has been ordered and is similar to previous ones purchased for Waroona. A photograph is attached at **Appendix 9.4.2A**.

The Preston Beach Progress Association voted at their meeting of 31 March 2012 to request the Council to remove the current entry statement as it is in a dilapidated condition and does little to promote the area. A photograph of the entry statement is attached at **Appendix 9.4.2B**.

COMMUNITY CONSULTATION

Request from the Preston Beach Progress Association. 21 members attended the meeting when the decision was made.

OFFICER'S COMMENTS

That the request for removal of the current Preston Beach entry statement be approved and the works be undertaken in conjunction with the erection of the new entry statement.

COUNCIL RESOLUTION

OCM12/4/055

MOVED: Cr Germain

SECONDED: Cr Mason

That Council approve the removal of the current Preston Beach entry statement and that this work be coincided with the erection of a new a new Preston Beach entry statement.

CARRIED 6/0



9.4.3 AMENDMENT TO 2011/12 ADOPTED BUDGET – PRESTON BEACH CARPARK LIGHTING	
Reporting Officer / Officer's Interest:	Tamara Olsson – Manager Financial Services / Nil.
Responsible Officer / Officer's Interest	Ian Curley – Chief Executive Officer / Nil
Proponent:	N/A
Landowner:	N/A.
Date of Report: 23 March 2012	File No.: 1/7
Previous Reference:	N.A.
Statutory/Policy Implications:	Local Government Act 1965
Strategic Implications:	N.A.
Financial Implications:	2011/12 Budget
Voting Requirements	Absolute Majority

PROPOSAL

Council is requested to consider an amendment to the 2011/12 adopted budget in order to defer the construction of car park lighting at Preston Beach, and also to consider transferring the \$8,000 originally budgeted for that project towards the construction of a seaside shelter.

BACKGROUND

The 2011/12 budget included the project of installation of lighting at the Preston Beach car park. The 2011/12 Royalties for Regions Country Local Government Fund has now been approved, and one of the projects included within this funding is the refurbishment of the Preston Beach facilities. The project has been identified to commence in the 2012/13 financial year. After consideration of the project it is envisioned that installation of the car park lighting be a part of the refurbishment project.

The construction of a seaside shelter at Preston Beach has been identified as a project that is required to provide shelter at the beach. Landmark Engineering and Design has provided a quote for the installation of a shelter similar to the picture below for \$6,359. It is envisioned that there may be some site preparation works which will raise the total of the project to \$8,000.



OFFICER'S COMMENTS

The quote provided for the shelter is less than the projected amount of the car park lighting, though projected site preparation works by Shire staff requires the project be budgeted for \$8,000.

The proposed changes to the budget will not have any change to the 2011/12 Budget Net Result.

COUNCIL RESOLUTION

OCM12/4/056

MOVED: Cr Witney

SECONDED: Cr Wright

That the 2011/2012 adopted budget be amended as follows:

- **Decrease Expenditure of Account 2104 from \$8,000 to \$Nil to reflect deferment of car park Lighting at Preston Beach to 2012/13.**
- **Authorise unbudgeted expenditure of \$8,000 from Account 2394 for construction of seaside shelter at Preston Beach.**

CARRIED BY ABSOLUTE MAJORITY 6/0

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

12.2.1 LOT 356, NO. 28, BEACHCAST CLOSE, PRESTON BEACH - APPLICATION FOR PLANNING CONSENT FOR INSTALLATION OF TELECOMMUNICATIONS INFRASTRUCTURE	
Reporting Officer / Officer's Interest:	Louis Fouché – Manager Planning Services / Nil
Responsible Officer / Officer's Interest	Louis Fouché – Manager Planning Services / Nil
Proponent:	Aurecon Pty Ltd
Landowner:	Water Corporation
Date of Report: 1 February 2012	File No: TP1459
Previous Reference:	OCM11/12/147 & OCM12/2/010
Statutory/Policy Implications:	Planning and Development Act 2005 Shire of Waroona Town Planning Scheme No. 7 Local Planning Strategy 2009 Local Planning Policy 1 – Community Consultation Local Planning Policy 19 – Telecommunications Infrastructure State Planning Policy 5.2 – Telecommunications Infrastructure
Strategic Implications:	Shire of Waroona Strategic Plan 2005 – 2025 Objective 1 – Prepare for Growth Objective 2 – Conserve Our Pristine Environment Local Planning Strategy
Financial Implications:	Nil
Voting Requirements	Simple Majority

The Manager Planning Services Mr Louis Fouche updated the meeting on the proposal for Telecommunications infrastructure at Preston Beach which had been considered by Council at the February 2012 meeting, where Council did not adopt the Officer's recommendation for approval and the motion was lost. As a result the applicants have lodged an appeal with the State Appeals Tribunal at which a direction hearing was held this morning.

Mr Fouche advised Council of its current position and options on the matter.

COUNCIL RESOLUTION

OCM12/4/057

MOVED: Cr Witney

SECONDED: Cr Mason

That Council officers be instructed to engage appropriate town planning consultants to defend TP1459 at the State Administrative Tribunal.

CARRIED 6/0

There being no further business the Chairperson closed the meeting the time being 5.30 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 22 MAY 2012 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE

